

Carver County Board of Commissioners
 Regular Session
 March 21, 2006
 County Board Room
 Carver County Government Center
 Human Services Building
 Chaska, Minnesota

PAGE

9:00 a.m.	1.	a) CONVENE b) Pledge of Allegiance c) Introduction of New Employees	
	2.	Agenda review and adoption	
	3.	Approve minutes of March 14, 2006 Regular Session	1-4
	4.	Public participation (Comments limited to five minutes)	
	5.	Community announcements	
9:05 a.m.	6.	CONSENT AGENDA	
	6.1	Approve grant agreement and associated budget amendment with Metro Council for monitoring station on Crow River.....	5-6
	6.2	All in One Translation Agency.....	7
	6.3	Project SP 10-632-14/SP 10-610-30 EA approval action.....	8-21
	6.4	Minnesota Department of Natural Resources Boat and Water Safety grant.....	22
	6.5	Restoration of compensatory time for child protection social workers.....	23
	6.6	Letters of Understanding allow sick time for funerals.....	24
	6.7	Community Social Services' warrants.....	NO ATT
	6.8	Commissioners' warrants	SEE ATT
9:05 a.m.	7.	ADMINISTRATIVE SERVICES	
	7.1	Contract with architecture firm of Wold Architects and Engineers for design of temporary courtroom	25-29
9:20 a.m.	8.	PUBLIC WORKS	
	8.1	New TH 212 Mn/DOT and ZRC project update	30
		ADJOURN COUNTY BOARD AND CONVENE AS CARVER COUNTY DITCH AUTHORITY	
10:00 a.m.	9.	COUNTY ATTORNEY	
	9.1	Order from Ditch Authority to extend time to complete preliminary survey for lateral on County Ditch #9	31-33

10:10 a.m.

ADJOURN AS CARVER COUNTY DITCH AUTHORITY

10:10 a.m.

NEW BUSINESS

BOARD REPORTS

10:10 a.m.

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

10:45 a.m.

David Hemze
County Administrator

A Regular Session of the Carver County Board of Commissioners was held in the County Government Center, Chaska, on March 14, 2006. Chair James Ische convened the session at 9:00 a.m.

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

Members absent: None.

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

Delaney moved, Workman seconded, to approve the minutes of the February 28, 2006, Regular Session. Motion carried unanimously.

Under public participation, Carlos Gallego, stated he had attended a recent meeting where the issue of a centralized purchasing system came up and inquired on the advantages. Chair Ische directed that the County Administrator contact Mr. Gallego and respond to his inquiry.

Community announcements were made by the Board.

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

Payment of emergency claim in the amount of \$542.54.

Resolution #21-06, Carver County Policy and Procedures for a Drug and Alcohol Policy for Transit Workers.

UCare for Seniors group employer agreement for 2006 plan year.

Professional service agreement amendment between Carver County and Ridgeview Medical Center (Ridgeview Business Health).

Authorized Chair and Safety Officer to sign Hazardous Materials Grant from Minnesota Division of Homeland Security and Emergency Management and related Risk/Emergency Management budget amendment increasing grant revenue \$3,000 and increasing training \$3,000.

As the Community Health Board, accepted and expended the funding for the 2006 budget from the Minnesota Department of Health in accordance with the Local Public Health Act in the amount of \$172,592; accepted and expended \$29,206 in federal TANF funds and accepted and expended \$50,227 in federal MCH Block Grant funds.

Authorized changing the .6 FTE clinical social worker to a 1.0 FTE clinical social worker and changing a 1.0 FTE social worker II to a .6 FTE social worker II.

Renewed contract with Marriage and Family Counseling Center, Inc.

Agreement with Medical Transportation Management to provide rides for medical assistance clients.

Approved tobacco license for Harvey's Bar & Grill, Inc., License #10-606.

Resolution #22-06, Approval of Charitable Gambling License, Waconia Knights of Columbus #2506.

Approved the following abatements:

25-0631290	Amy Waters
30-1080210	Randy and Tana Koch (2004 and 2005)
30-4890410	Pioneer Pointe Community Assn.
30-4890900	Pioneer Pointe Community Assn.
25-0610090	Arboretum Village Community
58-6520640	James J. Dioszeghy

Adopted the Findings of Fact and issued Order #PZ20060003 for the issuance of Conditional Use Permit #PZ20060003, Robert and Stacy Kelzer, Camden Township.

Authorized Sheriff's Office to enter into a Joint Powers Agreement for the use of a two finger IBIS machine.

Authorized Sheriff's Office to rent juvenile bed space to Scott County.

Carver County and Motorola, Inc., 2006 maintenance and support services agreement.

Rental agreement with Pitney Bowes.

Service agreement with Sprint Telecommunications Service.

Amendment to Southwest Newspapers contract #06-009 in the amount of \$6,000.

Appointed Sherol Howard to a three year term on the Senior Services Advisory Committee.

Resolution #23-06, Professional Service Agreement between Emery's Tree Service Inc. and Carver County for Tree and Stump Removal.

Established April 11, 2006, at 1:30 p.m. as the date and time for the opening of bids for the Carver County 2006 County Road Bituminous Resurfacing project.

Established April 11, 2006, at 1:30 p.m. as the date and time for the opening of bids for the Carver County 2006 County State Aid Highway Bituminous Resurfacing project.

Accepted quote from MidStates for 55,440 pounds of WR Meadows 3405 crack sealant for a total cost of \$19,720.56.

Authorized the purchase of one 2007 Mack Model CV713 truck from Twin Cities Mack & Volvo for a total cost of \$75,095.17 (including trade in value, tax and license) utilizing the State purchasing contract.

Resolution #24-06, Recommending the Change of the Name of the Carver County Housing and Redevelopment Authority to the "Carver County Community Development Agency."

Community Social Services' actions.

Approved payment of the following Commissioners' warrants:

INSERT

Motion carried unanimously.

Workman moved, Degler seconded, to recess as the County Board and convene as Joint Ditch #1 Authority. Motion carried unanimously.

Mark Lundgren, Auditor, reviewed the request for clean on Joint Ditch #1 in Hollywood Township. He indicated he contacted McLeod County representatives and he has heard no objections. He estimated a cost of \$9,600 to clean out 4,500 feet and noted all work would be done in Carver County.

Degler moved, Lynch seconded, to approve clean out of Joint Ditch #1 at a cost estimate of \$9,600. Motion carried unanimously.

Lynch moved, Degler seconded, to adjourn as the Joint Ditch #1 Authority and reconvene as the Carver County Board. Motion carried unanimously.

Degler moved, Ische seconded, to open the public hearing on the environmental assessment for the County State Aid Highways 10 and 32 projects. Motion carried unanimously.

William Weckman, Public Works, explained the intent of the public hearing is for the public to comment on the completed environmental assessment. He stated when the project was started, it was determined that because of the scope of the project, that an environmental assessment would be needed. Weckman reviewed the process followed in completing the environmental assessment and the notices that were sent out.

Comments were received from the Met Council and Weckman reviewed the issues raised by the Council. Weckman stated the next step would be decide if an environmental impact statement is needed or if there is a finding of no significant impact.

No public testimony was received.

Weckman indicated he would address comments received and would be asking for a Board decision based on the comments next week.

Workman moved, Degler seconded, to close the public hearing. Motion carried unanimously.

Paul Moline, Land and Water Services, reviewed the request to install a second culvert in Baylor Park. He reviewed the proposed location and the petition received from landowners around Eagle Lake to investigate adding capacity to an outlet. He indicated there has been continuing issues related to the lake level and the DNR has been helpful in re-establishing what the high water level should be.

