



CARVER COUNTY

minnesota

Carver County Board of Commissioners April 12, 2022 Board Meeting

The County Board Room is open to the public.

Individuals who are not able to attend in person and wish to provide public comments can do so by email at admin-contact@co.carver.mn.us or by leaving a voicemail at (952) 361-1516. Public comments received in writing such as those received by e-mail will be summarized during the meeting and posted on the County website at <https://www.co.carver.mn.us/government/county-board-of-commissioners/county-board-meetings-and-agendas> following the meeting. Voicemail public comments will be played during the meeting. If you would like to join the Regular Session videoconference please send an e-mail, no later than noon on the Monday prior to the scheduled meeting date, to Carver County Administration at admin-contact@co.carver.mn.us to receive a WebEx invitation.

Public comments that relate to an item on the agenda will be heard when that agenda item is discussed. Please limit your public comments to five minutes or less.

The Regular Session portion of the meeting will be webcast live at: <https://www.youtube.com/user/CarverCountyMN/live>

9:00 a.m.	1.	a) CONVENE b) Pledge of allegiance c) Public comments submitted via email/voice mail	
	2.	Agenda review and adoption	
	3.	Approve minutes of March 15, 2022, Regular Session	1-4
	4.	Community Announcements	
9:20 a.m.	5.	CONSENT AGENDA	
		<i>Communities: Create and maintain safe, healthy, and livable communities</i>	
	5.1	Watertown Wetland Restoration Project Easement Conveyances and Access Agreement	5
	5.2	2021 County Feedlot Officer (CFO) Annual Report.....	6
	5.3	2021 Emergency Management Performance Grant (EMPG)	7
	5.4	MN Department of Agriculture Agreement for Waste Pesticide Collection and Reimbursement	8

5.5	Professional Services Agmt. for 2022 County Highway Crack Seal Project - with KAMCO, Inc.	9
5.6	Approve Professional Service Agreement with The Humanity Alliance.....	10
5.7	Tree Warranty Agreement for the Highway 50 Project – Bevens Creek Area.....	11
5.8	2022 Aquatic Invasive Species (AIS) Annual Plan and Budget.....	12-15
5.9	Acceptance of Donations for Waconia Regional Park, Coney Island	16-17

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

5.10	Joint Powers Agreement Establishing Asset Management Software Collaboration	18
5.11	2022 National County Government Month.....	19-20
5.12	Farmers Road Roadway Dedication	21-22
5.13	Charitable Gambling Application for Exempt Permit-Ridgeview Foundation	23
5.14	Charitable Gambling Application for Exempt Permit-Zoar United Church of Christ.....	24
5.15	Charitable Gambling Application to conduct a Raffle in Carver County-Watertown Rod and Gun Club.....	25
5.16	Memorandum of Understanding with Carver County Community Development Agency.....	26
5.17	Donation approval for Encore Adult Day Services	27

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

5.18	Request to eliminate Lead Environmentalist position and create Senior Environmentalist position.....	28
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Customer service: Continue the County’s delivery of high value, timely service and support

5.19	Revisions to County Highway Sign Policy - 2022 Update	29-40
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Growth: Manage the challenges and opportunities resulting from growth and development

5.20	Roger Falkenstein - Request for High Amenity & Conservation Incentive Development (4 Lots)	41-45
5.21	Resolution of Support to Extend City of Waconia Subdivision Authority	46-58

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

5.22	Letters of Support for Road and Bridge Grant Applications.....	59-63
5.23	Professional Services Agreement for 2022 Federal Government Relations Strategy	64
5.24	Review Health & Human Services and Commissioner Warrants.....	NO ATT

9:20 a.m. **6. COMMUNITIES: Create and maintain safe, healthy, and livable communities**

6.1	Dispatch Center Study.....	65-66
6.2	Appointment to Community Development Agency	67
6.3	Resolution proclaiming April 4-10, 2022 as National Public Health Week.....	68-69
6.4	Settlement Agreements for Right of Way Acquisition for the Highway 24 Project.....	70-79

- 10:20 a.m. 7. **CULTURE: Provide organizational culture fostering accountability to achieve goals and sustain trust/confidence in County government**
7.1 Sheriff's Office Recognition Proclamations 80-85
- 10:30 a.m.. 8. **GROWTH: Manage the challenges and opportunities resulting from growth and development**
8.1 CEF Watertown Community Solar, LLC - CUP for a Large Solar Energy System 86-93
- 11:00 a.m. **ADJOURN AS COUNTY BOARD AND CONVENE AS CARVER COUNTY REGIONAL RAIL AUTHORITY**
- 11:00 a.m. 9. **COMMUNITIES: Create and maintain safe, healthy, and livable communities**
9.1 Agreement For Use of CCRRA Property for TH 41 & CSAH 61 Improvements Trail and Underpass 94
9.2 Contract for Lake Waconia North Shore Stabilization Project 95
9.3 Letters of Support for Grant Applications for Trail Projects on CCRRA Property 96-98
- 11:20 a.m. 10. **County Administrator Report**
- 11:25 a.m. **ADJOURN CARVER COUNTY REGIONAL RAIL AUTHORITY**
- WORK SESSION**
- 11:25 a.m. A. **GROWTH: Manage the challenges and opportunities resulting from growth and development**
1. County Redistricting Plans..... 99

David Hemze
County Administrator

UPCOMING MEETINGS

- | | |
|----------------|---|
| April 19, 2022 | 9:00 a.m. Board Meeting |
| April 26, 2022 | 9:00 a.m. Board Meeting |
| May 3, 2022 | 9:00 a.m. Board Meeting |
| May 10, 2022 | 7:30 a.m. Joint County Ditch Board Meetings |

A Regular Session of the Carver County Board of Commissioners was held in the County Government Center, Chaska, on March 15, 2022. Chair Gayle Degler convened the session at 9:00 a.m.

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

Members absent: None.

Under public comments, Karen Johnson Leuthner, 15735 38th Street, Mayer, stated she didn't understand why Commissioner Workman had not been appointed Chair. She explained she would be addressing the CUP given to John Lindner that should not have been approved. She believed the County should have stopped what has happening in Hollywood Township. Johnson Leuthner stated Sam Cooke was a victim of this CUP. She noted the past video of Mr. Lindner's son talking about the sale had been removed from the Minnesota Broadcasting website. Johnson Leuthner indicated she has the evidence and has been trying to protect the people of Hollywood Township for 22 years.

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

Dave Hemze, Administrator, clarified the March 1, 2022, minutes approving the Highway 24 Resolutions should be revised to indicate Workman as voting "nay" on the motion.

Fahey moved, Workman seconded, to approve the minutes of the March 1, 2022, Regular Session as amended. Motion carried unanimously.

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

Professional services agreement with DKJ Appraisal, LLC for \$60,00 for appraisal services for Highway 40 Project-Belle Plaine Area, pending finalization of the contract review process.

Approved professional services agreement with Kelly Lindstrom Appraisals for \$60,000 for appraisal services for the Highway 40 Project-Belle Plaine Area, pending finalization of the contract review process.

Professional services agreement with YMCA of the North United Health Group for a maximum cost of \$81,675 to deliver part two of learning series.

Awarded and approved contract with Traffic Marking Services, Inc., for \$45,408 for the 2022 Pavement Markings Epoxy Handwork, pending finalization of the contract review process.

Professional services agreement with WSB & Associates, Inc., for construction materials testing for the Highway 24 Project, Highway 10 Project-North Watertown and Highway 10 and 127 Resurfacing Projects, pending finalization other contract review process.

Approved tobacco license to Deer Run Golf Club.

Approved redirecting \$55,867 in unused funds from body worn camera project for purchase of Axon X26P tasers and related Sheriff's budget amendment.

Approved the Parks and Recreation Department FTE reorganization and related Park's budget amendment.

Contract with 95West Aerial Mapping pending finalization other contract review process.

Approved Amendment 1 to the professional services agreement for planning and engineering services with Bolton and Menk, Inc., pending finalization of the contract review process.

Resolution #23-22 Support and Approval for Submittal of the US Highway 212 Rural Freight Mobility and Safety Project to US DOT's RAISE Program.

Resolution #24-22, To Authorize Submittal and Support of Transportation Project Applications to the Metropolitan Council's Regional Solicitation.

Reviewed March 8, 2021, Community Social Services' actions/Commissioners' warrants in the amount of \$239,932.84 and reviewed March 15, 2021, Community Social Services' actions/Commissioners' warrants in the amount of \$317,356.48.

Motion carried unanimously.

The Board considered an appointment to the Minnehaha Creek Watershed District Board of Managers.

Workman moved, Fahey seconded, to appoint William Olson to the Minnehaha Creek Watershed District Board of Managers for a three-year term. Motion carried unanimously.

Rod Franks, HH&S, requested the Board adopt a Resolution to recognize the work of the County's Social Workers during National Social Worker Month. He stated the County's social workers have been meeting the needs of County residents during the pandemic and pointed out the case management services they provide to adults, children and families. He asked the Board to proclaim March as National Social Worker Month and for Carver County citizens to join in supporting the social worker profession.

Udermann offered the following Resolution, seconded by Workman:

Resolution #25-22
Proclaiming March as National Social Worker Month

On vote taken, all voted aye.

Martin Walsh, Parks Director, appeared before the Board to request authorization to advertise for bids for construction of the Waterfront Service Center Building. He explained the last several

years they had been working on the development of Lake Waconia Regional Park and reviewed the improvements that have been made to date. He identified the area where the building is being planned. He explained the site plan, site features and overall plan for the building.

Glenn Waguespack, with HGA, pointed out the aesthetics of the building and explained the building materials that would be used. Walsh noted walls accents would be included to represent historical images and highlighted the interiors of the building.

Walsh pointed out previous Capital Bonding request, the funds that were awarded and the required County's match. He explained the public engagement process and design process that followed. He noted the schematic cost estimate was above available funding and pointed out changes that were subsequently made. Walsh recognized the increased costs related to the nature of the current building environment. He reviewed the projected costs and contingency amount that totaled \$7.8 million. Walsh noted current project funding sources and projected YES contribution. He stated they did submit a request earlier this year for additional funding for building and site amenities and highlighted the current bonding request for Phase II and III.

Brad Barickman, RJM, explained the construction management process and their role they play. He indicated they would administer the bid process and market the project to get as many bids as possible. Barickman stated they would administer the contracts and have a full time individual on site during the entire process. He confirmed they were comfortable with the cost estimate they have in place and documents they will create.

Walsh reviewed the Waterfront Service Center project construction schedule and proposed schedule for Phase III of the project if they were awarded additional funds in the future. He clarified a variety of energy efficient methods would be used in the construction.

The Board suggested the history of the community should be recognized and include a historical display in the building.

Lynch moved, Udermann seconded, to advertise for bids for construction of the Waterfront Service Center building project at Lake Waconia Regional Park. Motion carried unanimously.

Dave Frischmon, Finance, requested the Board approve urgent requests for the use of budget stabilization account funds. He pointed out the \$33.4M Covid 19 federal allocations that the County received and reviewed the money spent to date.

Dan Lund, Carver County Historical Society President, introduced members of the Historical Society in attendance.

Wendy Bjorn, Historical Society Director, pointed out the support for the Andrew Peterson farmstead. She noted the farmstead was on the National Registry and the property was meant for public use. Bjorn pointed out its location in relation to the Grimm Farm, the special events that have been held, the work completed to date and future projects.

She explained the Jeffris Family Foundation challenge grant and the need to raise \$500,000 in funds by the end of June to receive the grant. Bjorn indicated the pandemic impacted their capital campaign and stated they are seeking funds to complete the challenge grant.

She highlighted the work completed on the barns and future work to be done on the house. Bjorn identified future costs needed to make the buildings available for public use. She explained they raised \$355,244 and, instead of their first quarter allocation, were asking the County to pledge their \$59,382 first quarter allocation and \$85,375 in BSA funds to the challenge campaign.

Paul Melchert, Historical Society member, stressed this was a conditional grant and was conditional on raising \$500,000 in three years. He indicated, if they were unable to meet that goal, they would get nothing. He pointed out the negative economic impact caused by the pandemic in reaching that goal and noted the historical significance of Petersen's contributions.

The Board reviewed the current request for funds to meet the challenge grant and the opportunity to allocate additional BSA funds for future building improvements. The Board also discussed whether allocating the additional BSA dollars should be approved at this time or considered as part of other future BSA requests.

Udermann moved, Workman seconded, in support of the Historical Society with a total allocation not to exceed \$500,000 toward the Andrew Peterson Farmstead rehabilitation. Funds broken down as: \$144,757 in response to the Covid19 pandemic and economic recovery (\$59,382 in BSA funds (in lieu of the Historical Society's 2022 Budget Q1 allocation) plus \$85,375 in BSA funds to maximize the \$250,000 Jeffris Family Foundation Challenge Grant). In addition, up to \$355,243 to be reserved from BSA allocation in alignment with Historical Society phased planning accelerating a destination, revenue generating and self-sustaining venue for a 200+ occupants (including parking, ADA access, trail connection, barn safety and amenities, etc.) to be reviewed with Historical Society at a future work session. Fahey, Udermann, Workman voted aye. Degler, Lynch voted nay. Motion carried.

Rod Franks, HH&S, explained his Division's request for BSA funding for housing assistance, the emergency shelter program, funding for the Humanity Alliance program and software enhancement to their electric records system.

Frischmon reviewed the Jail's budget stabilization account funding request for a touchless handwashing lavatory systems to replace the current laminate cabinetry that was failing.

Lynch moved, Workman seconded, to approve \$563,382.00 BSA one time funding requests for HH&S housing assistance, emergency shelter program, Humanity Alliance program, the HH&S credible electronic records system and the Jail's touchless handwashing lavatory systems. Motion carried unanimously.

Workman moved, Lynch seconded, to adjourn the Regular Session at 11:23 am and go into a work session for an update on 2022 Redistricting and Elections. 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:

Watertown Wetland Restoration Project Easement Conveyances and Access Agreement

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 City of Watertown and Carver County have been project partners on the Watertown Wetland Restoration Project over many years. The project is nearly complete, and the County is now eligible to claim partial wetland bank credits once final land transfers have occurred. The City of Watertown has completed the necessary land conveyances to Carver County. As conditions of the joint powers agreement for this project, Carver County agreed to convey a trail easement to the City of Watertown for the city trail system that was constructed as part of the project around the perimeter of the restored wetland. In addition, Carver County agreed to convey a drainage & utility easement to the City of Watertown for maintenance of culverts that convey drainage under the trail to the restored wetland area.

As part of the land transfers, the City of Watertown desires to have access across land that is owned by Carver County for stormwater pond maintenance purposes. The stormwater ponds have only one access point, and the city has determined that a second access is needed to efficiently perform periodic maintenance and clean out of the ponds once every 20 years. This maintenance access agreement contains the terms of the use of County owned property for these purposes, which will be limited to winter frozen conditions.

The City of Watertown has approved of the maintenance access agreement and easement conveyance documents, and staff are recommending approval by the County Board.

As part of this project, it is anticipated that Carver County will have approximately 34 acres of wetland bank credits after the completion of the 5 year performance monitoring period. The value of wetland credits in Bank Service Area 7 are currently selling for \$2-\$3 per square foot, which would indicate Carver County could realize a return of investment of over \$3 million.

ACTION REQUESTED:

Motion to approve of a Maintenance Access Agreement, Trail Easement and Drainage and Utility Easement with the City of Watertown for the Watertown Wetland Restoration Project and authorize the Board Chair and County Administrator to execute these documents, pending finalization of the contract review process.

FISCAL IMPACT: ▼

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT: ▼

Total

Insert additional funding source

Related Financial/FTE Comments:

Carver County Board of Commissioners Request for Board Action



Agenda Item:
2021 County Feedlot Officer (CFO) Annual Report

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

Minnesota Rules 7020.1600 require county feedlot officers to submit an annual report to the Minnesota Pollution Control Agency (MPCA). The report consists of a summary of tasks performed in the previous year related to feedlot registrations, inspections, permitting, complaint response, education and outreach, and progress toward achieving goals identified in the delegation agreement workplan.

Carver County delegated work in 2021 included:

- **Inspections:** 47 compliance inspections performed, 23 within shoreland or a TMDL area
- **Permits Issued:** 2 Construction Short-Form permits issued for animal confinement barns
- **Feedlot Officer Training:** 31.75 hours of continuing education
- **Producer Education:** Farmer to Farmer Dairy Tour (events restricted in 2021 due to COVID)
- **Enforcement:** 4 Notice of Violations issued
- **Performance Credits:** 57.75 credits achieved towards incentive grant funding
- **Year-End Review Evaluation:** 11.75/12 Non-Inspection minimum program requirement points

Environmental Services staff members have prepared the 2021 annual report. The MPCA reviewed and approved the document as a part of Carver County's annual review process.

The 2021 annual report needs to be signed by a County Board Commissioner as per MPCA policy.

ACTION REQUESTED:

Motion to authorize the Chair to sign the 2021 County Feedlot Officer (CFO) Annual Report and approve submittal of the report to the Minnesota Pollution Control Agency.

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 2022 - 8253

Carver County Board of Commissioners Request for Board Action



Agenda Item:

2021 Emergency Management Performance Grant (EMPG)

Primary Originating Division/Dept: Sheriff

Meeting Date: 4/12/2022

Contact: Kelly Miller Title: EM Specialist

Item Type:
Consent

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

The purpose of the Emergency Management Performance Grant (EMPG) Program is to provide federal funds to States to assist State, local, territorial, and tribal governments in preparing for all hazards. Title VI of the *Stafford Act* authorizes FEMA to make grants available for the purpose of providing a system of emergency preparedness for the protection of life and property in the United States from hazards and to vest responsibility for emergency preparedness jointly in the Federal Government, States, and their political subdivisions. A cost match is required under this program.

The County must equally match the Federal contribution pursuant to Sections 611(j) and 613 of the *Robert T. Stafford Disaster Relief and Emergency Assistance Act* (Pub. L. No. 93-288), as amended, (42 U.S.C. §§ 5121-5207). Unless otherwise authorized by law, Federal funds cannot be matched with other Federal funds. Wages and benefits are eligible for reimbursement with EMPG funds, so long as the staff time is spent on emergency management work during the sub-grant period by personnel who meet the training and exercise requirements and are included in the application's Staffing Pattern - Paid Staff form. Carver County Emergency Management utilizes this grant for earned wages within the Emergency Management Program.

ACTION REQUESTED:

Motion to authorize the County Board Chair and the County Administrator to sign and accept the Grant Agreement for the 2021 Emergency Management Performance Grant (EMPG). Reviewed and approved by the County Attorney's Office and Risk Management.

FISCAL IMPACT: Budget amendment request form

If "Other", specify:

FUNDING

County Dollars = **\$54,096.00**

FTE IMPACT: None

Total **\$54,096.00**

Insert additional funding source

Related Financial/FTE Comments:

There is a 100% match required for this grant which is covered in the adopted budget for the Emergency Management Program.

Carver County Board of Commissioners Request for Board Action



Agenda Item:

MN Department of Agriculture Agreement for Waste Pesticide Collection and Reimbursement

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 Minnesota Department of Agriculture (MDA) Waste Pesticide Program enters into formal agreements with county-run Household Hazardous Waste (HHW) programs to capture waste pesticides at local facilities. The program provides opportunities to safely dispose of unwanted or unusable pesticides. Collection activities are funded by a product surcharge placed on pesticides registered and sold in Minnesota. All 87 Minnesota counties are covered by cooperative agreements for the collection of waste pesticides.

In 2021, Carver County collected approximately 32,000 pounds of general waste pesticides.

The annual amount of reimbursements will vary throughout the term of the contract based on the amount of pesticides collected. Environmental Services staff members anticipate the County will receive approximately \$80,000 (\$16,000 annually) in cost reimbursements over the five-year term of the contract.

ACTION REQUESTED:

Motion to approve Waste Pesticide Collection Agreement renewal with the MDA and delegate the Assistant County Administrator the authority to sign the renewal on behalf of the County.

FISCAL IMPACT:

If "Other", specify:

FTE IMPACT:

FUNDING

County Dollars =	<input type="text" value=""/>
MN Dept of Agriculture	\$80,000.00
Total	\$80,000.00

Insert additional funding source

Related Financial/FTE Comments:

Environmental Services staff members anticipate the County will receive approximately \$80,000 (\$16,000 annually) in cost reimbursements over the five-year term of the contract.

Office use only:

RBA 2022 - 8263

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Professional Services Agmt. for 2022 County Highway Crack Seal Project - with KAMCO, Inc.

Primary Originating Division/Dept: <input type="text" value="Public Works - PW Administration"/>	Meeting Date: <input type="text" value="4/12/2022"/>
Contact: <input type="text" value="Donna Eder"/> Title: <input type="text" value="Administrative Assistant"/>	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 checked="" type="radio"/> Yes <input type="radio"/> No
Strategic Initiative: <input type="text" value="Communities: Create and maintain safe, healthy, and livable communities"/>	

BACKGROUND/JUSTIFICATION:

Crack sealing is an integral part of the work done to preserve the long-range performance of the County's asphalt roadways. Public Works contracts for the majority of this work as it takes too many resources for the county staff to perform the work in a cost effective manner. The Contractor supplies the labor and equipment and the County supplies the materials.

The 2022 crack sealing program includes approximately 37 miles of county roads as shown on the attached map. Areas may be added or removed from the program as needed within budget. County Operations staff inspects the work as it is completed.

ACTION REQUESTED:

Motion to approve a professional services agreement with KAMCO, Inc. for \$86,684.00 for crack sealing services for 2022.

