



CARVER COUNTY PARKS

11360 Highway 212 West, Suite #2
Cologne, MN 55322
Phone (952) 466-5250 Fax (952) 466-5223
www.co.carver.mn.us/parks

Division of Public Works

11360 Hwy. 212 West, Suite #1
Cologne, MN 55322
Phone (952) 466-5200
Fax (952) 466-5223

Carver County Park Commission Regular Meeting

Wednesday, December 8th, 2010

**Meet at the Public Work Building, 11360 Hwy 212 West
Cologne, MN 55322**

7:00 p.m. in Conference Room #1

Agenda

- 1) Call Regular Meeting to Order (7:00 p.m.)
- 2) Roll Call (7:01 p.m.)
- 3) Approval of the November 10th, 2010 Minutes (7:02 p.m.)
- 4) Additions or Deletions to the Agenda (7:03 p.m.)
- 5) Approval of Agenda (7:04 p.m.)
- 6) Commissioner Liaison Report (7:05 p.m.)
- 7) Open to the Public for items not on the agenda (7:10 p.m.)
- 8) New Business (7:20 p.m.)
 - a. Equestrian Sub-Committee Report
 - b. Master Plan for the Extension of the MN River Bluffs Regional Trail and Scott County Trail Connection
- 9) Staff Reports (8:20 p.m.)
 - a. Request for Signage at the Bavaria Boat Access (Walsh)
 - b. Commission Member Meeting Per Diem (Walsh)
 - c. TH 41 Trail and Underpass (Walsh)
 - d. Update on the Dakota Rail Regional Trail (Walsh)
 - i. Construction
 - e. Events, Activities (Klevan Schmitz)
- 10) Commission Member Reports (8:35 p.m.)
- 11) Set Next Meeting Date (8:40 p.m.)
- 12) Adjourn Meeting (8:45 p.m.)

Please note if a Commission Member cannot attend the meeting, please call the Park Office at 466 – 5250.

S:\Parks\Park Commission Info\Park Agenda\2010\Prkagn 11-10-10.doc

Draft
Meeting Minutes
November 10th, 2010 Regular Meeting

Members Present: Neil Wingert, Jerald Moja, Thomas Hermann, Myron Karki
Staff Present: Marty Walsh, Lenny Klevan Schmitz

Public Present: None

CALL TO ORDER - Wingert called the meeting to order at 7:02 p.m.

MINUTES - Moja motioned to approve the October 13th, 2010 minutes. Hermann seconded the motion. Motion passed 4-0.

AGENDA- Moja motioned to approve the agenda. Karki seconded the motion. Motion passed 4-0.

LIAISON REPORT- N/A

OPEN TO THE PUBLIC- N/A

OLD BUSINESS

- a. Request for Snowmobile Permit – Postponed for 2010-2011 snowmobile Season

Walsh briefly recapped his director's report about the request to postpone the snowmobile permit until after the snowmobile season. In May of this year the Southwest Trails Snowmobile Club and the Carver County Snowmobile Club made a request to the Carver County Park Commission to consider snowmobiling on the Dakota Rail Regional Trail. A public process to consider the request began with an open house explaining the request on June 23, 2010. Additional public meetings were held during the summer months at area townships and cities where a snowmobile trail was to be considered. Last month the Park Commission made recommendation supporting the use of the Dakota Rail Regional Trail for snowmobile activity between County Road 33 in New Germany and County Road 155 in Waconia Township. Additional meetings at the County Planning Commission and County Board were being planned.

The Southwest Trails Snowmobile Club has requested postponing the process to consider the permit request based on the shortage of time to properly prepare and sign the trail if snowmobiling would be authorized this season. With additional meetings proposed at a County Planning Commission level and at the County Board, the time necessary to complete these meetings would bring the review and consideration process into December leaving no time to properly prepare the trail for snowmobile use if permitted.

It is proposed that the request to consider snowmobiling would continue after the 2010-2011 season for the 2011-2012 season.

DISCUSSION ITEMS

a. Master Plan for the Extension of the MN River Bluffs Regional Trail and Scott County Trail Connection

Walsh provided a handout of the draft master plan for the MN River Bluffs Trail Extension. Walsh explained that a regional trail master plan is being developed in conjunction with Scott County for the a portion of the Union Pacific Railroad beginning at Athletic Park in Chaska and continues to the City of Carver and then into Scott County terminating at the Merriam Junction near Hwy 169. Staff is planning to meet with the Cities of Chaska and Carver to obtain feedback and input about the trail, trail uses and potential trailhead facilities within the communities in the upcoming weeks. The plan is to have the master plan completed later this year which will allow for a request for funding to go forward to the Metropolitan Council for assistance with the acquisition of the railroad corridor.

