

Carver County Board of Commissioners
 Regular Session
 June 10, 2008
 County Board Room
 Carver County Government Center
 Human Services Building
 Chaska, Minnesota

PAGE

9:15 a.m.	1.	<ul style="list-style-type: none"> a) CONVENE b) <i>Pledge of Allegiance</i> c) <i>Public participation (comments limited to five minutes)</i> d) <i>Introduction of New Employees</i> 	
	2.	Agenda review and adoption	
	3.	Approve minutes of June 3, 2008 Regular Session	1-3
	4.	Community announcements	
9:15 a.m.	5.	CONSENT AGENDA	
	5.1	Payment of emergency claim	4
	5.2	Approval to add .5 FTE-Sheriff's Office	5
	5.3	Sheriff's Office donations	6-8
	5.4	Sever Peterson-recreational activity/haunted corn maze and trail.....	9-18
	5.5	Administrative permit for special event-Lake Waconia Triathlon	19-22
	5.6	Tobacco licenses	23-26
	5.7	Voting delegate at the NACO Annual Conference	27
	5.8	Out of state travel request-Signs of Safety presentation.....	28
	5.9	Community Social Services' warrants	NO ATT
	5.10	Commissioners' warrants.....	SEE ATT
9:20 a.m.	6.	ADMINISTRATIVE SERVICES	
	6.1	Justice Center construction project update and approval of bid package 2: Courts roofing bid award.....	29-31
9:50 a.m.		ADJOURN AS COUNTY BOARD AND CONVENE AS CARVER COUNTY DITCH BOARD	
9:50 a.m.	7.	PROPERTY RECORDS/TAXPAYER SERVICES	
	7.1	Clean out portion of County Ditch #7 and new culvert installation on County Ditch #9	32-36

10:00 a.m.

ADJOURN CARVER COUNTY DITCH BOARD

10:00 a.m.

1. Chair
2. Board Members
3. Administrator
4. Adjourn

10:30 a.m.

David Hemze
County Administrator

All Employee Meetings:

June 11th - 1:00 p.m. Wilder Room, Chanhassen Library

June 12th - 2:00 p.m. County Board Room

June 17th - 8:00 a.m. Public Works Headquarters

June 17th - 10:00 a.m. County Board Room

June 18th - 3:00 p.m. Sheriff EOC Room

County Board of Equalization Meeting:

Monday, June 16, 2008, 4:00 p.m.

A Regular Session of the Carver County Board of Commissioners was held in the County Government Center, Chaska, on June 3, 2008. Chair James Ische convened the session at 9:17 a.m.

Members present: James Ische, Chair, Tim Lynch, Vice Chair, Gayle Degler, Randy Maluchnik and Tom Workman.

Members absent: None.

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

Degler moved, Workman seconded, to approve the minutes of the May 27, 2008, Regular Session. Degler, Lynch, Maluchnik, Workman voted aye. Ische abstained as he was not present. Motion carried.

Community announcements were made by the Board.

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

Adopted the Findings of Fact and issued Order #PZ20080014 for the issuance of Conditional Use Permit #PZ20080014, Thomas Stronczer, Laketown Township.

Adopted the Findings of Fact and issued Order #PZ20080015 for the issuance of Conditional Use Permit #PZ20080015, Ryan Gilbertson, Watertown Township.

Adopted the Findings of Fact and issued Order #PZ20080013 for the issuance of Conditional Use Permit #PZ20080013, Tom Nowlan, Hollywood Township.

Authorized the expenditure of \$33,000 of Bevens Creek capital funds to fund the NYA porous payment project along with conditions that the city provide final approved plans, as-builts, a maintenance plan, and cooperation with educational/demonstration materials prior to release of funds.

Approved changing seven qualified professionals currently occupying the Librarian I positions and five qualified professionals currently occupying the Librarian II positions to the new Librarian classification; adjusting the current Librarian I salaries (Grade 11) to the Librarian salary range (Grade 12) and retaining one current Librarian I as a paraprofessional transferring to the Associate Librarian classification effective as of June 8, 2008.

Community Social Services' actions.

Approved payment of the following Commissioners' warrants:

INSERT

Motion carried unanimously.

Ken Carlson, Risk and Emergency Management, introduced Jane Hennagir, account executive with MCIT.

Jane Hennagir, MCIT, explained each year they meet with all 81 counties in the trust for their annual update. She stated in 2007 they returned 12.5 million in dividends to their members and pointed out the County's share. Hennagir pointed out it was important to remember dividends look to the past and rates look to the future. She stated, with the number of losses and claims on the rise, they saw a modest 2% reduction in property/casualty rates, along with the smallest increase in worker's compensation rates in years. She noted the losses in 2007 due to wind, hail and flooding in the MCIT counties.

She highlighted the County's contributions and dividends over the last five years. Hennagir stated MCIT has reinsurance coverage for catastrophic costs.

Hennagir reviewed services provided to the County and trainings offered. She reviewed the County's claim frequency and claim costs. In 2008, MCIT will continue to provide core services, as well as offer new training tools, new DVD training series; web based training and regional training sessions. She indicated they will be introducing custom service plans that will differ and be based on the priorities of the counties. On behalf of MCIT, Hannigar thanked the Board for their continued partnership.

Bill Weckman, Public Works, requested approval of a temporary construction license from TC&W Railroad to complete County Road 18 roadway work within the TC&W right of way. He stated they were widening the road so the crossing would need to be worked on. Weckman clarified the agreement permits the contractor to work within the right of way and the bids that were accepted would not change because of any changes they are agreeing to today.

James Keeler, County Attorney, stated he was satisfied that between Risk, the County Attorney's Office and Public Works they have done everything they could to negotiate the most favorable terms for the County. He pointed out the project is on an ambitious time frame and is a project that requires the work to be done.

Workman offered the following Resolution, seconded by Maluchnik:

Resolution #56-08
Temporary Construction License between
Carver County and
Twin Cities & Western Railroad for
the CSAH 18 (Lyman Boulevard) Railroad Right of Way

On vote taken, Ische, Lynch, Maluchnik, Workman voted aye. Degler abstained due to a possible conflict of interest.

Weckman requested approval of an encroachment agreement with Magellan Pipeline Company for County Road 18 project. He noted the location of the pipeline and the blanket easement. He stated the agreement would allow for work to be done over the easement area but there would be no work on the actual pipeline.

He clarified there was a possibility that one element may be missing in the insurance and he would be reviewing the certificate of insurance. He stated he may need to discuss this further with the contractor and if there was any additional cost he did not know what that would be.

David Hemze, County Administrator, explained staff has been working on the issues and pointed out the need to balance risk and still get the work done.

Workman offered the following Resolution, seconded by Maluchnik:

Resolution #57-08
Encroachment Agreement between
Carver County and Magellan Pipeline Co. for
the CSAH 18 (Lyman Boulevard) Project

On vote taken, Ische, Lynch, Maluchnik, Workman voted aye. Degler abstained due to a possible conflict of interest.

Degler moved, Lynch seconded, to adjourn the Regular Session at 10:14 a.m. Motion carried unanimously.

David Hemze
County Administrator

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

281785



Office of Finance Director
Carver County Government Center
Administration Building
600 East Fourth Street
Chaska, MN 55318-1202
Phone: 952 361-1509
Fax: 952 361-1308

AUTHORIZATION

PAYMENT OF EMERGENCY CLAIM

Motion passed by the Board of County Commissioners at their February 24, 1987 meeting has authorized the issuance of a check upon the consensus of the Chairman of the Board, County Administrator and the County Attorney (with a minimum of two).

VENDOR: MN DEPARTMENT of NATURAL RESOURCES

ACCOUNT: 32-307-199-8214-6260

AMOUNT: \$150⁰⁰

REASON: PUBLIC WATERS PERMIT

Department Head Signature: *[Signature]*

Chairman of County Board

James M. Ische

County Administrator

[Signature]
David Hemze

County Attorney

[Signature]
James W. Keeler, Jr.

Date: 5/29/08

REQUEST FOR BOARD ACTION



AGENDA ITEM : Approval to add .5 FTE

Originating Division: Sheriff's Office

Meeting Date: June 10, 2008

Amount of Time Requested: N/A

Attachments for packet: Yes No

Item Type: Consent Regular Session Closed Session Work Session Ditch/Rail Authority

BACKGROUND/EXPLANATION OF AGENDA ITEM: The Sheriff's Office hired a 20 hour per week police contract assistant for 2008. The employee is funded through the police contract formula and assists the office in building police service plans, cost accounting sheets, crime mapping, crime statistics, crime bulletins, and develops strategies to combat crime trends in our contract communities. The police contract formula funds the police contract assistant full-time beginning September 1, 2008. We are requesting the county fund the position beginning June 23 – September 1, 2008. We identified a need to partner with our contract partners to build county crime stats, crime bulletins, and develop strategies to combat crimes trends from a county perspective. The county will receive \$19,100 in revenue from the police contract formula to fund the police contract assistant.

ACTION REQUESTED:

Motion to make part-time police contract assistant full-time on June 23.2008.

FUNDING

County Dollars = \$5,135

Other Sources & Amounts =

= \$

TOTAL = \$5,135

Related Financial Comments

FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other:

Reviewed by Division Director

JDE

Date: 5/30/2008



REQUEST FOR BOARD ACTION

AGENDA ITEM : Donations

Originating Division: Sheriff

Meeting Date: 6-10-08

Amount of Time Requested:

Attachments for packet: Yes NoItem Type: Consent Regular Session Closed Session Work Session Ditch/Rail Authority**BACKGROUND/EXPLANATION OF AGENDA ITEM:**

Donation from Custom Fab Solutions, Chanhassen, to the Sheriff's Office for \$750.00 to be used at Sheriff's discretion.

ACTION REQUESTED:

Motion to approve \$750.00 in donations to the Sheriff's Office.