FISCAL IMPACT: <input type="text" value="Included in current budget"/>	FUNDING						
If "Other", specify: <input type="text"/>	<table style="width: 100%;"> <tr> <td style="width: 70%;">County Dollars =</td> <td style="width: 30%; text-align: right;">\$86,684.00</td> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td>Total</td> <td style="text-align: right;">\$86,684.00</td> </tr> </table>	County Dollars =	\$86,684.00			Total	\$86,684.00
County Dollars =	\$86,684.00						
Total	\$86,684.00						
FTE IMPACT: <input type="text" value="None"/>	<input checked="" type="checkbox"/> Insert additional funding source						
Related Financial/FTE Comments:							

Office use only:

RBA 2022 - 8278

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Approve Professional Service Agreement with The Humanity Alliance

Primary Originating Division/Dept: <input type="text" value="Health & Human Services"/>	Meeting Date: <input type="text" value="4/12/2022"/>
Contact: <input type="text" value="Heather Goodwin"/> Title: <input type="text" value="Deputy Director"/>	Item Type: <input type="text" value="Consent"/>
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="Communities: Create and maintain safe, healthy, and livable communities"/>	

BACKGROUND/JUSTIFICATION:

The Humanity Alliance is interested in continuing to provide meals for Carver County residents who continue to suffer from food insecurity due to the pandemic, especially on weekends when school is not in session and other food resources are less available. Funds for this purpose were approved by the County Board on 03/15/2022 (RBA 8254) utilizing dollars from the Budget Stabilization Account (BSA).

The Humanity Alliance is working to self-sustain their food preparation and delivery program. In 2022, the Professional Service Agreement (PSA) will include \$45,792 in unspent funds already County Board approved in 2021 and \$43,000 in BSA funds approved in March 2022. The total maximum amount of the agreement is \$88,792 to be used through 12/31/2022. The expectation is The Humanity Alliance will not need county funds to continue to provide meals to Carver County residents in 2023.

The Humanity Alliance is willing and able to do meal preparation and delivery of weekend meals to elderly, families, and individuals who reside in the Carver County. The dollars will provide an average of six meals per person each weekend. Meals are fresh, healthy, culturally appropriate, and ready-to-eat. Food is delivered to each resident's doorstep on Friday each week.

ACTION REQUESTED:

Motion to approve the Professional Service Agreement with The Humanity Alliance in the amount of \$88,792.00 using previously approved BSA funds .

FISCAL IMPACT: <input type="text" value="None"/>	FUNDING						
If "Other", specify: <input type="text"/>	<table style="width: 100%;"> <tr> <td>County Dollars =</td> <td style="text-align: right;">\$0.00</td> </tr> <tr> <td>BSA Funds</td> <td style="text-align: right;">\$88,792.00</td> </tr> <tr> <td>Total</td> <td style="text-align: right;">\$88,792.00</td> </tr> </table>	County Dollars =	\$0.00	BSA Funds	\$88,792.00	Total	\$88,792.00
County Dollars =	\$0.00						
BSA Funds	\$88,792.00						
Total	\$88,792.00						
FTE IMPACT: <input type="text" value="None"/>	<input checked="" type="checkbox"/> Insert additional funding source						

Related Financial/FTE Comments:

BSA Budget has been allocated by Finance for this purpose. The PSA has been approved by Risk and Attorney's Office via the contract portal.

Office use only:

RBA 2022 - 8279

Carver County Board of Commissioners Request for Board Action



Agenda Item:
Tree Warranty Agreement for the Highway 50 Project - Bevens Creek Area

Primary Originating Division/Dept: <input type="text" value="Public Works - Program Delivery"/>	Meeting Date: <input type="text" value="4/12/2022"/>
Contact: <input type="text" value="Patrick Lambert"/> Title: <input type="text" value="Senior Right of Way Agent"/>	Item Type: <input type="text" value="Consent"/>
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="Communities: Create and maintain safe, healthy, and livable communities"/>	

BACKGROUND/JUSTIFICATION:

The 2020 and 2021 construction season included the replacement of a bridge and shoulder widening along County Highway 50 from County Highway 41 on the west to County Highway 40 on the east. During the construction phase, it was determined that a large oak tree on Parcel #04.03400400 needed to have significant limb trimming for utility relocation purposes. Since the tree is located outside county right of way, permission was needed from the property owner to trim the tree. The property owner insisted that the county warranty the health of the tree for 5 years before he would allow the tree to be trimmed. The Carver County Attorneys' Office drafted a supplement to our original settlement agreement, saying that if the tree died within 5 years, starting on January 1, 2022, the county would reimburse the property owner up to \$2,500.00 for tree replacement.

ACTION REQUESTED:

Motion to authorize the County Board Chair and County Administrator to sign a supplement to a settlement agreement on Parcel #04.03400400 warranting the cost of replacing a tree if it should die within 5 years beginning on January 1, 2022 up to \$2,500.00.

FISCAL IMPACT: <input type="text" value="Included in current budget"/>	FUNDING
If "Other", specify: <input type="text"/>	County Dollars = <input type="text" value="\$2,500.00"/>
FTE IMPACT: <input type="text" value="None"/>	Total <input type="text" value="\$2,500.00"/>
<input checked="" type="checkbox"/> Insert additional funding source	

Related Financial/FTE Comments:
The payment is a "no more than" amount and paid only if the tree dies.

Office use only:

RBA 2022 - 8280

Carver County Board of Commissioners Request for Board Action



Agenda Item:
2022 Aquatic Invasive Species (AIS) Annual Plan and Budget

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:

Amount of Time Requested: minutes
Presenter: Title:

Attachments: Yes No

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

The updated Aquatic Invasive Species (AIS) 5-year strategic plan was reviewed and approved by the County Board at their 3/1/22 meeting. Staff is now requesting board approval of the 2022 AIS annual plan and budget (memo attached) as required by the MN Department of Natural Resources (MNDNR). Prevention remains the key priority using the following strategies, as laid out in the approved strategic plan: watercraft inspections & decontamination, monitoring & rapid response, education & outreach, promoting collaboration, and AIS management projects. Because the County receives AIS Prevention Aid funds from the state, the County is required to establish, by resolution or adoption of a plan, guidelines for the use of the proceeds and submit to the MNDNR.

Three of the seven lakes receiving watercraft inspections (Lotus, Susan, and Ann) are funded through a partnership agreement with the City of Chanhassen, Riley Purgatory Bluff Creek Watershed District, and the Lotus Lake conservation alliance. This agreement needs annual approval.

Staff is recommending approval of two motions.

ACTION REQUESTED:

1. Motion to approve the 2022 AIS plan and budget and submit the MN DNR.
2. Motion for Chair to sign the watercraft inspection partnership agreement with City of Chanhassen pending completion of contract review.

FISCAL IMPACT:
If "Other", specify:

FUNDING

County Dollars =	\$28,000.00
State Prevention Aid	\$141,746.00
WMO	\$60,682.00
Chanhassen Partnership	\$60,000.00
Rollover/Rapid Response	\$73,490.00
Total	\$363,918.00

FTE IMPACT:

Insert additional funding source

Related Financial/FTE Comments:

Staff will submit budget amendment for additional Chanhassen Partnership revenue as part of the contract review. Staff is waiting for final partnership agreement amounts from the city as it varies slightly from year to year. The partnership agreement is typically close to \$60,000.

Memo

To: County Commissioners, David Hemze

From: Andrew Dickhart, AIS Coordinator

Date: March 22, 2022

Re: 2022 County AIS Program Summary

CC: Nick Koktavy, Paul Moline

Requested Action

Approve the 2022 Aquatic Invasive Species (AIS) plan, and authorize chair to sign associated partnership agreement with the City of Chanhassen.

Summary

The following is a summary of the proposed 2022 Aquatic Invasive Species (AIS) Program including:

- 2022 Inspection & Monitoring Model
- 2022 AIS lakes
- 2022 Revenues and Expenditures

2022 AIS Inspection and Monitoring Model

- County partners with Carver County Water Management Organization, City of Chanhassen, and Riley Purgatory Bluff Creek Watershed District to determine level of watercraft inspection services based on AIS Prioritization Plan
- Service is provided to lakes that have public accesses within the County¹
 - ¹*MN Statute 477A.19, Subd. 3. **Use of proceeds.** A county that receives a distribution under this section must use the proceeds solely to prevent the introduction or limit the spread of aquatic invasive species at all access sites within the county. The county must establish, by resolution or through adoption of a plan, guidelines for the use of the proceeds. [Emphasis added.]*
- Dedicated inspection service for high priority lakes
 - 17 weeks of “Base Level” Service - Fishing opener to Labor Day
 - Lakes receiving inspection services include: Waconia, Bavaria, Minnewashta, Piersons, Lotus, Ann, and Susan.
- Extended service provided on high priority lakes if staffing allows
- Enhanced Early Detection Monitoring on all lakes with public accesses
 - Two seasonal interns

- Results in greater number and frequency of lakes receiving early detection monitoring

Proposed Decontamination Service

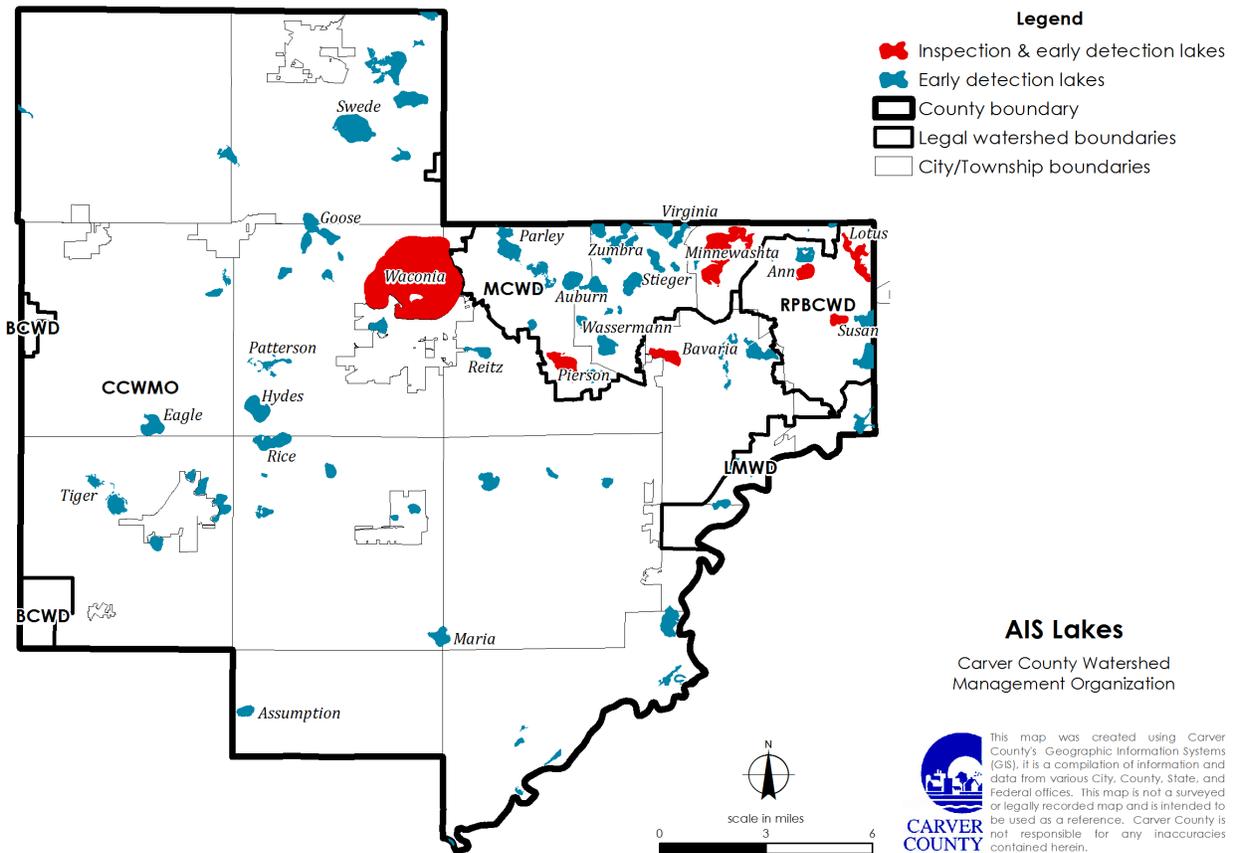
- Provided weekends mid-May through October at new Waconia access
- SERVICE OFFERED FREE to all users

Inspection Partnership Agreement

- City of Chanhassen Lakes
 - Agreement Similar to 2021- Total Cost apx. \$60,000 (agreement review in progress)
 - Cost includes funds from Lotus Lake Assoc. & RPBCWD
 - LAKES: Lotus, Susan, Ann

Projects and Grants

- Benton Lake Carp Management
 - Three-year LCCMR Grant: 2019-2022
- Hazeltine/Big woods Lake Goldfish Management
 - Three- year Feasibility Study – BWSR Grant 2021-2023



Revenues and Expenditures 2022

AIS Funding 2022	
Source	
State Prevention Aid	\$ 141,746.00
WMO	\$ 60,682.00
Chanhassen Partners	\$ 60,000.00
County	\$ 28,000.00
Rollover/Rapid Response contingency	\$ 73,490.00
TOTAL	\$ 363,918.00

Estimated Expenditures 2022	
Inspections & Coordination	\$ 282,552.00
Decontamination	\$ 11,000.00
Rapid Response/Contingency fund	\$ 28,797.52
Monitoring	\$ 23,568.48
Benton Lake Carp Management	\$ 15,000.00
Operating Supplies/Training	\$ 3,000.00
Total	\$ 363,918.00

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Acceptance of Donations for Waconia Regional Park, Coney Island

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 has received cash donations totaling \$2,630 from friends and family of Jeanie Hoffman and Brian Pitsch from their wedding gifts for continuing improvements to Coney Island.

In 2021, \$425.00 was received, followed by an additional donation of \$2,205.00 in 2022.

ACTION REQUESTED:

Motion to approve acceptance of cash donations totaling \$2,630 for Coney Island of Waconia Regional Park.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =	<input type="text" value=""/>
Donation 2021	\$425.00
Donation 2022	\$2,205.00
Total	\$2,630.00

FTE IMPACT:

Insert additional funding source

Related Financial/FTE Comments:

Funds to be coded to donations for Coney Island line Item 529-517-0000-5765.

Office use only:

RBA 2022 - 8298

Budget Amendment Request Form



To be filled out AFTER RBA submittal

Agenda Item: Acceptance of Donations for Waconia Regional Park, Coney Island

Department:

Meeting Date:

Fund:

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

Requested By:

DEBIT			CREDIT		
Description of Accounts	Acct #	Amount	Description of Accounts	Acct #	Amount
Coney Island	34-529-517.6680	\$425.00	Donations- 2021	34-529-517.5765	\$425.00
Coney Island	34-529-517.6680	\$2,205.00	Donations- 2022	34-529-517.5765	\$2,205.00
TOTAL		\$2,630.00	TOTAL		\$2,630.00

Reason for Request:

Acceptance of donation.

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Joint Powers Agreement Establishing Asset Management Software Collaboration

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:

In 2015 the county entered into a joint powers agreement (JPA) with Scott County and the City of Burnsville for its fleet management software, AssetWorks, to provide improved service and maintenance of the fleet vehicles serviced by each agency. The software has greatly increased work productivity, streamlined workflows, and allowed for better capital planning. The 2015 JPA is outdated, and parties have been added and deleted and there were multiple amendments to the JPA. Current parties to the JPA include Carver County, Scott County and the Cities of Burnsville, Egan, Shakopee, and Apple Valley.

A new agreement is needed to capture all the changes, including but not limited to, pricing structure, software updates, new modules, and new members. The agreement adds the City of White Bear Lake and defines how to add new members to the group moving forward. It also sets the annual cost by agency for the next 5-years for the new version of the software which is now an Enterprise Asset Management system (EAM) which has more features and opportunities for expansion.

ACTION REQUESTED:

Motion to approve a Joint Powers Agreement with Scott County, Cities of Burnsville, Shakopee, Apple Valley, Egan and White Bear Lake.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total

Insert additional funding source

Related Financial/FTE Comments:

\$10,000 per year

Office use only:

RBA 2022 - 8268

Carver County Board of Commissioners Request for Board Action



Agenda Item:

2022 National County Government Month

Primary Originating Division/Dept: Administration (County)

Meeting Date: 4/12/2022

Contact: Nick Koltavy Title: Asst. County Administrator

Item Type:
Consent

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

The National Association of Counties (NACo) National County Government Month is celebrated each April by the nation's counties to raise public awareness and understanding about the roles and responsibilities of county government. For 2022, the theme is how "Counties THRIVE" especially in supporting residents and businesses during the coronavirus pandemic.

Staff is recommending that the Board adopt the attached proclamation. This will be used as part of a local communications campaign around National County Government Month and the services provided by Carver County.

ACTION REQUESTED:

Motion to approve the attached proclamation declaring April National County Government Month in Carver County.

FISCAL IMPACT: None

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT: None

Total \$0.00

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2022 - 8284



In Recognition of National County Government Month

WHEREAS, the nation’s 3,069 counties serving more than 315 million Americans provide essential services to create healthy, safe and vibrant communities; and

WHEREAS, counties provide health services, administer justice, keep communities safe, foster economic opportunities and much more; and

WHEREAS, Carver County and all counties take pride in our responsibility to protect and enhance the health, wellbeing and safety of our residents in efficient and cost-effective ways; and

WHEREAS, under the leadership of National Association of Counties President Larry Johnson, NACo is demonstrating how “Counties THRIVE,” especially in supporting residents and businesses during the coronavirus pandemic; and

WHEREAS, each year since 1991 the National Association of Counties has encouraged counties across the country to elevate awareness of county responsibilities, programs and services; and

WHEREAS, Carver County provide essential services and programs that make Carver County a better place to work, live and play.

NOW, THEREFORE, BE IT RESOLVED THAT WE, the Carver County Board of Commissioners, do hereby proclaim April 2022 as National County Government Month and encourage all County officials, employees, schools and residents to participate in celebrating Carver County.

BOARD OF COMMISSIONERS

Gayle Degler, Chair
John Fahey, Vice Chair
Tim Lynch
Matt Udermann
Tom Workman

Carver County Board

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Farmers Road Roadway Dedication

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 Farmers Road signage designation proposal was discussed at March 22, 2022 County Board work session. Direction was given to install 6 signs along County Highway 10 dedicating the roadway to Farmers. The signs will contain the following wording: *"This Roadway; Dedicated to; FARMERS; and their families; Carver County's; Original Caretakers. "*

The sign locations are as follows – six (6) total : Westbound and Northbound: West of CSAH 15; West of CSAH 11; North of CSAH 30. Southbound and Eastbound: South of 30th St south of Watertown City Limits; East of Little Ave; East of CSAH 11.

The requested wording and message as shown, would be maintained as requested, on a green colored sign with white letters. Standard county highway sign of 42" x 36" sign included and installed as an individual single, separate structure and location along the subject highway.

Note that the official name of the subject roadway, as well as any addresses of residences or businesses along the road corridor would not change due to this designation.

The schedule for installation is unknown at this time but will occur this Spring.

ACTION REQUESTED:

Motion to adopt a resolution approving the Farmers Road Roadway Dedication for the designation and installation of special dedication highway signs on County Highway 10 and authorizing and directing the County Engineer to install and maintain such signs for a term of 15 years from the date of approval.

FISCAL IMPACT:
If "Other", specify:

FUNDING

County Dollars =	\$2,400.00
Total	\$2,400.00

FTE IMPACT:

Insert additional funding source

Related Financial/FTE Comments:

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

Date: April 12, 2022
 Motion by Commissioner: _____

Resolution No: _____
 Seconded by Commissioner: _____

Farmers Road Roadway Dedication

WHEREAS, the Carver County Board of Commissioners have the authority to establish public highways within the limits of the county pursuant to MN State Statute 163.11, and
 WHEREAS, MN State Statute 169.06 Subd. 3 grants local authorities in their respective jurisdictions to place and maintain traffic-control devices upon highways under their jurisdiction as they may deem necessary to indicate and to carry out necessary provisions and local traffic ordinances, or to regulate, warn, or guide traffic, and
 WHEREAS, the County recognizes the vital services and contributions that farmers and their families have provided to the county, and
 WHEREAS, the contributions and services of farmers and their families is a bond that America holds sacred. It is with hope that the Board's dedication of this roadway will raise awareness of Carver County farmers and their families and provide them a public recognition for reflection, pride and strength of that service.
 NOW THEREFORE BE IT RESOLVED, that the Carver County Board of Commissioners hereby authorizes the roadway dedication of County Highway 10, from the City of Watertown to the City of Chanhassen, to honor farmers and their families, pursuant to Minnesota Statutes Sec. 163.11 and 169.06 Subd. 3, and
 BE IT FURTHER RESOLVED, that the Carver County Board of Commissioners authorizes and directs the County Engineer to install and maintain such highway traffic signs to this effect, adopt a suitable design to mark the highway, and erect appropriate signs for a term of 15 years, with renewal required by County Board for a subsequent term.

YES	ABSENT	NO
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

STATE OF MINNESOTA
 COUNTY OF CARVER

I, David Hemze, duly appointed and qualified County Administrator of the County of Carver, State of Minnesota, do hereby certify that I have compared the foregoing copy of this resolution with the original minutes of the proceedings of the Board of County Commissioners, Carver County, Minnesota, at its session held on the 12th day of April, 2022, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

 County Administrator

Carver County Board of Commissioners Request for Board Action



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

Primary Originating Division/Dept: <input type="text" value="Property & Financial Services"/>	Meeting Date: <input type="text" value="4/12/2022"/>
Contact: <input type="text" value="Brenda Jurek"/> Title: <input type="text" value="Elections & Licensing Specialist"/>	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:
 A Charitable Gambling application for Exempt Permit was received from the Ridgeview Foundation. They plan to hold a raffle on June 20, 2022 at Island View Golf Club located at 7795 Laketown Pkwy, Waconia, MN 55387. This applicant has received this same type of license previously.

ACTION REQUESTED:
 Approval to issue a Charitable Gambling License to the Ridgeview Foundation for a raffle to be held on June 20, 2022.

FISCAL IMPACT: <input type="text" value="None"/> <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: <input type="text"/>	

Office use only:
 RBA 2022 - 8290

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Charitable Gambling Application for Exempt Permit-Zoar United Church of Christ

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

A Charitable Gambling application for Exempt Permit was received from Zoar United Church of Christ. They plan to hold a raffle on October 09, 2022 at Zoar United Church of Christ located at 7030 Highway 212, Chaska, MN 55318. This applicant has received this same type of license previously.

ACTION REQUESTED:

Approval to issue a Charitable Gambling License to Zoar United Church of Christ for a raffle to be held on October 09, 2022.