Moline stated the Board previously authorized that further technical investigation be done and explained the recommendation to add a second 36" culvert to reduce drawdown. He pointed out that one of the issues is vegetation near the outlet and an engineer had looked at the option of adding a standpipe in the area but did not feel the expense was warranted.

He noted they have not looked at the impact of the growth of the City over the last twenty years. Moline also pointed out many lakes are higher than normal because precipitation has increased.

Marty Walsh, Parks Department, suggested land owners may not see any appreciable difference in spring when there is typically more rain and snow melt. He noted the location and size of the previous culvert and replacement culvert currently located in the Park.

Moline indicated that the DNR was not in support of doing anything in the cattail area. He stated the goal is to hold water back rather than sending it downstream for water quality reasons.

Ische moved, Lynch seconded, to authorize the installation of a second culvert in Baylor Park to add overflow capacity in higher flows in an amount not to exceed \$5,000 with the cost to be taken from the Parks Department budget. Motion carried unanimously.

Degler moved, Delaney seconded, to adjourn the Regular Session at 9:55 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.)

CARVER COUNTY REQUEST FOR BOARD ACTION

AGENDA ITEM

Item Name: Approve Grant Agreement and Associated Budget Amendment with Metro Council for Monitoring Station on Crow River

Originating Department: Land & Water Services	Agenda Date: 3/21/06
Amount of Time Requested: NA	Supp. Doc. Attached (y/n): Yes, Contract

Previous County Board Action, If Any: Approval of original grant agreement in 2001, approval of agreement in 2003

Item Type (✓ Only One): Consent Regular Session _____ Discussion Session _____

EXPLANATION OF AGENDA ITEM (Include a description of background and benefits)

In 2001 the County had the opportunity to partner with the Metro Council and MnDNR to establish an automated water quality monitoring station on the South Fork of the Crow River just north of Hwy 7. Establishment of an automated site on the Crow was identified as a high priority in the Water Plan. The Council provides the majority of the funding through a grant to the County and direct expenditures in support of project activities. The County will receive a total grant of \$8,000 for the 2006 & 2007 monitoring seasons. There is no match required. However County staff expends a couple hours per month on the site. The grant agreement and the grant funds are for a 2 year period: Jan 1 2006 through December 31, 2007. The majority of the funds will be used to offset intern costs.

RECOMMENDATIONS/BOARD ACTION/MOTION REQUESTED (Include motion in proper format)

Motion authorizing entering into the grant agreement, authorize the Chair's signature on the required documents, and approve the following budget amendment:

Budget amendment: increase 01-123-123-1518-5871 by \$8,000 - grant income
 increase 01-123-123-1518-6112 by \$8,000 - professional services

FINANCIAL IMPLICATIONS: NOT APPLICABLE

<p><i>Funding:</i></p> <p>County Dollars = \$</p> <p>Other Sources & Amounts</p> <p>Met Council Grant _____ = \$8000.00</p> <p>_____ = \$</p> <p>TOTAL = \$8000.00</p>	<p><i>Budget Information (✓ appropriate items):</i></p> <p>Budgeted:</p> <p>Not Budgeted:</p> <p>Amendment Required: <input checked="" type="checkbox"/></p> <p>(requires controller approval)</p>
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Related Financial Comments:

REVIEWS AND APPROVALS AS REQUIRED

✓ All Reviews and Approvals Received:
 County Attorney Risk Management Human Resources _____ Controllor _____ Other _____

David K. Drealan _____ DKD _____ 8 March 2006
DEPARTMENT HEAD APPROVAL (Signature) Division Date

Admin. Dept. Use Only: Approved _____ Denied _____ Tabled _____ Other _____

BUDGET AMENDMENT REQUEST FORM

Submit to Controller's Office one week prior to County Board Session.

DEPARTMENT: Land & Water Services

Date of County Board Session: 3/21/06

Revenue

Description of Revenue Account funds are to Increased/(Decreased):	Amount	Description of Expenditure Account funds are to Increased/(Decreased):	Amount
Grant	\$ 8,000	Professional Services	\$ 8,000
			\$ -
TOTAL:	\$ 8,000	TOTAL:	\$ 8,000

A. Reason for Request: See Board Action.

B. Financial Impact: (To be filled out by Controller)

C. Contingency Acct. Beginning Bal.: \$ 300,000

D. Contingency Acct. Current Bal.: \$ 297,000

E. Current Balance After Adj.: \$ 297,000

F. Requested By:

G. Recommend Approval: Controller

H. County Board Decision: Approval/Disapproval

S:\Excel\SHELLS[Budget Amendment Forms.xls]Revenue Form

CARVER COUNTY REQUEST FOR BOARD ACTION

AGENDA ITEM

Item Name: All in One Translation Agency

Originating Department: Community Social Services

Agenda Date:

Amount of Time Requested:

Supp. Doc. Attached (y/n): No

Previous County Board Action, If Any (include other parties which were advised, if any): None

Item Type (_ Only One): Consent X Regular Session Discussion Session

EXPLANATION OF AGENDA ITEM (Include a description of background and benefits)

This is a new contract with an agency that provides interpreters for multiple languages and language translation. This agency has competitive rates and an excellent reputation for language translation and interpretation services.

RECOMMENDATIONS/BOARD ACTION/MOTION REQUESTED (Include motion in proper format)

Motion to approve a contract with All in One Translation Agency for language translation and interpreter services.

FINANCIAL IMPLICATIONS

Funding:

County Dollars =	Between 0 and \$100,000
Other Sources & Amounts =	\$
_____ =	\$
_____ =	\$
TOTAL =	\$10,000 estimated

Budget Information (_ appropriate items):

Budgeted: X
 Not Budgeted:
 Amendment Required:
 (requires controller approval)

Related Financial Comments: Funds are budgeted for translation and interpreter services.

REVIEWS AND APPROVALS AS REQUIRED

 All Reviews and Approvals Received:

County Attorney Risk Management Human Resources Controller Other

DEPARTMENT HEAD APPROVAL (Signature)

Date

Admin. Dept. Use Only: Approved Denied Tabled Other

CARVER COUNTY REQUEST FOR BOARD ACTION

AGENDA ITEM

Item Name (as you would like it to appear on the agenda):

Project SP 10-632-14/SP 10-610-30 EA Approval Action

Originating Department: Public Works

Agenda Date: March 21, 2006

Amount of Time Requested: 10 min.

Supp. Doc. Attached (y/n): no

Previous County Board Action, If Any (include other parties which were advised, if any):

Item Type (X Only One): Consent Regular Session Discussion Session

EXPLANATION OF AGENDA ITEM (Include a description of background, benefits, and recommendations)

The Environmental Assessment (EA) for SP 10-632-14/SP 10-610-30 addresses the impacts due to new construction of 0.7 miles of CSAH 32; constructed to two lane urban design standards; realignment and new construction of 1.7 miles of CSAH 10; Reconstruction of 4.6 miles of existing two lane rural CSAH 10; all to current 2 lane urban and rural design standards. On March 14, 2006 a Public Hearing was held to receive comments on the EA. No comments were received by the public. Written comments received did not indicate any serious environmental concerns. A response to the written comments on the EA is included in the updated EA. Items included in the comments can be addressed in the final design.

BOARD ACTION/MOTION REQUESTED (In proper format)

It is requested that the County Board approve the included resolution that approves the updated Environmental Assessment and requests a Finding of No Significant Impact.