FUNDING

County Dollars = \$

Other Sources & Amounts =

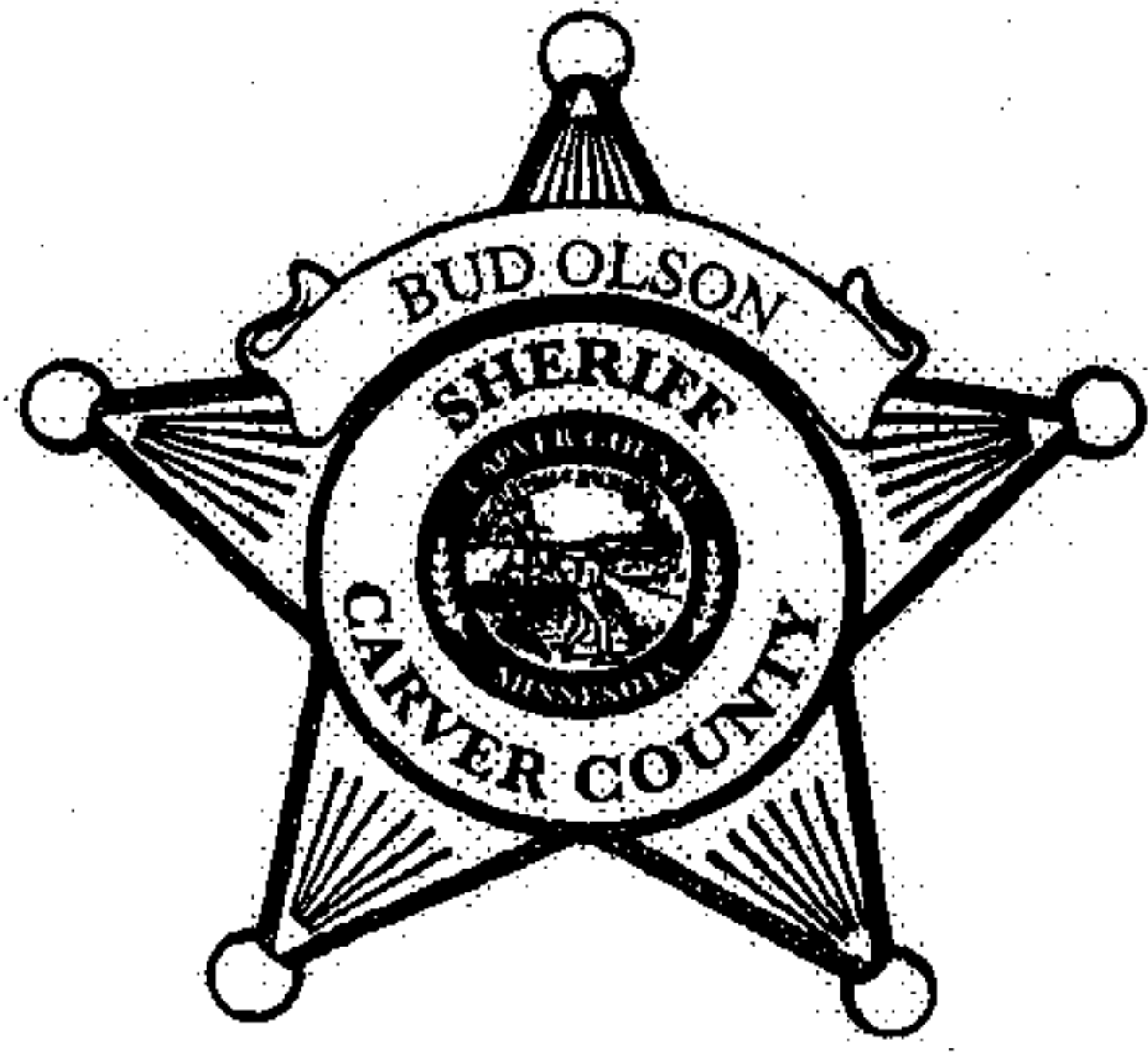
= \$

TOTAL = \$**FISCAL IMPACT** None Included in current budget Budget amendment requested Other:**Related Financial Comments:**

01-201-201-0000-5756 Gifts Restricted

 Reviewed by Division Director

Date: 5-30-08



**CARVER COUNTY SHERIFF'S OFFICE
DONATION FORM**

606 E. 4th Street
Chaska, MN 55318
952-361-1212

I would like to donate the following item(s) to the Carver County Sheriff's Office. I am aware that all donated items become the property of the Sheriff's and will not be returned.

Please list donated item(s):

- 1) Check for \$750⁰⁰ - Custom Fab Solutions
- 2) _____
- 3) _____
- 4) _____
- 5) _____

If you are interested in a specific use for this donation please let us know:

To be used at Sheriff's discretion

Signature: By MAIL Date: 5-28-08

Your Address:

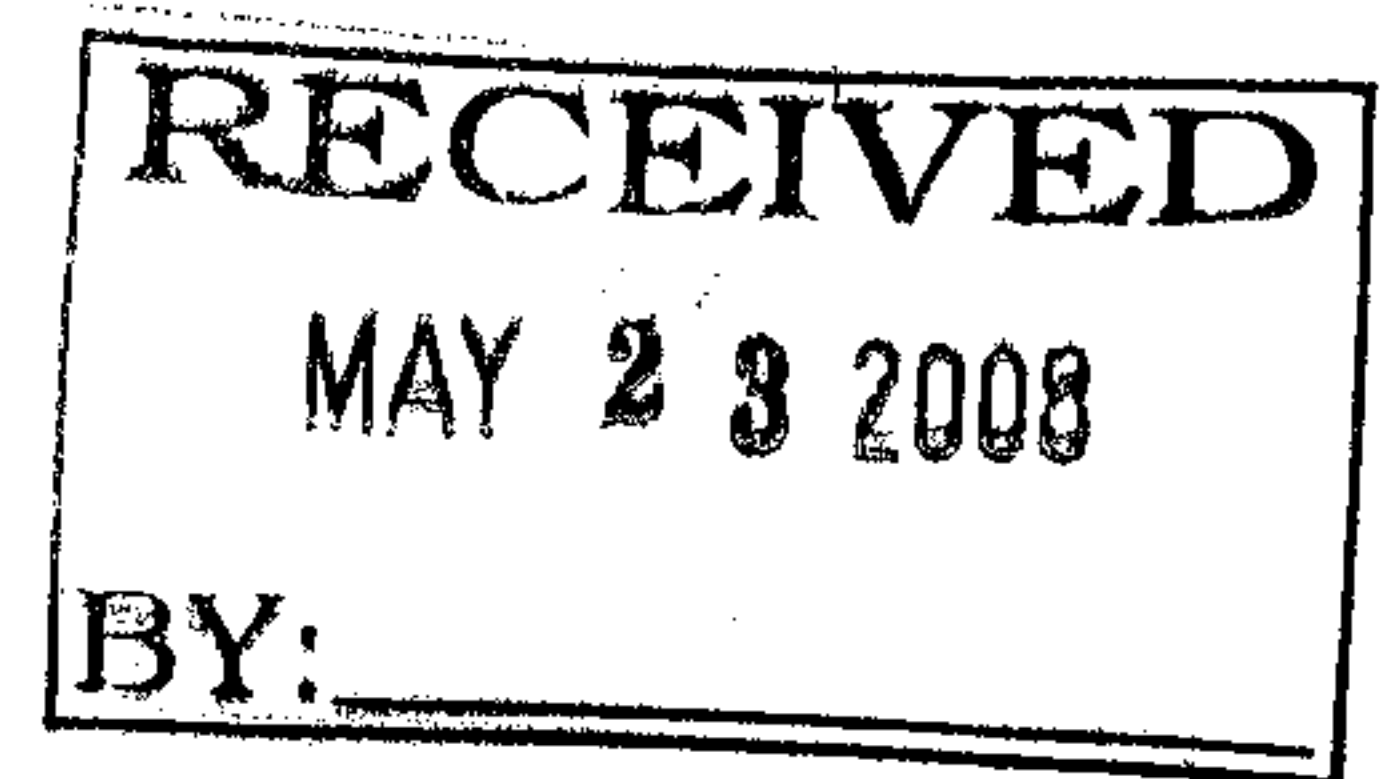
Custom Fab Solutions
7600 Quattro Drive
Chanhassen, MN 55317

Thank you for your donation to the Carver County Sheriff's Office.



May 19th 2008

Mr. Bud Olson
Carver County Sheriff Justice Center
606 East Fourth Street
Chaska, Minnesota 55318



Dear Mr. Olson:

On behalf of Custom Fab Solutions, LLC ("CFS") please accept this check in the amount of \$750.00 as a donation to the Carver County Sheriff's Department to be used in your General Fund disbursements.

CFS is located at 7600 Quattro Drive in Chanhassen, Minnesota. CFS personnel appreciates the support and dedication of the local sheriff's department and would like to show its appreciation in the form of a donation.

Thank you again for you support.

Sincerely,

A handwritten signature in cursive script that reads 'Larry M. Vortherms'.

Larry M. Vortherms
Vice President



REQUEST FOR BOARD ACTION

AGENDA ITEM : Sever Peterson – Recreational Activity/Haunted Corn Maze and Trail

Originating Division: Land & Water Services

Meeting Date: June 10, 2008

Amount of Time Requested: None

Attachments for packet: Yes NoItem Type: Consent Regular Session Closed Session Work Session Ditch/Rail Authority**BACKGROUND/EXPLANATION OF AGENDA ITEM:**

File #PZ20080001. The Planning Commission recommended approval of the Conditional Use Permit (CUP) for Sever Peterson on March 18, 2008. Since that date, Mr. Peterson has been working with MnDOT on Hwy 212 access requirements. Mr. Peterson's request is to operate a haunted corn maze and trail on his property in Dahlgren Township. The activity is comprised of a corn maze and a trail system through the woods, both of which are outfitted with low lumen lights and actors to scare the participants. The activity would take place from 5:30 p.m. to 11 p.m. Friday through Sunday during the last weekend of September through the first weekend in November. The operation is expected to draw approximately 8,000 visitors during the 10 to 12 days it is open in the fall. Customers would remain on site for approximately 2 to 3 hours. The operation would employ approximately 30 individuals as actors, parking lot attendants, trail guides and supervisors. The Dahlgren Town Board recommended approval of the applicant's request with the condition that Mellgren Lane not be utilized. Since the Planning Commission reviewed the application, Mr. Peterson has hired a professional traffic consultant (MFRA, Inc.) to prepare a traffic control plan to provide alternatives to building a permanent left turn lane. MnDOT has reviewed Mr. Peterson's proposal and is working with him on access requirements and permits, which would be satisfactory for the seasonal use. Therefore, Condition # 6 has been updated to merely state that Mr. Peterson will have to comply with MnDOT standards for access and turn lanes.