FISCAL IMPACT:
If "Other", specify:

FUNDING
County Dollars =

Total \$0.00

FTE IMPACT:

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2022 - 8291

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Charitable Gambling Application to conduct a Raffle in Carver County- Watertown Rod and Gun Club

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

A Charitable Gambling application to conduct a raffle in Carver County was received from Watertown Rod and Gun Club. They plan to hold a raffle on August 21, 2022 at Watertown Rod and Gun Club 13380 Co Rd 122 Watertown, MN 55388. This organization has not received this type of permit before.

ACTION REQUESTED:

Approval for Watertown Rod and Gun Club to conduct a raffle in Carver County on August 21, 2022.

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 2022 - 8292

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Memorandum of Understanding with Carver County Community Development Agency

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 and Community Development Agency (CDA) staff partnered on this Memorandum of Understanding which will facilitate the purchase of the property located at 760 Arboretum Blvd. (PID 650070700) in the City of Victoria from willing property owner-sellers. The CDA will acquire the property with the intent to lease the property for a period of approximately 3 to 8 years, which meets agency purpose and goals.

Public Works and MnDOT have an interest to preserve this area at the northwest corner of Highway 5 and Rolling Acres Road for programmed intersection safety improvements, as identified through the Arboretum Area Transportation Plan corridor study. There is mutual benefit and plans to purchase the property from the CDA in approximately 3 to 8 years at an amount equal to the CDA's purchase price of \$230,000. The CDA approved the purchase of the property, pending County MOU approval, at their March 17, 2022 Board meeting.

ACTION REQUESTED:

Motion to approve a memorandum of understanding with the Carver County Community Development Agency for the purchase and conveyance of PID 650070700, pending finalization of the contract review process.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total

Insert additional funding source

Related Financial/FTE Comments:

The County is committing to purchase the property in approximately 3 to 8 years from the CDA. The CDA will sell the property to the County for the purchase price (\$230,000), regardless of when the closing date occurs. The future purchase is eligible for funding from the county sales tax and cost share from state and federal funds.

Office use only:

RBA 2022 - 8302

Carver County Board of Commissioners Request for Board Action

**Agenda Item:****Donation approval for Encore Adult Day Services**

Primary Originating Division/Dept: Health & Human Services

Meeting Date: 4/12/2022

Contact: Jill Willems Title: HCBC Supervisor

Item Type:
Consent

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

During the first calendar quarter of 2022, Encore received a monetary donation in the amount of \$55.00. These funds will be used for program enrichment items.

ACTION REQUESTED:

Motion to approve receipt of the private donation in the amount of \$55.00.

FISCAL IMPACT: None

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT: None**Total** \$0.00 Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2022 - 8308

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Request to eliminate Lead Environmentalist position and create Senior Environmentalist position

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

In 2019, the Environmental Services Department completed a restructuring creating two new positions: Government Center Supervisor and Environmental Center Supervisor. Both positions were filled through an internal post and two Senior Environmentalist positions were eliminated.

With the addition of the two supervisor positions, the Lead Environmentalist position, is no longer necessary. Environmental Services is requesting to eliminate the Lead Environmentalist position (currently vacant) and replace it with a Senior Environmentalist position. This change aligns with the organizational structure of the Department.

The annual cost of the Lead Environmentalist (C43) position to be eliminated is \$138,633.00, and the annual cost of the Senior Environmentalist position (C42) to be created is \$115,402.97. This results in a total annual cost savings of \$23,230.03 for the requested change.

ACTION REQUESTED:

Motion to approve the elimination of 1.0 FTE Lead Environmentalist (C43) position, and the creation of 1.0 FTE Senior Environmentalist (C42) position.

FISCAL IMPACT:

If "Other", specify:

FTE IMPACT:

FUNDING

County Dollars =	
Solid Waste Fee Salary re	(\$138,633.00)
Solid Waste Fee Salary ac	\$115,403.00
Solid Waste Fee Professic	\$23,230.00
Total	\$0.00

Insert additional funding source

Related Financial/FTE Comments:

The County Solid Waste Fee covers the cost of this FTE.

Office use only:

RBA 2022 - 8269

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Revisions to County Highway Sign Policy - 2022 Update

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 developed recommended revisions to the previously adopted Highway Sign Policy, dated October 2013. A County Board Work Session was held on March 22, 2022 to review the policy and proposed updates. The policy establishes uniformity and consistency in the application, installation, and maintenance of the traffic signs on the county roadway system. The policy ensures all signing conforms to state and federal guidelines and outlines a maintenance plan to stay within retroreflectivity requirements.

ACTION REQUESTED:

Motion to adopt the 2022 updates and revisions to the County Highway Sign Policy.

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 2022 - 8287

HIGHWAY SIGN POLICY

**Adopted by the Carver County Board of Commissioners on October 15, 2013
Revisions / Updates Adopted on April 12, 2022**

PURPOSE

The purpose of this policy is to establish uniformity and consistency in the application, installation, and maintenance of traffic signs on Carver County's roadway system based upon a comprehensive set of available standards, guidelines, and warrant criteria.

Consistent with recommended standards and practice, it is in the interest of Carver County and the public to prevent the excessive use of traffic signs on the county roadway system. A conservative use of traffic signs reduces maintenance costs and improves the effectiveness of the remaining signs. Limiting the excessive use of traffic signs achieves the following:

- Fulfills demonstrated needs
- Champions a command of attention
- Reduces clutter that impedes the conveyance of a clear and simple meaning
- Fosters respect by road users, and reduces conflicts that may restrict time for a proper response that cumulatively improves traffic safety for all users
- Supports the goals of Minnesota best practices and safety programs, such as the Toward Zero Deaths partnership in Carver County

DEFINITIONS, REFERENCES

Traffic signs, such as speed limit signs, curve warning signs, and county route markers, are official traffic control devices and key part of the highway information system. Traffic signs regulate, warn, and guide motorists, pedestrians, and other traffic on all public roads. Along with pavement markings, traffic signals, and other control devices, traffic signs help provide motorists and other highway users guidance and information to travel safely and efficiently.

The Minnesota Manual on Uniform Traffic Control Devices (MnMUTCD) is the standard for the design and application of all traffic control devices on all roads open to public travel in Minnesota. Therefore, all traffic control devices including traffic signs, must conform to its standards and specifications, as specified in Minnesota Statute 169.06 and related federal rules from the Federal Highway Administration (FHWA) and U.S. Department of Transportation (USDOT).

In addition to the MnMUTCD, there are several other recognized standards and guidelines for traffic signs from the Minnesota Department of Transportation (MnDOT) Traffic Engineering Traffic Signs Programs and State Aid for Local Transportation Program.

Further information, research, and guidelines are provided by the MnDOT Local Road Research Board (LRBB) in support of MnDOT and local agencies. These include, but are not limited to, such references as the *Minnesota's Best Practices and Policies for Safety Strategies on Highways and Local Roads*, (2011, LLRB, LTAP, et al) and *Minnesota's Best Practices for Traffic Sign Maintenance / Management Handbook* (2014, LLRB, LTAP, et al).

POLICY

All traffic signs on Carver County's highway system must conform to the MnMUTCD. Traffic signs not explicitly required to be installed by the MnMUTCD should not be installed on Carver County's highway system unless otherwise specified in this policy or authorized by the County Engineer.

This policy officially recognizes the rule in the MnMUTCD that establishes minimum retro-reflectivity levels for traffic signs and describes how Carver County achieves compliance.

POLICY CRITERIA

Installation/Use of Signs

Carver County will develop and maintain a sign inventory of all signs on the roadway system. Based on the inventory and level of funding available for sign maintenance, Carver County will determine the amount of inventory that can be supported by the current funding structure.

Carver County will maintain the determined amount of traffic control devices (signs, traffic signals, and pavement markings) to ensure safe and efficient operations. Based on the inventory and policy considerations, signs that are not consistent with policy, and signs that are not required or are determined by an engineering study to be unnecessary will be removed through attrition or other methods as determined by the County. The following best practices will be implemented to assist in determining the need for all traffic signs:

- Signs that are required by MnMUTCD will be installed. Signs that require engineering judgment will undergo an engineering study, the results of which will be on file documenting reason for installation.
- Traffic signs will not be used as a reactive response to traffic crashes.
- The application of warning signs will be based on system considerations; locations with similar characteristics will be proactively signed.

Regulatory Signs

Regulatory signs inform roadway users of traffic laws or regulations and indicate the applicability of legal requirements that would not otherwise be apparent. Carver County will utilize the guidance of the MnMUTCD regarding design and installation of regulatory signs.

Warning Signs

Warning signs are used to call attention to hazardous conditions, actual or potential, on or adjacent to a roadway that would not be readily apparent to the motorist. The only type of warning signs that have been proven effective are the Horizontal Alignment Series (but only in a fairly narrow range of curve radii). Static warning signs that warn drivers of hazardous conditions they rarely encounter quickly lose credibility and become part of the background noise that drivers tune out. Signs include but are not limited to deer crossing signs, children at play, blind approach/driveway. Carver County will not install these types of warning signs and will be removing existing signs through attrition.

Curve Warning Signs

Carver County will utilize horizontal curve warning signs and chevrons when an engineering study deems necessary. A ball bank analysis will be conducted, and signs will be installed based on the results according to the guidelines provided in the MnMUTCD.

Guide Signs

Guide signs are used to provide directions to motorists, informing them of intersecting routes, directing them to cities and other important destinations, and guiding them to available services, points of interest, and other geographical, recreational, or cultural sites. Primary guide signs consist of advance junction signing, destination, and distance signs. Supplemental guide signs further provide the driver geographic orientation and secondary destinations at certain interchanges. Destinations include cities, motorist services, or state parks.

Primary Guide Signs

Intersection Street Name Signing

Street name signs are installed and maintained at all public intersections with County roadways and are typically placed in a corner at the intersection. Signs on each side of the roadway are installed at wide (multi-lane or divided roadways) intersections. City logos on the street name sign will not be permitted due to consistency and County maintenance responsibilities. The County installs street name signs for all intersections, including new intersections that are constructed by permit.

Signal Mast Arm Signing

Street name signs are placed on the overhead mast arm at signalized intersections to provide better visibility at these higher volume locations. These signs are key to alerting motorists to the crossroad and are visible prior to crossing the intersection. Once the mast arm signing is in place, ground mounted street name signs may be removed.

Highway Route Marker and Auxiliary Signing

County highways intersecting a state or county highway route are identified by a route marker (highway number) with an auxiliary junction plaque in advance of the intersection.

Route marker signs with junction and directional sign plaques are installed in advanced of highway designation intersections in conformance with MnMUTCD standards. The route marker signs used are standard M1-X4 (square block on white) signs with corresponding junction and directional plaques. Pentagon (white and yellow on blue) route marker signs, M1-6, are not used in Carver County.

Street Name Signs in Advance of Intersections

Advanced street name signs with directional arrows are placed prior to intersections to alert motorists of the upcoming crossroad. The sign is intended to assist the motorist in preparing for action at the upcoming intersection.

Highways must be designated a principal or minor arterial in the Carver County Roadway Systems Plan. County highways with a collector road designation will not be eligible for advanced street name signs.

A roadway designated a principal arterial has the primary purpose of mobility; therefore, access is limited. The roadways that connect to the highway are intended to be public roads serving the collector function or greater. Public road intersections will qualify for advance signing with the following exceptions:

1. Minor public street connections that serve a very limited function (cul-de-sacs, right in/out only or other short roadway connections).
2. For segments with more than one roadway leading into an area (roadways closer than one-quarter mile apart), only one road (main connection) for the area may be selected.
3. Intersections with Trunk or County Highways will typically not receive advance street name signs because they are denoted by advanced route-marking signs. However, a location may receive advance street name signing in select locations if the street name is determined to have regional significance provided signing will not diminish the effectiveness of State or County highway advance signing.

Roadways designated as a minor arterial primarily serve traffic throughout the County. Installation of advance street name signs are typically installed along multi-lane divided highway or high-speed rural highways with a daily traffic volume exceeding 1000 vehicles and with a speed limit of 50 MPH or greater. The same conditions as stated under principal

arterials will apply. Additionally, the following intersecting street eligibility must be met:

Highways within suburban area factors:

- Intersecting roadway serves to connect to other highway routes and the local city street system (typically intersecting street will be a MSAS route).
- Locations with all-way stops will not typically be considered for advanced signing. At all way stops, intersections signing will be placed at both near corners of the main line to provide intersection crossing recognition.
- Roadways with a high generator directly off the main highway that serves motorists unfamiliar with the area. High generators include high schools, industrial parks, churches, business districts, regional parks or community facilities located along a side road within one-half mile of the County highway intersections.
- Eligible locations will be a half-mile or further apart to ensure guidance signing provides information without overwhelming the regulatory and other warning signing along the corridor.

Highways within rural area factors:

- Roadways serve to connect to other highways with the town road system.
- For a segment with more than one roadway leading into an area, only the main road for the area would be selected. Preferably, a full intersection would be selected over T-intersections to provide guidance to the major access for the area.
- Eligible locations will be located 1 mile apart or further.

Adequate spacing of all signs is necessary to ensure that sign clutter does not diminish the visibility and message. While the criteria above may be met, the ability to install a sign without blocking other key signs will also be taken into consideration. Closely spaced intersections or lack of right of way width for sign placement may not allow for an advanced signing for a particular roadway. In areas with closely spaced intersections, motorists may see the directional sign and inadvertently be misdirected on to the wrong roadway. Location and placement of all signing is dependent on space, right-of-way availability and other signing. These issues can result in the inability to install a sign although qualifying criteria is met.

The municipality may be consulted to help determine the appropriate intersection to sign when a choice must be made between two or more intersections accessing the area.

Secondary

City Destination Signing

In rural areas, cities are typically isolated from each other and are often located off local or lower classification county highways. It may be desirable to supply the road user information concerning the destination in addition to the guidance provided from route markers and advanced street name signs. Guidance to specific cities off a highway route is done by means of Destination Signs (per the MnMUTCD).

In addition, all the following criteria must be met:

- Signing is permitted from the major county highway to a lower county highway or local road. Signing will not be permitted from the major county highway to another major county highway or directing to the trunk highway system.
- City must be located in an isolated rural area (this signing is not intended for cities that share borders with other cities).
- City must be located directly off the highway qualifying for signs and be no further than 6 miles from the qualifying highway where the sign would be placed. Trailblazing from the destination sign on the major highway or other highways or local routes will not be permitted.
- City will be permitted only one sign in each direction from the qualifying highway.

Destination signs are placed following any junction or advance route assemblies. Because the destination sign is of lesser importance than the Junction, Advance Route assemblies, the Destination sign may not be able to be accommodated where sign spacing is critical. Due to spacing, if a destination sign is at a location with a county highway, advanced street name signs may be eliminated to accommodate the city Destination sign. A judgment will be made by the County to determine which message (Street Name or Destination) will provide better overall guidance to the motorist.

Water Crossings

In Carver County highway crossings with the South Fork of the Crow River and the Minnesota River will be signed. All other water crossings are not eligible for signing.

Traffic Generator Signing

The street name sign and directional guidance signing is the primary traffic signing to help direct unfamiliar motorists to destinations along the County highway system. However, signing for a specific regional attraction or facility that generates significant volume of motorists

unfamiliar with the local area can be beneficial. Guide and information signs are intended to provide notice to motorists unfamiliar with the area to better facilitate travel and turn maneuvers to the destination. Highway signing is not intended to be an advertising medium. The County will review each request to determine if permitting this signing would be the appropriate method to aid traffic on the County system traveling to a specific facility.

This signing is meant for traffic generators that are major **public** regional attractions or facilities that draw motorists from beyond the local community. They are significant for the cultural, historical, or recreational experience and public appeal of the generator. Signing shall not be provided if the facility is readily visible or if effective off right-of-way directional signing is present or can be provided. Signing of this type is to help direct traffic and straight ahead signing will not be permitted. Predominantly retail, business, or manufacturing centers are not normally eligible for guide signing. In addition, either the following criteria 1 or criteria 2 (parts a through e) must be met to qualify for consideration for traffic generator signing:

1) Facilities that qualify for white on green or brown (depending on facility) signing on the state or interstate system under generator sign criteria in the MnDOT Traffic Engineering Manual, Chapter 6 that require supplemental signing on the County system to identify the route to the generator. OR

2) Facilities that generally attract non-local persons or groups unfamiliar with the location of the generator. Information regarding the generator will be used to determine the benefit of the signing to the motorists including the following:

- a. Public or private but open to the general public and provide a historical, cultural, or recreational experience. Retail, business, or manufacturing centers are not eligible uses.
- b. Generates approximately 250 vehicles daily (measured based on site information and traffic generation tools).
- c. Open a minimum of 5 days a week, during normal business hours (typically eight hours per day).
- d. Open at least 6 months of the year. (signing indicating seasonal operation may be required.)
- e. Generators with access directly to the County system are not eligible unless the access/facility signing for the generator is poorly visible to the motorists on the highway and on-site changes cannot be reasonable made to allow the generator's on-site signs to be more visible.

Examples of eligible and ineligible signs:

Typically, Eligible

Regional Park
Public Golf Course (Not driving ranges or miniature golf)
Zoos

Typically, Ineligible

City Park
Industrial Shops
Retail Shops/Private Businesses
School/Church

Fabrication, installation, and replacement costs will be the responsibility of the requestor at current County rates. Replacement will be every 15 years.

Community Recognition Signs

Incorporated cities/townships often request to have a sign placed along the highway at the city/township limit to advise motorists that they are entering this community. These signs can be permitted within the right of way provided the signs meet the following conditions:

1. Sign conveys city name and may contain city logo provided it is legible for the highway speed.
2. Standard signs are located at the city limit on main County routes.
3. Sign may utilize city logo and can have a maximum of three colors.
4. Additional city information such as parking regulations, drug free community or city awards may be posted on or beside the city sign. Standard signing should be utilized for ordinance information and installation criteria must be met.
5. No advertising will be permitted.

Costs to fabricate, install and replace the signs will be the responsibility of the city/township at current County rates. Replacement will be every 15 years.

Ordinance and Other Specialty Community Requested Signs

Incorporated cities/townships often request to have a sign placed along the highway at the city/township limit to advise motorists that they may need to comply with certain conditions and restrictions within the community.

Signs displaying County, Township or City ordinances shall only be installed and maintained when formally authorized by the local authority, approved by the County Engineer, and there is a written agreement with the local policing authority to enforce the signage. The ordinance displayed on the sign shall only apply to traffic operations.

Costs to fabricate, install and replace the signs will be the responsibility of the city/township at current County rates. Replacement will be every 15 years.

Vehicle Noise Laws Enforced Sign (R16-X13)

Independent Vehicle Noise Laws Enforced signs are discouraged and should not be permitted unless reviewed and approved by the County Engineer.

These signs may be permitted within the right of way provided the signs meet the following conditions:

1. Only one sign shall be allowed per approach to a community. Signs shall not be installed for isolated driveways in rural areas.
2. The sign shall be installed on an independent structure and should measure 36" x 42" in size.
3. The request for installation of a sign(s) shall be made through the community via a resolution.
4. It is the responsibility of the local law enforcement agency to enforce the sign(s).
5. The County requires that the community pass a resolution stating that it will enforce Minn. Stat. Sec. 169.69 (MUFFLER) and Minn. Stat. Sec. 169.693 (MOTOR VEHICLE NOISE LIMITS) prior to installing the sign(s).
6. Approval may be subject to a formal, written agreement between the parties.

Parking Restrictions

Parking restrictions may be required along County highways where there are traffic safety and operations conditions or as required by other rules and regulations determined by state and federal standards and requirements. Examples of common or potential situations where restrictions could be applied include intersection corner clearances for ingress and egress, road conditions where there is insufficient space and slope of shoulder or road edge, drop-offs, erosion, and clear zone or other conditions like high speeds and complex geometry (tight curves, hills, other).

General

Parking restriction signs shall only be installed and maintained when formally authorized by the local authority, approved by the County Engineer, and there is a written agreement with the local policing authority to enforce the signage. For these locations, the local governmental unit (LGU) affected will be required to pass a formal no parking resolution.

Public Water Access

Parking restriction signs will not be used to restrict available public lake water access if there are adequate conditions, space, shoulder and off-road right of way width and grades to park vehicles and trailers off-road and leave enough space for vehicular through lanes and pedestrian and bicycle traffic.

Trail Crossings

Parking restrictions may be installed at trail crossings of a County highway. Parking restrictions will be determined by the County Engineer based on engineering review and nominal 25-50-75-100-plus feet increments or by an intersection sight distance study using the typical trail user characteristics. For these locations, the local governmental unit (LGU) affected will be required to pass a formal no parking resolution.

Political and Private Signs or Memorialization, Commemorative, and Dedication Type Signs

Political and private signs will not be permitted within road right of way.

Memorialization, commemorative, dedication type signs are discouraged because they are not a primary traffic sign and not required by the MnMUTCD. These signs will not be permitted unless otherwise reviewed and approved by the County Board through a formal resolution with the following conditions:

1. A term or service life of the signs (1-yr; 3 yrs; 5 yrs) should be defined.
2. Use of the County highway right of way may be allowed but the preference is to use private property and other type off-public county right of way locations.
3. Such signs if approved should be limited in number to main highway or community entrances; and with locations to be determined by the County Engineer to minimize conflicts with other major traffic signs, clear zones areas for safety, and right of way appurtenances.
4. Signs must meet the requirements of the MnMUTCD related to size, color, shape, location, and allowable message on signs.
5. If a route is memorialized the organization or individuals requesting the designation shall pay for the design, fabrication, installation, and maintenance of the signs. Removal or replacement will be per the term of service defined or every 15 years.