FINANCIAL IMPLICATIONS

Funding:

County Dollars =	
Other Sources & Amounts =	
=	
=	
Total	

Budget Information (Appropriate Items):

- Budgeted
- Not Budgeted
- Amendment Required
(requires controller signature)

Related Financial Comments:

REVIEWS AND APPROVALS AS REQUIRED (Signatures)

County Attorney: _____

Risk Management: _____

Human Resources: _____

Controller: _____



DEPARTMENT HEAD APPROVAL

3/16/06
Date

Admin. Dept. Use Only: Approved ___ Denied ___ Tabled ___ Other ___

FEDERAL HIGHWAY ADMINISTRATION
and
STATE OF MINNESOTA
DEPARTMENT OF TRANSPORTATION
and
Carver County

ENVIRONMENTAL ASSESSMENT UPDATE
&
REQUEST FOR FINDING OF NO SIGNIFICANT IMPACT

FOR

SP 10-632-14, SP 10-610-30
Minn Proj. No. STPX 1006(111)

CSAH 32 and CSAH 10
FROM: CSAH 32 From 1320 ft east of TH 284 to CSAH 10

TO: 612 ft west of CSAH 11

BETWEEN THE CITIES OF WACONIA AND CHASKA

PROPOSED IMPROVEMENT: New construction of 0.7 miles of CSAH 32; constructed to two lane urban design standards; Realignment and new construction of 1.7 miles of CSAH 10; Reconstruction of 4.6 miles of existing two lane rural CSAH 10; all to current 2 lane urban and rural design standards.

Recommended:

Carver County Engineer

Date

Reviewed and Recommended:

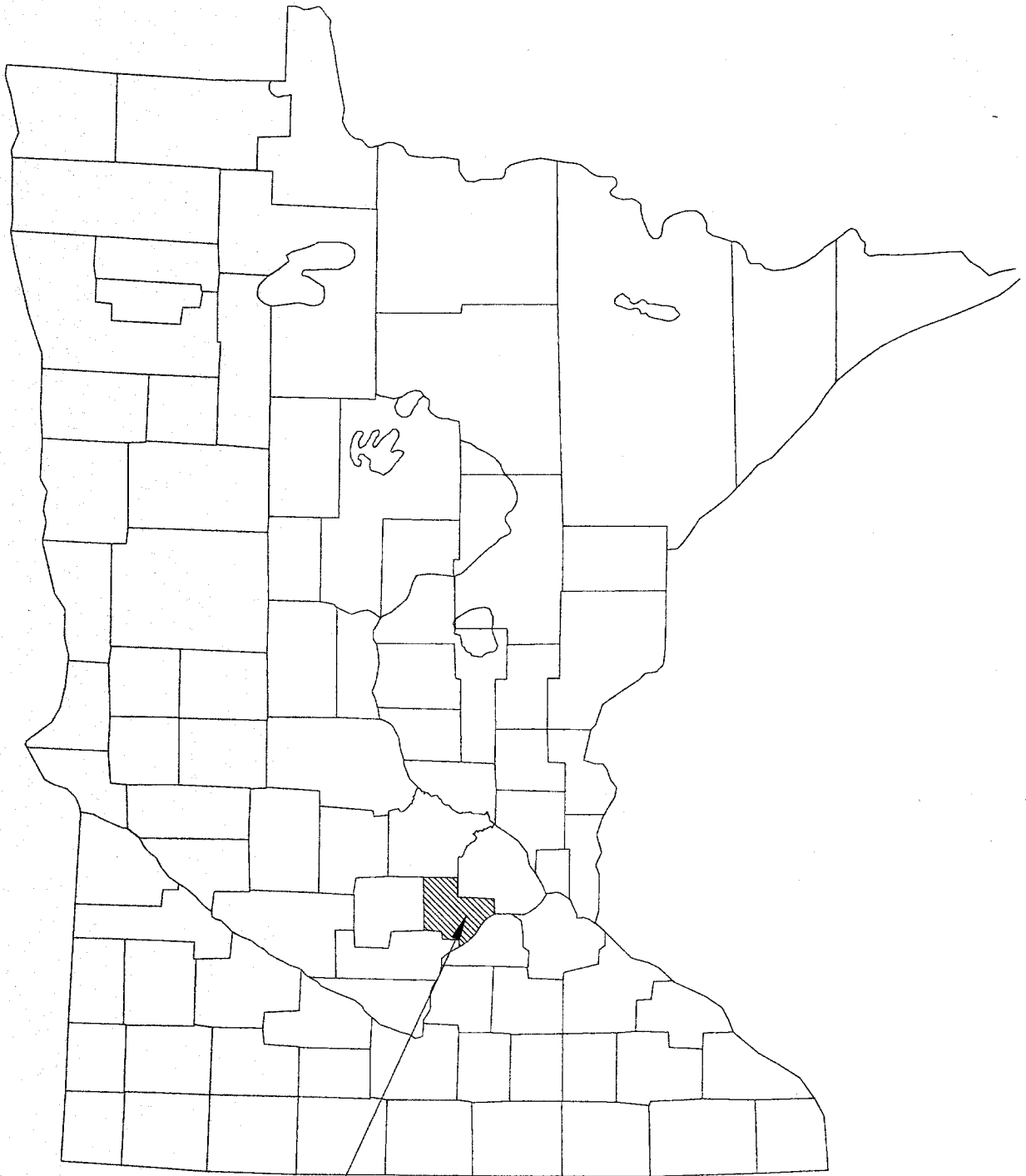
District State Aid Engineer
or Metro Division State Aid Engineer

Date

Approved:

State Aid Engineer
State Aid For Local Transportation

Date



S.P. 10-632-14/S.P. 10-610-30
 PROJECT LOCATION
 CARVER COUNTY, MINNESOTA
 MN/DOT METRO DISTRICT



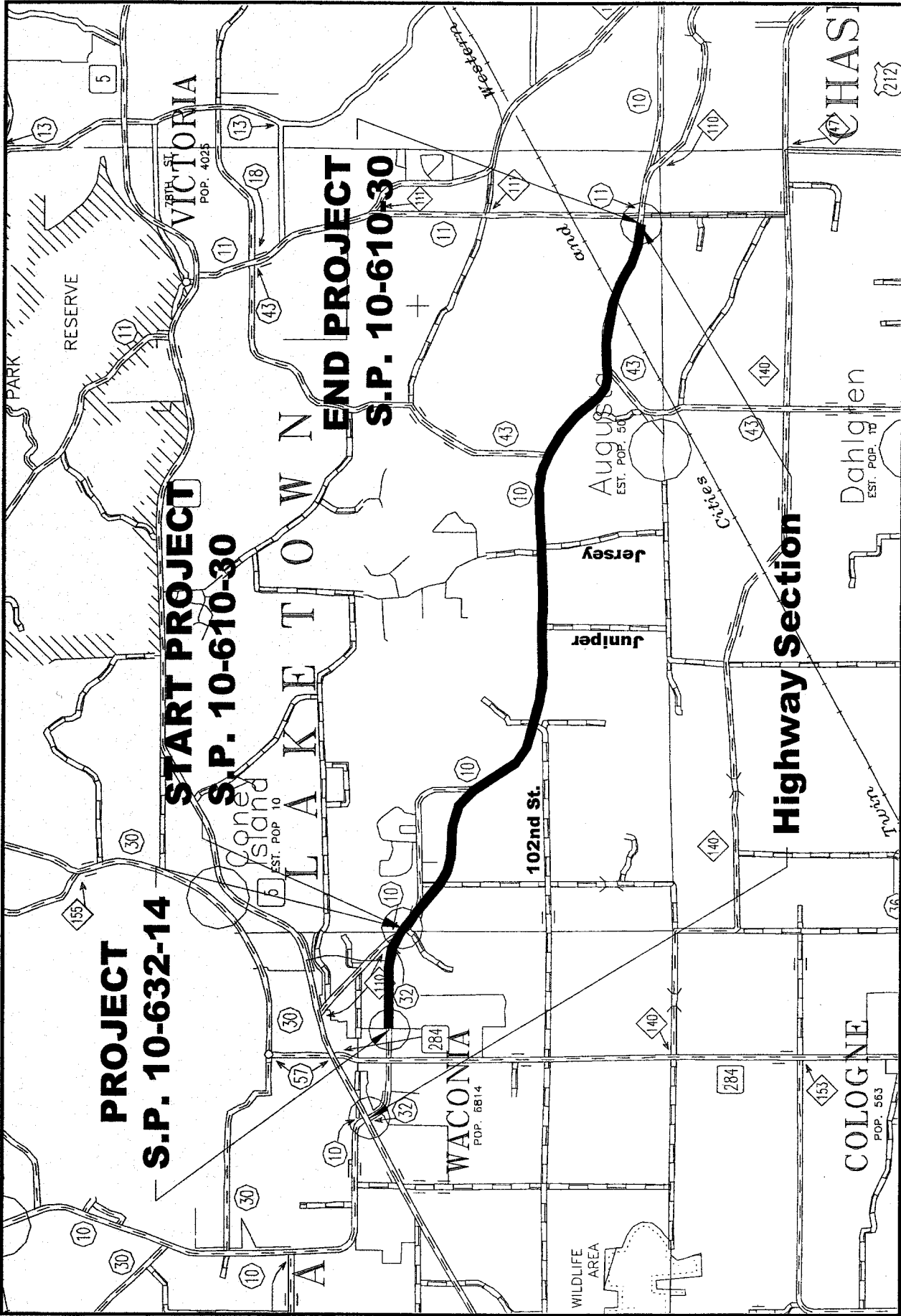
**CARVER COUNTY
 PUBLIC WORKS**

S.P. 10-632-14
 S.P. 10-610-30
 STATE/COUNTY
 LOCATION MAP

DRAWN BY: JAW

DATE: Revised 11/8/05

FIGURE 1



DRAWN BY: JAW
 DATE: Revised 11/8/05
 FIGURE 2

S.P. 10-632-14/S.P. 10-610-30 PROJECT LOCATION MAP

CARVER COUNTY
 PUBLIC WORKS

OPENING STATEMENT

This Environmental Assessment Update and FONSI Request has been prepared and submitted in accordance with the approved Highway Project Development Process.

PROPOSED ACTION

There are no changes to the project location or description.

SOCIAL, ECONOMIC AND ENVIRONMENTAL IMPACTS

The following summarizes the information/findings/determinations presented in the EA; new information will be identified as such.

4(f)/6(f)

There will be no impact to 4(f) or 6(f) properties.

National Historic Preservation Act

A determination of No Historic Properties Adversely Impacted has been made by Mn/DOT Cultural Resources Unit and concurred in by SHPO.

Endangered Species

Per the USF&W and DNR there will be no impact.

Farmland Protection Policy Act

The project will not significantly impact farmland.

Air Quality

The project will not significantly impact air quality.

Noise

Noise impacts will be non significant.

Section 404

A Nationwide permit has been applied for.

Wetlands

4.347 acres of wetland will be filled.

Floodplain

Encroachment will be non-significant.

Right-of-Way

Permanent acquisition 63.49 acres from 65 parcels is anticipated.

Temporary acquisition 21.309 acres from 60 parcels is anticipated.

Environmental Justice

PROPOSED MITIGATION

The following summarizes the mitigation identified in the EA; revisions or new mitigation will be identified as such.

Curb and gutter will be used to minimize wetland impacts. The County has applied to the Board of Soil and Water Resources' Road Replacement Program to mitigate the impacted wetland area. Impact that is not covered by the Road Replacement Program will be purchased at a two to one ratio through the Minnesota Wetland Bank.

PUBLIC HEARING REQUIREMENTS

The Public Hearing was held Tuesday, March 14, 2006 at 9:15 a.m. Advertising for the Public Hearing was published in the Chaska Herald and the Waconia Patriot the weeks of February 9th and 16th, 2006. Additionally, a copy of the Public Hearing announcement was mailed to all property owners impacted by the project.

The Public Hearing was opened by the Carver County Board of Commissioners and Bill Weckman, Assistant County Engineer, summarized the project, went over the main points in the approved draft Environmental Assessment and addressed written comments received from the Metropolitan Council. The Public Hearing was open to the public for comment. No comments were received.

Commissioner Workman inquired about the safety of the curb design commented on by the Metropolitan Council. Bill Weckman replied that the alternate curb design would be looked at. Commissioner Degler inquired if there were any known turtle migratory paths along the project corridor. Bill Weckman replied that no known turtle migratory paths had been identified within the corridor.

Comments received and action taken:

- Metropolitan Council staff recommends that the project specify requiring utilization of surmountable curbs like MnDOT Curb and Gutter Design No. S524, or equal, to reduce the high mortality risk of turtles becoming trapped within the roadway while crossing between wetlands that have been dissected by the roadway. Carver County Public Works engineering staff is reviewing curb standards and verifying there are no turtle migratory paths identified within the project corridor.
- Metropolitan Council recommends clarification of what agency or agencies will have jurisdiction over proposed corridor wetland impacts and mitigation. This information can be found in Table 1 in the Environmental Assessment. Table 1 will be updated to clarify responsibilities.
- Metropolitan Council suggests that Public Works contacts Martin Walsh, Carver County Parks Director, to ensure the project is compatible with future trails. Martin Walsh has been contacted and is aware of the project corridor and the impacts within the corridor.
- Kent Torve, P.E. of Wenck Associates, Inc, on behalf of Carver County Planning and Zoning commented that Carver County should be listed for storm water and erosion control permit in Table 1 of the Environmental Assessment. Table 1 will be updated.
- Mr. Torve, acting on behalf of the County, requested that drainage area information, storm water management calculations, culvert sizing calculations, and ponding calculations be submitted to the County for review. Requested information is being gathered and will be submitted.
- Mr. Torve recommends using ditch blocks with draitiles/filtration trenches to achieve acceptable water quality standards and suggested using the typical detail found in the County guidelines.
- Mr. Torve recommends submitting erosion and sediment control plans to the County and the Soil and Water Conservation District. Plans have already been submitted for review.

See the following attachments for further information:

Affidavit of Publication

Certificate of Compliance

Public Hearing Minutes – A recording of the Hearing will be available for viewing at
the Public Works Headquarters

Other comments received

Responses to all substantial comments received

RECOMMENDATION FOR FINDING OF NO SIGNIFICANT IMPACT

The proposed project is new construction of 0.7 miles of CSAH 32; constructed to two lane urban design standards; realignment and new construction of 1.7 miles of CSAH 10; reconstruction of 4.6 miles of existing two lane rural CSAH 10; all to current 2 lane urban and rural design standards.

The project was reviewed through the State Environmental Review Process of the Minnesota Environmental Quality Board (MEQB). The County Engineer has determined that the project meets a mandatory EAW threshold category and has prepared a combined EA/EAW. The EA/EAW was distributed by the County (the LGU) on February 8, 2006. The Carver County Board of Commissioners has issued a Record of Decision, based on Findings of Fact, that the project does not have the potential for significant environmental effects.

Based on the documentation of impacts in the EA/EAW, and the comments received in response to the public hearing and the public comment period, the County Engineer recommends that the Federal Highway Administration prepare a Finding Of No Significant Impact (FONSI) for this project.