Walsh indicated he hopes to ask the Park Commission to approve the master plan in December if all goes as planned.

b. Park Ordinance Revisions

Klevan Schmitz reported with the pending addition of the first regional trail operated by Carver County, several changes should be made to the County park ordinances in order to provide the Sheriff's Office with the authority to regulate County owned trails outside of park boundaries. Additionally, other changes to County Park ordinances should be considered based on the activities taking place in our park areas. Changes to the ordinances include adding new items and updating the "Definitions" portion of the ordinances. In addition, ordinance language should be modified or added based on the current or pending activities taking place in our park areas. Changes/additions were indicated in red. Staff discussed the reasoning for these changes. Additionally, there is a process to update the Park Ordinances which requires a legal notice in the papers followed by a public meeting with the County Board. For more information on ordinance is provided on the Carver County Parks webpage. A link to "Park Ordinance" is provided in the green box area.

Proposed Definitions to be added:

DISC GOLF. A game played much like traditional golf. Instead of using a ball and clubs, players use a flying disc, or Frisbee from a tee area to an elevated target basket which is the "hole".

HIKING. Traveling on foot, i.e., walking, running, or with an assistive mobility device.

HORSE. A horse, mule, donkey, llama, alpaca, or other ungulate or ruminant that is used to transport people, equipment, or materials.

METAL DETECTING. To use an electronic or mechanical device to locate metals or other artifacts that are underground or under water.

PERSONAL MOBILITY VEHICLE. Any single passenger device which provides access for persons needing assistance due to a medical condition by permit.

ROLLER SKATER. Any person riding or propelling oneself by human power or gravity on wheeled devices that are worn on a person's feet or stood upon by a person. Such

devices specifically include, but are not limited to, roller skates, in-line skates, rollerskis, skateboards, and scooters.

SMOKING. The inhaling or exhaling smoke from any lighted cigar, cigarette, pipe, or any other lighted tobacco or plant product. Smoking also includes carrying a lighted cigar, cigarette, pipe, or any other lighted tobacco or plant product intended for inhalation.

Proposed Definitions to be modified:

PARK. Any land, water area, and trail corridor and all facilities thereon, under the jurisdiction, control or ownership of Carver County for the recreational enjoyment of the public.

Proposed Ordinance Language to be modified:

§ 91.05 CONDUCT; PERSONAL BEHAVIOR.

(F) *Firearms; dangerous weapons; fireworks.* It shall be unlawful for any person to:

(1) Have in their possession within a park, fire or discharge, or cause to be fired or discharged across, in, or into any portion of a park any gun or firearm, spear, bow and arrow, crossbow, sling shot, air or gas weapon, **paintball gun** or any other dangerous weapon or projectile, except for purposes designated by the Board in areas and at times designated by the Board; and/or **Persons who possess a valid Minnesota permit, or a valid permit from another state which is recognized in Minnesota; may carry, hold, keep, store, or possess a pistol within the park lands, facilities, and buildings to the extent permitted by Minnesota law. Employees or volunteers when acting in the course and scope of their employment or duties are prohibited from carrying, holding, keeping, storing, or possessing a pistol within Carver County Park lands, facilities, and buildings. Licensed Peace Officers are exempt from the provisions of this subdivision.**

§ 91.06 PROPOSED OPERATION REQUIREMENTS.

(G) *Engine-powered models and toys.* It shall be unlawful for any person to start, fly or use any fuel **or battery** powered model aircraft, model boat or rocket or like powered toy or model.

§ 91.08 PROPOSED RECREATION ACTIVITIES.

Bicycling. It shall be unlawful for any person to:

- (1) Operate any type of bicycle, except on roadways, **paved or aggregate surfaced trail** and designated trails.
- (2) **Operate any type of bicycle except as close to the right-hand side of the authorized trail or roadway as conditions permit, or to cross to the left of a solid yellow centerline.**

Snowmobiling. It shall be unlawful for any person to:

(4) Operate a snowmobile in violation of M.S. §§ 84.81 to 84.90, as they may be amended from time to time **and Chapter Five: Natural Resources 51-59, "Snowmobile Rules and Regulations"**(all rules and regulations therein pertaining to "public land and water" shall apply on park property).