Electronic Signs

Electronic signs will be utilized and installed only after an engineering study determines the need and effectiveness. Electronic signs include:

- Driver Feedback Signs (used in school zones and transition zones)
- Rapid Flashing Beacons at Pedestrian Crossings
- Blinking Signs (i.e., LED Stop Signs)
- Rural Intersection Conflict Warning System (RICWS)
- Other electronic signs that are proven by research

Maintenance of Signs

It shall be the Carver County engineer's responsibility to decide which signs under the County's jurisdiction that should be replaced by maintenance personnel or by contract. Compliance with MnMUTCD retroreflectivity requirements will be achieved using a

management method using the expected sign life. Carver County adopts 15 years for the life of signs with ASTM Type XI sheeting material. Applicable sign life may be revisited to determine appropriate length based on the latest research. Maintenance personnel should replace signs according to the following guidelines:

1. All signs should be inspected annually for normal daytime visibility and legibility. Nighttime surveys may also be completed every few years to discover locations of vandalism or other issues. All signs not performing their function shall be repaired or scheduled for replacement.
2. Before each year's replacement program, the sign crew should review all signs. Additional signing, relocation of signing, or removal of needless signing can be incorporated into the program at this time. The available sign budget and the current inventory will be reviewed to determine feasibility of maintaining the current inventory.
3. The replacement program should include the use of the latest applicable standards for sign design, dimensioning, mounting, and roadway location.
4. As each new sign is installed, the mounting should be checked for deterioration. Bent or excessively rusted posts should be replaced. All posts should comply with the latest applicable standards and practices for crashworthiness.

Sign Replacement Priority in Response to Incident / Damage

Sign maintenance staff will respond after receiving official, formal notification of a repair or damage need to determine appropriate action with the following general priorities, subject to available resources and other circumstances such as climate and weather conditions:

- Stop and Yield signs will be replaced as soon as possible once staff is notified and is the assigned sign technician's top priority, generally replaced as soon as practicable such as within 3-5 business days of official, formal notification.
 - Other Regulatory Signs will be replaced as soon as scheduling permits, generally replaced within 5-10 business days of official, formal notification.
 - Warning Signs will be replaced as soon as scheduling permits, generally replaced within 10-15 business days of official, formal notification.
 - Route markers, guide signs and all other signs will be replaced as scheduling permits, generally replaced within 2-3 scheduled work weeks of official, formal notification.
 - Response times may vary due to other competing priorities and other conditions like winter snow, ice and frozen ground. Temporary signs may be installed.
-

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Roger Falkenstein - Request for High Amenity & Conservation Incentive Development (4 Lots)

Primary Originating Division/Dept: <input type="text" value="Public Services - Land Mgmt."/>	Meeting Date: <input type="text" value="4/12/2022"/>
Contact: <input type="text" value="Jason Mielke"/> Title: <input type="text" value="Land Use Manager"/>	Item Type: <input type="text" value="Consent"/>
Amount of Time Requested: <input type="text"/> minutes Presenter: <input type="text"/> Title: <input type="text"/>	Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No
Strategic Initiative: <input type="text" value="Growth: Manage the challenges and opportunities resulting from growth and development"/>	

BACKGROUND/JUSTIFICATION:

File #PZ20220009. On March 15, 2022, the Carver County Planning Commission recommended approval of Roger Falkenstein's Conditional Use Permit (CUP) for a combined "High Amenity" and "Conservation Incentive" development on 75 acres, located in Section 36 of San Francisco Township.

The proposed development would consist of a plat with three (3) conservation incentive lots that would range in size from approximately 3.41 acres to approximately 58.88 acres. The proposal also includes one (1) high amenity option that would consist of approximately 5.45 acres. The existing 1 per 40 single family dwelling lot would be reconfigured as part of the platting process. All lots would utilize the entirety of the 76.72 acres, with approximately 30.2 acres to be in two (2) separate conservation easements. A total of four (4) buildable amenity lots and the reconfiguration of one (1) existing 1 per 40 residence are proposed as part of the development (plat).

The proposed development would need to be platted pursuant to the County's Subdivision Ordinance and Zoning Code. The sites would have direct public road frontage off of Halsey Avenue; therefore, a new road would not need to be constructed as part of the development.

Individual lots would be required to meet the CCWMO standards, as well as SSTS requirements. The San Francisco Town Board has recommended approval of the request.

ACTION REQUESTED:

A motion to adopt Findings of Fact and issue Order #PZ20220009 for the issuance of a Conditional Use Permit.

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: <input type="text"/>	

Office use only:

RBA 2022 - 8286

COUNTY OF CARVER
PLANNING COMMISSION RESOLUTION

FILE #: PZ20220009

RESOLUTION #: 22-02

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

FILE #: PZ20220009

APPLICANT: Roger Falkenstein

PROPERTY OWNER: Roger W. and Julie W. Falkenstein

SITE ADDRESS: 15105 Halsey Ave, Carver, MN 55315

PERMIT TYPE: Additional Density (High Amenity & Conservation)

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

LEGAL DESCRIPTION: See attached Exhibit "A"

PARCEL #: 08-036-0100

WHEREAS, said application was duly considered at a public hearing held by the Carver County Planning Commission at its regular meeting of March 15, 2022; and,

WHEREAS, the Carver County Planning Commission finds as follows:

1. Roger and Julie Falkenstein own approximately 75 acres located in Section 36, San Francisco Township. The property is improved with a house, attached garage, and two (2) detached accessory buildings. The parcel also includes agricultural production land, small pocket wetlands, woods, as well as an existing pipeline easement (i.e. Northern Natural Gas). It is located within the Agricultural Zoning District and the CCWMO (Carver Creek watershed).
2. Mr. Falkenstein is proposing to create and develop three (3) residential parcels and one (1) agricultural parcel. The proposed development would result in a total of five (5) single family dwellings, and approximately 30.2 acres of conservation area. The applicant is requesting a Conditional Use Permit (CUP) pursuant to Section 152.78 of the Carver County Zoning Code.
3. San Francisco Township has provided for both Conservation Incentive and High Amenity options in its chapter of the Comprehensive Plan. The Falkenstein property having bluffs, steep slopes, wetlands, and area for prairie restoration (for permanent preservation) is considered to be eligible land under the conservation incentive. The property also has an area of wooded pasture, not in agricultural production which is considered eligible land under the high amenity option. The proposed development would comply with the limitation of 4 homes per 40 acres (i.e. no more than 4 per ¼¼). In addition, a CUP has not been previously issued for additional density on the subject property; therefore, allowing the site to be considered eligible for the additional density provision.
4. The subject property has been owned by Roger & Julie Falkenstein for over 25 years as three separate parcels, which were combined via a quit claim deed recorded on February 2, 2022. Based on historic GIS aerial photography, the use of the land over the years has not changed from how it is currently being utilized. The areas that are in agricultural production have remained in production and the areas not in agricultural production may be due to topographic limitations such as sandy soils, wetlands, steep slopes, or low-lying drainage swales not suitable for farming.
5. The applicant is proposing three (3) conservation incentive lots that would range in size from approximately 3.41 acres (i.e. residential Lots 4 & 5) to approximately 58.88 acres (i.e. agricultural Lot 1). Each newly created lot would exceed the 1.5-acre minimum lot size. The proposal also includes one (1) high amenity option (Lot 2) that would consist of approximately 5.45 acres (i.e. residential lot). This newly create lot would exceed the 2.5-acre minimum lot size. The existing 1 per 40 single family dwelling lot would be reconfigured as part of the platting process. Each lot would meet road frontage and width to depth requirements. All lots would utilize the entirety of the 76.72 acres, with approximately

30.2 acres to be in 2 separate conservation easements. A total of four (4) buildable lots and the reconfiguration of one (1) existing 1 per 40 residence are proposed as part of the development (plat). Additionally, each building site has been chosen to be outside of an established 500-foot setback from the operational area of the WM Mueller & Sons -Lundquist gravel mining operation located to the west. Note: the required 500-foot setback only applies from a new mining operation boundary to an existing residence and not vis versa.

6. As a requirement for the creation of three (3) conservation lots, the applicant needed to identify the establishment of a preservation, restoration, or enhancement are consisting of a minimum of ten (10) acres in order to be granted one (1) additional building eligibility. With that being said Mr. Falkenstein has identified and proposed two conservation easements of at least 30 acres in total. The easement language would need to be submitted to the Land Management Department for review and approval prior to preliminary plat approval. The applicant shall provide a plan for restoration to native plant community, including method of restoration (seeding, planting, etc), a list of establishment and maintenance activities detailing how the plant community will be established over the next 2-3 years, and how the community will be maintained in the future.
7. During the preliminary platting process, the applicant must document a suitable one (1) acre building site for each lot. The concept plan illustrates the potential locations for Subsurface Sewage Treatment Systems (SSTS) on each lot. A licensed SSTS professional would need to provide appropriate soils reports for the County's review. The applicant stated that Lots 1 & 2 have established SSTS locations with soil borings, and soil borings for Lots 4 & 5 are to be completed this spring. The existing home site (Lot 3) would need to complete a SSTS compliance review as part of the preliminary plat process.
8. Each lot would meet the requirements for public road frontage; therefore, no additional township roadway design or construction is being proposed. All future driveway access point locations serving each building site would need to be reviewed and approved by the San Francisco Town Board, as the road authority.
9. On February 22, 2022, this request was reviewed by Kristen Larson, Water Resources Program Specialist, who stated that the development falls under the CCWMO Water Rules provision, which is required to be reviewed and approved by the Carver County Planning & Water Management Department. The property includes a number of wetlands, including on the lots proposed for development. The applicant must complete a wetland delineation and address any wetland impacts and/or degradation in accordance with the Wetland Conservation Act (WCA) and also submit a Stormwater Pollution Prevention Plan (SWPPP). A pre-application meeting is recommended with Water Rules permit review staff to discuss concept plans and permit review requirements.
10. The entire layout as proposed would properly be addressed during the preliminary plat process.
11. The San Francisco Town Board reviewed and recommended approval of the request during their February 14, 2022, Town Board meeting, without any additional conditions.
12. The Planning Commission has considered all the factors required by Section 152.251 of the Carver County Code and finds that all are either true in this case or can be mitigated by conditions placed on the permit.

THEREFORE, BE IT RESOLVED, THAT the Carver County Planning Commission hereby recommends the issuance of Conditional Use Permit #PZ20220009 for the creation of three (3) residential lots, one (1) agricultural lot, and one (1) reconfigured 1 per 40 existing home lot on the land described in Exhibit "A" of the permit application. The Planning Commission further recommends that the following conditions be attached to the permit:

1. Three (3) residential lots, one (1) agricultural lot, and one (1) re-configured 1 per 40 lot are permitted (i.e. one 1-per 40 existing home, one High Amenity lot, and three Conservation incentive lots of which one B.E. shall be retained in the agricultural area), provided the building site requirements and minimum lot standards are satisfied. A total of four (4) buildable lots and the re-configuration of one (1) 1 per 40 parcel are being proposed as part of the plat. The entire subject property shall be platted in accordance with M.S. Chapter 505, the Carver County Subdivision Ordinance, and the Carver County Zoning Code. Any lots not meeting the required minimum standards shall not be platted.

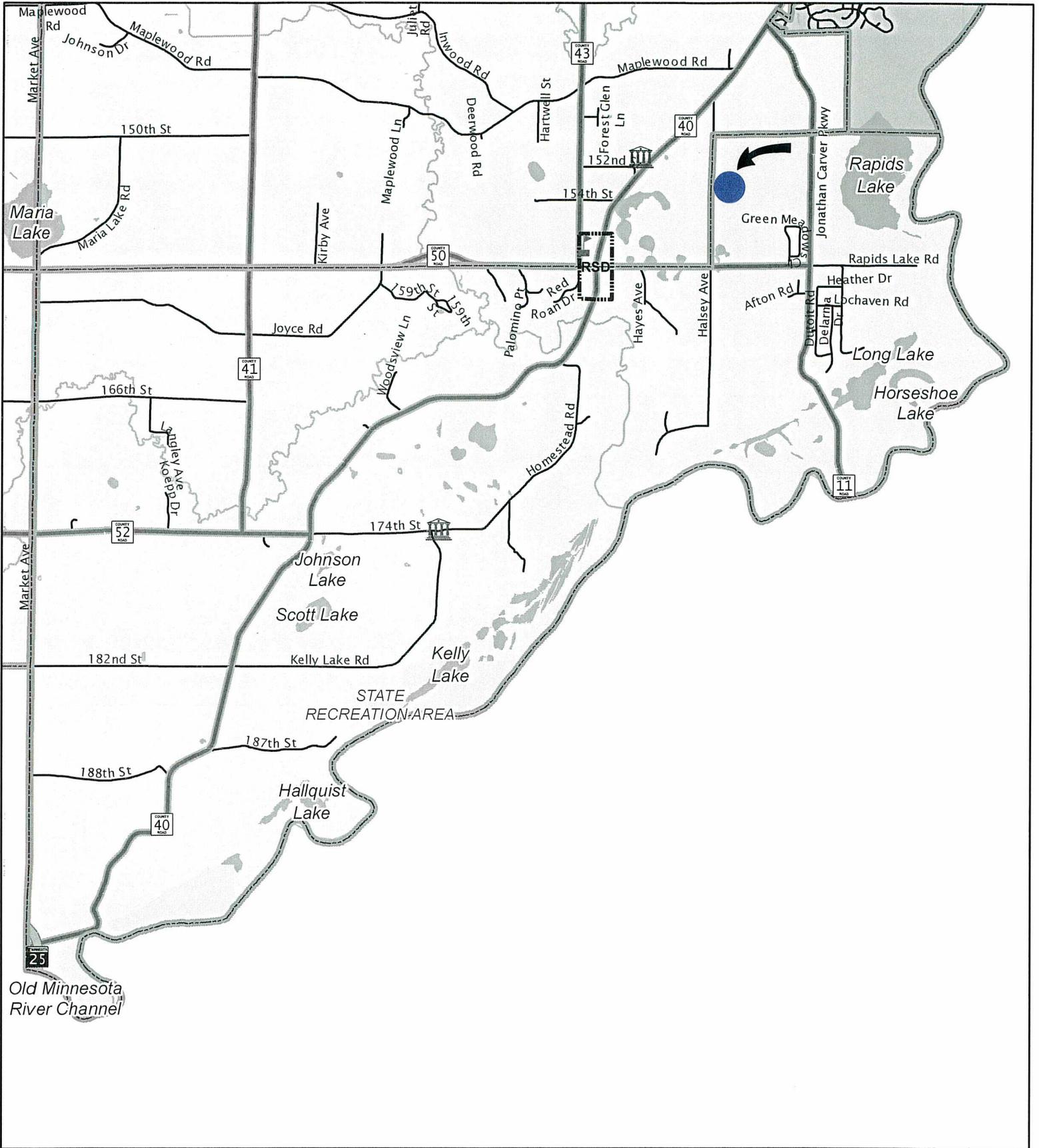
2. The lots shall be laid out on the preliminary plat substantially as agreed upon by the Township, the County, and the developer during the Conditional Use Permit (CUP) process. The CUP shall be redrafted and recorded with the final plat stipulating, at a minimum, the building eligibility status for each parcel, the restrictions in the conservation and agricultural areas, a statement regarding agricultural uses in the area, and the protection of environmentally sensitive land(s). The potential for future easement(s) shall be evaluated during the preliminary platting process.
3. The conservation easement proposal must be drafted for review and submitted with the preliminary plat application. Easement documents must be recorded simultaneously with the final plat.
4. Access permits must be approved by San Francisco Township (road authority) prior to any work occurring within the road right-of-way.
5. Each additional density lot within the plat must show a designated building site as defined by the Zoning Code. Soil borings for the two SSTS locations on each building site must be submitted with the application for preliminary plat. The building sites must be located so that all buildings and sewer systems will meet County Code setback requirements.
6. As a part of the platting process the applicant will develop covenants to be filed with the plat. The covenants will address at least the following:
 - A. A covenant must clearly state the building eligibility status for each parcel in the development. The keeping of animals, with the exception of dogs, cats and similar animals kept as household pets, is prohibited on any lot in the residential area.
 - B. A covenant stating that the area is rural and that commercial agriculture and other rural land use activities will likely be occurring in the area. A notification must be provided regarding “odors, dirt, dust, noises, long hours of operation and other factors associated with agriculture and feedlot activities”. Complaints relating to these activities shall be considered unwarranted so long as such activities are being conducted in accordance with existing standards. A condition clearly stating and restricting the use of the land in the agricultural area to agriculture and to certain conditional uses listed in the “A” district.
 - C. If the home sites include any environmentally sensitive land then restrictions must be placed in the covenants addressing: clear cutting of land, vegetation removal, plus the development and implementation of an erosion control plan to control erosion during and after building construction.
 - D. A covenant must be added requiring that the alternative sewer site must be preserved for a future sewer site. No buildings can be erected on the alternative site and no trees can be planted on the site. Heavy equipment must be kept off the site. If the lot owner must build on the site, he will have to submit percolation tests and soil borings for another site before any building permit will be issued.
 - E. A covenant must be included to provide notice and restrictions pertaining to the conservation easement on the existing wooded bluff area, existing wetland area, and proposed prairie restoration areas.
7. The above-required covenants shall become part of the permit.
8. A completed CCWMO Water Rules application with required attachments, shall be submitted with the preliminary plat application. A drainage plan, erosion control plan, and storm water management plan shall be submitted with the preliminary plat.
9. The boundaries of any possible wetlands must be included on the preliminary plat so appropriate drainage easements may be determined. A wetland delineation shall be completed for the site prior to submitting the preliminary plat.

ADOPTED by the Carver County Planning Commission this 15th day of March, 2022.

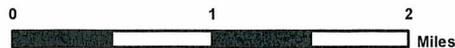
Scott Wakefield
 Scott Wakefield (Mar 28, 2022 10:25 CDT)

Scott Wakefield, Chairman 03/28/22
 Carver County Planning Commission

SAN FRANCISCO 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.



Carver County Board of Commissioners Request for Board Action



Agenda Item:
Resolution of Support to Extend City of Waconia Subdivision Authority

Primary Originating Division/Dept: <input type="text" value="Public Services - Land Mgmt."/>	Meeting Date: <input type="text" value="4/12/2022"/>
Contact: <input type="text" value="Jason Mielke"/> Title: <input type="text" value="Land Use Manager"/>	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 checked="" type="radio"/> Yes <input type="radio"/> No
Strategic Initiative: <input type="text" value="Growth: Manage the challenges and opportunities resulting from growth and development"/>	

BACKGROUND/JUSTIFICATION:

The City of Waconia is requesting support from the Carver County Board of Commissioners, to formally document the extension of subdivision authority over Carver County owned and Kirsch Family-owned property in Laketown Township. The parcels involved are described and shown in the attachments.

The transfer of subdivision authority would allow the Kirsch Family and Carver County Public Works to work out an agreement to preserve a County Road right-of-way corridor for future needs. The Kirsch Family and County Public Works have been working to create legal descriptions and outlots necessary to preserve the needed corridor right-of-way for the future CSAH 92 road between Highway 5 and Airport Road. The properties in question are located in Laketown Township and include City of Waconia future growth areas. As such, the City has requested to extend their subdivision authority to facilitate the platting of the subject parcels into outlots and include a road right-of-way plat.

Under the proposal, the City would only have subdivision authority over the subject parcels, with the County continuing to administrator and enforce Zoning, Shoreland, Floodplain, Building Code, SSTS, Water Rules, Signage, and Feedlot standards until the City formally annexes the parcels.

The Waconia City Council, at their regular meeting on March 21st, 2022, adopted Resolution 2022-87 extending subdivision authority over Carver County owned and Kirsch Family-owned properties and is consistent with Minnesota Statutes § 462.358, Subd. 1a and Waconia Ordinance No. 717. The City has also met with Laketown Township.

Attached for your review: The City of Waconia Request Letter, Location Maps, City Council Resolution No. 2022-87, and County Board Draft Resolution of Support.

ACTION REQUESTED:

Adopt a resolution supporting the request to Extend Subdivision Authority to the City of Waconia in the area legally described in Exhibit A of the resolution.

FISCAL IMPACT: <input type="text" value="None"/> <p><i>If "Other", specify:</i> <input type="text"/></p>	FUNDING County Dollars = <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:	

J. Michael Melchert, Esq.

Direct Dial:
(952) 442-7788

Email Address:
mmelchert@mhslaw.com



MELCHERT HUBERT SJODIN

ATTORNEYS AT LAW

121 W Main Street, Suite 200
Waconia, Minnesota 55387
Telephone: (952) 442-7700

510 Chestnut Street N, Suite 100
Chaska, Minnesota 55318
Telephone: (952) 442-7700

www.mhslaw.com

March 30, 2022

VIA U.S. MAIL

Carver County Recorder's Office
Attn: Document Records
600 East Fourth Street
Chaska, MN 55318

Re: City of Waconia – Extension of Subdivision Authority

Dear County Recorder:

Enclosed is a certified copy of a resolution recently adopted by the Waconia City Council that extends the City's subdivision authority. This resolution was adopted at the request of Lyndon Robjent from Carver County. A copy of Mr. Robjent's request is also enclosed for your reference. As noted in the certification, the resolution is being submitted to you pursuant to Minnesota Statutes §462.36, subd. 1, and was adopted pursuant to authority found in Minnesota Statutes §462.358, subd. 1a, and Ordinance 717 of the Waconia City Code.

If you have any questions, please call me.

Very truly yours,

A handwritten signature in blue ink, consisting of a large, stylized initial 'J' followed by a horizontal line that extends to the right.

J. Michael Melchert

JMM/clw

cc: Lane Braaten, Community Service Director (via email w/encl.)

Enclosures

EXTENSION OF SUBDIVISION AUTHORITY

**CERTIFICATE OF CITY ADMINISTRATOR
CITY OF WACONIA
STATE OF MINNESOTA**

STATE OF MINNESOTA)
COUNTY OF CARVER) ss.
CITY OF WACONIA)

To: Carver County Recorder

Shane Fineran does hereby certify that:

1. He is the duly appointed and acting City Administrator of the City of Waconia, Minnesota; and
2. The attached Resolution No. 2022-87, is a true and correct copy of the resolution adopted by the City Council of the City of Waconia on March 21st, 2022, extending subdivision authority to the property identified in Exhibit A to such resolution (the "**Property**"); and
3. The attached resolution constitutes the extension of subdivision authority for the Property pursuant to Minnesota Statutes §462.358, subd. 1a, and has been submitted to your office for filing pursuant to Minnesota Statutes §462.36, subd. 1.

Dated this 25 day of March, 2022.