ACTION REQUESTED:

A motion to adopt the Findings of Fact and to issue Order #PZ20080001 for the issuance of the Conditional Use Permit.

FUNDING

County Dollars = \$-0-
 Other Sources & Amounts = -0-
 = \$
TOTAL = \$-0-

FISCAL IMPACT

None
 Included in current budget
 Budget amendment requested
 Other:

Related Financial Comments: Reviewed by Division Director

Date: 29 May 08

COUNTY OF CARVER
PLANNING COMMISSION RESOLUTION

FILE #: PZ20080001

RESOLUTION #: 08-03

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

FILE #: PZ20080001

APPLICANT: Sever Peterson

OWNER: Peterson Farm Holding

SITE ADDRESS: 7410 Highway 212

PERMIT TYPE: Fall Festival and Corn Maze

PURSUANT TO: County Code, Chapter 152, Section(s) 152.080

LEGAL DESCRIPTION: See attached Exhibit "A"

PARCEL #: 04-009-0600

WHEREAS, said application was duly considered at a public hearing held by the Carver County Planning Commission at its regular meeting of March 18, 2008; and,

WHEREAS, the Carver County Planning Commission finds as follows:

1. Sever Peterson is proposing to move his Haunted Corn Maze recreation business from Shakopee to this site. The proposed site is located in the SE ¼ of Section 9 of Dahlgren Township. It is located on the northerly side of Highway 212 and the south and westerly side of Mellgren Ln. The Property is in the Agricultural Zoning District and the Carver County WMO (Carver Creek watershed).
2. The 2020 Comprehensive Plan and Zoning Code provide for "Large Scale Activities with Unique Land or Location Needs" as potential land uses. The Agricultural Policy Area (Other Land Uses) and Policy 16B of the 2020 Comp Plan are attached for the Planning Commission's review. The application by Sever Peterson for a Conditional Use Permit is pursuant to Section 152.080 of the Zoning Code.
3. The applicant has provided an operational plan of the proposed Scream Town activities that would take place on the site. Scream Town is comprised of a haunted corn maze, haunted trails, and houses, a welcome area and concessions. Mr. Peterson has indicated that the business would be in operation Fridays, Saturdays and Sundays from the last weekend of September through the first weekend of November, and possibly the Wednesday and Thursday of MEA weekend, weather permitting. The activities (<http://www.screamtown.com/>) will open at dusk and last until 11 pm.
4. Mr. Peterson has indicated that although he has proposed to be open six weekends he will most likely only operate about 4 or 5 of those weekends dependent upon crowd sizes, proximity to Halloween and weather. During his last year of operation in Shakopee, approximately 8,000 people visited the site, approximately 1,300 to 1,600 per weekend. The operational plan indicates that the applicant can accommodate 1,000 cars in a temporary parking lot in the fields on the farm. The applicant has indicated that he expects up to 300 cars on site at any one time during the night activities. Customers stay on site for approximately 2 to 3 hours to enjoy the variety of activities that are offered.
5. Mr. Peterson has indicated that he would like to use his driveway for access into and out of the site. He has proposed improving the width of the driveway to ensure that traffic entering the property would immediately move to a parking area in-order to prevent back up onto Highway 212. The road authority for Highway 212 (MnDOT) has submitted comments regarding access. The Township has indicated that they will have comments at the public hearing.

6. The applicant's plan for the operation may require one permanent structure to be built on site but most likely tents would be utilized. The proposed structure would be utilized to provide shelter for props and other items associated with the activity during the weekdays and possibly as shelter for customers to sit in while the activity is open. During the rest of the year the shed would be used for agricultural storage of equipment. Mr. Peterson has not indicated a specific size but felt it would be compatible with other agricultural structures issued in Carver County, however these buildings would be considered commercial because they would be used by the business activity.
7. Michelle Messier from the Minnesota Department of Health stated that Mr. Peterson's food concessionaires are required to possess a license for Seasonal Temporary Food Stand as long they operate no more than 21 days annually from his property. Mr. Peterson has indicated that his operation would only operate 10 to 12 days a year from the proposed site. Ms. Messier also stated that if the operation expands beyond 21 days that Mr. Peterson's concessionaires would have to apply for a Seasonal Permanent Food Stand License, which would require a permanent structure be built to house the food vendors that operate on site. The applicant has indicated that if he did have to obtain a "permanent" license he may look at a structure that could hold several concessionaires and possibly a seating area.
8. The Carver County Sheriff's Department has concerns about safety of motorists at the site. Dave Williams from the Sheriff's Department has indicated safety of citizens entering and exiting the property is the paramount concern. He has also indicated that a separate entrance for emergency services should be considered especially during high demand times. Dave Williams also indicated that the current operation in Shakopee has only generated 10 calls in 5 years of operation.
9. Brad Hanzel, Carver County Environmental Services, has reviewed the proposal and has recommended that Sever's Fall Festival follow Carver County's Solid Waste Master Plan of waste hierarchy where feasible. This plan calls waste reuse, recycling, composting and as a last resort land disposal.
10. Carver County Soil and Water Conservation District has been contacted regarding Mr. Peterson's proposal, comments had not been received at the writing of this report.
11. The Peterson Farm currently has approximately 110 acres of soil under till, approximately 70 acres of that is Class 1 and Class 2 type soils. Section 152.080 7a of the Code of Ordinances states; No more than 20% of the land utilized for the activities shall have been shown to be SCS Class I or II land under till, as illustrated on the 2000 metropolitan digital photography; The applicant will continue to raise and harvest crops on the land which the Fall Festival takes place, this appears to meet the requirement of Section 152.080 7a because none of the crop production land would be permanently altered, however the Planning Commission may wish to discuss the intent of this section during the public hearing.
12. The Scream Town activity employs up to 30 individuals as parking attendants, trail assistants, maze orientation, supervisors and concessionaires as well as actors in the haunted trail and haunted maze. Mr. Peterson has provided proof of workers compensation insurance for his employees.
13. MnDOT is the road authority for Hwy 212. William Goff (Senior Planner) has reviewed the application and outlined the State's requirements regarding access, drainage and necessary permits. MnDOT's requirements include straightening the existing driveway access to enter Highway 212 at a right angle, and adding a right turn lane. Further, MNDOT strongly recommends that Carver County require either a left turn lane or a bypass lane for traffic coming from the west.
14. Dahlgren Township recommended approval of the application as long as the applicant blocked off access from the property to Mellgren Lane and used their own driveway exclusively.

THEREFORE, BE IT RESOLVED, THAT The Carver County Planning Commission hereby recommends the issuance of the subject permit 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. A change in ownership, operations or operator shall be cause for the permit to be reviewed by Land Management for a determination as to whether an application for an amendment or similar consideration is necessary. Proposed owners and/or operators are encouraged to contact Land Management as early on in the timeline of the proposed change as possible.
2. This Large Scale activity will be limited to an annual average of 600 patrons each day the operation is open to the public. The permittee must maintain records of the number of tickets sold to enter the site each day and provide a copy of this record to the Land and Water Services Division at the end of each season or upon request.
3. Operations shall be substantially in accordance with the application letters, responses, supplemental information and the approved site plan. The hours of operation would be 5:30 p.m. until 11:00 p.m. during Friday, Saturday and Sunday from the last full weekend in September to the first full weekend in November and also the Wednesday and Thursday of MEA weekend each year.
4. To reduce the potential for dust, vegetation shall be preserved as much as possible. A watering truck shall be utilized for dust control, as conditions warrant.
5. To reduce the risk of accidents on site and on Highway 212 the permittee shall contract a minimum of two (2) County Sherriff's Deputies for the duration of the event. The permittee shall also provide warning signage and lights as required by the road authority and/or sheriffs department and/or state patrol.
6. The Permittee shall obtain an appropriate access, signage and construction permits and/or approval(s) from MnDOT prior to any public activities taking place on the property. Any measures required by the appropriate road or zoning authority including turn lanes and access permits must be completed in accordance with MnDOT standards prior to public activities taking place on the property.
7. The applicant shall submit a finalized operational plan and site plan to SWCD prior to commencing operations open to the public. The applicant shall abide by SWCD recommendations for the operation of the activities on site in accordance with the state water rules. Measures must be implemented to minimize tracking onto the Highway 212 and a sweeper shall be utilized within 12 hours of discovery of mud accumulation on Highway 212.
8. The Permittee shall furnish a certificate of Insurance to the County providing coverage by an insurance company duly licensed by the State of Minnesota indicating that the Permittee has in force coverage for public liability, vehicle liability, loading and unloading, completed operations liability, explosion and collapse of underground operations liability, and bodily injury liability in the amount of at least \$2,000,000 for injury of any one person in any one occurrence. Property damage insurance coverage shall be in force with a minimum amount of at least \$1,000,000. Further, the Permittee shall furnish proof of workman's compensation coverage. Insurance certificate(s) described above shall carry an irrevocable notice to the County by the carrier 30 days prior to any change, modification, lapse, or cancellation of the policies required.
9. Any required building and septic permit(s) must be applied for and issued prior to construction. Any future remodeling or construction shall be reviewed by the Zoning Administrator to determine if an amendment to the CUP is necessary. All structures shall meet the applicable State Building Code requirements.
10. The permittee is responsible for obtaining and abiding by all appropriate permits from the Department of Health and Department of Agriculture.