PROJECT MANAGER

Scott Smith, Project Engineer
11360 Highway 212 W Suite 1
Phone: 952-466-5200
Fax: 952-466-5223
ssmith@co.carver.mn.us

Affidavit of Publication

State of Minnesota, County of Carver.

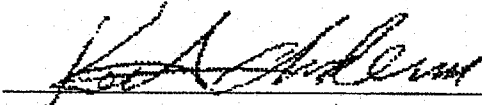
Keith P. Anderson, being duly sworn, on oath says that he is an authorized agent and employee of the publisher of the newspaper known as THE WACONIA PATRIOT, Waconia, Minnesota, and has full knowledge of the facts which are stated below:

A.) The newspaper has complied with all the requirements constituting qualifications as a qualified newspaper, as provided by Minnesota Statute 331A.02, 331A.07, and other applicable laws, as amended.

B.) The printed Availability of Environmental Assessment of CSAH 10 & Extension of CSAH 32

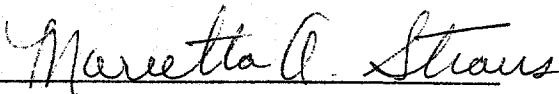
which is attached was cut from the columns of said newspaper, and was printed and published once each week for 2 successive weeks:

It was first published Thursday, the 9 day of February, 2006, and was thereafter printed and published every Thursday, to and including Thursday, the 16 day of February, 2006;


Authorized Agent



Subscribed and sworn to me on this 17 day of February, 2006.

By: 
Notary Public

Rate Information

- (1) Lowest classified rate paid by commercial users for comparable space: \$15.50 per inch.
- (2) Maximum rate allowed by law for above matter: \$15.50.
- (3) Rate actually charged for above matter: \$7.80 per inch. Each additional successive week: \$5.40.

Public Hearing and Environmental Assessment

PUBLIC HEARING AND AVAILABILITY OF THE ENVIRONMENTAL ASSESSMENT (EA) FOR THE RECONSTRUCTION OF CARVER COUNTY CSAH 10 AND EXTENSION OF CSAH 32

The Carver County Public Works Division encourages the public to attend a public hearing for the proposed reconstruction of CSAH 10 and extension of CSAH 32, SP 10-632-14/SP 10-610-30, Minn. Proj. No. STPX 1006(111). The proposed project is located between the Cities of Waconia and Chaska, Carver County, Minnesota. The public hearing will be held March 14, 2006, at or soon thereafter after 9:00 A.M. in the Commissioner Board Room at the Carver County Government Center at 600 E 4th Street, Chaska, MN 55318.

The proposed scope of the project includes new construction of 0.7 miles of CSAH 32; constructed to two lane urban design standards; realignment and new construction of 1.7 miles of CSAH 10; reconstruction of 4.6 miles of existing two lane rural CSAH 10; all to two lane urban and rural design standards.

The purpose of the public hearing is to provide the public an opportunity to comment and ask questions related to this project regarding the Environmental Assessment (EA). During the public hearing, the public will be able to discuss the project in an informal matter with Carver County Board of Commissioners, along with representation from the Carver County engineering staff, who conducted the study.

Prior to the public hearing on Tuesday, March 14, 2006 and before board action is taken on Tuesday, March 21, 2006 related to the EA, the public is encouraged to ask questions and review project information during a 30 day comment period. Beginning Wednesday, February 16th until Friday, March 17th a 30 day review and comment period is available to the public. During this review and comment period maps, drawings, and other pertinent information, including the Environmental Assessment and other project documents developed for the proposal, as well as written views received

from local, state, and federal agencies, will be available for public inspection and copying at Carver County Public Works. The public is encouraged to submit comments and ask questions during this 30 day comment period.

Comments will be received either written or verbally by a recorder, and will become part of the official public hearing record. The comments will be considered when making future project related decisions and before board action is taken on Tuesday, March 21, 2006.

Copies of the Environmental Assessment, which documents the purpose and need of the project along with the anticipated social, economic, and environmental impacts, are available for public inspection and copying during business hours until Friday, March 17, 2006 at the following locations:

- Carver County Public Works
11360 Highway 212 West,
Suite 1
Cologne, MN 55322
- Carver County Public Library
4 City Hall Plaza
Chaska, MN 55318
- Carver County Public Library
217 South Vine Street
Waconia, MN 55387

Comments can be mailed, prior to the close of the 30 day public comment period on Friday, March 17, 2006, to Scott Smith, Project Manager, at the Carver County Public Works address presented above or emailed to ssmith@co.carver.mn.us.

The above referenced document is available in alternative formats to individuals with disabilities by calling the Project Manager at 952-466-5200, or to individuals who are hearing or speech impaired by calling the Minnesota Relay Service at 1-800-627-3529.

Individuals with a disability who need a reasonable accommodation to participate in this event should contact the Project Manager at 952-466-5200, or to individuals who are hearing or speech impaired by calling the Minnesota Relay Service at 1-800-627-3529 by March 10, 2006.

(Published in The Waconia Patriot Feb. 9 and 16, 2006)

**LEGAL ADVERTISEMENT -
PUBLIC HEARING AND
AVAILABILITY OF THE
ENVIRONMENTAL ASSESSMENT
(EA) FOR THE RECONSTRUCTION
OF CARVER COUNTY CSAH 10
AND EXTENSION OF CSAH 32**

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The purpose of the public hearing is to provide the public an opportunity to comment and ask questions related to this project regarding the Environmental Assessment (EA). During the public hearing, the public will be able to discuss the project in an informal matter with Carver County Board of Commissioners, along with representation from the Carver County engineering staff, who conducted the study.

Prior to the public hearing on Tuesday, March 14, 2006 and before board action is taken on Tuesday, March 21, 2006 related to the EA, the public is encouraged to ask questions and review project information during a 30 day comment period. Beginning Wednesday, February 16th until Friday, March 17th a 30 day review and comment period is available to the public. During this review and comment period maps, drawings, and other pertinent information, including the Environmental Assessment and other project documents developed for the proposal, as well as written views received from local, state, and federal agencies, will be available for public inspection and copying at Carver County Public Works. The public is encouraged to submit comments and ask questions during this 30 day comment period.

Comments will be received either written or verbally by a recorder, and will become part of the official public hearing record. The comments will be considered when making future project related decisions and before board action is taken on Tuesday, March 21, 2006.

Copies of the Environmental Assessment, which documents the purpose and need of the project along with the anticipated social, economic, and environmental impacts, are available for public inspection and copying during business hours until Friday, March 17, 2006 at the following locations:

Carver County Public Works
11360 Highway 212 West, Suite 1,
Cologne, MN 55322

Carver County Public Library
1 City Hall Plaza
Chaska, MN 55318

Carver County Public Library
117 South Vine Street
Waconia, MN 55387

Comments can be mailed, prior to the close of the 30 day public comment period on Friday, March 17, 2006, to Scott Smith, Project Manager, at the Carver County Public Works address presented above or emailed to ssmith@co.carver.mn.us.

The above referenced document is available in alternative formats to individuals with disabilities by calling the Project Manager at 952-466-6200, or to individuals who are hearing or speech impaired by calling the Minnesota Relay Service at 1-800-327-3529.

Individuals with a disability who need a reasonable accommodation to participate in this event should contact the Project Manager at 952-466-6200, or to individuals who are hearing or speech impaired by calling the Minnesota Relay Service at 1-800-327-3529 by March 10, 2006.