Shane Fineran
City Administrator
City of Waconia, Minnesota

S E A L

THIS INSTRUMENT WAS DRAFTED BY:
Lane Braaten, Community Development Director
201 Vine Street South
Waconia, Minnesota 55387
(952) 442-3106

**CITY OF WACONIA
RESOLUTION NO. 2022-87**

RESOLUTION EXTENDING SUBDIVISION AUTHORITY

WHEREAS, the City of Waconia (the “City”) received a request from Carver County Public Works (the “County”) and Anthony Kirsch and Patrick Kirsch (the “Kirsch Family”) to extend the application of the City’s subdivision ordinances to certain properties located in Laketown Township to facilitate a future platting process to create outlots and legal descriptions to preserve the needed right-of-way for the future CSAH 92 road corridor between Highway 5 and Airport Road; and

WHEREAS, the properties at issue are identified as PID#s 070191700, 070193000, 0701921200 and 070191600 (the “Subject Properties”), as depicted in Exhibit A; and

WHEREAS, the Subject Properties are all located within two (2) miles of the City’s corporate limits; and

WHEREAS, the City of Waconia and Laketown Township have adopted an orderly annexation agreement for the land identified in Exhibit A; and

WHEREAS, the County and the Kirsch Family have only requested the City extend subdivision control over the subject parcels and they are not requesting annexation of the Subject Properties at this time; and

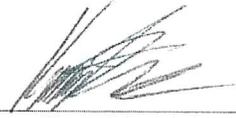
WHEREAS, Minn. Stat. §462.358, Subd. 1a, and Waconia Ordinance 717 allow the City to extend its subdivision regulations as contemplated by this resolution; and

WHEREAS, City and County staff believe it is in the best interest of the community and County transportation system to have the City review and approve the subdivision of the property given its proximity to the City’s corporate limits;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Waconia, Minnesota, that:

1. The above recitals and findings are incorporated as part of this resolution.
2. Effective the date of this resolution, the subdivision ordinances found in the Waconia City Code shall apply to the Subject Properties. Any subdivision of the Subject Properties shall occur in conformance with such ordinances.
3. The City Administrator is authorized and directed to file a certified copy of this resolution with the Carver County Recorder and the clerk for Laketown Township. The City Administrator may attach a legal description of the Subject Property to this resolution without further action of the City Council if the Carver County Recorder requires a legal description as a condition of filing the resolution with such office.

Passed and adopted by the City Council of the City of Waconia this 21st day of March, 2022.



Kent Bloudek, Mayor

Attest:



Shane Fineran, City Administrator

M/	<u>Sorensen</u>	Bloudek	<u>Aye</u>
		Leo	<u>Aye</u>
S/	<u>Leo</u>	Pierson	<u>Absent</u>
		Sorensen	<u>Aye</u>
		Waldron	<u>Aye</u>



**Carver County
Public Works**

11360 Highway 212, Suite 1
Cologne, MN 55322

September 22, 2021

Waconia City Council
201 South Vine Street
Waconia, MN 55387

Waconia City Council:

Carver County Public Works ("County") and Anthony and Patrick Kirsch ("Kirsch") have been working on a land swap to preserve needed right of way for the future CSAH 92 corridor between approximately Airport Road and State Highway 5. The County and Kirsch's agreed to go through the platting process to create platted outlots to simplify the legal descriptions of the land transfers. The property is along the eastern boundary of the City of Waconia with some of the property residing within the City of Waconia and some within Laketown Township. Our request is for the City of Waconia to take over the zoning authority on the Laketown Township portion to simplify the platting process. At this point in time, the Kirsch's are not requesting to be annexed into the City of Waconia. Attached is an overall map for your reference.

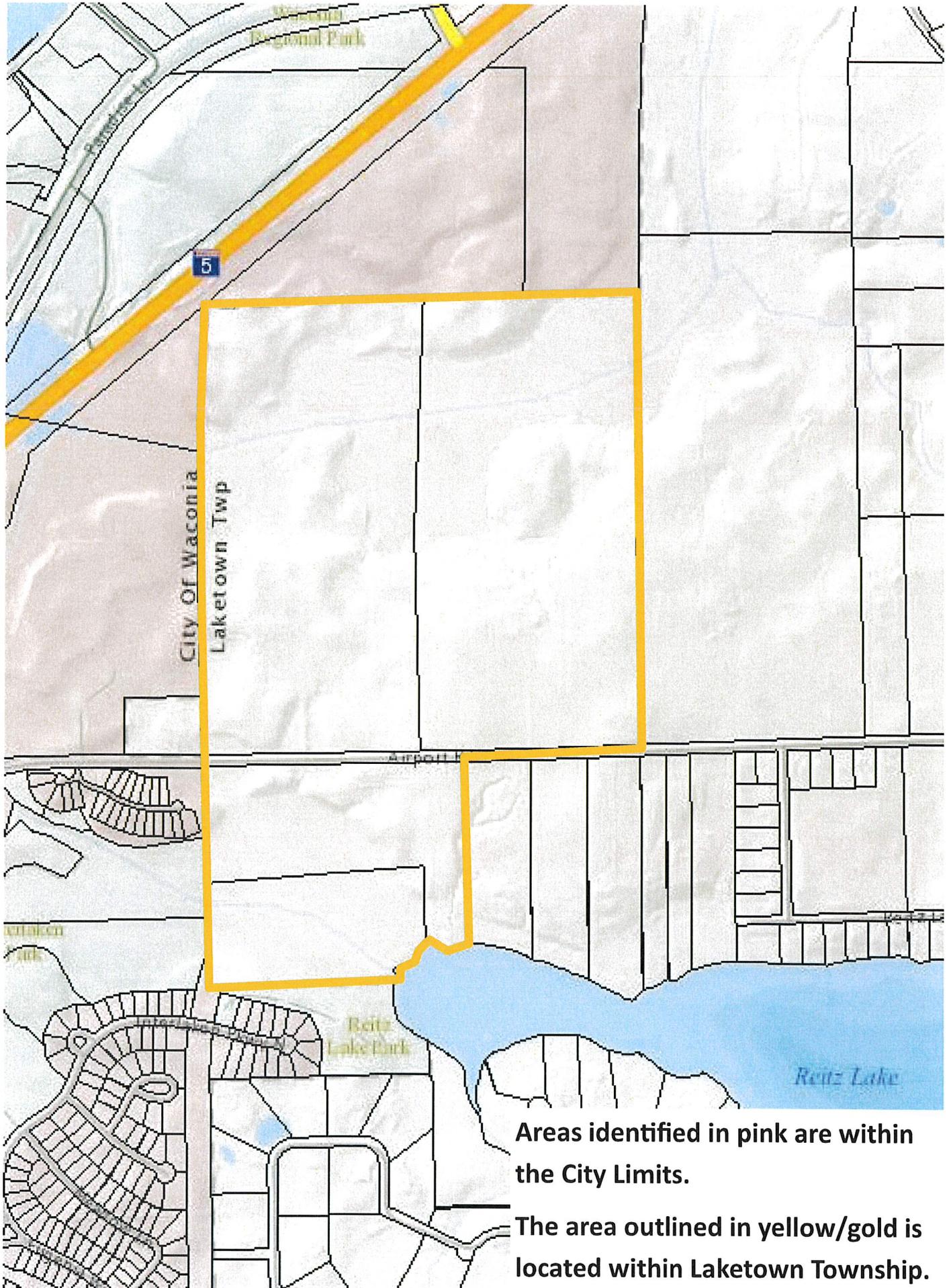
If you have further questions, please contact Luke Kranz, Assistant County Surveyor, at (952) 361-1024.

Sincerely,

Lyndon Robjent, P.E.
PW Director/County Engineer

Patrick Kirsch
Land Owner

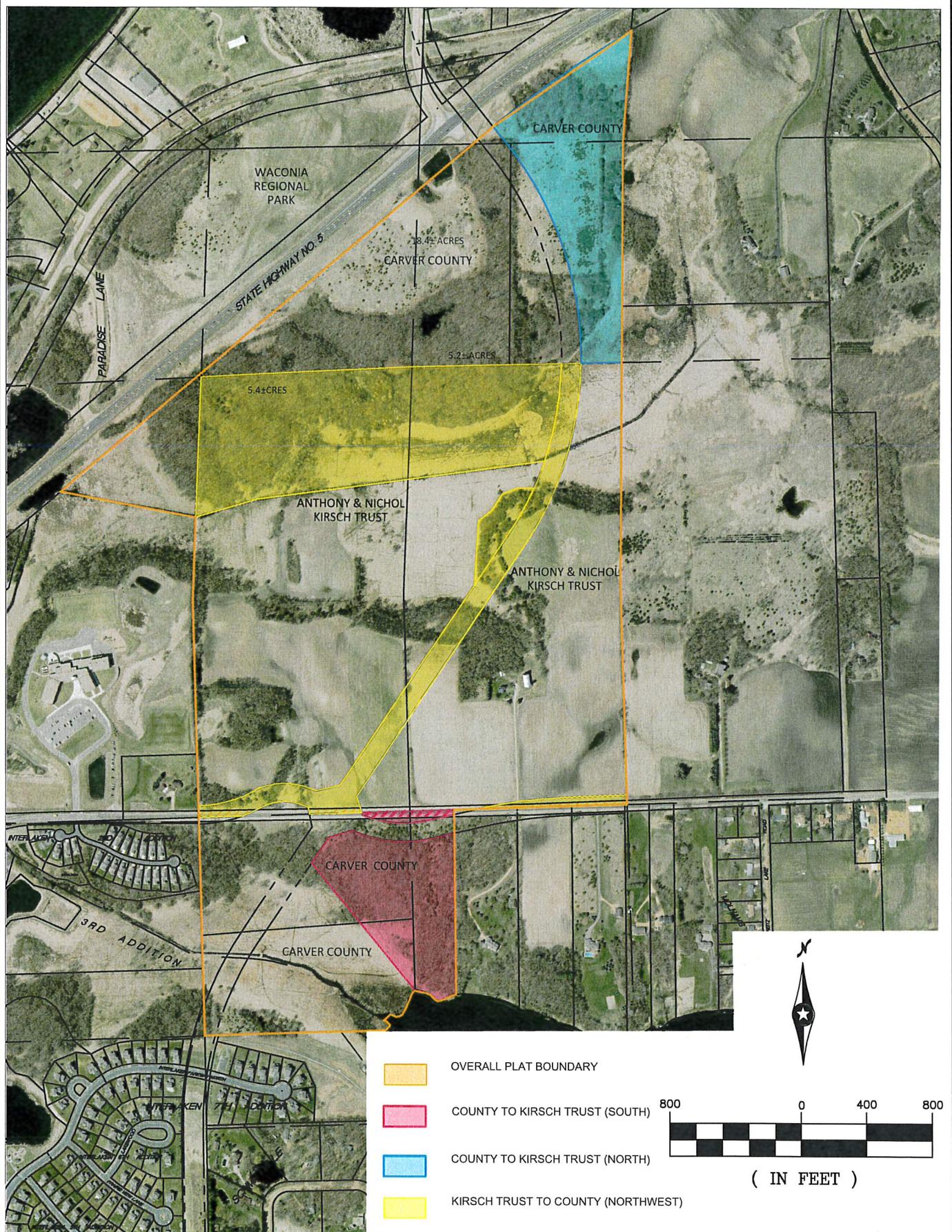
Anthony Kirsch
Land Owner



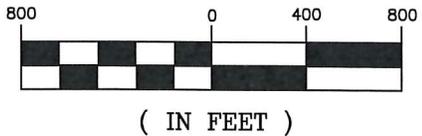
Areas identified in pink are within the City Limits.

The area outlined in yellow/gold is located within Laketown Township.

R:\Program Delivery\Projects\138725\Survey\Cadd\138725Kirsch-County Final Boundary.dwg 8/27/2021 2:34 PM Ikrantz



- OVERALL PLAT BOUNDARY
- COUNTY TO KIRSCH TRUST (SOUTH)
- COUNTY TO KIRSCH TRUST (NORTH)
- KIRSCH TRUST TO COUNTY (NORTHWEST)



Public Works Division
 11360 Hwy 212, Suite 1
 Cologne, MN 55322
 952.466.5200

NO.	BY	DATE	REVISIONS

**ANTHONY & NICHOL
 KIRSCH TRUST &
 CARVER COUNTY**

LAND EXCHANGE
 PLAT OVERALL
 WACONIA, MN
 CARVER COUNTY, MN
 54

FILE NO. 138725	DRAWN BY: LCK
DATE 8/27/21	SURVEYED BY: -
BOOK & PAGE 54	SEE FILE



City of Waconia

VIA EMAIL

March 31st, 2022

Carver County Land Management
Attn: Mr. Jason Mielke
600 E. 4th Street
Chaska, MN 55318

RE: Request for Support of Extended Subdivision Authority

Dear Mr. Mielke,

The purpose of this letter is to inform you that the Waconia City Council, at their regular meeting on March 21st, 2022, adopted Resolution 2022-87 extending subdivision authority over Carver County owned and Kirsch Family-owned property as identified in the attached image. The subdivision authority was approved consistent with Minnesota Statute § 462.358, Subd. 1.a and Waconia Ordinance No. 717.

The Kirsch Family and Carver County Public Works have been working to create legal descriptions and outlots necessary to preserve the needed right-of-way for the future CSAH 92 road corridor between Highway 5 and Airport Road. The properties in question are located within the Waconia City Limits and within Laketown Township. As such, they requested the City extend their subdivision authority to facilitate the platting of the subject parcels.

City staff is requesting support from the Carver County Board of Commissioners, as the typical subdivision authority within Laketown Township, to formally document the authority of the City of Waconia in the future subdivision of the subject parcels. Additionally, this letter is to document that Carver County will remain the zoning authority over such parcels until such time as they are formally annexed into the City Limits.

If you have any questions I can be reached at (952) 442-3106 or the email provided below.

Respectfully,

Lane L. Braaten
Community Development Director
lbraaten@waconia.org

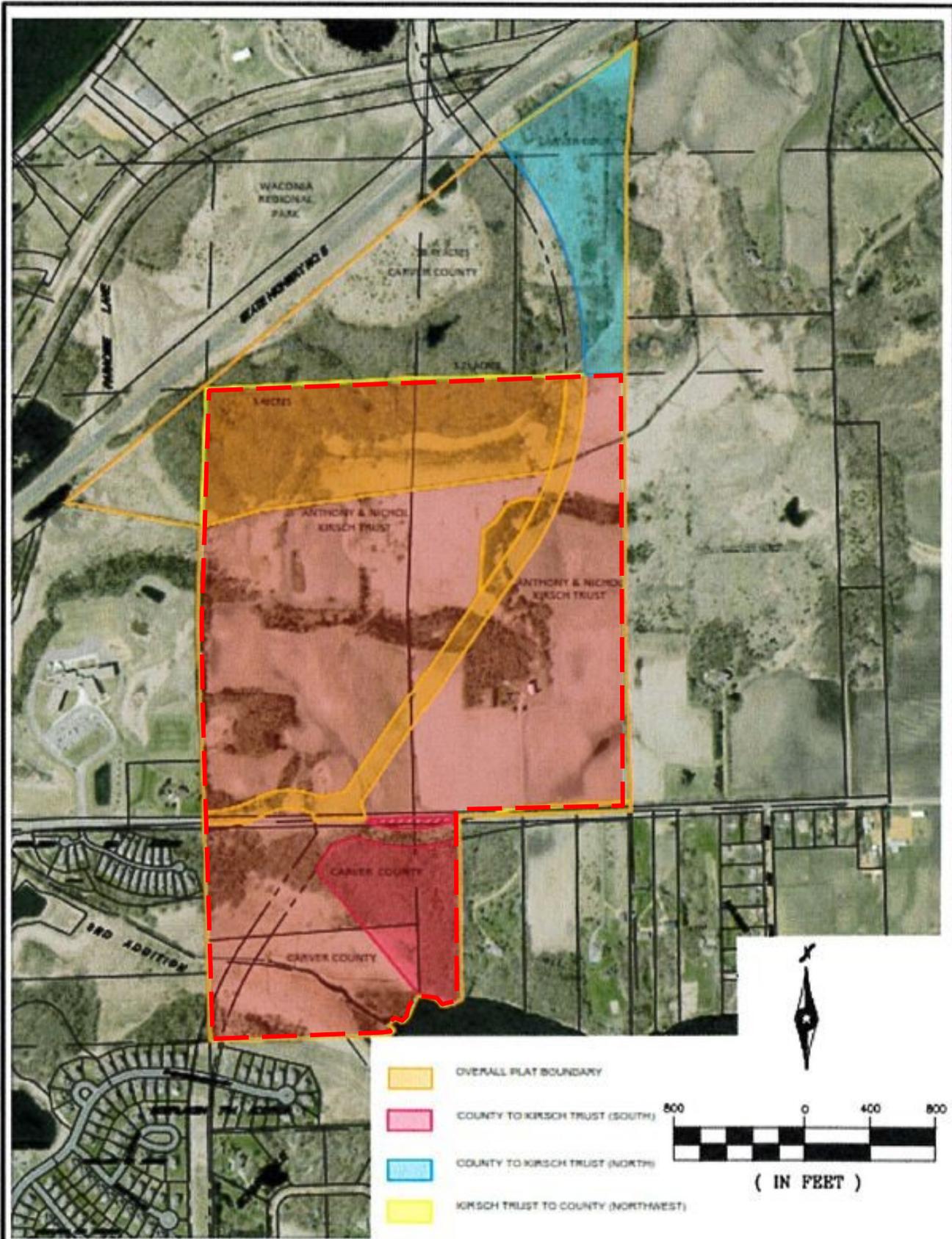
City Hall
201 South Vine Street
Waconia, MN 55387
952-442-2184

Public Services
310 10th Street East
Waconia, MN 55387
952-442-2615

Fire Station
24 Maple Street East
Waconia, MN 55387
952-442-2316

Safari Island Community Center
1600 Community Drive
Waconia, MN 55387
952-442-0695

Ice Arena
1250 Oak Avenue
Waconia, MN 55387
952-442-RINK (746555)



Public Works Division
 11360 Hwy 212, Suite 1
 Cologne, MN 55322
 952 486 5200

NO.	BY	DATE	REVISIONS

**ANTHONY & NICHOL
 KIRSCH TRUST &
 CARVER COUNTY**

**LAND EXCHANGE
 PLAT OVERALL
 WACONIA, MN
 CARVER COUNTY, MN**

FILE NO	138725
DATE	9/27/21
DRAWN BY	LCG
SURVEYED BY	
BOOK & PAGE	
SEE FILE	

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

Date: April 12, 2022

Resolution #:

Motion by Commissioner:

Seconded by Commissioner:

**A RESOLUTION SUPPORTING THE EXTENSION OF SUBDIVISION AUTHORITY
TO THE CITY OF WACONIA FOR A PORTION OF LAKETOWN TOWNSHIP**

WHEREAS, the County exercises planning, zoning, and subdivision authority (Land use Controls) in Laketown Township; and

WHEREAS, the City of Waconia and Laketown Township have adopted an orderly annexation agreement for the land identified in Exhibit A: and

WHEREAS, the City of Waconia is requesting support from the Carver County Board of Commissioners to extend subdivision authority over the land described in Exhibit A to the City of Waconia; and

WHEREAS, the City of Waconia, during their regular meeting on March 21, 2022, adopted Resolution 2022-87 extending subdivision authority over land described in Exhibit A. The City is exercising their subdivision authority to facilitate the platting of the subject parcels consist with Minnesota Statute § 462.358, Subd. 1a and Waconia Ordinance No. 717; and

WHEREAS, the subject properties in Laketown Township will become part of the City in the future; therefore, the transfer of the authority to the City will prevent the establishment of subdivisions that will conflict with or inhibit the planned urbanization of the area. The transfer of authority will also allow legal descriptions and outlots necessary to preserve the needed right-of-way for the future CSAH 92 road corridor between Highway 5 and Airport Road; and

WHEREAS, the City of Waconia filed a certified copy of the resolution with the Carver County Recorder and the Clerk for Laketown Township. The request has been reviewed and supported by the County Attorney’s Office;

THEREFORE, BE IT RESOLVED, THAT the Carver County Board of Commissioners hereby supports the Extended Subdivision Authority to the City of Waconia for the land designated in Exhibit A. The County shall retain all other authority for these properties including, but not limited to, Zoning, Shoreland, Floodplain, Signage, State Building Code, Subsurface Sewage Treatment Systems (SSTS), Water Resources Management and Feedlots Management.

YES

NO

ABSENT

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 12th day of April, 2022, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this _____ day of _____, 2022.

Dave Hemze, County Administrator

Exhibit 'A'

Parcel 07-019-1200

That part of Government Lot 3, Section 19, township 116 North, Range 24 West, described as follows: Commencing at the southwest corner of Government Lot 3, Section 19, Township 116, Range 24; thence North on the westerly line of said Lot 3 to a point which is 712 feet South of the northwest corner of said Lot 3; thence northeasterly to a point on the east line of said Lot 3 which is 648 feet South of the northeast corner of said Lot 3; thence South along the east line of said Lot to shore of lake; thence southwesterly along said shore line to the south line of said Lot 3; thence West to the place of beginning, Carver County, Minnesota.

Parcel 07-019-1600

Beginning at the Northwest corner of Lot 3, Section 19, Township 116 North, Range 24 West, running thence Easterly, a distance of 1,945 feet, more or less, to a point 651 feet East of the Northwest corner of Lot 2 in said section; thence Southerly 1,255 feet, more or less, to the shore of Reitz Lake; thence Westerly along the shore of said Lake to the West line of said Lot 2; thence North along the West line of said Lot 2 to a point 648 feet South of the North line of said Lot 2; thence West to a point on the West line of said Lot 3, which is 712 feet South of the point of beginning; thence North along the West line of said Lot 3 to the point of beginning, containing 37.8 acres, more or less.

EXCEPT the following described parcel of land: That part of Government Lot 2, Section 19, Township 116, Range 24, Carver County, Minnesota, commencing at the Northwest corner of said Government Lot 2; thence Easterly along the North line of said Government Lot; 270.43 feet to the actual point of beginning; thence continue Easterly, along said North line, 380.57 feet to a point 651.00 feet East of said Northwest corner; thence Southerly 1,255.00 feet to the shore of Reitz Lake; thence Westerly, along said shore to its intersection with a line drawn Southerly from the actual point of beginning; thence Northerly, along last described line to the actual point of beginning.