11. Signage for the activity shall not exceed the provisions set forth in the Carver County Sign Ordinance of the Carver County Code.
12. The permittee shall work with Carver County Environmental Services to reduce waste that his operation produces. Where possible, the operation shall utilize the Carver County Master Plan waste hierarchy to reduce the amount of waste entering landfills.
13. The permittee shall block all access from the permitted property to Mellgren lane during the permitted activity to ensure the public does not utilize the cartway.

ADOPTED by the Carver County Planning Commission this 18th day of March, 2008.

Ted Beise
Planning Commission Chair

**COUNTY OF CARVER
BOARD OF COMMISSIONERS**

**AN ORDER FINDING CERTAIN FACTS AND ORDERING
THE ISSUANCE OF A CONDITIONAL USE PERMIT**

DATE: June 10, 2008

ORDER #: PZ20080001

FILE #: PZ20080001

APPLICANT: Sever Peterson

OWNER: Peterson Farm Holding

SITE ADDRESS: 7410 Highway 212

PERMIT TYPE: Fall Festival and Corn Maze

PURSUANT TO: County Code, Chapter 152, Section(s) 152.080

LEGAL DESCRIPTION: See attached Exhibit "A"

PARCEL #: 04-009-0600

A public hearing was held on this matter on March 18, 2008, by the Carver County Planning Commission, and the recommendation of the Planning Commission was duly considered in the issuance of this order.

FINDINGS OF FACT

1. The Board 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.
2. Sever Peterson is proposing to move his Haunted Corn Maze recreation business from Shakopee to this site. The proposed site is located in the SE ¼ of Section 9 of Dahlgren Township. It is located on the northerly side of Highway 212 and the south and westerly side of Mellgren Ln. The Property is in the Agricultural Zoning District and the Carver County WMO (Carver Creek watershed).
3. The 2020 Comprehensive Plan and Zoning Code provide for "Large Scale Activities with Unique Land or Location Needs" as potential land uses. The Agricultural Policy Area (Other Land Uses) and Policy 16B of the 2020 Comp Plan are attached for the Planning Commission's review. The application by Sever Peterson for a Conditional Use Permit is pursuant to Section 152.080 of the Zoning Code.
4. The applicant has provided an operational plan of the proposed Scream Town activities that would take place on the site. Scream Town is comprised of a haunted corn maze, haunted trails, and houses, a welcome area and concessions. Mr. Peterson has indicated that the business would be in operation Fridays, Saturdays and Sundays from the last weekend of September through the first weekend of November, and possibly the Wednesday and Thursday of MEA weekend, weather permitting. The activities (<http://www.screamtown.com/>) will open at dusk and last until 11 pm.
5. Mr. Peterson has indicated that although he has proposed to be open six weekends he will most likely only operate about 4 or 5 of those weekends dependent upon crowd sizes, proximity to Halloween and weather. During his last year of operation in Shakopee, approximately 8,000 people visited the site, approximately 1,300 to 1,600 per weekend. The operational plan indicates that the applicant can accommodate 1,000 cars in a temporary parking lot in the fields on the farm. The applicant has indicated that he expects up to 300 cars on site at any one time during the night activities. Customers stay on site for approximately 2 to 3 hours to enjoy the variety of activities that are offered.

6. Mr. Peterson has indicated that he would like to use his driveway for access into and out of the site. He has proposed improving the width of the driveway to ensure that traffic entering the property would immediately move to a parking area in-order to prevent back up onto Highway 212. The road authority for Highway 212 (MnDOT) has submitted comments regarding access. The Township has indicated that they will have comments at the public hearing.
7. The applicant's plan for the operation may require one permanent structure to be built on site but most likely tents would be utilized. The proposed structure would be utilized to provide shelter for props and other items associated with the activity during the weekdays and possibly as shelter for customers to sit in while the activity is open. During the rest of the year the shed would be used for agricultural storage of equipment. Mr. Peterson has not indicated a specific size but felt it would be compatible with other agricultural structures issued in Carver County, however these buildings would be considered commercial because they would be used by the business activity.
8. Michelle Messier from the Minnesota Department of Health stated that Mr. Peterson's food concessionaires are required to possess a license for Seasonal Temporary Food Stand as long they operate no more than 21 days annually from his property. Mr. Peterson has indicated that his operation would only operate 10 to 12 days a year from the proposed site. Ms. Messier also stated that if the operation expands beyond 21 days that Mr. Peterson's concessionaires would have to apply for a Seasonal Permanent Food Stand License, which would require a permanent structure be built to house the food vendors that operate on site. The applicant has indicated that if he did have to obtain a "permanent" license he may look at a structure that could hold several concessionaires and possibly a seating area.
9. The Carver County Sheriff's Department has concerns about safety of motorists at the site. Dave Williams from the Sheriff's Department has indicated safety of citizens entering and exiting the property is the paramount concern. He has also indicated that a separate entrance for emergency services should be considered especially during high demand times. Dave Williams also indicated that the current operation in Shakopee has only generated 10 calls in 5 years of operation.
10. Brad Hanzel, Carver County Environmental Services, has reviewed the proposal and has recommended that Sever's Fall Festival follow Carver County's Solid Waste Master Plan of waste hierarchy where feasible. This plan calls waste reuse, recycling, composting and as a last resort land disposal.
11. Carver County Soil and Water Conservation District has been contacted regarding Mr. Peterson's proposal, comments had not been received at the writing of this report.
12. The Peterson Farm currently has approximately 110 acres of soil under till, approximately 70 acres of that is Class 1 and Class 2 type soils. Section 152.080 7a of the Code of Ordinances states; No more than 20% of the land utilized for the activities shall have been shown to be SCS Class I or II land under till, as illustrated on the 2000 metropolitan digital photography; The applicant will continue to raise and harvest crops on the land which the Fall Festival takes place, this appears to meet the requirement of Section 152.080 7a because none of the crop production land would be permanently altered, however the Planning Commission may wish to discuss the intent of this section during the public hearing.
13. The Scream Town activity employs up to 30 individuals as parking attendants, trail assistants, maze orientation, supervisors and concessionaires as well as actors in the haunted trail and haunted maze. Mr. Peterson has provided proof of workers compensation insurance for his employees.
14. MnDOT is the road authority for Hwy 212. William Goff (Senior Planner) has reviewed the application and outlined the State's requirements regarding access, drainage and necessary permits. MnDOT's requirements include straightening the existing driveway access to enter Highway 212 at a right angle, and adding a right turn lane. Further, MNDOT strongly recommends that Carver County require either a left turn lane or a bypass lane for traffic coming from the west.
15. Dahlgren Township recommended approval of the application as long as the applicant blocked off access from the property to Mellgren Lane and used their own driveway exclusively.

IT IS HEREBY ORDERED THAT THE CARVER COUNTY ZONING ADMINISTRATOR SHALL ISSUE CONDITIONAL USE PERMIT #PZ20080001. THIS PERMIT IS ISSUED PURSUANT TO THE CARVER COUNTY CODE, SECTION(S) FOR ON PROPERTY LEGALLY DESCRIBED IN EXHIBIT "A". THE FOLLOWING CONDITIONS SHALL BE ATTACHED TO THE PERMIT:

1. The permit is subject to Compliance Review. A change in ownership, operations or operator shall be cause for the permit to be reviewed by Land Management for a determination as to whether an application for an amendment or similar consideration is necessary. Proposed owners and/or operators are encouraged to contact Land Management as early on in the timeline of the proposed change as possible.
2. This Large Scale activity will be limited to an annual average of 600 patrons each day the operation is open to the public. The permittee must maintain records of the number of tickets sold to enter the site each day and provide a copy of this record to the Land and Water Services Division at the end of each season or upon request.
3. Operations shall be substantially in accordance with the application letters, responses, supplemental information and the approved site plan. The hours of operation would be 5:30 p.m. until 11:00 p.m. during Friday, Saturday and Sunday from the last full weekend in September to the first full weekend in November and also the Wednesday and Thursday of MEA weekend each year.
4. To reduce the potential for dust, vegetation shall be preserved as much as possible. A watering truck shall be utilized for dust control, as conditions warrant.
5. To reduce the risk of accidents on site and on Highway 212 the permittee shall contract a minimum of two (2) County Sherriff's Deputies for the duration of the event. The permittee shall also provide warning signage and lights as required by the road authority and/or sheriffs department and/or state patrol.
6. The Permittee shall obtain an appropriate access, signage and construction permits and/or approval(s) from MnDOT prior to any public activities taking place on the property. Any measures required by the appropriate road or zoning authority including turn lanes and access permits must be completed in accordance with MnDOT standards prior to public activities taking place on the property.
7. The applicant shall submit a finalized operational plan and site plan to SWCD prior to commencing operations open to the public. The applicant shall abide by SWCD recommendations for the operation of the activities on site in accordance with the state water rules. Measures must be implemented to minimize tracking onto the Highway 212 and a sweeper shall be utilized within 12 hours of discovery of mud accumulation on Highway 212.
8. The Permittee shall furnish a certificate of Insurance to the County providing coverage by an insurance company duly licensed by the State of Minnesota indicating that the Permittee has in force coverage for public liability, vehicle liability, loading and unloading, completed operations liability, explosion and collapse of underground operations liability, and bodily injury liability in the amount of at least \$2,000,000 for injury of any one person in any one occurrence. Property damage insurance coverage shall be in force with a minimum amount of at least \$1,000,000. Further, the Permittee shall furnish proof of workman's compensation coverage. Insurance certificate(s) described above shall carry an irrevocable notice to the County by the carrier 30 days prior to any change, modification, lapse, or cancellation of the policies required.
9. Any required building and septic permit(s) must be applied for and issued prior to construction. Any future remodeling or construction shall be reviewed by the Zoning Administrator to determine if an amendment to the CUP is necessary. All structures shall meet the applicable State Building Code requirements.

