



**Jess L. Greenwood, P.E.**  
Public Works Director – County Engineer

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Office: (651) 385.3025

TO: Honorable County Commissioners  
Scott Arneson, County Administrator

FROM: Jess L. Greenwood, Public Works Director / County Engineer

RE: 6 February 2024 County Board Meeting  
**Eminent Domain for CSAH 2 Reconstruction Project – S.A.P. 025-602-031**

Date: 31 January 2024

#### Summary

It is requested that the Board approve the use of eminent domain proceedings to secure the right of way needed for the CSAH 2 Reconstruction Project scheduled to begin in fall of 2024.

#### Background

S.A.P. 025-602-031 consists of the grading of CSAH 2 from CSAH 5 to Trunk Highway 61. Forty-eight appraisals were completed by Julie A. Kalahar Appraisal Service for the acquisition of new right of way for the project. At the time this report was written, the County has successfully negotiated settlements with owners of 22 of the 48 parcel groups appraised. The eminent domain process is as follows:

- Filing and service of the petition to remaining parcel owners (estimated 30 days)
- Public need hearing (held at least 30 days after petition is served)
- Title and possession (maximum of 90 days after public need hearing)
- Total estimated duration = 150 days (5 months)

Staff is requesting to initiate the eminent domain process at this time to allow for tree clearing during the fall and winter months of 2024. Negotiations will continue with the landowners with the goal of reaching a mutually acceptable settlement for the needed parcels.

#### Alternatives

- o Authorize County staff to begin the eminent domain proceedings for S.A.P. 025-602-031.
- o Delay authorization to begin the eminent domain proceedings, which may delay the bid opening.
- o Do not authorize eminent domain, which could result in property not being acquired to construct the project.

#### 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. 025-602-031, with those eminent domain proceedings to include provisions of early possession or “quick take” by Goodhue County.

*"To effectively promote the safety, health, and well-being of our residents"*

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

06 February 2024

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WHEREAS, the construction of Goodhue County State Aid Highway (CSAH) No. 2 from CSAH 5 to Trunk Highway 61 is part of the approved Goodhue County Five-Year Construction Plan; and,

WHEREAS, the County contracted with Julie A. Kalahar Appraisal Service to complete appraisals for 48 parcel groups; and,

WHEREAS, the County has successfully negotiated settlements with 22 of the 48 parcel groups appraised; and,

WHEREAS, the eminent domain process will take approximately 5 months to obtain title and possession; and

WHEREAS, County staff is proposing to bid the project this year to allow for tree clearing in the fall and winter months of 2024 to meet environmental requirements; and,

WHEREAS, possession of the right of way is necessary to proceed with construction.

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. 025-602-031, with those eminent domain proceedings to include provisions of early possession or “quick take’ by Goodhue County.

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State of Minnesota  
County of Goodhue

Flanders	Yes	___	No	___
Anderson	Yes	___	No	___
Betcher	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 6<sup>th</sup> day of February, 2024, 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 6<sup>th</sup> day of February, 2024.

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Scott Arneson  
County Administrator