Parcel 07-019-1700

The Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ of SW $\frac{1}{4}$) of Section 18 and the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ of NW $\frac{1}{4}$) of Section 19, in Township 116 North, Range 24 West, Carver County, Minnesota.

Parcel 07-019-3000

The Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ of SE $\frac{1}{4}$), of Section 18, Township 116 North, Range 24 West, and the Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ of NE $\frac{1}{4}$) of Section 19, Township 116 North, Range 24 West, according to the Government Survey thereof, Carver County, Minnesota.

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Letters of Support for Road and Bridge Grant Applications

Primary Originating Division/Dept: Public Works - Program Delivery

Meeting Date: 4/12/2022

Contact: Angie Stenson Title: Sr. Transportation Planner

Item Type:
Consent

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

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 Year (FY) 2026 and 2027.

In the March 15, 2022 Board item, nine (9) County-led project applications were recommended to be submitted to the Metropolitan Council's regional solicitation process for federal transportation funding including: Highway 5 Lake Minnewashta and Arboretum Access and Mobility Improvement; Highway 5 Victoria Mobility and Safety Improvement; Highway 10 Mobility and Access Corridor Improvement; Highway 5/Highway 11 N Intersection Safety and Access Improvement; Highway 10/Highway 11 Intersection Improvement; Highway 10 Chaska Corridor Reconstruction Improvement; Carver County ITS Corridor Enhancements; Highway 41 Ravine Trail; and the Minnesota River Bluffs Regional Trail Connection. Similarly, the following applications within Carver County were recommended to be submitted with letters of support to be issued from the County: Highway 5 Pedestrian Crossing (City of Victoria application); Highway 10 Pedestrian Improvements for Safe Routes to School (City of Chaska application); and the Merriam Junction Trail (Scott County application).

Two additional projects located within the County but to be submitted by others request support and acknowledgement of potential future cost-share should funding be awarded.

1. Highway 5 Phase 2 Reconstruction Project (City of Waconia)

- Reconstruction of State Highway 5 from east of Olive Street to Main Street including safety and multimodal improvements. This project is eligible for County Transportation Sales Tax funding.

2. Bridge Replacement on Pioneer Trail (Hennepin County)

- Replacement of Bridge #27542 on Pioneer Trail (Hennepin County Highway 1) over the MN River Bluffs Regional Trail and adjacent to the County with the project limits extending into Chanhassen and impacting Carver County Highway 14. Acknowledgement of potential cost share on project elements within Carver County.

ACTION REQUESTED:

Motion to approve letters of support for grant applications for Highway 5 reconstruction in Waconia and Bridge #27542 on Pioneer Trail on the Hennepin County border through the 2022 Regional Solicitation process.

FISCAL IMPACT: Other

If "Other", specify:

FTE IMPACT: None

FUNDING

County Dollars =

Total

Insert additional funding source

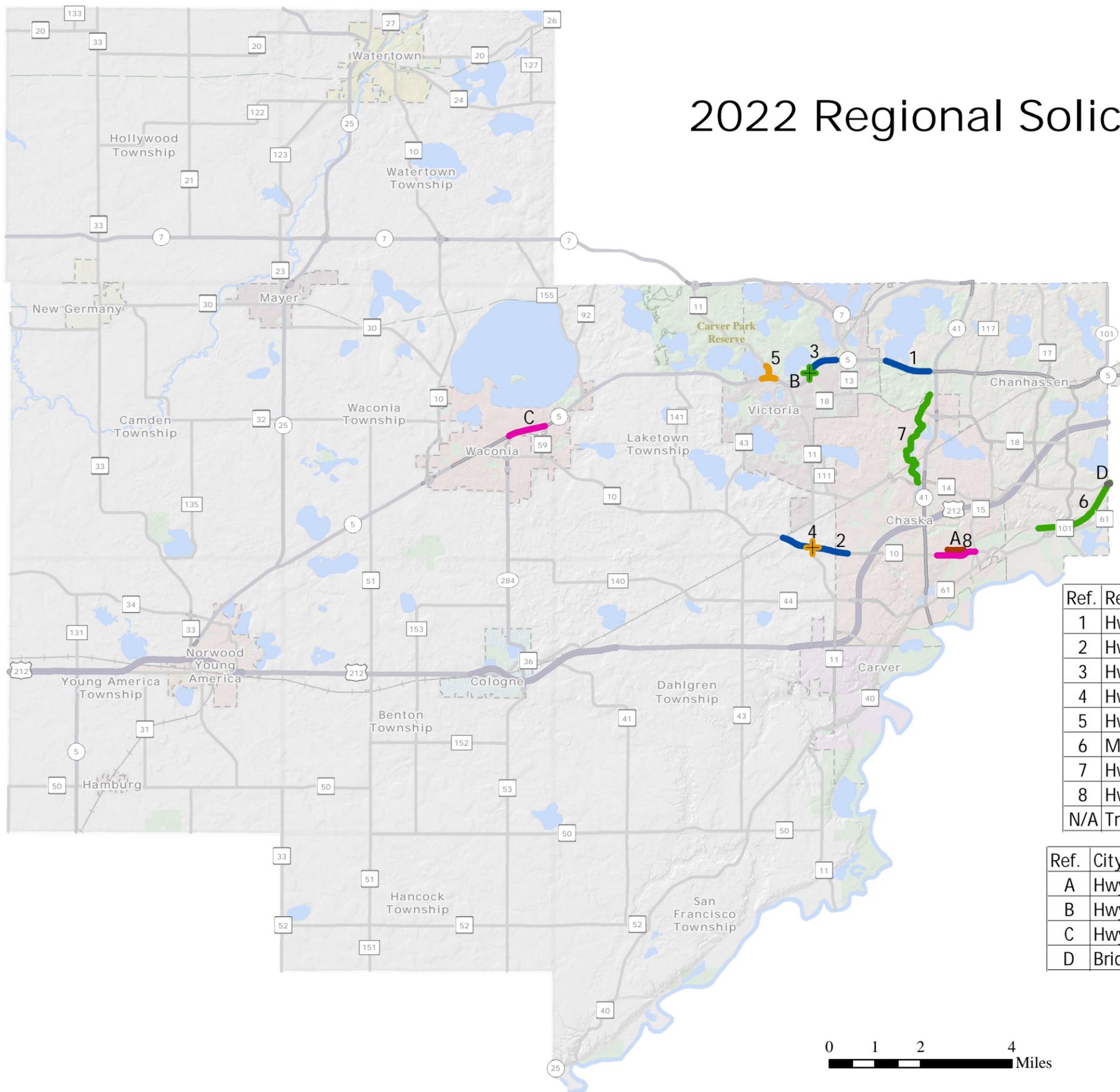
Related Financial/FTE Comments:

Project concepts and cost estimates are being developed for the application deadline of April 14, 2022. County cost-share would be determined during the project development and design phase.

Office use only:

RBA 2022 - 8304

2022 Regional Solicitation Applications



-  Bridge
-  Strategic Capacity
-  Spot Mobility
-  Multiuse Trails and Pedestrian
-  Safe Routes to School
-  Reconstruction

Ref.	Regional Solicitation Applications	Category
1	Hwy 5 from Minnewashta Pkwy to Hwy 41	Strategic Capacity
2	Hwy 10 from west of Hwy 11 to W Creek Ln	Strategic Capacity
3	Hwy 5 from Stieger Lake Ln to east of Park Dr/Kochia Ln	Strategic Capacity
4	Hwy 11/Hwy 10 Intersection	Spot Mobility
5	Hwy 5/Hwy 11 N Intersection	Spot Mobility
6	MN River Bluffs Regional Trail	Multiuse Trails
7	Hwy 41 Ravine Trail	Multiuse Trails
8	Hwy 10 (Engler Blvd) from Park Ridge Dr to Hwy 15 (Audubon Rd)	Reconstruction
N/A	Traffic Signal Technologies & ITS Corridor Enhancements	Traffic Mgmt. Tech

Ref.	City-led Applications	Category
A	Hwy 10 (Engler Blvd) Trail from Ridge Ln to Ravoux Rd	Safe Routes to School
B	Hwy 5 Pedestrian Overpass at 78th St	Pedestrian
C	Hwy 5 Phase 2 Reconstruction Project from Olive St. to Main St.	Reconstruction
D	Bridge Replacement on Pioneer Trail	Bridge

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.



Public Works Division
 11360 Hwy 212, Suite 1
 Cologne, MN 55322
 (952) 466-5200
 Created: 4/1/2022



Office of County Commissioners
Carver County Government Center
Human Services Building
602 East Fourth Street
Chaska, MN 55318-1202
Phone: 952 361-1510
Fax: 952 361-1581

April 12, 2022

Craig Eldred
Public Service Director
City of Waconia
310 East 10th Street

RE: Letter of Support for City of Waconia TH 5 Phase 2 Reconstruction Project 2022 Regional Solicitation Application

Dear Mr. Eldred,

Carver County supports the City of Waconia's pursuit for competitive funds through the Metropolitan Council's Regional Solicitation for the Highway 5 Phase 2 Reconstruction Project, which will reconstruct Highway 5 from east of Olive Street to Main Street. The proposed project will modernize the Trunk Highway by adding significant safety, incorporating access management, and constructing multimodal improvements for local and regional users.

This project will address roadway safety and condition to improve traffic and provide a modernized highway facility. Highway 5 is a route of regional significance for freight traffic and a critical connection to and from regional medical services. Multimodal improvements will also be regional in nature. This corridor is part of the Metropolitan Council's Regional Bicycle Transportation Network (RBTN) Tier 1 Alignment and identified in the County Comprehensive Plan as a future regional trail. Multimodal improvements will provide connectivity to the Dakota Rail Regional Trail, as well as additional Tier 1 and 2 RBTN alignments.

Carver County appreciates and supports the City of Waconia's efforts to secure funding and advance necessary improvements for Highway 5 reconstruction. The County recognizes the regional importance of this corridor, and it is eligible, per Board adopted list, to use County transportation sales tax funding to contribute towards the funding gap. We will continue to work closely with the City of Waconia through the development of this project.

Sincerely,

Commissioner Gayle Degler, Chair
Carver County Board of Commissioners



Office of County Commissioners
Carver County Government Center
Human Services Building
602 East Fourth Street
Chaska, MN 55318-1202
Phone: 952 361-1510
Fax: 952 361-1581

April 12, 2022

Carla Stueve, P.E.
Director and County Highway Engineer
Hennepin County Transportation Project Delivery
1600 Prairie Drive
Medina, MN 55340

**RE: Letter of Support for Hennepin County Bridge Replacement Project on Pioneer Trail 2022
Regional Solicitation Application**

Dear Ms. Stueve,

Carver County hereby expresses its support for Hennepin County's Regional Solicitation federal funding application for the replacement of Bridge #27542 along CSAH 1 (Pioneer Trail) over the Minnesota River Bluffs LRT Regional Trail in Eden Prairie.

This project will involve the replacement of Bridge #27542 over the Minnesota River Bluffs LRT Regional Trail that is nearing the end of its useful life. This project presents an opportunity to preserve a critical asset to better accommodate people walking, biking, and driving through the area; thereby enhancing the livability and quality of life for Carver County and Hennepin County residents.

Carver County acknowledges that Hennepin County is pursuing federal funding to replace Bridge #27542 along CSAH 1 (Pioneer Trail) in Eden Prairie and that the County may be required to cost participate in the project as outlined in the Hennepin County cost participation policy, should the project limits extend into Carver County. Specific details regarding cost participation and maintenance responsibilities are anticipated to be determined during the design process as project development is advanced.

Thank you for making us aware of this application and project, and the opportunity to provide support. The County looks forward to working with you on this project.

Sincerely,

Commissioner Gayle Degler, Chair
Carver County Board of Commissioners

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Professional Services Agreement for 2022 Federal Government Relations Strategy

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:

Carver County has submitted several grant requests to the federal Department of Transportation (DOT) through the discretionary grant programs to reconstruct US Highway 212 to a 4-lane expressway between Carver and Norwood Young America. The county intends to submit a \$10 million grant request for Highway 212 this April under the RAISE program.

Feedback from DOT staff has revealed that the last application was rated "highly recommended" which puts it in a favorable position for selection by the Secretary of Transportation. DOT staff and our federal legislators have expressed that localized professional services are very beneficial to track grant activity and coordinate with the DOT and federal legislators when appropriate to ensure the US 212 grant application is put in the best position to be considered for funding.

The County has also submitted requests to Congress for direct appropriations for Community Priority Projects. In 2021 the county was awarded two grants from this process, one for \$2.5 million for Highway 212 and one for \$2 million for Highway 5. The county will likely submit additional requests for Highway 5 in 2022,

Primacy Strategy Group is a nationally recognized firm in federal government relations and has worked for several governmental agencies in Minnesota. They will monitor, analyze, and report all federal legislative, regulatory and administrative developments for potential impact on Carver County, particularly for US 212 and Highway 5 — both in Congress and the Executive Branch — and advise the County when action would be beneficial to overall objectives. They will meet on the County's behalf and coordinate critical meetings for County representatives to attend. This contract is a renewal of the 2021 contract.

ACTION REQUESTED:

Motion to approve a professional services agreement with Primacy Strategy Group for \$40,000 for Federal Government Relations Strategy services, pending finalization of the contract review process.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total

Insert additional funding source

Related Financial/FTE Comments:

Carver County Board of Commissioners Request for Board Action



Agenda Item:
Dispatch Center Study

Primary Originating Division/Dept: Administration (County)

Meeting Date: 4/12/2022

Contact: David Hemze Title: County Administrator

Item Type:
Regular Session

Amount of Time Requested: 45 minutes

Attachments: Yes No

Presenter: Bruce Moeller Title: Senior Consultant, Fitch & Associ

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

BACKGROUND/JUSTIFICATION:

Carver County and the cities of Chaska and Chanhasen contracted with Fitch & Associates to conduct a best practices study of the Carver County Dispatch Center. Information was gathered from stakeholders on processes, including dispatch, fire service, Ridgeview ambulance and law enforcement. Bruce Moeller, Senior Consultant with Fitch & Associates, will present key findings including the following.

- The current system performs well overall.
- The emergency communications center (ECC) makes use of current technologies and appears engaged with stakeholders.
- From a system wide perspective, the use of a single regional public safety emergency communications center is a best practice.
- Nonetheless, challenges exist attempting to balance a regional perspective against the desires of individual local governments and agencies.
- Like most communities across the nation, increasing workload and changing community expectations provide an opportunity to further enhance the existing system.

In addition, the attached resolution recommends creating a Communications Advisory Board (CAB) to provide a mechanism where all Carver County cities are provided a format to advise and assist the Carver County Sheriff on policy-level matters related to all aspects of Dispatch Center communications.

ACTION REQUESTED:

Motion to adopt Carver County Public Safety Communkcations Advisory Board (CAB) resolution.

FISCAL IMPACT: None

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT: None

Total \$0.00

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2022 - 8241



BOARD OF COUNTY COMMISSIONERS CARVER COUNTY, MINNESOTA

Date: _____

Resolution No.: _____

Motion by Commissioner: _____

Seconded by Commissioner: _____

Carver County Public Safety Communications Advisory Board (CAB)

Whereas, public safety is a critical concern for all government jurisdictions and citizens in Carver County, and

Whereas, the Carver County emergency communications center (ECC) acts as the primary public safety answering point (PSAP) for all of geographic Carver County, and

Whereas, the use of a single regional PSAP is the most effective and efficient system and a known best practice, and

Whereas, mechanisms exist to serve ECC end users from an operational perspective including City government organizational structures, the Carver County Radio User Group and the Carver County Fire Chiefs' Association, and

Whereas, a policy-level perspective of all cities is a critical component in achieving overall PSAP and ECC public safety goals.

Now Therefore Be It Resolved, that a Carver County Public Safety Communications Advisory Board (CAB) is created to advise and assist the Carver County Sheriff on policy-level matters related to all aspects of PSAP communications, and

Be It Further Resolved, the CAB will serve as a structured forum for reviewing user suggestions for policy improvements, technological changes, concerns and complaints considering the interests of individual users and stakeholders with the Sheriff on such matters, and

Be It Further Resolved, the CAB will be advisory in nature and will not have budgetary or decision-making authority, and

Be It Further Resolved, CAB membership will consist of the chief appointed official (i.e., City Manager or Administrator) from each Carver County City, the Carver County Administrator, and the Carver County Sheriff.

YES	ABSENT	NO
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

STATE OF MINNESOTA
COUNTY OF CARVER

I, David Hemze, duly appointed and qualified County Administrator of the County of Carver, State of Minnesota, do hereby certify that I have compared the foregoing copy of this resolution with the original minutes of the proceedings of the Board of County Commissioners, Carver County, Minnesota, at its session held on the th day of , 2021, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

County Administrator

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Appointment to Community Development Agency

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

District's 5 appointment to the CDA has resigned leaving a vacancy in that District. A previous applicant, Jenn Brewington, is interested in filling this vacancy.

ACTION REQUESTED:

Motion to appoint Jenn Brewington to the CDA Board to represent Commissioner District 5.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2022 - 8272

Carver County Board of Commissioners Request for Board Action



Agenda Item:
Resolution proclaiming April 4-10, 2022 as National Public Health Week

Primary Originating Division/Dept: <input type="text" value="Health & Human Services - Public Health"/>	Meeting Date: <input type="text" value="4/12/2022"/>
Contact: <input type="text" value="Richard Scott"/> Title: <input type="text" value="Deputy Division Director"/>	Item Type: <input type="text" value="Regular Session"/>
Amount of Time Requested: <input type="text" value="5"/> minutes Presenter: <input type="text" value="Richard Scott"/> Title: <input type="text" value="Deputy Division Director & CHS A"/>	Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No
Strategic Initiative: <input type="text" value="Communities: Create and maintain safe, healthy, and livable communities"/>	

BACKGROUND/JUSTIFICATION:

The week of April 4-10 has been proclaimed by the American Public Health Association as the National Public Health Week for 2022. This year's theme is "Public Health is Where You Are."

Carver County Public Health's mission is to promote and protect the health for all in Carver County; and strives to address the many factors to promote health equity for all those who live, learn, work, and play in Carver County.

Carver County Public Health has worked diligently in the provision of vaccination, testing and essential services to mitigate the impact of the COVID-19 pandemic and other public health concerns.

Carver County Public Health works in collaboration with community partners to improve housing, education, food security, transportation, safe environment, and healthy recreational opportunities.

Furthermore, Carver County Public Health acknowledges that mental health is a core public health concern, and that prevention, early detection and treatment of mental health conditions can lead to improved physical and community health.

ACTION REQUESTED:

Motion to approve the resolution proclaiming the week of April 4-10, 2022 as National Public Health Week.

FISCAL IMPACT: <input type="text" value="None"/>	FUNDING
<i>If "Other", specify:</i> <input type="text"/>	County Dollars = <input type="text"/>
FTE IMPACT: <input type="text" value="None"/>	Total <input type="text" value="\$0.00"/>

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2022 - 8319

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Settlement Agreements for Right of Way Acquisition for the Highway 24 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:

The 2022 construction season includes the Highway 24 Project, which includes pavement rehabilitation and shoulder widening of Highway 24 from Highway 10 in the City of Watertown east to the Hennepin County border. Additional right-of-way is needed to complete this project. Appraisals were completed by a certified appraiser or minimum damage assessments completed by county staff and the County Board approved the making of offers based on the appraised values at its July 13, 2021, regular session. The Public Works Director, or agents under his supervision, made offers to the affected property owners based on the appraisals and negotiations then commenced. Settlements with the property owners listed on the exhibit attached to the resolution have been reached and staff is recommending approval.

ACTION REQUESTED:

Motion to adopt a resolution authorizing settlement of compensation for acquisition of real property interests needed for the Highway 24 Project.

FISCAL IMPACT:

If "Other", specify:

FTE IMPACT:

FUNDING

County Dollars =	<input type="text"/>
Wheelage Tax	\$423,503.00
Total	\$423,503.00

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2022 - 8283

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

Date: April 12, 2022

Resolution No: _____

Motion by Commissioner: _____

Seconded by Commissioner: _____

Resolution Authorizing Settlement of Compensation to Owners for Acquisition of Real Property Interests Needed for Highway 24 Project

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

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

WHEREAS, the County proposes to construct highway and related improvements in Carver County for shoulder widening as part of the Highway 24 Project (“Project”); and

WHEREAS, to complete the Project, the County must acquire the real property interests described in Exhibit A, attached hereto, from the Owners of the real property interests 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 shoulder widening as part of the Highway 24 Project constitute a valid public use or public purpose; and

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

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

YES	ABSENT	NO
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

STATE OF MINNESOTA
COUNTY OF CARVER

I, Dave Hemze, duly appointed and qualified County Administrator of the County of Carver, State of Minnesota, do hereby certify that I have compared the foregoing copy of this resolution with the original minutes of the proceedings of the Board of County Commissioners, Carver County, Minnesota, at its session held on April 12, 2022, now on file in the Administration office, and have found the same to be a true and correct copy thereof.

Dated this 12th day of April 2022

Dave Hemze County Administrator

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

Highway 24 Project

Carver County Public Works No. 158794

Property Tax Identification No. 10.0100500

Fee Owners: Robert W Neumann & Jane F Neumann, Married

Property Address: 11730 County Road 24, Watertown, MN

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

Permanent roadway easement for highway, utility and drainage purposes contains 14,669 sq. ft., more or less.

\$7,500.00

Temporary easement for public right-of-way purposes contains 4,906 sq. ft. (including existing easements), more or less.

\$400.00

Negotiated premium in lieu of eminent domain

\$1,500.00

Damages to Trees & Fence

\$60,600.00

Property Tax Identification No. 10.0140800

Fee Owner: Bahram Akradi, LLC

Property Address: XXX County Road 24, Watertown, MN

Settlement Amount: **\$44,100.00**

Permanent roadway easement for highway, utility and drainage purposes contains 21,178 sq. ft., more or less.

\$4,400.00

Temporary easement for construction purposes contains 6,705 sq. ft., more or less.

\$200.00

Negotiated premium in lieu of eminent domain

\$5,000.00

Damages to Trees & Crops

\$34,500.00

Property Tax Identification No. 10.0101200

Fee Owners: Germain & Marian Boll Living Trust

Property 11980 County Road 24, Watertown, MN

Settlement Amount: **\$16,000.00**

Permanent easement for roadway purposes contains 9,986 sq. ft. (including existing easements), more or less.