(5) **Operate a snowmobile in violation of any posted trail sign.**

Proposed Ordinance Language to be added:

§ 91.05 CONDUCT; PERSONAL BEHAVIOR.

(G) Smoking and Tobacco Use. It shall be unlawful for any person to:

(1) **Smoke or use any tobacco product in or within 25 feet of any indoor area.**

(2) **Smoke or use any tobacco product inside the designated perimeter of any creative play area or beach.**

(H) Child Safety. It shall be unlawful for any person to:

- (1) Permit a child age 10 or under to be in a creative play area unless under the supervision of a responsible person.
- (2) Permit a child age 10 or under to swim or wade at beaches or swim ponds within a park, unless under the supervision of a responsible person. Swimming is not permitted in other areas.
- (3) Permit a child age 10 or under to be in a winter recreation area unless under the supervision of a responsible person.

§ 91.06 OPERATION REQUIREMENTS.

(I) *Aviation.* It shall be unlawful to use park property for a starting or landing field for aircraft, hot air balloons, parachutes, hang gliders, or other flying apparatus without a permit.

§ 91.07 PROTECTION OF PROPERTY, STRUCTURES AND RESOURCES.

(A) *Disturbance of natural features.* It shall be unlawful for any person to:

- (1) Intentionally remove, alter, injure or destroy any tree, other plant, rock, soil or mineral;
- (2) Dig trenches, holes or other excavations; and/or
- (3) Introduce any plant, animal or other agent within a park without a use permit, and other permits as required by state and federal law.
- (4) Harvest/grow/cultivate a controlled substance.
- (5) Cut or gather wood.
- (6) Engage in metal detecting.
- (7) Transport, possess, or burn firewood in a county park unless the firewood is purchased from the county; or Minnesota Department of Natural Resources approved firewood vendor.

(E) Interference of Park Property It shall be unlawful for any person to:

- (1) Cause or permit physical encroachment upon park property including, but not limited to actions such as mowing of grasses, and/or placement of personal property, debris, materials, buildings, sheds, other structures, or signs on park lands without a permit.

§ 91.08 RECREATION ACTIVITIES.

(K) *Other Winter Activities.* It shall be unlawful for any person to:

- (1) Ice skate, sled, coast, snowshoe, or ski in a park except at designated times and places.
- (2) Enter an area marked by signs indicating thin ice.

(L) *Hiking.* It shall be unlawful for any person to:

- (1) Hike in a park except in recreation use areas and on designated trails and roadways, unless authorized by special-use permit.
- (2) Hike on designated packed or groomed cross-country ski trails after a two-inch or more snowfall.

(M) *Geocaching.* It shall be unlawful for any person to:

- (1) Geocache in a park except in areas and at times designated by the Director.

(N) *Disc Golfing*. It shall be unlawful for any person to:

(1) play disc golf in a park except in areas and at times designated by the Director.

§ 91.09 TRAFFIC REGULATIONS.

(B) *Vehicle operation*. It shall be unlawful for any person to:

(1) Operate a vehicle at a speed in excess of 25 mph or posted speed limits;

(2) Operate any vehicle within a park, except upon roadways, parking areas or other designated locations therefore, **unless it is a permitted Personal Mobility Vehicle or for park operations and maintenance;**

(C) *Parking vehicles*. It shall be unlawful for any person to:

(6) **Leave a vehicle unattended with keys in the ignition.**

(7) **Park on the grass or sides of campground roads. Vehicles in campsites must be parked on the gravel pads or designated campground parking areas.**

Some discussion took place about the proposed ordinance language changes and additions. Wingert suggested the inclusion of language providing for access to those who may need it due to age or disability. Additional language has been added (see definition Personal Mobility Vehicle and Vehicle Operation ordinance above).

STAFF REPORTS-

a. TH 41 Underpass and Trail

Walsh reported that MNDOT's sub contractor, Envirosolutions has begun an archeological study of the construction area to determine if there are cultural resources present. Engineering work continues to further minimize impacts to adjacent property by adjusting the trail elevations to reduce the amount of temporary construction easements needed for the project. Work to locate a large gas main and determine the pipes elevation in relation to excavation work planned for the trail is underway. The engineering consultant has prepared a preliminary engineer's estimate for the proposed project which is \$1,475,000.00. Staff continues to meet with adjacent land owners on an as needed basis to answer questions and address any concerns.