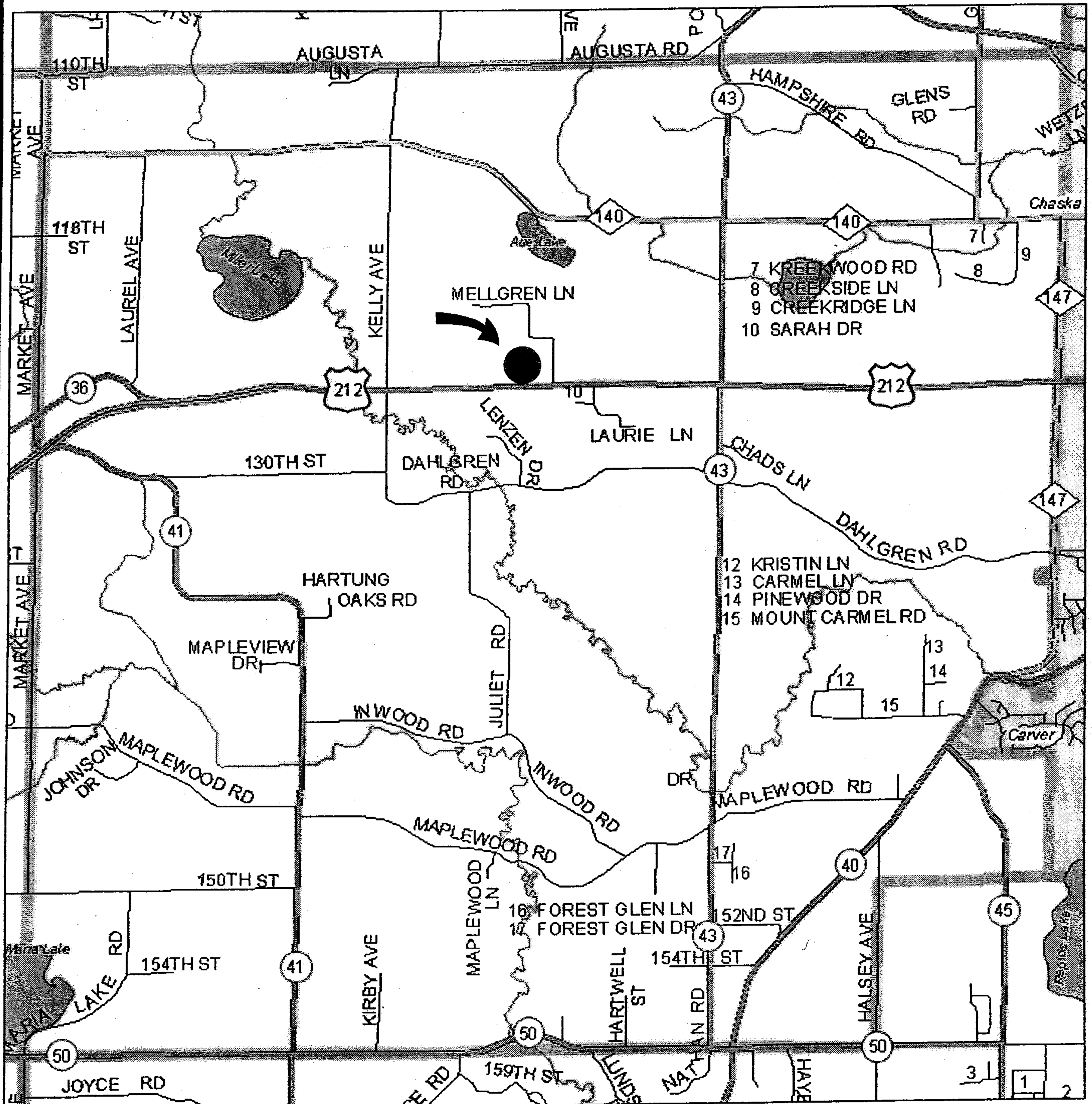
10. The permittee is responsible for obtaining and abiding by all appropriate permits from the Department of Health and Department of Agriculture.
11. Signage for the activity shall not exceed the provisions set forth in the Carver County Sign Ordinance of the Carver County Code.
12. The permittee shall work with Carver County Environmental Services to reduce waste that his operation produces. Where possible, the operation shall utilize the Carver County Master Plan waste hierarchy to reduce the amount of waste entering landfills.
13. The permittee shall block all access from the permitted property to Mellgren lane during the permitted activity to ensure the public does not utilize the cartway.

James Ische, Chair
Carver County Board

Dave Hemze
County Administrator

THE STIPULATIONS OF THIS ORDER, IF ANY, SHALL BE SATISFIED WITHIN SIX (6) MONTHS OF THE DATE FIRST WRITTEN ABOVE, OR SAID ORDER SHALL BE NULL AND VOID AND THE CONDITIONAL USE PERMIT SHALL NOT BE ISSUED. THE SIX (6) MONTH DEADLINE MAY BE EXTENDED ONLY BY ACTION OF THE COUNTY BOARD OF COMMISSIONERS.

Dahlgren 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.



Map Created by Carver County GIS
Apr 21, 2005



REQUEST FOR BOARD ACTION

AGENDA ITEM: Administrative Permit for Special Event – Lake Waconia Triathlon

Originating Division: Land & Water Services

Meeting Date: June 10, 2008

Amount of Time Requested: None

Attachments for packet: Yes No

Item Type: Consent Regular Session Closed Session Work Session Ditch/Rail Authority

BACKGROUND/EXPLANATION OF AGENDA ITEM:

File #A20080137. This request is for an Administrative Special Event Permit for the 19th annual triathlon to be held on June 29, 2008. Waconia, Watertown, Camden and Laketown Townships have approved the event. The permit application has been reviewed by Public Works, Sheriff's Office, and Risk Management Department. The applicants have obtained a permit from County Parks, where the event will begin and end. The conditions on the permit will be similar to previous years, with the addition of a condition requiring the permittee to sign a waiver of liability to the County.

ACTION REQUESTED: A motion to allow the issuance of a Certificate of Zoning Compliance (#A20080137).

FUNDING

County Dollars = \$-0-

Other Sources & Amounts = -0-

= \$

TOTAL = \$-0-

Related Financial Comments:

FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other:

Reviewed by Division Director 

Date: 5/24/2008

COUNTY OF CARVER
CERTIFICATE OF ZONING COMPLIANCE

FILE/CERTIFICATE # A20080137

DATE ISSUED: June 10, 2008

TYPE OF CERTIFICATE: ONE TIME SPECIAL EVENT- LAKE WACONIA TRIATHLON

This permit certificate is issued for the Annual Lake Waconia Triathlon to be held on June 29, 2008, in Waconia and Laketown and Camden Townships as described on the approved site plan, pursuant to Chapter 152, section 152.074 B6 of the Carver County Code. **This certificate is issued to:**

Lake Waconia Triathlon
Jeff Schnobrich
304 William Lakeshore Drive
Waconia, MN 55387

DRAFT

And is not transferable to another person or to another parcel of property.

Purpose of Certificate: To certify that the permittee and/or organization to which this certificate is issued is permitted and authorized to hold the Lake Waconia Triathlon on June 29, 2008. The event shall take place in Waconia and Laketown and Camden Townships in accordance with the conditions listed on this permit and in accordance with Chapter 152, Section 152.074 B6 of the Carver County Code.

THE FOLLOWING CONDITIONS ARE ATTACHED AND MUST BE COMPLIED WITH:

1. The Permit is valid for Sunday, June 29, 2008, only.
2. The event must be conducted in accordance with the Operational Plan & Site Maps attached hereto.
3. There shall be at least (2) extra bathroom satellites during the event.
4. The sponsors are responsible to clean up all excess trash and litter throughout the park during and after the event.
5. The permit shall conform to Carver County Public Works requirements. The Public Works Department shall be notified about the proposed use of the county roads and signage for the street closing. PLEASE NOTE: this permit does not allow for painting directional arrows or other defacing of the County roadways.
6. The permit shall conform to Carver County Sheriff Department requirements. The permittee shall contract eight (8) County Sheriff's Deputies for the event. As well as 2-4 volunteers for each intersection along the course.
7. The permittee shall coordinate with the Carver County Sheriff's Department and Waconia Fire Department to provide a Water Rescue Team during the swimming portion of the Triathlon.
8. All parking shall be in the County Park parking lot and the Lakeside Ballroom and Country Store parking lot. The number of participants and spectators shall be governed by the parking spaces available in these two facilities.
9. Emergency vehicle access must be provided within the staging areas of the event and throughout the race route.
10. The permittee shall inform surrounding residents of the date of the event, the hours that the road will be closed and alternate routes that may be used during the event. Notification shall be provided prior to the event.