\$4,100.00

Damage to Trees and landscaping

\$10,400.00

Negotiated premium in lieu of eminent domain

\$1,500.00

Property Tax Identification No. 10.0131010

Fee Owners: Michael S. Louwerse and Elise M. Louwerse, Married

Property Address: 10255 Co. Rd. 24 Watertown MN

Settlement Amount: **\$85,000.00**

Permanent easement for roadway purposes contains 7,801 sq. ft., more or less.

\$6,300.00

Temporary easement for construction purposes contains 20,098 sq. ft. more or less.

\$2,300.00

Permanent drainage & Utility Easement contains 1,000 sq. ft. more or less.

\$800.00

Damages to trees and crops

\$74,100.00

Negotiated premium in lieu of eminent domain

\$1,500.00

Property Tax Identification No. 10.0131000, 10.0130800 & 10.0131100

Fee Owners: David A Dotzenroth Revocable Trust

Property Address:, 10085 & 10075 Co. Rd. 24, Watertown, MN

Settlement Amount: **\$85,000.00**

Permanent easement for roadway purposes contains 88,374, (includes existing easements), sq. ft., more or less.
\$9,400.00

Temporary easement for construction purposes contains 20,098 sq. ft. more or less.
\$8,600.00

Damages to trees and crops
\$65,500.00

Negotiated premium in lieu of eminent domain
\$1,500.00

Property Tax Identification No. 10.0101100

Fee Owners: Deutsch Family Limited Partnership

Property Address:, 11950 Co. Rd. 24 Watertown MN

Settlement Amount: **\$11,200.00**

Permanent easement for roadway purposes contains 69,791 sq. ft., more or less, including existing easements.
\$5,400.00

Temporary easement for construction purposes contains 2,025 sq. ft. more or less.
\$100.00

Damages to crops
\$700.00

Negotiated premium in lieu of eminent domain

\$5,000.00

Property Tax Identification No. 10.0100600

Fee Owners: Phyllis Wheatley Settlement House Incorporated, a/k/a Phyllis Wheatley Community Center
Incorporated

Property Address: XXX County Road 24, Watertown, MN

Settlement Amount: **\$14,400.00**

Permanent easement for roadway purposes contains 4,953 sq. ft, more or less, including existing easements

\$2,900.00

Temporary easement for construction purposes contains 2,288 sq. ft, more or less.

\$600.00

Damage to trees

\$5,900.00

Negotiated premium in lieu of eminent domain

\$5,000.00

Property Tax Identification No. 10.0121210

Fee Owners: Cheryl R. Hill, Single

Property Address: 9630 County Road 24, Watertown, MN

Settlement Amount: **\$11,300.00**

Permanent easement for roadway purposes contains 13,008 sq. ft, more or less, including existing easements

\$6,300.00

Temporary easement for construction purposes contains 5,181 sq. ft, more or less.

\$1,100.00

Damage to trees

\$2,400.00

Negotiated premium in lieu of eminent domain

\$1,500.00

Property Tax Identification No. 10.0950010

Fee Owners: Stanley E Kluge and Denise A Kluge, Married

Property Address: 2750 Dream Lane, Watertown, MN

Settlement Amount: **\$3,500.00**

Temporary easement for construction purposes contains 7,625 sq. ft, more or less.

\$800.00

Damage to trees

\$1,200.00

Negotiated premium in lieu of eminent domain

\$1,500.00

Property Tax Identification No. 10.0131220

Fee Owners: Suzanne Glodek, f/k/a Suzanne Schmit, Single

Property Address: XXX County Road 24, Watertown, MN

Settlement Amount: **\$10,500.00**

Permanent easement for roadway purposes contains 52,150 sq. ft, more or less, including existing easements

\$4,400.00

Temporary easement for construction purposes contains 10,865 sq. ft, more or less.

\$400.00

Permanent easement for drainage and utility purposes contains 1,000 sq. ft., more or less.

700.00

Damage to crops

\$700.00

Negotiated premium in lieu of eminent domain

\$4,300.00

Property Tax Identification No. 85.4220040

Fee Owners: Bradley Alan Johnson and Kayla Johnson, Husband and Wife

Property Address: 813 Dutchmans Way SE, Watertown, MN

Settlement Amount: **\$2,900.00**

Permanent easement for roadway purposes contains 169 sq. ft., more or less.

\$1,900.00

Negotiated premium in lieu of eminent domain

\$1,000.00

Property Tax Identification No. 10.0140900

Fee Owners: Red Door Ranch, LLC

Property Address: 11185 County Road 24, Watertown, MN

Settlement Amount: **\$52,603.00**

Permanent roadway easement for highway, utility and drainage purposes contains 14,703 sq. ft., more or less.

\$7,400.00

Temporary easement for public right-of-way purposes contains 12,746 sq. ft. (including existing easements), more or less.

\$900.00

Negotiated premium in lieu of eminent domain

\$5,000.00

Damages to Trees & Fence

\$39,303.00

Property Tax Identification No. 10.0131200 & 10.0131210

Fee Owners: Paul M. Vetscher & Nancy A. Vetscher, Married

Property Address: 9825 Co. Rd. 24 Watertown MN

Settlement Amount: **\$17,000.00**

Permanent easement for roadway purposes contains 26,487 sq. ft., includes 17,043 sq. ft. of existing easements more or less.

\$6,200.00

Temporary easement for construction purposes contains 7,162 sq. ft. more or less.

\$500.00

Permanent drainage & Utility Easement contains 440 sq. ft. more or less.

\$100.00

Damages to trees and crops

\$10,200.00

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Sheriff's Office Recognition Proclamations

Primary Originating Division/Dept: Sheriff

Meeting Date: 4/12/2022

Contact: Kate Miner Title: Administrative Services Manager

Item Type:
Regular Session

Amount of Time Requested: 15 minutes

Attachments: Yes No

Presenter: Jason Kamerud Title: Sheriff

Strategic Initiative:

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

BACKGROUND/JUSTIFICATION:

April 10-16, 2022 is National Public Safety Telecommunicators Week. This week is designated to recognize the men and women who provide the vital link between those in need of help and Police-Fire-EMS responders.

April 27, 2022 is National Administrative Professionals Day. This day is designated to recognize individuals responsible for performing the tasks and coordination of information to ensure smooth operation of the office and related environments.

May 6, 2022 is National Nurses Day. This day is designated to recognize the important role nurses play in our everyday lives and in our most vulnerable moments in medical care.

The first full week in May (1-7, 2022) is National Correctional Officers' Week. This week is designated to recognize and honor the men and women who perform the difficult task of supervising the County's inmate population and are professionals in the effective administration of justice.

May 15-21, 2022 is designated as National Police Week by the Congress of the United States. May 15th is designated as Peace Officer Memorial Day. This is a time to honor our law enforcement officers, the guardians of life and property and their dedication to the preservation of life, liberty and the pursuit of happiness.

ACTION REQUESTED:

Motion to approve and authorize proclamations.

FISCAL IMPACT: None

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT: None

Total \$0.00

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2022 - 8264

**PROCLAMATION
NATIONAL PUBLIC SAFETY
TELECOMMUNICATORS WEEK 2022**

WHEREAS, Carver County’s dedicated 9-9-1 dispatchers serve the citizens of the Carver County area 24 hours a day, 7 days a week, by answering calls for police, fire and emergency medical services, by coordinating and dispatching the appropriate public safety assistance as quickly as possible; and

WHEREAS, professional 9-1-1 dispatchers work to improve the emergency response capability of these communications systems through their dedication, leadership, training and participation in related public safety activities that enhance 9-1-1 services; and

WHEREAS, the services and functions performed by 9-1-1 dispatchers is a vital link between our citizens and our emergency services providers; and

WHEREAS, each dispatcher has exhibited compassion, understanding, and professionalism during the performance of their job in the past year.

WHEREAS, the week of April 10th-16th, 2022 has been set aside nation-wide to recognize 9-1-1 telecommunicators, call takers and dispatchers for the crucial role they play in the protection of life and property for all citizens.

NOW, THEREFORE, BE IT RESOLVED that we, the Carver County Board of Commissioners, in honor and recognition of the valuable contributions made by our 9-1-1 Dispatchers to the safety and wellbeing of our citizens do hereby acknowledge the week of April 10-16, 2022 as:

**NATIONAL PUBLIC SAFETY
TELECOMMUNICATORS WEEK**

Gayle Degler, Chair
Carver County Board of Commissioners
April 12, 2022

**PROCLAMATION
NATIONAL ADMINISTRATIVE
PROFESSIONALS' DAY 2022**

WHEREAS, Carver County's dedicated administrative professionals perform the tasks and coordination of information to ensure smooth operation of the office and related environments; and

WHEREAS, the skills, loyalty, and attributes almost every office depends on; and

WHEREAS, to show appreciation of the work carried out by administrative professionals and to highlight their importance to the organization and enhance their work-related skills; and

WHEREAS, the day of April 27th, 2022 has been set aside nation-wide to recognize administrative professionals for positive office contributions, and dedication of their work.

NOW, THEREFORE, BE IT RESOLVED that we, the Carver County Board of Commissioners, in honor and recognition of the valuable contributions made by Administrative Professionals for the support and needs of our citizens do hereby acknowledge the day of April 27, 2022 as:

**NATIONAL ADMINISTRATIVE
PROFESSIONALS' DAY 2022**

Gayle Degler, Chair
Carver County Board of Commissioners
April 12, 2022

PROCLAMATION
NATIONAL CORRECTIONAL OFFICERS' WEEK 2022

WHEREAS, in 1984 President Reagan signed Proclamation 5187, creating "National Correctional Officers' Week; and

WHEREAS, the first full week in May is recognized as National Correctional Officers and Employees Week, commemorating the contributions of correctional officers and personnel who work in jails, prisons, and community corrections across the county; and

WHEREAS, the Carver County Sheriff's Office supports the proposition that men and women who perform the difficult task of supervising the County's inmates deserve this recognition; and

WHEREAS, the Carver County Sheriff's Office recognizes our detention staff are professionals equal in status and importance to other professionals in the effective administration of justice; and

WHEREAS, the week of May 1-7, 2022 has been set aside nation-wide to recognize correctional officers for their civility and practices to ensure a secure facility.

NOW, THEREFORE, BE IT RESOLVED that we, the Carver County Board of Commissioners, in honor and recognition of the valuable contributions made by Correctional Officers for the security and safety of our citizens do hereby acknowledge the week of May 1-7, 2022 as:

NATIONAL CORRECTION OFFICERS' WEEK 2022

Gayle Degler, Chair
Carver County Board of Commissioners
April 12, 2022

PROCLAMATION NATIONAL NURSES' DAY 2022

WHEREAS, Carver County's dedicated nurses promote and protect the health of the Carver County population; and

WHEREAS, focusing on health and wellness; preventing disease, disability, and premature death; improving neighborhood quality of life; and achieving health equity; and

WHEREAS, to show appreciation of the work carried out by nurses and to highlight their importance to the organization and enhance their high quality care; and

WHEREAS, the day of May 6th, 2022 has been set aside nation-wide to recognize nurses for the important role they play in our everyday lives and in our most vulnerable moments in medical care.

NOW, THEREFORE, BE IT RESOLVED that we, the Carver County Board of Commissioners, in honor and recognition of the valuable contributions made by Nurses for the health and assessment of our citizens do hereby acknowledge the day of May 6, 2022 as:

NATIONAL NURSES' DAY 2022

Gayle Degler, Chair
Carver County Board of Commissioners
April 12, 2022

PROCLAMATION
NATIONAL POLICE WEEK 2022 AND
NATIONAL PEACE OFFICERS' MEMORIAL DAY

WHEREAS, Congress and the President of the United States have designated May 15th, as Peace Officers' Memorial Day, and the week in which May 15th falls as National Police week; and

WHEREAS, members of the Carver County Sheriff's Office play an essential role in safeguarding the rights and freedoms of Carver County; and

WHEREAS, it is important all citizens know and understand the duties, responsibilities, hazards, and sacrifices of their law enforcement officers, and that members of our law enforcement agency recognize their duty to serve the people by safeguarding life and property, by protecting them against violence and disorder, and by protecting the innocent against deception, and the weak against oppression; and

WHEREAS, the men and women of the Carver County Sheriff's Office unceasingly provide a vital public service.

NOW, THEREFORE, BE IT RESOLVED, all people may join in commemorating law enforcement officers, past and present, who by their faithful and loyal devotion to their responsibilities, have rendered a dedicated service to their communities and in so doing have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens. We, the Carver County Board of Commissioners, call upon all citizens of Carver County to observe the week of May 15-21, 2022 as:

NATIONAL POLICE WEEK 2022

NOW, THEREFORE, BE IT RESOLVED that we, call upon all citizens of Carver County to honor those law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice in service to their community or have become disabled in the performance of duty, and let us recognize and pay respect to the survivors of our fallen heroes and hereby acknowledge the day of May 15, 2022 as:

NATIONAL PEACE OFFICERS' MEMORIAL DAY

Gayle Degler, Chair
Carver County Board of Commissioners
April 12, 2022

Carver County Board of Commissioners Request for Board Action



Agenda Item:

CEF Watertown Community Solar, LLC - CUP for a Large Solar Energy System

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

File #PZ20220008. On March 15, 2022, the Planning Commission voted 5-1 to recommend approval of a Conditional Use Permit (CUP) for CEF Watertown Community Solar LLC for a Large Solar Energy System (Large SES) of up to one megawatt (1 MW). The proposed site is owned by Calvin Ladd and is located in Section 3 of Watertown Township.

The Large SES would be located on approximately 7.7 acres (currently non-tillable acreage) of the 49.9-acre parcel. The remaining acreage would remain in natural vegetation, its existing state. Access would be provided via an existing approach from County Road 20.

During the March 15, 2022, Planning Commission public hearing, comments were made in support of and opposition to the request by the public.

The Watertown Town Board recommended denial of the CUP application during their March 7, 2021, meeting. The recommended denial was based on neighbor concerns and based on the landowner not living on the property. Pursuant to Minn Statute Chapter 394, Carver County is the land use authority governing the issuance of a CUP for a Large SES. The current County Comprehensive Plan and County Zoning Code do not have a residency requirement and the application meets all County requirements. It is the applicant's responsibility to follow all Federal, State, and local regulations. As such, the applicant also submitted an application for a Large SES Interim Use Permit to Watertown Township, which was denied by the Township for failing to meet the Township residency requirement.

The request meets the standards of the Carver County Zoning Code Chapter 152, Section 152.057 (C)(2)(b) Large SES. The solar array would be required to meet the CCWMO Chapter 153 – Water Resource Management standards for the duration of the permit (i.e. stormwater management and vegetative cover).

The Planning Commission approved the application and the attached resolution of approval provides more detail.

ACTION REQUESTED:

A motion to adopt the Findings of Fact and issue Order #PZ20220008 for the approval of the Conditional Use Permit.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total

Insert additional funding source

COUNTY OF CARVER
PLANNING COMMISSION RESOLUTION

FILE #: PZ20220008

RESOLUTION #: 22-01

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

FILE #: PZ20220008

APPLICANT: Dan Grantier (CEF Watertown Community Solar, LLC)

OWNER: Calvin Ladd

SITE ADDRESS: 114XX Co Rd 20, MN 55388

PERMIT TYPE: Energy Production – Large SES

PURSUANT TO: County Code, Sections 152.057 (A), (C)(1), (C)(2)(b); 152.041

LEGAL DESCRIPTION: See attached Exhibit "A"

PARCEL #: 10-003-0710

WHEREAS, said application was duly considered at a public hearing held by the Carver County Planning Commission at its regular meeting of March 15, 2022; and,

WHEREAS, the Carver County Planning Commission finds as follows:

1. The subject property (approximately 49.9 acres) is owned by Calvin Ladd and is located in the West Half (W½) of the Southeast (SE¼) of Section 3, Watertown Township. The proposed energy production area is located on approximately 7.7 acres of the property, consisting of naturally vegetated land with some wetlands. The property is located in the Agricultural Zoning District, Shoreland Overlay District (Oak Lake), a very small area of Floodplain Overlay District (Oak Lake), and the CCWMO (Crow River Watershed).
2. The applicant, Dan Grantier of CEF Watertown Community Solar, LLC (“CEF” (Cooperative Energy Futures)), is requesting to construct, operate (by lease), and maintain up to a one (1) Mega-Watt (MW) Community Solar Garden (CSG) as an energy production (Large – Solar Energy System) – Conditional Use Permit (CUP) on the subject property. The request is being proposed as part of Xcel Energy’s Community Solar Garden Program, which was established by the State of Minnesota in 2013. The Energy contract with Xcel Energy for this program is for a minimum of 26 years.
3. The proposal is considered a Large Solar Energy System (LSES) based on the fact that the current (DC) rate capacity exceeds 100 kilowatts and would produce energy that would be added to Xcel Energy’s existing grid system. A Large SES requires a CUP and development standards pursuant to Sections 152.057 (A), (C)(1), and (C)(2)(b) of the Zoning Code.
4. The 2040 Carver County Comprehensive Plan recognizes the importance of providing access to solar resources. The County looks to ensure development of solar is in a manner which is efficient and follows all land use control. The development of solar energy systems is guided by Policy LU-20 Essential Services, Public and Quasi-Public, and Limited Private Uses that Serve a Community Purpose. This policy states that energy production is deemed essential to the public health and safety, welfare, or serves a public good of the community. In addition, Policy LU-37 under Solar Resources Policies states that “the County will avoid any undue restrictions on solar access”. The use of agricultural land is temporary in nature and the impervious areas would be minimal. There is no existing agricultural production land utilized for the proposed Large SES project site. These factors are compatible with the 2040 Comprehensive Plan.
5. Mr. Grantier has submitted a CUP application (dated: February 4, 2022) on behalf of CEF Watertown Community Solar, LLC, which is wholly owned by OneEnergy Development, LLC, a business that coordinates solar projects including site acquisition, development, interconnection, permitting, finance, construction, operations, and maintenance. The property owner Calvin Ladd has entered into a minimum 26-year lease agreement with CEF Watertown Community Solar, LLC.

6. As shown in the submitted conceptual layout and site plan (dated February 8, 2022), the applicant is proposing to construct and operate up to a one (1) Mega-Watt (MW) solar garden on the 7.7-acre site. The major equipment components of the solar array include the solar modules, inverters, and racking. The panels would be on single-axis trackers, which rotate from east to west and will be a maximum of 9-feet in height depending on the tilt. There would be no permanent structures or external signage. The energy produced on the site would be transferred to the network interconnection location through underground, medium-voltage cable, to the interconnection point on a proposed utility pole on the property. An overhead utility line located on the south side of Co Rd 20 would feed the energy into the existing distribution line. The project meets required setbacks from property lines. Consistent with Code, there is not a Large SES within 1-mile of the proposed project site.
7. Proposed site access is through the existing shared field access at the southeast corner of the parcel. The County Public Works Department has provided consent in an email correspondence (dated October 27, 2021) that the proposed location is acceptable. A proposed 16-foot-wide gravel/asphalt road provides access from Co Rd 20 to the project site.
8. The surrounding land uses consist of agriculture and scattered residences, with about 14 homesteads within a half mile of the project. It appears that the closest residence is approximately 1,000 feet south of the proposed operational area. CEF proposes a security fence, maximum 8' in height, composed of steel poles and wire, around the entire perimeter of the project site. Any fences over 7-feet in height require a building permit. With the exception of the graveled vehicle access area, the site would be planted with a "mix of native grasses and pollinator-friendly habitat." Due to the visibility of the project from the nearest home, about 1,000 feet to the south, the applicant is proposing landscape screening along the southern project site border, as identified in Appendix F. As part of the county Zoning Code update that the County Board adopted in July 2021, new screening standards for energy production facilities were adopted (Section 152.041). The proposed screening meets the intent of the standards set forth in the Screening section of the Zoning Code and at maturity would provide a seasonal opaque screen of the solar array. The Zoning Code requires a surety to be submitted by the applicant and held by the County until the screening is established.
9. Due to the presence of wetlands on the property, CEF has completed a wetland delineation and has been in conversation with County Water and Planning staff. The project proposes a .1-acre impact on existing wetlands to construct the access road to the fenced solar array area. CEF would be required to comply with all Wetland Conservation Act rules.
10. The submitted preliminary grading plan shows the amount of cut and fill proposed for the site to accommodate the rows of 2,300 solar panels. The proposed solar racking is noted to accommodate the existing terrain allowing for maintenance of the existing drainage and runoff patterns, minimizing the impact to surrounding lands. Any/all grading would be pursuant to Chapter 153 – Water Resource Management guidelines.
11. The applicant's narrative states that they conducted a glare analysis, which resulted in "No glare predicted" for the 22 adjacent and nearby residences.
12. During the estimated four to six-month construction period the hours of construction activity are proposed to be 7:00 a.m. – 7:00 p.m. After construction, the solar project would operate 24 hours a day, 365 days a year. Site operations (energy productivity) would be monitored remotely. There would be no daily traffic after completion of construction. Maintenance workers would visit the site one to three times per year to perform routine maintenance on equipment.
13. CEF is proposing to drive piles (metal posts) into the ground to support the single-axis tracker racking system. The Carver County Zoning Code includes a standard which requires foundation posts to be installed using noise mitigating equipment such as a vibrating post driver or any other noise reduction method.
14. CEF reports that it has successfully completed three (3) of the four (4) studies that precede Xcel issuing an Interconnection Agreement. The submitted narrative states that Xcel is currently conducting a Facilities Study, the fourth study. When that study is completed, OneEnergy expects that Xcel would issue the Interconnection Agreement which would then be submitted to the County.