b. Update on Dakota Rail Trail

Walsh noted that the trailhead facility in Mayer is mostly complete with the concrete work of curbing, pad for seasonal restroom and plaza area where the kiosk is to be installed. The parking area has been paved. The last segment of trail, approximately 2000 feet in length, from Goose Lake Drive to the Donder's Creek Bridge has not been paved due to the need to access this area with heavy equipment to install a bridge. The bridge at Donder's Creek is being fabricated. Work to install the bridge is anticipated the week of November 15th. Shouldering of the trail and seeding is mostly complete and rest areas along the trail are being installed. Installation of fencing, signage and rest area amenities are planned the week of November 8th.

c. Events and Activities

Klevan Schmitz recapped the Chili Cook-off at Baylor. Klevan Schmitz asked the Park Commission to check their calendars and if available help with some of the upcoming events such as the Santa in the Park on December 18th at Lake Minnewashta Regional Park and Candlelight Ski on January 8th at Baylor. Lastly, Klevan Schmitz asked commissioners to pencil in the date of May 21st, 2011 for the grand opening for the Dakota Rail Trail in Mayer.

COMMISSION MEMBERS REPORTS

a. Equestrian Sub Committee

Karki noted that the equestrian committee will finalize the document this month (November 18th) for review at the December Park Commission meeting.

NEXT MEETING - December 8th, 2010 at the Public Works building in Cologne.

ADJOURN - Karki motioned to adjourn. Hermann seconded the motion. Meeting adjourned at 8:30 p.m.



CARVER COUNTY PARKS

11360 Highway 212 West, Suite 2
Cologne, MN 55322-8017
Phone (952) 466-5250 Fax (952) 466-5223
www.co.carver.mn.us/parks

Division of Public Works

11360 Hwy. 212 West, Suite 1
Cologne, MN 55322-8016
Phone (952) 466-5200
Fax (952) 466-5223

DIRECTORS REPORT

December 8th, 2010
PARK COMMISSION MEETING

To: Members of the Park Commission
From: Martin Walsh, Parks Director
CC: Lyndon Robjent, County Engineer
Tim Lynch, County Commissioner
Date: 12/3/2010
Re: December 8th, 2010 Park Commission Meeting

New Business

A) Equestrian Sub-Committee Report

In June of 2009 the Park Commission formed an equestrian subcommittee. The formation of the subcommittee was brought about through public interest for additional equestrian trails in the county and in county planning documents. The committee consisted of five members of equestrian community, two park commissioners and me. The subcommittee has met nearly every month since September of 2009. The charge of the subcommittee was to:

- Obtaining data on trail usage
- Make site visits to several equestrian trails
- Meet with agency representatives regarding horse trails to gain better understanding of issues, use of, and sustainability of equestrian trails
- Develop criteria to help identify possible future equestrian trails

Subcommittee members have finished a report which addresses the above items. The report is intended to be brief acknowledging that it is based on existing printed materials, a survey conducted by the subcommittee of other agencies who manage

equestrian trails and site visits to equestrian facilities as practical resources for the report. This report is attached for the Commission's consideration.

Outcomes from subcommittee and development of the report include:

- Trail inventory and map of trails in the metropolitan area
- Listing of reference materials for the design of equestrian trails
- Summary of compiled responses from surveyed equestrian trail agencies
- Listing of preferred criteria for equestrian trails

Recommendation: It is recommended that the Park Commission accept the report from the subcommittee and submit the report to the County Board at a workshop session.

B) Draft Master Plan for the Extension of the MN River Bluffs Regional Trail and Scott County Trail Connection.

A draft master plan of a proposed trail the Union Pacific Railroad corridor has been prepared. The proposed regional trail would connect to the Southwest Regional Trail Connection at Athletic Park in Chaska and continue southwest to the City of Carver and extend across the Minnesota River to the Merriam Junction in Scott County, a distance of approximately 3.9 miles.

The master plan describes the trail as ten foot wide with two foot shoulders on each side for a combined width of 14 feet. Trail surfacing may be of aggregate as interim basis. However, a bituminous surface is preferred based on past public input, obligation to provide a diversity of opportunities, consistency with existing and planned paved local and regional trails in Carver and Scott Counties, cost associated with construction and maintenance of the trail surface and eligibility for federal funding. Additionally, despite the higher cost of construction for a bituminous trail, the surface is maintenance resistant and durable, reliable in all weather conditions and is a smooth surface suitable for walking and hiking and a benefit to those less mobile.

Appropriate uses identified include: walking, running/jogging, in-line skating, skateboarding, kick scooters, bird watching, and dog walking.