11. The permittee shall sign the Carver County Waiver of Liability form at the time of signing of the permit.

DRAFT

Jon Solberg
Carver County Associate Planner

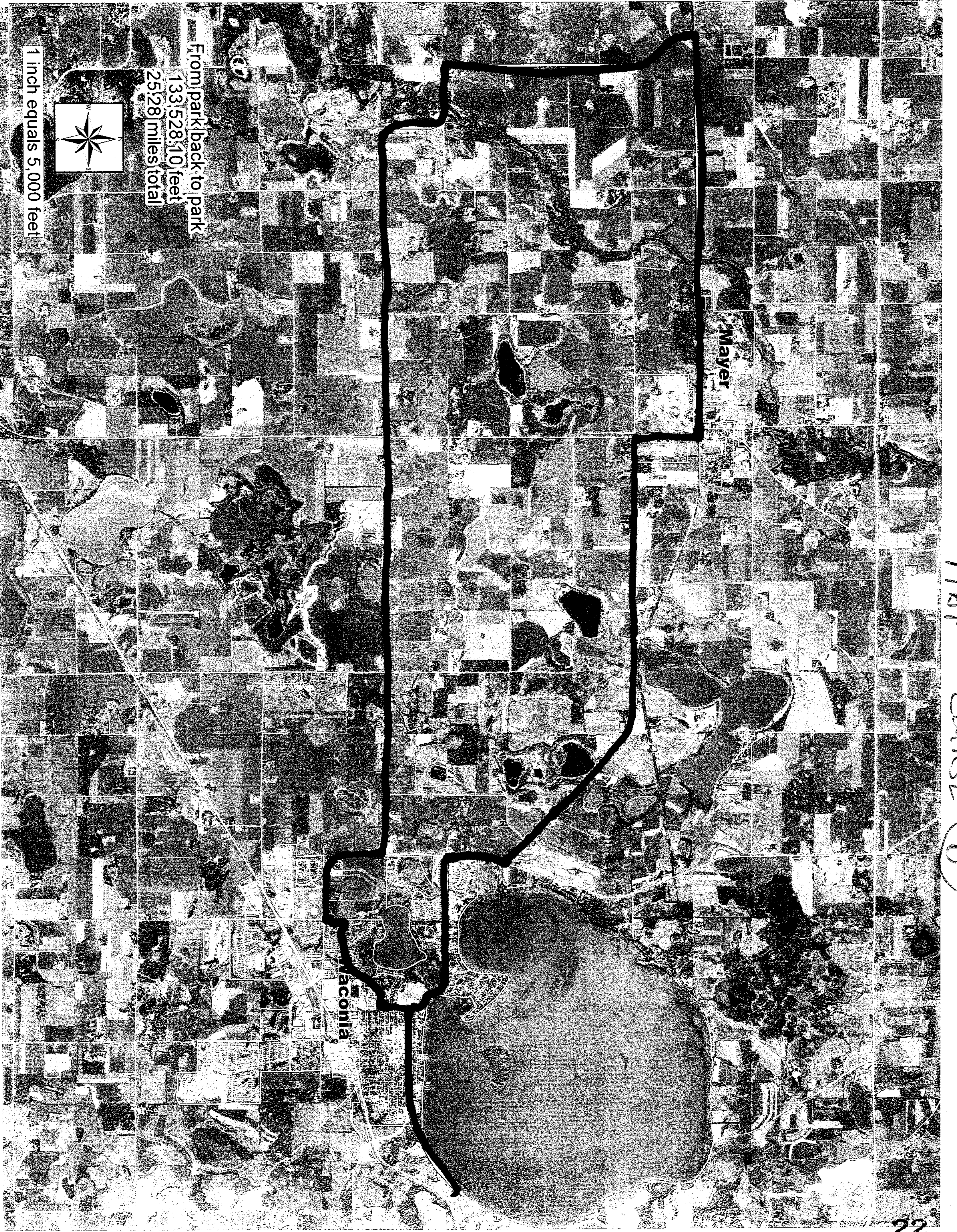
THIS CERTIFICATE IS ISSUED FOR JUNE 29, 2008 AND IS NOT EFFECTIVE UNTIL SIGNED:

I HAVE READ THE ABOVE CONDITIONS AND AGREE TO FOLLOW THEM. I REALIZE THAT FAILURE TO ABIDE BY THE CONDITIONS IS A VIOLATION OF THE ZONING ORDINANCE. I AGREE THAT THE ZONING ADMINISTRATOR OR A DESIGNATED REPRESENTATIVE MAY ENTER UPON THE SUBJECT PROPERTY TO CHECK FOR COMPLIANCE OR FOR REVIEW PURPOSES. I ALSO UNDERSTAND THAT THIS IS NOT A BUILDING PERMIT AND THAT OTHER PERMITS MAY BE REQUIRED.

Signature of Certificate Holder

Date

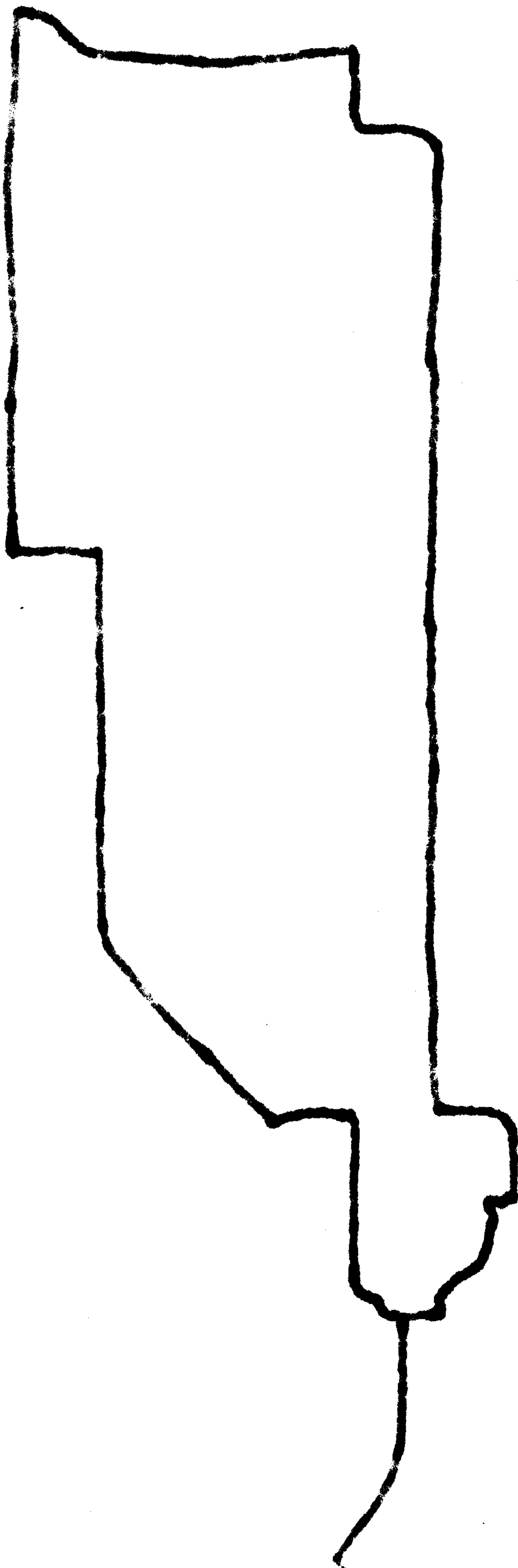
TRAIL COURSE (D)



1 inch equals 5,000 feet



From park back to park
133,528.10 feet
25.28 miles total





REQUEST FOR BOARD ACTION

AGENDA ITEM: Tobacco License

Originating Division: Property Records Taxpayer Services

Meeting Date: 6/10/08

Amount of Time Requested:

Attachments for packet: Yes NoItem Type: Consent Regular Session Closed Session Work Session Ditch/Rail Authority

BACKGROUND/EXPLANATION OF AGENDA ITEM: Attached is a list of businesses that have applied for a Tobacco License in compliance with the Carver County Tobacco Ordinance. The owners are requesting approval by the Carver County Board of Commissioners for them to sell tobacco products. There are no delinquent taxes on these parcels.

ACTION REQUESTED:

Approval

FUNDING

County Dollars = \$

Other Sources & Amounts =

=

TOTAL

= \$

FISCAL IMPACT None Included in current budget Budget amendment requested Other:*Related Financial Comments:* Reviewed by Taxpayer Services Manager

Date:

5-27-08

Tobacco License Applications To Be Approved by County Board

<p>License #10-622 Southern Sands Inc. dba Down South Bar & Grill Randy M. Stodola, Owner 360 Broadway St New Germany, MN 55367</p>	<p>License # 10-620 Chanhassen Winner Co. Estephan Hark, President 380 Lake Drive E Chanhassen, MN 55317</p>
<p>License # 10-619 B&B Hospitality dba HI-5 Market Deepinder Singh Baveja, Owner 1510 Commercial Ave. Victoria, MN 55386</p>	<p>License # 10-616 TTK Inc. dba Carver Liquor Tu Pham, President 309 Broadway N Carver, MN 55315</p>
<p>License # 10-614 Holiday Stationstores, Inc. d/b/a Holiday Stationstore #390 Cindy Zierhut, License Administrator 2960 82nd St Chanhassen, MN 55317</p>	<p>License # 10-613 Casey's General Store #2655 Eli J. Wirtz, Secretary 300 Co Rd 40 E Carver, MN 55315</p>
<p>License # 10-612 Burkys Pizza dba Burkys Bar & Grill Thomas Burkhart, President 505 Lake St W Cologne, MN 55322</p>	<p>License # 10-611 Last Call Properties, LLC dba Last Call Too Diane Henning, Owner 118 Main St E NYA, MN 55397</p>
<p>License # 10-610 KLMS Group LLC dba Amstar of Chanhassen Mark Leutem, President 7755 Century Blvd Chanhassen, MN 55317</p>	<p>License # 10-608 Alouls Fuel & Food Service dba Chanhassen BP Khaled Aloul, President 7905 Great Plains Blvd Chanhassen, MN 55317</p>
<p>License # 10-607 Snyder's Drug Stores, Inc. Milton David Schwartz, President 802 Yellow Brick Rd Chaska, MN 55318</p>	<p>License # 10-606 Harvey's Bar & Grill Inc Laura Niesche, Owner 220 N Broadway Carver, MN 55315</p>
<p>License # 10-605 Walgreen Co/dba Walgreens #9728 Margarita Kellen, Assistant Secretary 600 W 79th St Chanhassen, MN 55317</p>	<p>License # 10-604 Holiday Stationstores, Inc. dba Holiday Stationstore #371 James R. Hupp, Assistant Secretary 502 N Faxon Rd Norwood Young America, MN 55368-9734</p>
<p>License # 10-603 Century Wine & Spirits, LLC Daniel J. Herbst, President 2689 West 78th St Chanhassen, MN 55317</p>	<p>License # 10-602 KTTC, Inc. dba Crossroads Restaurant & Bar Timothy G. Worm, Owner 320 Highway 212 W NYA, MN 55368</p>
<p>License # 10-600 Chanhassen CVS LLC dba CVS/Pharmacy #1747 Dianne E. Durand, Licensing Coordinator 7765 Galpin Blvd Chanhassen, MN 55317</p>	<p>License # 10-598 Inn Town Wine & Spirits Terri Hardel, Manager 102 Lake St W Cologne, MN 55322</p>
<p>License # 10-596 Champlin 2005 LLC dba Cub Food #31564 Doyle Troyer, VP Tax Accounting 7900 Market Blvd Chanhassen, MN 55317</p>	<p>License # 10-594 Holiday Stationstores, Inc dba Holiday Stationstore #360 James R. Hupp, Assistant Secretary 1793 Arboretum Blvd Victoria, MN 55386-7706</p>

