



Greg Isakson, P.E.
Public Works Director / County Engineer
Goodhue County Public Works Department

2140 Pioneer Road
Red Wing, MN 55066
Office (651) 385-3025

TO: Honorable County Commissioners
Scott Arneson, County Administrator

FROM: Greg Isakson, Public Works Director / County Engineer

RE: 06 Sep 22 County Board Meeting
Eminent Domain - CSAH 1 Grading Contract - S.A.P. 025-601-038

Date: 31 Aug 22

Summary

It is requested that the Board approve the use of eminent domain proceedings to secure the final right of way needed for the CSAH 1 Grading Project scheduled to begin next summer.

Background

S.A.P. 025-601-038 consists of the grading of CSAH 1 down 100th Ave. to CSAH 9 in Leon Township. Seventeen parcels are affected by the new right of way for the project. Negotiations have been successful with several landowners, but not with others. In order to have a late January or early February bid opening for this grading project, the time has come to recommend that the County request District Court approval to secure the remaining parcels.

By authorizing Public Works and the County Attorney to commence with eminent domain proceedings, it does not mean that negotiations will end. Negotiation meetings will continue with the landowners with the goal of reaching a mutually acceptable settlement for the needed parcels. Ideally, there would be no outstanding parcel that would require the Court's involvement. However, staff feels that the eminent domain process needs to begin so that the County can open bids by mid-winter.

Alternatives

- Authorize Public Works and the County Attorney to begin the eminent domain proceedings for S.A.P. 025-601-038.
- Delay authorization to begin the eminent domain proceedings and delay the bid opening later into the spring when bid prices will likely be higher.
- Declare that Eminent Domain will not be used. This action could cause this project to be bid very late, or from not being started in 2023.

Recommendations

It is recommended that the County Board pass the attached resolution authorizing the commencement of eminent domain proceedings to obtain the unacquired parcels of land needed for the construction of S.A.P. 025-601-038, with those eminent domain proceedings to include provisions of early possession or "quick take" by Goodhue County.

**BOARD OF COUNTY COMMISSIONERS
GOODHUE COUNTY, MINNESOTA**

06 Sep 2022

WHEREAS, the construction of Goodhue County State Aid Highway (CSAH) No. 1 down to CSAH 9 is part of the approved Goodhue County Five-Year Construction Plan; and,

WHEREAS, the process for acquiring necessary right of way land for the project has been underway for several months; and,

WHEREAS, the County needs possession of this right of way before the commencement of the 2023 construction season.

NOW, THEREFORE, BE IT RESOLVED, that the Goodhue County Board of Commissioners authorizes the Public Works Director and the County Attorney to begin eminent domain proceedings, at the appropriate time, against unacquired parcels of land needed for the construction of S.A.P. 25-601-038, with those eminent domain proceedings to include provisions of early possession or “quick take” by Goodhue County.

State of Minnesota
County of Goodhue

Flanders	Yes	___	No	___
Anderson	Yes	___	No	___
Drotos	Yes	___	No	___
Majerus	Yes	___	No	___
Greseth	Yes	___	No	___

I, Scott Arneson, duly appointed, qualified, and County Administrator of the County of Goodhue, State of Minnesota, do hereby certify that I have compared the foregoing copy of a resolution with the original minutes of the proceedings of the Board of County Commissioners, Goodhue County, Minnesota at their session held on the 6th day of September, 2022, now on file in my office, and have found the same to be a true and correct copy thereof.

Witness my hand and official seal at Red Wing, Minnesota this 6th day of September, 2022.

Scott Arneson
County Administrator