Published in the Chaska Herald on Thursday, February 9 and 16, 2006; No. 6184)

Affidavit of Publication Southwest Suburban Publishing

State of Minnesota)
)SS.
County of Carver)

Laurie A. Hartmann, being duly sworn, on oath says that she is the publisher or the authorized agent of the publisher of the newspapers known as the Chaska Herald and the Chanhassen Villager and has full knowledge of the facts herein stated as follows:

(A) These newspapers have complied with the requirements constituting qualification as a legal newspaper, as provided by Minnesota Statute 331A.02, 331A.07, and other applicable laws, as amended.

(B) The printed public notice that is attached to this Affidavit and identified as No. 6184 was published on the date or dates and in the newspaper stated in the attached Notice and said Notice is hereby incorporated as part of this Affidavit. Said notice was cut from the columns of the newspaper specified. Printed below is a copy of the lower case alphabet from A to Z, both inclusive, and is hereby acknowledged as being the kind and size of type used in the composition and publication of the Notice:

abcdefghijklmnopqrstuvwxyz

By Laurie A. Hartmann
Laurie A. Hartmann

Subscribed and sworn before me on

this 16th day of February, 2006

Gwen M. Raduenz
Notary Public



RATE INFORMATION

Lowest classified rate paid by commercial users for comparable space.... \$40.00 per column inch
Maximum rate allowed by law for the above matter..... \$40.00 per column inch
Rate actually charged for the above matter..... \$11.51 per column inch

STATE OF MINNESOTA
DEPARTMENT OF TRANSPORTATION

..... CERTIFICATE OF COMPLIANCE.....

MINNESOTA PROJECT NO. _____ (State Aid Project No) STATE PROJECT NO. 10-632-14 / 10-610-30

TRUNK HIGHWAY NO. _____ OR LOCAL AGENCY ROUTE NO. CSAH 10
(CSAH, MSAS, Other)

Being that section of the highway between Waconia and Chaska
_____ in Carver County, the State of Minnesota.

In conformance with the requirements of SECTION 128, TITLE 23, UNITED STATES CODE, the undersigned does hereby certify that

_____ the public has been afforded an opportunity for a public hearing, or
X a public hearing was held

and that consideration has been given to the social and economic effects of the project, its impact on the environment, and its consistency with the goals and objectives of such urban planning as has been promulgated by the community.

The public was advised of the

_____ objectives of such a hearing, the procedures for requesting a hearing, the deadline for the submission of such a request, or
X time, place, and objectives of the hearing

by notices published in news media having a general circulation within the area of said project. Affidavit(s) of such publication is (are) enclosed herewith.

_____ The deadline date for the submission of a request for a hearing was _____ 20____,
or

X The hearing was held on March 14th 2006 in Chaska, Minnesota.
(City, Township, Other)

Signed _____ this _____ day of _____ 20____
Mn/DOT District/Division Engineer

OR

Signed William J. Weckman this 14th day of MARCH 2006
Local Agency Title: ASSISTANT CO. ENGINEER



March 1, 2006

RECEIVED

MAR 08 2006

CARVER COUNTY PUBLIC WORKS

Scott Smith, Highway Design Engineer
Carver County Public Works
11360 Highway 212 W
Cologne, MN 55322-8015

RE: Draft Environmental Assessment (EA) for SP 10-632-12/SP 10-610-30
Minnesota Project No. STPX1006(111)
Metropolitan Council District 4 (Jules Smith, 952-361-9988)
Metropolitan Council Review No. 19703-1

Dear Mr. Smith:

The Metropolitan Council received the above noted Draft Environmental Assessment for the realignment and reconstruction of CSAH 10 from CR110 to 612' W of CSAH 11 and for CSAH 32 from 1320' E of TH284 to CSAH 10 on February 8, 2006. Council staff review finds that the EA is complete and accurate with respect to regional concerns and raises no major issues of consistency with Council policies. However, staff offers the following comments for your consideration.

Section III – Proposed Improvement - B. Design Standards

The draft document states that much of the western portion of the roadway will be updated from rural to an urban cross-section, with provision of curb and gutter. Thirty-four wetlands are either within or near the project corridor. Typical roadway section Figure 5 indicates that 'B424 Curbing' is proposed to be utilized within the portions of the new roadway that will utilize curb and gutter. Due to the significant number and acreage of wetlands along both sides of the roadway, Council staff recommends that the project specify requiring utilization of surmountable curbs like Minnesota Department of Transportation Curb and Gutter Design No. S524, or equal. This more gently sloping curb design would reduce the high mortality risk of turtles becoming trapped within the roadway while crossing between wetlands that have been dissected by the roadway, without impacting storm water flow or driver safety.

Section VI – Public and Agency Involvement - B. Permits and Approvals

The draft document needs to more specifically address what permits will be necessary in advance of planned impacts to 4.35 acres of wetland along the project corridor. The final document text and Table 1 need to clarify what agency or agencies (including Carver County Planning and Zoning, Minnesota Department of Natural Resources, U.S. Corps of Engineers, in addition to the Minnesota Pollution Control Agency) will have jurisdiction over proposed project corridor wetland impacts and mitigation.

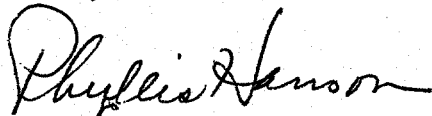
Scott Smith, Highway Design Engineer
March 1, 2006
Page 2

Section VII – Environmental Study – A. Section 4(f) Park and Recreational Property

This project would cross the proposed Twin Cities and Western Regional Trail as well as the Carver North/South Regional trail search corridor. It is suggested that Marty Walsh (952-466-5252), Director of Carver County Parks, be contacted to ensure the proposed project is compatible with these future trails.

If you have any questions or need further information, please contact Jim Uttley, AICP, principal reviewer at 651-602-1361.

Sincerely,



Phyllis Hanson, Manager
Local Planning Assistance

cc: Marty Walsh, Director, Carver County Parks
Tod Sherman, Development Reviews Coordinator, MnDOT - Metro Division
Jules Smith, Metropolitan Council Member, District 4
Jim Uttley, Principal Reviewer
Cheryl Olsen, Reviews Coordinator

V:\REVIEWS\Counties\Carver\Letters\Carver County 2006 EA CSAH 10 and CSAH 32 19703-1.doc

March 13, 2006

Paul Moline
Carver County Planning and Zoning
Government Center, Administration Building
600 East Fourth Street
Chaska, MN 55318

RE: CR10

Dear Paul:

On behalf of Carver County Planning and Zoning, I have reviewed the EA dated January 24, 2006 and draft plans including the wetland delineation and impact figures and have the following comments:

Permits and Approvals

- Carver County should be listed for storm water and erosion control permit in Table 1 on page 13.

Drainage Areas

- The project involves very large drainage areas, and storm water management calculations should provide sufficient detail for adequate review.
- Information provided for storm water management should include potential upstream and downstream impacts (not limited to the roadway area itself).
- Information should be submitted that documents the location and dimensions of any increasing the diameter of existing culverts. Justification should also be provided.

Ponding Areas

- The Environmental Assessment (Page 20) documents storm water facilities are planned for the project. Calculations should be submitted for review.

Water Quality

- Water quality treatment is a challenge for linear projects. A recommended approach is ditch blocks with draintile/filtration trenches. The County guidelines provide a typical detail that can be utilized for transportation projects.

Erosion Control

- Details are given in the draft plan sheets for methods of erosion control. A full review of the final erosion control plan should be performed by SWCD.

If you have any questions, I can be reached at 763.479.4209.

Sincerely,
WENCK ASSOCIATES, INC.

Kent Torve, P.E.