Uses that are not allowed include: motorized vehicles including snowmobiles and scooters. Equestrian use is not proposed due to the urban environment on the Carver County side of river and an existing equestrian trail on the Scott County side.

The estimated cost to construct the trail including replacement and rehabilitation of bridges is \$3,758,000 of which \$2,235,000 can be attributed to the replacement of the Minnesota River Bridge. The cost estimate to construct the 1.6 miles of trail on the Carver County side without the bridge over the Minnesota River is \$175,000.

The proposed Extension of the Minnesota River Bluffs Regional Trail and Scott County Connection is consistent with the Comprehensive plans of both Carver and Scott Counties and consistent with the Draft 2030 Regional Park Policy Plan.

Further, walking and biking rank among the top recreational activities of Minnesota Adults and the development of trails works to satisfy this need.

Recommendation: Park Commission recommends approval of the draft master plan of the Minnesota River Bluffs and Scott County Connection to the County Board.

Staff Reports

A) Request for Signage at the Bavaria Boat Access

The homeowners association, Friends of Lake Bavaria, have made contact with the DNR to replace obsolete signage at the County owned Lake Bavaria Boat Access. The Association worked with DNR officials to secure new signage pertaining to controlling and removing invasive species from boats and trailers. The County currently has small outdated signage at the access which primarily pertains to invasive plants such as milfoil. The new signs address any invasive species which might be transported by boating and fishing including Zebra Mussels. It is planned that county staff will pick up the sign soon and install as weather conditions would permit. The new sign is larger 3' x 4' and provides updated information that was previously on two signs. It is recommended that a letter be sent to the Friends of Lake Bavaria acknowledging their work to secure the signage and proactive work to protect the lake and educate the public.

B) Commission Member Per Diems

Commissioners please check the attached attendance sheet for accuracy and initial if all is correct. The attendance sheet will be submitted as a claim to issue per diem checks.

C) Update on the Lake Minnewashta Regional Park/TH 41 Trail and Underpass

MNDOT's sub contractor, Envirosolutions conducted an archeological study of the construction area to determine if there are cultural resources present. Initial findings discovered a mound that needed further investigation. That mound was later determined that it was unlikely to be of archeological significance. Engineering work continues to further minimize impacts to adjacent property by adjusting the trail elevations to reduce the amount of temporary construction easements needed for the project. The last report indicates that all of the work to construct the trail would be done on public right-of-way or county owned land. Work to locate a large gas main and determine the pipes elevation in relation to excavation work planned for the trail took place. The engineering consultant has prepared a preliminary engineer's estimate for the proposed project. Staff continues to meet with adjacent land owners on an as needed basis to answer questions and address any concerns.

D) Dakota Rail Regional Trail

Primary work remaining on the project includes the installation of the 80 foot pedestrian

bridge at Donder's Creek and installation of approximately 2000 feet of bituminous trail surface. This bridge was to be installed November 18th. However, the bridge contractor underestimated the size of crane necessary to swing the bridge up and over the trees and into position at the bridge abutments. Setting the bridge has been rescheduled for December 10, 2010.

Pavement at Donder's Creek will occur next spring. This is the section that the crane must travel down to position the bridge. It was feared that the crane would cause damage to the pavement. This area was intentionally left unpaved until the bridge was installed.

Other work includes resolving a drainage issue at Goose Lake Drive. Design work for the drainage improvement has been completed and an agreement with the adjacent property owner has been drafted. It is likely that this work will occur next spring.

Our consulting engineer will make recommendation concerning two areas on the north side of Lake Waconia and on the south side of the trail. The former railroad embankment is quite steep and some erosion has occurred and it may be necessary to stabilize the embankments.

A final punch list of items for the contractor to complete is being developed and will be updated next spring for action by the contractor.

E) Events and activities:

Some upcoming events to be aware of include:

- Santa in the Park Event at Lake Minnewashta Regional Park on Saturday December 18th from 1-4 pm
- Winter Adventure Day Camp at Baylor Regional Park December 28-30
- Candlelight Ski/Walk at Baylor Regional Park January 8th from 6-9pm

Park commission members are invited to attend and help out with all of our events. This is a great chance to interact with the public and become more familiar with the park facilities.

Once snow conditions allow we will begin renting xx-ski at Baylor Regional Park and Lake Minnewashta Regional Park on Saturdays from 10-4 and Sundays from 11:30-4.

Lastly, on December 17th Lenny Klevan Schmitz will again be the local guest on the NYA Talk radio show talking about park events.