License # 10-585 Block One Hospitality, LLC dba Schmitt's Tavern Craig R. Glynn, Pres. 7900 Quamoclit St Victoria, MN 55386	License # 10-581 Kenzoil Station Kenneth H. Schwalbe, Owner 17535 Hwy 7 New Germany, MN 55367
License # 10-578 Kwik Trip, Inc dba Kwik Trip #402 Donald P. Zietlow, President 2201 W 78th St Chanhassen, MN 55317	License # 10-567 J & R Entertainment dba Da' Boars Bar & Grill Jeffrey Cronin, President 610 Lake St W Cologne, MN 55322
License # 10-566 Schoknecht, Inc dba Lisa's Place Lisa M Schoknecht, Owner 205 Broadway North Carver, MN 55315	License # 10-561 MNJN LLC dba Bootleggers Bar & Grill Mark D. Nelson, Owner 109 Ash Ave N Mayer, MN 55360
License # 10-558 Mayer Oil Co of Mayer Inc dba Mayer MobilMart Richard A. Cohrs, President 308 Ash Ave N Mayer, MN 55360	License # 10-557 TBI Liquors Two, Inc dba Cheers Wine & Spirits Michael G. Baier, President 530 W 79th St Chanhassen, MN 55317
License # 10-543 Speedway SuperAmerica LLC dba SuperAmerica #4366 Ronald Edmiston, Treasurer 2391 Hwy 7 Excelsior, MN 55331-9788	License # 10-541 Plocher's Inc dba Floyd's Lois Plocher, Owner 1758 Arboretum Blvd Victoria, MN 55386
License # 10-540 Bluff Creek Golf Association David J. Kirkbride, Manager 1025 Creekwood Chaska, MN 55318	License # 10-535 Harms Bar Linda Harms, Owner-Manager 227 Elm Street West NYA, MN 55368
License # 10-534 Twin Cities Stores, Inc dba Oasis Market #549 Scott Stevens, President 594 78th Street West Chanhassen, MN 55317	License # 10-526 R E Smith Oil & Tire Co, Inc Russell E Smith, Owner 503 Faxon Road N Norwood Young America, MN 55368
License # 10-523 Mid-County Coop dba Cenex Convenience Store Cologne William F. Reimers, General Manager 409 Paul Avenue North Cologne, MN 55322	License # 10-521 MGM Wine & Spirits, Inc. d/b/a MGM Liquor Warehouse Michael G. Maglich, President 7856 Market Blvd Chanhassen, MN 55317
License # 10-519 Ivan's Convenience Store, Inc. Ivan C Johnson 7910 Dakota Avenue Chanhassen, MN 55317	License # 10-518 Inn Town II Enterprises, Inc Terri Hardel, Manager 114 Paul Avenue South Cologne, MN 55322
License # 10-517 Hollywood Sports LLC Joseph Peter Swartz, Jr., Owner 15950 Co Rd 122 Watertown, MN 55388	License # 10-515 Holiday Stationstores, Inc dba Holiday Stationstore #199 James R. Hupp, Assistant Secretary 441 79th Street West Chanhassen, MN 55317-9530

<p>License # 10-513 Good Time Liquors Dale E Bruers, Owner 400 Faxon Road Norwood Young America, MN 55368</p>	<p>License # 10-509 Nash Finch Company dba Econofoods #318 Kathleen M. Mahoney, SVP & Secretary 710 Faxon Road NYA, MN 55397</p>
<p>License # 10-508 Dahlgreen Golf Club, Inc Dave Tessmann, General Manager 6940 Dahlgren Road Chaska, MN 55318</p>	<p>License # 10-506 Byerly Beverages, Inc. dba: Byerly's Wine & Spirits Frederic M. Miller, VP Finance 780 West 80th St Chanhassen, MN 55317</p>
<p>License # 10-501 American Legion Post #580 – Chanhassen Kenneth Larson, General Manager 290 Lake Drive E Chanhassen, MN 55317</p>	<p>License #</p>



REQUEST FOR BOARD ACTION

AGENDA ITEM : Voting delegate at the NACO Annual Conference

Originating Division: Administration

Meeting Date: 6/10/08

Amount of Time Requested: NA

Attachments for packet: Yes No

Item Type: Consent Regular Session Closed Session Work Session Ditch/Rail Authority

BACKGROUND/EXPLANATION OF AGENDA ITEM:

The National Association of Counties is preparing for their Annual Conference to be held July 11-15th. At the conference, counties vote on resolutions that set NACO legislative and association policy for the coming year. Delegates also elect NACO officers for the coming year.

NACO is requesting that the County name the delegate that is authorized to cast the County's vote. Since Commissioner Maluchnik will be attending the conference, Administration is recommending that he be named the County's delegate.

ACTION REQUESTED: Authorize the Board Chair to sign the NACO 2008 Credentials (Voting) Identification form naming Randy Maluchnik as the designated delegate.

FUNDING

County Dollars = \$

Other Sources & Amounts =

= \$

TOTAL = \$

Related Financial Comments:

FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other:

Reviewed by Division Director

Date: 5/30/08



REQUEST FOR BOARD ACTION

AGENDA ITEM : Out-of-state Travel Request - Signs of Safety Presentation Dallas, Texas

Originating Division: Community Social Services

Meeting Date: 6/10/2008

Amount of Time Requested: NA

Attachments for packet: Yes NoItem Type: Consent Regular Session Closed Session Work Session Ditch/Rail Authority

BACKGROUND/EXPLANATION OF AGENDA ITEM: Dan Koziolk, Child and Family Manager has been asked by the National Resource Center for Family-Centered Practice and Permancy Planning to give a Signs of Safety presentation to child welfare administrators from Region VI in Dallas, Texas on June 17. They will reimburse the County for all expenses. Carver County's implementation of Signs of Safety in being noticed on a statewide, national and international level.

ACTION REQUESTED: Motion to approve out-of-state travel to Dallas, Texas for Dan Koziolk to give a Signs of Safety Presentation to the Region VI Child Welfare Administrators.

FUNDING

County Dollars = \$

Other Sources & Amounts = \$

TOTAL = \$**FISCAL IMPACT** None Included in current budget Budget amendment requested Other:

Related Financial Comments: Travel expenses will be reimbursed by the National Resource Center for Family-Centered Practice and Permancy Planning.

 Reviewed by Division Director

Date: 6/3/2008



REQUEST FOR BOARD ACTION

AGENDA ITEM : Justice Center construction project update and approval of bid package 2: Courts roofing bid award

Originating Division: Administrative Services

Meeting Date: June 10, 2008

Amount of Time Requested: 10 minutes

Attachments for packet: Yes No

Item Type: Consent Regular Session Closed Session Work Session Ditch/Rail Authority

BACKGROUND/EXPLANATION OF AGENDA ITEM: A financial overview of the Justice Center construction project will be provided to the Board for informational purposes.

On May 27, 2008, five bids were opened for roofing and flashing effort for the new roof of the second floor courts addition. The estimate for the project was \$275,000 and the low apparent bidder is Dalco Roofing and Sheet Metal Inc. with a bid of \$181,000 or \$94,000 less than the estimate.

Over the last several months, the County Facility's department has noticed increasing amounts of deterioration of the north courts roof. Due to the worsening condition and because a roofing contractor will be mobilized for the new roof, staff requested for an alternate bid to re-roof that north roof section. This north courts roofing project was not part of the original Justice Center project scope of work. Dalco Roofing was also the apparent low bidder, for the alternate bid, with a bid of \$210,400. The combined bids, including the alternate, total \$391,400.

To finance the additional \$210,400 alternate project cost, staff recommends increasing the scope of the Government Center deferred maintenance (infrastructure) project be increased to accommodate the north courts re-roofing project. Staff is also recommending this increase be offset by reducing a similar amount from the infrastructure effort. This scope change will have a negligible impact on the \$5.3 million infrastructure project.

Staff recommends approval of both the new roof and the replacement effort due to the extremely competitive bids, the fact we will have a roofing contractor mobilized and because the existing north court roof is showing significant signs of failure. Board approval would be contingent upon review and acceptance of contract language from the County Attorney's Office and Risk Management.

ACTION REQUESTED: Motion to approve the bid package # 2, Courts roofing project to include alternate bid # 1 for a total of \$391,400 pending contract review by the County Attorney's Office and Risk Management

FUNDING

County Dollars = \$391,400

Other Sources & Amounts =

= \$

TOTAL = \$391,400

FISCAL IMPACT

None

Included in current budget

Budget amendment requested

Other:

Related Financial Comments:

\$181,000 new roof for second floor courts addition financed by Justice Center remodeling project.

\$210,400 north courts re-roofing financed by Government Center deferred maintenance project.