CARVER COUNTY REQUEST FOR BOARD ACTION

AGENDA ITEM

Item Name: Minnesota Department of Natural Resources Boat and Water Safety Grant

Originating Department: Sheriff - (Cpl. Peter Anderley)

Agenda Date: 03/21/06

Amount of Time Requested: 0

Supp. Doc. Attached: No

Previous County Board Action, If Any (include other parties which were advised, if any):

Item Type (✓ Only One): Consent X Regular Session _____ Discussion Session _____

EXPLANATION OF AGENDA ITEM (Include a description of background and benefits)

This is an annual MN Department of Natural Resources grant agreement providing \$10,985 to the county toward expenses related to Boat and Water Safety Enforcement during 2006. The County is not obligated to do any matching with this grant.

BOARD ACTION/MOTION REQUESTED (Include motion in proper format)

The Carver County Board approves the Boat and Water Safety Grant for the 2006 year.

FINANCIAL IMPLICATIONS

Funding:

County Dollars			= \$.00
Other Sources & Amounts	=		\$
_____	=	\$	
TOTAL	=	\$	\$.00

Budget Information (✓ appropriate items):

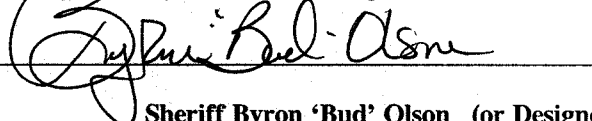
Budgeted:	_____
Not Budgeted:	_____
Amendment Required: (requires controller approval)	_____

Related Financial Comments:

REVIEWS AND APPROVALS AS REQUIRED

✓ All Reviews and Approvals Received:

County Attorney Risk Management Human Resources _____ Controller _____ Other _____


3/3/06

Sheriff Byron 'Bud' Olson (or Designee) Date

Admin. Dept. Use Only: Approved _____ Denied _____ Tabled _____ Other _____

CARVER COUNTY REQUEST FOR BOARD ACTION

AGENDA ITEM

Item Name: Letters of Understanding Allow Sick time for Funerals

Originating Department: Employee Relations

Agenda Date: March 21, 2006

Amount of Time Requested:

Supp. Doc. Attached (y/n): no

Previous County Board Action, If Any (include other parties which were advised, if any):

Item Type (✓ Only One): Consent Regular Session Discussion Session

EXPLANATION OF AGENDA ITEM (Include a description of background and benefits)

To settle a grievance in the LELS Deputy bargaining unit, the Sheriff's Office has entered into a Settlement Agreement with LELS, allowing the deputy grievant to take the full day off using sick time rather than requiring him to use 8 hours of sick time and 3.5 hours of vacation and 0.5 hours of compensatory time to cover a 12-hour shift. Rather than waiting for similar grievances to arise in other units, the Sheriff has asked that we prepare similar Letters of Understanding for the other LELS unit and the Teamsters in the jail who are similarly situated relative to working 12-hour shifts.

RECOMMENDATIONS/BOARD ACTION/MOTION REQUESTED (Include motion in proper format)

Motion to approve the Letters of Understanding with the Teamsters and LELS allowing employees to use sick time commensurate with their shifts for the funeral of a grandparent, or grandchild for the remainder of the 2004 – 2006 contract period

FINANCIAL IMPLICATIONS

Funding:

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

Budget Information (✓ appropriate items):

Budgeted: _____
 Not Budgeted: _____
 Amendment Required: _____
 (requires controller approval)

Related Financial Comments:

The 2006 Sheriff's Office Personnel budget includes these potential amounts.

REVIEWS AND APPROVALS AS REQUIRED

✓ All Reviews and Approvals Received:

County Attorney _____ Risk Management _____ Employee Relations Controller Other _____

Doris M. Krogman 3/3/06
DEPARTMENT HEAD APPROVAL (Signature) Date

Admin. Dept. Use Only: Approved _____ Denied _____ Tabled _____ Other _____

Report Date: March 14, 2006

CARVER COUNTY REQUEST FOR BOARD ACTION

AGENDA ITEM

Item Name: Contract with Architecture firm of Wold Architects and Engineers for design of temporary courtroom

Originating Department: Administrative Services

Agenda Date: 03/21/06

Amount of Time Requested: 15 minutes

Supp. Doc. Attached (y/n): Y

Previous County Board Action, If Any (include other parties which were advised, if any):

Item Type (✓ Only One): Consent _____ Regular Session X Discussion Session _____

EXPLANATION OF AGENDA ITEM (Include a description of background, benefits and recommendations)

Staff recommends the County contract with Wold Architects and Engineers to lay-out location options, design alternatives and deliver to the County a set of drawings which will allow the renovation of existing space in the Justice Center to accommodate a temporary non-jury courtroom until such time a more permanent Courtroom solution can be provided.

A Temporary Courtroom Taskforce has been formed and has been tasked with reviewing location and design options. After two meetings, the recommendation is to renovate the current Jury Assembly room and turn it into a fourth courtroom. To date, Judge Kanning, Judge Eide, Judge Davies, Carol Renn, Jeff Enevold, Kari Myrold and Bob Darnell have provided useful input into this process.

As this is a temporary solution, Wold will provide the County options on suitable ways to furnish the courtroom while providing appropriate judicial design and decorum. Attachment 1 depicts a conceptual plan for what the temporary courtroom might look like.

In concert with these changes, we will be reviewing the possibility of relocating part of the Law Library whereby a set of annotated statute books, Municipal volumes, Attorney General Opinions, and a limited number of other legal resources as well as three computer terminals will be housed in the Courthouse while the bulk of the existing Law Library materials will be transferred to the Chanhassen Library. The Courthouse Law Library would also be reduced in size to accommodate future staffing growth. The benefits of this relocation include:

- The Law Library space at the Courthouse will be reduced significantly in size possibly allowing the County Attorney to migrate into this area as their staff grows
- Having the primary Law Library at the Chanhassen Library will allow greater access to the collection due to weekend and evening hours
- By housing the Law Librarian at the Chanhassen Library, this position can assist with other Library public education service priorities.

Further discussion will have to take place to determine the feasibility of this proposal.

Wold's deliverables will include construction drawings, a construction estimate and a detailed construction schedule. The schedule as we know it today has construction being completed by September 1, 2006.

Attachment 2 outlines the proposed scope of work with a fixed fee of \$22,000 for Wold design efforts and a not-to-exceed of \$500 for reimbursables (mileage and printing costs). These costs include:

Design, contract documents and bidding. Three months	
195 hours at \$90.00 per hour average:	\$17,600.00
Contract Administration. Three months.	
75 hours at \$58.66 per hour average:	<u>\$ 4,400.00</u>
Total professional service fee:	<u>\$22,000.00</u>

Attachment 3 outlines a general schedule of events and timeline. Additionally, an allocation of \$5,000 for general

conditions is requested for incidental, unforeseen expenses and related costs.

BOARD ACTION/MOTION REQUESTED (In proper format)

Motion to approve the contract with Wold Architects and Engineers for design services for a temporary courtroom at the County Courthouse totaling \$22,500, which includes \$500 for reimbursables.

Motion to approve general conditions of \$5,000.