15. CEF or its successors would take on the responsibility and costs of the decommissioning of the site at the end of the operational life of the solar array as noted in the Project Narrative. Decommissioning would commence after twelve (12) months of non-operation. The project site would be restored to pre-construction conditions after removal of the structures, foundations, and restoration of soil and vegetation. Fencing would be removed and recycled, the access will be reclaimed, and soils replaced where needed. CEF Watertown Community Solar, LLC, the entity that will control the project once construction begins, will establish a letter of credit in the amount of \$38,000 to ensure proper decommissioning. The applicant has referenced the decommissioning process in their operations plan (dated: February 4, 2022) which appears to satisfy the decommissioning standard for an application submittal.
16. The applicant's project narrative references the public's concerns regarding stray voltage and property values. A condition of this permit should be that any stray voltage would be remediated within 30 days of detection and verification, and all test results would be sent to Carver County for reference and made publicly available.
17. The applicant has provided contact information for any maintenance and operation questions or concerns. The applicant would be required to submit (to the Carver County Land Management Department) the list of emergency contacts (during the construction phase) with an emergency plan prior to the issuance of any building permits. Updated contacts for post construction would be required to be submitted within 30 days of the issuance of the Building Permit Certificate of Occupancy (C.O.). The applicant would be required to provide signage with referenced contact information to be placed on the security fencing at this entrance to the operational area. All signage posted on site would be in compliance with Chapter 154 – Sign Regulations. Internal signage is required for labeling of electrical equipment to provide safety and support good practices.
18. The applicant has completed a preliminary grading analysis although, a full drainage report would be completed as part of the Stormwater and Pollution Prevention Plan (SWPPP) permit to be reviewed by the CCWMO as part of their stormwater management standards.
19. The Carver County Planning and Water Management Department (CCWMO) and Carver Soil & Water Conservation District (SWCD) would be reviewing the project with respect to the County Water Rules (Chapter 153), and for site stabilization requirements and Best Management Practices (BMP's). The applicant would be required to comply with any/all permitting requirements. As part of their formal review, they will also:
 - a. Review project plans to ensure that there are no upstream or downstream impacts caused by the project;
 - b. Review project plans to ensure that existing drain tile servicing the site has been identified and will be avoided during construction. Or, if any changes to the site's existing natural and subsurface drainage system are proposed, review changes to ensure that the proposed drainage system has the same capacity as the existing system;
 - c. Review proposed erosion and sediment control BMP's to ensure the site will be managed in a way that prevents offsite erosion or deposit of sediment during construction and is permanently stabilized following construction;
 - d. Review other items as needed to demonstrate compliance with County Water Rules (Chapter 153);
 - e. Collect a surety of \$1,000 per acre up to a maximum of \$50,000 to ensure for faithful performance of the approved plans and to finance any necessary remedial work. The surety shall be held until the following conditions are met (additional conditions may be added during review):
 - i. The project is complete;
 - ii. The site has been re-vegetated (90% vegetative cover across the site, 100% vegetative cover with no signs of erosion in areas of concentrated flows);
 - iii. All erosion and sediment control measures have been removed.
20. The applicant has committed to using pollinator-friendly and native grasses, sourced from within 175 miles of the project site, underneath the solar panels and in the surrounding areas. CEF would control weeds and maintenance throughout the life of the project. Final implementation of the seeding plan shall be subject to review/recommendations by the CCWMO and Carver County SWCD to ensure the vegetative cover will meet or exceed the statewide standard for pollinator-friendly solar by scoring at least 70 points on the *BWSR Solar Site Pollinator Habitat Assessment*. CEF would ensure ground cover at the site is maintained and mowed for the duration of the permit.

21. The application does not contain information regarding a liability insurance policy which will meet the applicable insurance coverage requirements. Minnesota state guidelines require the Permittee to maintain a comprehensive public liability insurance policy which is written by an insurance carrier and must be authorized by law.
22. This project proposal has been sent to Taylor Huinker, Area Hydrologist for the Minnesota Department of Natural Resources, for review. No comments have been received. The project site area is not within the floodplain, which presumably would be the DNR's chief concern in reviewing this application.
23. In July 2021, the Watertown Town Board adopted a Watertown Solar Garden Ordinance regulating large scale solar array projects within Township boundaries. Their Ordinance defines solar gardens as an interim use requiring the issuance of an Interim Use Permit from the Township. In addition to meetings the County standards for solar gardens, the Town Board added an additional condition: The owner of the property must reside and establish as their primary residence the property on the solar garden is located. Further, the IUP "shall expire at such time as the owner of such property no longer maintains such property as the owner's primary residence." It is the sole responsibility of the applicant to comply with all state and local regulations.
24. The Watertown Town Board reviewed the project at their January 3, 2022, meeting and recommended denial of the LSES application. The reasons stated for the denial were "Neighbor had concern and the fact that Watertown Township has in place an ordinance requiring the landowner to live on the property where the solar garden is proposed." At the same meeting the Town Board reviewed the submitted IUP application and denied the application based on "on neighborhood concerns as well as on the fact that the township has an ordinance in place that requires the owner to live on the parcel noted above, and in this case the owner lives in another county."
25. During the March 15, 2022, Planning Commission public hearing, comments were made in support and opposition of the request by the public.
26. The Planning Commission has considered all the factors required by Section 152.251 of the Carver County Code and finds that all are either true in this case or can be mitigated by conditions placed on the permit.

THEREFORE, BE IT RESOLVED, THAT the Carver County Planning Commission hereby recommends the issuance of Conditional Use Permit #PZ20220008, for a Large Solar Energy System (SES) on the land described in Exhibit "A" of the permit application. The Planning Commission further recommends that the following conditions be attached to the permit:

1. The permit is subject to Compliance Review. The permit allows for a community solar garden on the subject 49.5± acre property (approx. 7.7-acre lease area) and it is not transferable to another parcel and/or another area of the parcel subject to the permit. Upon notice to the Carver County Land Management Department, the permit, including all rights and obligations therein, may be assigned, in whole or in part, to any Permittee affiliate and any party with experience owning and operating energy generation facilities. Any other proposed change in facility ownership shall be cause for the permit to be reviewed by the Carver County Land Management Department for a determination as to whether an application for an amendment or similar consideration is necessary, and any such proposed owners and/or operators of the solar site are encouraged to contact Land Management as early on in the timeline of the proposed change as possible.
2. Permittee shall operate in accordance with the submitted CUP Application operations plan (dated: February 4, 2022) and site plan (dated: January 20, 2022) and any/all CCWMO permit approval(s) (i.e. stormwater infiltration, BMPs, site vegetation and plantings, and site reclamation). These plans shall be considered a requirement of this permit. If there are any inconsistencies between previously submitted versions, the terms of the most recent shall prevail and shall be considered requirements of this permit. The SES shall be installed and maintained in accordance with Section 152.057, including noise mitigation and decommissioning. Construction activities may occur 7am-7pm Monday through Saturday (no work is permitted on Sundays or nationally observed holidays).

3. All structures used in conjunction with the facility shall meet the applicable requirements of the Carver County Zoning Code and State Building Code. Any required building permits must be obtained prior to construction. The west property line of the subject parcel shall be surveyed to determine that the operational area meets the minimum setback of 50 feet. The survey information shall be submitted to the Carver County Land Management Department with the building permit application.
4. The permit is subject to any/all County Public Works standards pertaining to access requirements.
5. Any grading and/or filling activity on the property shall be completed in accordance with the CCWMO Rules and the Wetland Conservation Act (WCA), if applicable. Any and all site improvements shall be completed pursuant to Chapter 153 – Water Resource Management. Stormwater Management review and approvals are required prior to the issuance of construction and/or building permits.
6. The vegetative cover shall be implemented in accordance with the operational plan (dated: February 4, 2022), and site plan (dated: February 8, 2022), which shall be considered a requirement of this permit. The project shall be planned and developed in a way that is beneficial to pollinators – the vegetative cover will meet or exceed the statewide standard for pollinator-friendly solar by scoring at least 70 points on the BWSR Solar Site Pollinator Habitat Assessment. The Permittee shall be responsible for maintaining any/all vegetative ground cover for the duration of the CUP and complying with MN Statutes Noxious Weeds Control and Management rules. In accordance with the 2022 Fee Schedule, the permittee shall submit to the County an escrow to ensure plant installation and survival. Final implementation of the plan(s) shall be subject to the CCWMO review and approval.
7. Permittee shall comply at all times with the County standards as detailed in Chapter 152 – Zoning Code and Chapter 154 – Sign Regulations.
8. Pursuant to the operational plan (dated: February 4, 2022), CEF Watertown shall construct the facility according to the National Electrical Safety Code standards. The permittee shall conduct pre-construction and post-construction stray voltage testing. Results of any stray voltage data collection shall be submitted to the Carver County Land Management Department. Any stray voltage identified shall be remediated within 30 days of detection and verification.
9. Decommissioning of the solar facility shall be implemented in accordance with the Decommissioning Plan process (dated: February 4, 2022), at the end of the life of the community solar garden. The Permittee and property owner shall be responsible for all of the decommissioning costs and shall list Carver County as having access to the security, escrow, or letter of credit in the event decommissioning is required. The Carver County Land Management department shall receive a copy of the security document from the Permittee or property owner prior to issuance of the required building permit(s). The Permittee & Property Owner shall maintain this agreement for the duration of the solar energy array. The Permittee shall also provide the list of contractors including name(s), addresses and telephone numbers to Land Management Department for the decommissioning and reclamation once the essential service is no longer in use.
10. The Permittee shall provide the Carver County Land Management Department with the Operation & Maintenance agreement documenting the emergency/response plan containing contact name(s), addresses, and telephone number(s) for the responsible party(s) as it pertains to drainage, weed maintenance, screening, site maintenance, stray voltage, etc. The list of contacts shall also be posted and/or identified by a placard sign at the site with the contact name(s), addresses, and telephone number(s). The completed (construction) emergency/response plan shall be submitted to the Land Management Department prior to the issuance of any building permit(s), and/or prior to beginning any construction activities on the subject parcel, as well as an emergency plan (post-construction) listing contacts for the on-going maintenance/operations after construction is completed. This plan shall be submitted within 30-days of receiving the Building Permit Certificate of Occupancy (C.O.).
11. No later than the date that construction of the solar facility begins, the Permittee (including all Permittee affiliates) shall name Carver County as an additional insured on all policies of liability insurance. The Permittee shall annually file with the Carver County Land Management Department a certificate evidencing coverage. The certificate shall provide that the County must be given thirty (30) days written notice of the cancellation of insurance.

12. No later than the date that construction of the solar facility begins, the Permittee (including all Permittee affiliates) shall submit a copy of Worker's Compensation Insurance to the Carver County Land Management Department.

ADOPTED by the Carver County Planning Commission this 15th day of March 2022.

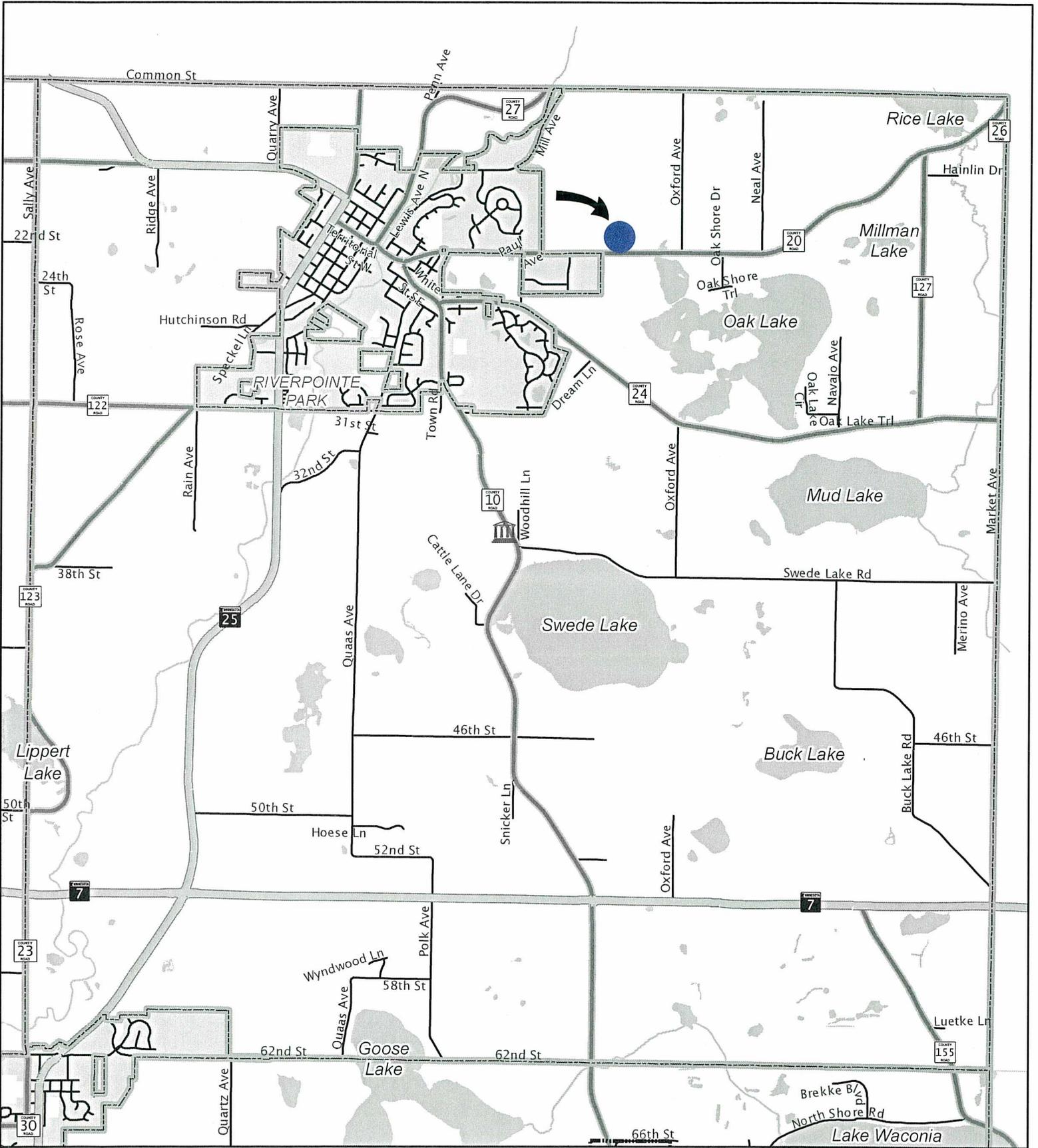
Scott J. Wakefield

Scott J. Wakefield (Mar 28, 2022 10:28 CDT)

Scott Wakefield, Chairman 03/28/22

Carver County Planning Commission

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.



Carver County Board of Commissioners Request for Board Action



Agenda Item:

Agreement For Use of CCRRA Property for TH 41 & CSAH 61 Improvements , Trail and 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:

Carver County and the City of Chaska have been working on plans to improve the roadways of Hwy 41 and County Road 61. These improvements improve traffic and pedestrian movements, increase public safety and provide streetscaping or aesthetic betterments. Construction is planned for early summer of 2022.

One of the features of the proposed improvement is to construct a pedestrian and bicycle underpass for Hwy 41 but extending between Pine Street, and Walnut Street. The area needed is the approximate length of two city blocks of the former Union Pacific Railroad corridor.

The City of Chaska is requesting an agreement for use of the property.

ACTION REQUESTED:

Motion to approve an agreement with the City of Chaska for use of CCRRA property to construct an underpass, trail, retaining wall, sidewalk, and related appurtenance upon completion of the contract review process.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT:

Total

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2022 - 8244

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Contract for Lake Waconia North Shore Stabilization Project

Primary Originating Division/Dept:

Meeting Date:

Contact: Title:

Item Type:
Ditch/Rail Authority

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:

BACKGROUND/JUSTIFICATION:

There is an eroded embankment condition along the North Shore of Lake Waconia between the lake and the Dakota Rail Regional Trail. The condition is due to a steep grade, storm water run-off, and foot traffic from regional trail down to the shoreline. The eroded condition is jeopardizing the bituminous surface and creating an unsafe condition.

The benefits to this repair include preserving the existing asphalt surface, restoring embankment, providing fencing for the elimination of foot traffic, works to better address storm water runoff from North Shore Road, and restores the 2-foot clear zone along the regional trail corridor for safety purposes.

Quotes have been obtained from two companies to address the condition.

- Schneider Excavating & Grading Inc. \$81,109.80
- Kusske Construction Company, LLC. \$83,380.00

ACTION REQUESTED:

Motion to contract with Schneider Excavating & Grading Inc. pending finalization of the contract review process.

FISCAL IMPACT:

If "Other", specify:

FUNDING

County Dollars =	<input type="text"/>
CCRRA	\$81,109.80
Total	\$81,109.80

FTE IMPACT:

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2022 - 8295

Carver County Board of Commissioners Request for Board Action



Agenda Item:

Letters of Support for Grant Applications for Trail Projects on CCRRA Property

Primary Originating Division/Dept: <input type="text" value="Public Works - Program Delivery"/>	Meeting Date: <input type="text" value="4/12/2022"/>
Contact: <input type="text" value="Angie Stenson"/> Title: <input type="text" value="Sr. Transportation Planner"/>	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 checked="" type="radio"/> Yes <input 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 2026 and 2027.

Two (2) project applications are proposed that 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:

Minnesota River Bluffs Regional Trail (Carver County application): Reconstruct and pave a segment of the Minnesota River Bluffs Regional Trail from Bluff Creek Drive to Highway 14 (Pioneer Trail). Project elements include approximately 2 miles of 10-foot wide, bituminous multi-use trail meeting all ADA requirements and addition of a parking lot and informational kiosk.

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 approve letters of support for grant funding for the Minnesota River Bluffs Regional Trail and the Merriam Junction Trail.

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 \$0.00
FTE IMPACT: <input type="text" value="None"/>	<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 April 14, 2022. Potential cost-share will be determined as part of project development and design.



Carver County Regional Rail Authority
Carver County Government Center
Human Services Building
602 East Fourth Street
Chaska, MN 55318-1202
Phone: 952 361-1510
Fax: 952 361-1581

April 12, 2022

Ms. Lisa Freese
Transportation Services Director
Scott County Public Works
200 4th Ave W
Shakopee, MN 55379

Dear Ms. Freese,

The Carver County and Carver County Regional Rail Authority (CCRRA) are pleased to support Scott County's application for the Merriam Junction Trail under the Multiuse Trails and Bicycle Facilities category of Metropolitan Council's 2022 Regional Solicitation for federal transportation funding. The proposed project will construct a regional pedestrian and bicycle trail and bridges along the Scott County owned section of the former UP rail line including a crossing of the Minnesota River into Carver County.

The project will provide a new crossing of the Minnesota River and eliminate a gap in the Regional Bicycle Transportation Network. This multimodal connection will improve pedestrian and bicycle accessibility for Scott and Carver County residents, provide access to a regional recreational area, and provide safety benefits for users via an additional crossing of the Minnesota River.

The County and CCRRA are supportive of the proposed project and acknowledge potential future permitting, construction, and operation project needs within the CCRRA property. Carver County appreciates Scott County's efforts to secure funding for this regional trail improvement. Carver County and CCRRA support Scott County's application to the Metropolitan Council's 2022 Regional Solicitation funding program.

Sincerely,

Commissioner Gayle Degler, Chair
Carver County Regional Rail Authority



Carver County Regional Rail Authority
Carver County Government Center
Human Services Building
602 East Fourth Street
Chaska, MN 55318-1202
Phone: 952 361-1510
Fax: 952 361-1581

April 12, 2022

Mr. Marty Walsh
Parks Director
Carver County Public Works
11360 Highway 212, Suite 1
Cologne, MN 55322

Dear Mr. Walsh,

The Carver County Regional Rail Authority (CCRRA) is pleased to support Carver County's application for the Minnesota River Bluffs Regional Trail from Bluff Creek Drive to Pioneer Trail under the Multiuse Trails and Bicycle Facilities category of Metropolitan Council's 2022 Regional Solicitation for federal transportation funding.

The proposed project will reconstruct and pave a segment of the Minnesota River Bluffs Regional Trail from Bluff Creek Drive to Pioneer Trail. Project elements include approximately 2 miles of 10-foot wide, off-street, bituminous multi-use trail meeting all ADA requirements, addition of a small parking lot, informational kiosk, ADA-compliant pedestrian ramp at west project terminus, culvert reconstruction and associated work.

The Minnesota River Bluffs Regional Trail is both a recreation destination and a commuter route. It plays a key role in Carver County's alternate transportation infrastructure. As a Tier 1 Regional Bicycle Transportation Network (RBTN) alignment, the Minnesota River Bluffs Regional Trail is a crucial link in the regional trail and bicycle network, connecting to Cedar Lake LRT Regional Trail (Tier 1 RBTN Alignment) in Minneapolis, Nine Mile Creek Regional Trail (Tier 1 RBTN Corridor) in Hopkins, County Road 10 (Tier 1 RBTN Corridor) in Chaska, County Road 101 (Tier 2 RBTN Alignment) in Chanhassen, State Hwy 101 (Tier 1 RTBN Corridor) in Shakopee, and Pioneer Trail (Tier 2 RBTN Corridor) in Eden Prairie.

As the current right of way owner CCRRA supports this application and acknowledges potential future permitting, construction, and operation project needs within the CCRRA property. CCRRA supports the County's application to the Metropolitan Council's 2022 Regional Solicitation funding program.

Sincerely,

Commissioner Gayle Degler, Chair
Carver County Regional Rail Authority

Carver County Board of Commissioners Request for Board Action



Agenda Item:
County Redistricting Plans

Primary Originating Division/Dept: ▼

Meeting Date:

Contact: Title:

Item Type:
 ▼

Amount of Time Requested: minutes

Attachments: Yes No

Presenter: Title:

Strategic Initiative:
 ▼

BACKGROUND/JUSTIFICATION:

Every 10 years an updated Federal Census triggers a voting redistricting process to reflect population changes across the Country. The following steps have been completed:

- 9/10/21: Feds release 2020 Block Level Census data
- 2/15/22: MN Supreme Court Redistricted Federal and State Districts
- 3/29/22: Cities/Townships completed Redistricting their Precincts
- 4/5/22: Public Information Meeting: County Redistricting Overview

The next step is for the County Board to consider initial plans for redistricting commissioner districts.

ACTION REQUESTED:

None - for update and discussion purposes only.

FISCAL IMPACT: ▼

If "Other", specify:

FUNDING

County Dollars =

FTE IMPACT: ▼

Total

Insert additional funding source

Related Financial/FTE Comments:

Office use only:

RBA 2022 - 8312