Reviewed by Division Director

Date: June 2, 2008

Project Budgets

Government Center Campus

Description	Government Center Campus	Deferred Maintenance at Gov't Center
Project Revenue		
Building Capital Improvement Fund	8,200,000	
Project Financing for Deferred Maintenance		4,789,140
Capital Reserves for Deffered Maintenance		500,000
Relcoation of Funds		
Tennant Fit out Costs		
Total Available Dollars	8,200,000	5,289,140
Project Soft Costs		
A & E Fees - WOLD	505,600	315,000
Reimburseables		25,000
Commissioning		60,000
Facility Assesment & Study		20,000
Survey	14,500	
Soil Tests	21,600	
Construction Testing	45,000	10,000
Metro SAC/WAC Connection Charge	in permits	
Plan Review / Permit	100,000	60,000
	in permits	
Total Soft Costs	686,700	490,000
Construction Costs		
Deferred Maintenance		4,000,000
Scope Change - 2nd floor structural for Future 3rd floor	200,000	
Scope Change - 4 Move & re-use hearing room millwork	125,000	
Justice Ctr 2nd Level Addition (w/ elev.)	3,250,000	
Lower Level Courts	2,775,000	
LEC	250,000	
Site Work	250,000	
Elevator Expansion - Admin West	200,000	
General Conditions	in estimate	100,000
CM Fee	184,938	110,000
CM Site Services	in estimate	134,140
Design and Construction Contingency	231,695	400,000
Total Construction	7,466,632	4,744,140
Total Owner Costs		
FF&E-Owner	300,000	
General Conditions-Owner	71,668	55,000
Total Owner Costs	371,668	55,000
Total current projected budget		
	8,525,000	5,289,140
Budget variance	\$ (325,000)	\$ -
Potential Value Engineering	\$ 100,000	
Potential Transfer from Construction to Deferred Maint.	\$ 225,000	
Total budget variance	\$ -	\$ -

**CARVER COUNTY JUSTICE CENTER ADDITION
 ADDITION AND REMODEL
 BP-2 ALL ROOFING AND SHEETMETAL**

BID RECAP AND RECOMMENDATIONS

5/30/2008

BIDDER	BASE BID AMOUNT	ALTERNATE #1	REMARKS & RECOMMENDATIONS
--------	-----------------	--------------	---------------------------

BID DIVISION 1 - General Construction

Dalco Roofing & Sheet Metal Inc	\$181,000.00	\$210,400.00	<p>Dalco Roofing & Sheetmetal is the low bidder on both the base bid and the alternate for reroofing the north end of the Courts Building. They have performed quality roof installation on many KA projects, attended the pre-bid meeting and attended the site tour. We are very comfortable in recommending Dalco Roofing for this project.</p>
Palmer West Construction Co Inc	\$194,800.00	D: \$284,500.00	
John A Dalsin & Son Inc	\$196,470.00	D: \$264,345.00	
B & B Sheet Metal and Roofing Inc	\$198,520.00	D: \$290,738.00	
Stock Roofing Company LLC	\$204,754.00	D: \$272,179.00	

\$ 391,400.00

Note: Based on the above bids it would appear that it would be in the County's best interests, as well as the project schedule, to accept the alternate for reroofing the north end of the Courts building at this time. The costs appear to be very competitive and work could be accomplished all during one time period thus avoiding additional disruptions.

Bid Package #1
 Bid Package #2
 Budget for BP-1 & 2
 Variance to Budget (Does not include Reroofing)

\$ 798,705.00
 \$ 181,000.00
 \$ 1,051,000.00
 \$ (71,295.00)



REQUEST FOR BOARD ACTION

AGENDA ITEM: Clean out portion of C.D. # 7 and new culvert installation on C.D. # 9

Originating Division: Prop. Rec./Taxpayer Serv.

Meeting Date: June 10, 2008

Amount of Time Requested: 10 min

Attachments for packet: Yes No

Item Type: Consent Regular Session Closed Session Work Session Ditch/Rail Authority

BACKGROUND/EXPLANATION OF AGENDA ITEM: Requests have been received for a clean out on a portion (approx. 200 feet) of County Ditch # 7 and a new culvert installation on County Ditch # 9. See attached material.

ACTION REQUESTED: Allow Soil & Water to proceed with clean out request and grant permission to petitioner for new culvert installation.

FUNDING

County Dollars = \$
Other Sources & Amounts = \$
TOTAL = \$

FISCAL IMPACT

None
 Included in current budget
 Budget amendment requested
 Other:

Related Financial Comments: Clean out funded by ditch system (County Ditch # 7). Culvert installation paid for by petitioner.

Reviewed by Division Director

Date: 5-29-08

CARVER COUNTY DRAINAGE SYSTEM – REQUEST FOR MAINTENANCE FORM

Carver Soil & Water Conservation District
219 East Frontage Road
Waconia, MN 55387

APPLICANT INFORMATION

Name: Orville Pawelk

Status: Landowner Renter Other

Landowner Name (If not same as applicant) _____

Applicant/Landowner Address:

Street: 4785 Yale Ave

City: New Germany

Zip: 55367

Telephone: 952-353-2142

PROJECT INFORMATION:

Request Date: 4/29/08

Drainage System No: CD#7

Township Name: Hollywood

Section #'s of requested repair: 29

Give a description of the type of maintenance that is requested and attach a map of the area.

Description: Replace 150'-200' broken County Tile in meadow area just east of Yale Ave.

SOIL & WATER REVIEW INFORMATION

Date of project inspection: May 5, 2008

Inspection Comments: This County Tile System is very old and very shallow in many places. There was a proposal to do an improvement to the system in the 1980's but the costs were too high and the improvement did not happen. There are several spots in this meadow area where the tile are broken and caving in. Water is still flowing through the tile so the repair will likely have to get done when site conditions allow. I would suggest replacing the existing 14" clay tile with 15" dual wall perforated tile (this is the closest match to the existing). I estimate the cost to repair this tile to be around \$18 per foot. At 200 feet the total estimated cost of repair is \$3,600.

Project Approval: Soil & Water _____

Division Director _____

County Ditch Board (if exceeds \$10,000) _____

CARVER COUNTY DRAINAGE SYSTEM – REQUEST FOR MAINTENANCE FORM

Carver Soil & Water Conservation District
219 East Frontage Road
Waconia, MN 55387

APPLICANT INFORMATION

Name: Thomas Voehl

Status: [X] Landowner [] Renter [] Other

Landowner Name (If not same as applicant) Stableford Farms

Applicant/Landowner Address:

Street: 18125 Overland Trl

City: Eden Prairie

Zip: 55347

Telephone: 612-670-1369

PROJECT INFORMATION:

Request Date: May 2008

Drainage System No: CD#9

Township Name: Hollywood

Section #'s of requested repair: 35

Give a description of the type of maintenance that is requested and attach a map of the area.

Description: Installation of new culvert crossing County Ditch #9. See attached letter.

SOIL & WATER REVIEW INFORMATION

Date of project inspection: May 20, 2008

Inspection Comments: The applicant is requesting to install a new culvert crossing to allow access to farmland on both sides of the ditch. There is currently access from both Tacoma Ave. and Hwy 7. Both accesses will remain after the Hwy 7 improvements are completed. There is an existing 72" diameter culvert just upstream from this proposed location. The applicant is growing fruits and vegetables on parts of the farmland. He will need to work with the Land Management department for any permits that may be needed if the operation grows into a fruit/vegetable sales area. It should be noted that if approved, the ditch authority is not responsible for any installation costs, future maintenance costs, or liability of this crossing.

Project Approval: Soil & Water
Division Director
County Ditch Board (if exceeds \$10,000)

Stableford Farms, LLC.
Mayer, Minnesota

April 10, 2008

Carver County Soil & Water Conservation District
219 East Frontage Road
Waconia, MN 55387

Re: Culvert Installation

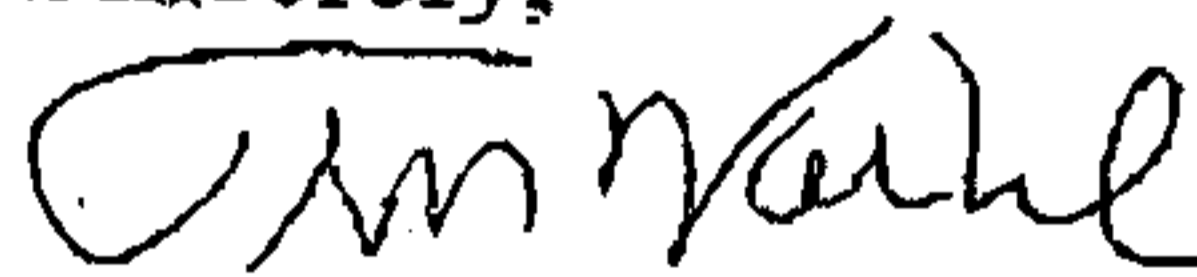
I am requesting a permit to install a 6' diameter culvert in County Ditch #9 on my property to allow me access to my 10 acres which is located on the north side of County Ditch #9. The immediate need for the crossing is due to the Highway 7 closure and their use of my field access along Highway 7.

I have measured the diameter of the culvert on my neighbors property to be 6' diameter and my culvert would be located within 800 feet of their culvert, which would mean that very little, if any, additional water would added to the ditch between our culverts.

I have contacted Burns Excavation which did the latest ditch clean out about installing the culvert. They will prepare the ditch for the culvert and pack suitable material around the culvert for the crossing, keeping less than a 3/1 slope on the ends. We will then plant grass around the ends to prevent erosion. We will maintain the water flow through the culvert by removing any debris and keeping it free from other impediments.

If you need further information regarding this matter, please call me at 612-670-1369.

Sincerely,



Tom Voehl
Stableford Farms, LLC.
612-670-1369

PID# 060350313



Copyright © 2008, Carver County, Minnesota

Legend

- Carver Roads
- US Highways
- MN Highways
- CR&T Roads
- County Roads
- Township Roads
- City Roads
- Private Roads
- Lakes
- Parcels
- Color 2005

Map Created: 4-10-2008

Parcel Information

Property Address:
NOT ON FILE

Taxpayer Information:
STABLEFORD FARMS INVESTMENTS
18125 OVERLAND TRL
EDEN PRAIRIE, MN 55347

Parcel Properties

Tax Acres: 51.68
Homestead: N
School District: 0111

Parcel Location

Section: 35
Township: 117
Range: 026

Payable Year 2009

Est. Market Value Land: \$159500
Est. Market Value Building: \$0
Est. Market Value Total: \$159500

Last Sale Information

Sale Date: 04/19/2006
Sale Price: \$519800
Qualified/Unqualified: UNQUALIFIED SALE

CARVER COUNTY GIS DISCLAIMER: 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.