FINANCIAL IMPLICATIONS

Funding:

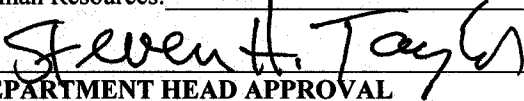
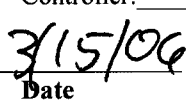
County Dollars =	\$27,500
Other Sources & Amounts =	
_____ =	\$
_____ =	\$
TOTAL =	\$27,500

Budget Information (✓ Appropriate Items):

Budgeted: X
Not Budgeted:
Amendment Required:
(requires controller signature)

Related Financial Comments: Funded as part of the \$ 5 million current capital projects fund budget for the Justice Center Remodeling project

REVIEWS AND APPROVALS AS REQUIRED (Signatures)

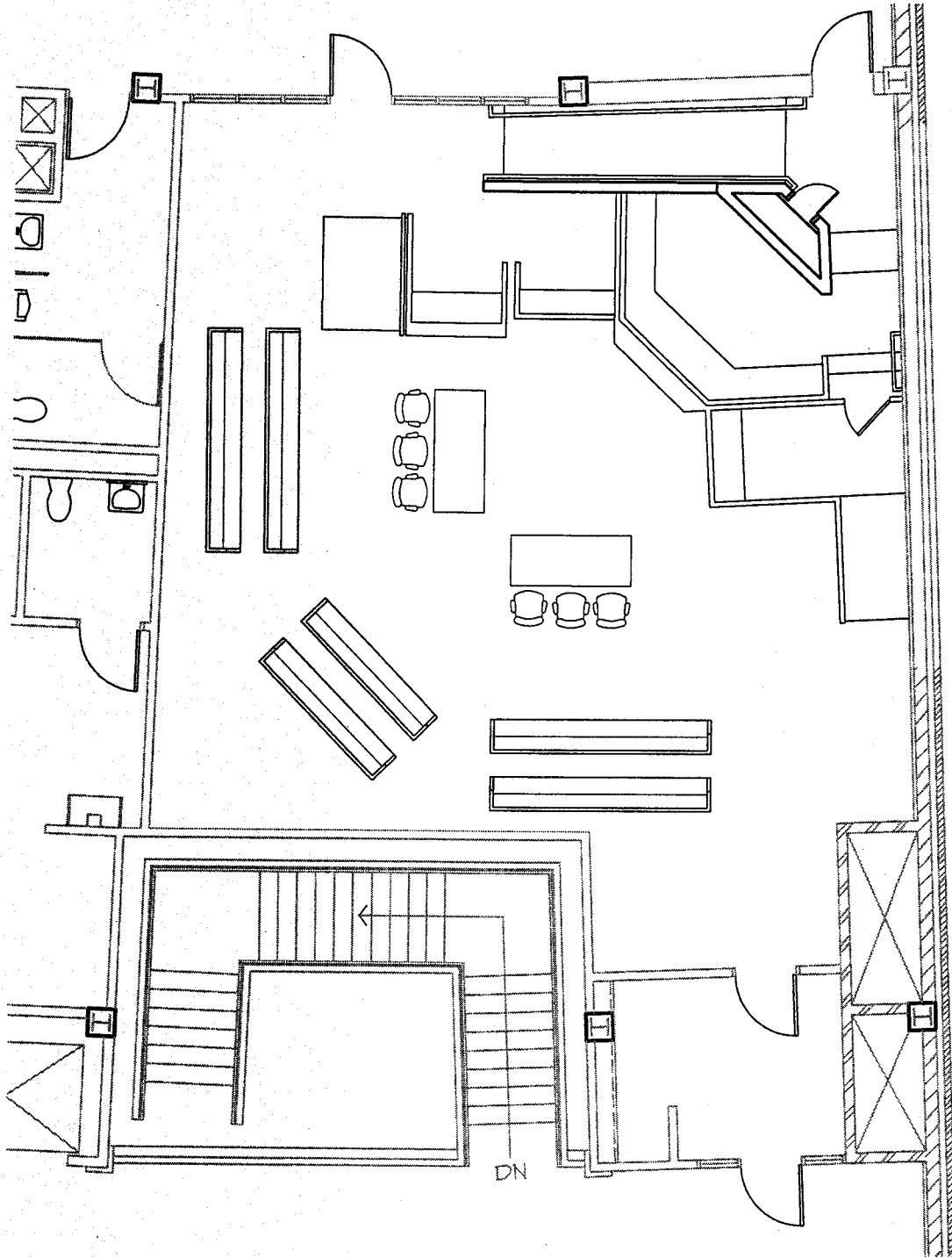
County Attorney: _____	Risk Management: _____
Human Resources: _____	Controller: _____
	
DEPARTMENT HEAD APPROVAL	Date

Admin. Dept. Use Only: Approved _____ Denied _____ Tabled _____ Other _____

SHORT TERM COURT ROOM

CARVER COUNTY

ATTACHMENT 1





ATTACHMENT 2

MINNESOTA OFFICE
 305 St. Peter Street
 St. Paul, Minnesota 55102
 651.227.7773
 Fax 651.223.5646
www.woldae.com
 Mail@woldae.com

TO: Steve Taylor
 FROM: Norman Glewwe
 DATE: February 21, 2006 (R)
 COMM. NO: 9999

St. Paul, MN
 Elgin, IL
 Troy, MI
 Denver, CO

SUBJECT: Carver County Expansion Courtroom

Based on our meeting on February 14, 2006 we have put together the following preliminary scope description:

1. Develop design options to accommodate a temporary non-jury courtroom. One possible location is the current jury assembly room.

The following concerns were noted:

- Appropriateness of space and furnishings for a courtroom.
- Security – including card reader access.
- Utilize ITV room as judge's chamber – relocating ITV room.
- Access to mechanical penthouse.
- ADA requirements.

2. Possibly expand county attorney office space. One option may be expansion into the law library space. Issue of relocation of law library and public defender work area.
3. The issue of secure holding limitations was raised. One possible improvement may be creation of another small secure visiting station on the public corridor side.

The following schedule could be considered:

- Review options and select a preferred option and establish a budget by the end of March.
- Develop required contract documents by the end of April.
- Begin work by June 1.
- Complete work by the end of August.

Fee:

Based on information available we would anticipate the fee for the above work to be \$22,000.00 plus \$500.00 reimbursable expense. The bid set printing would not be included in reimbursables, but billed directly to the County. Since the scope is still not finalized I propose that we begin work on an assumed fixed fee of \$22,000, which will be reviewed and adjusted as necessary when the option and scope are finalized.

cc: Joel Dunning, Wold Michael Cox, Wold
 Vaughn Dierks, Wold

KTP/9999/COU_Carver/memo to Steve Taylor 2-21-06 Revised

ATTACHMENT 3

Preliminary Task/Meeting Schedule

February 28, 2006

- Basic program information
- Law Library location
- Material/finishes
- Options – Courtroom

March 14, 2006

- Option evaluation
- Courtroom
- Courtroom finishes
- Systems discussion

March 28, 2006

- Finalize option
- Discussion of system modifications

April 11, 2006

- Design review
- Specification review
- Details
- Division 1 – requirements
- Set schedule for Board approval

April 25, 2006

- Final review of contract document set
- Set bid date
- Review advertisement for bid

June 3, 2006

- Construction kickoff meeting

June 5 – August 28, 2006

- Weekly construction meetings

CARVER COUNTY REQUEST FOR BOARD ACTION

AGENDA ITEM

Item Name (as you would like it to appear on the agenda):

New TH 212 – Mn/DOT and ZRC Project Update

Originating Department: Public Works

Agenda Date: March 21, 2006

Amount of Time Requested: 30 Minutes

Supp. Doc. Attached (y/n): No

Previous County Board Action, If Any (include other parties which were advised, if any):

Item Type (X Only One): Consent Regular Session Discussion Session

EXPLANATION OF AGENDA ITEM (Include a description of background, benefits, and recommendations)

The Minnesota Department of Transportation (Mn/DOT) and Zumbro River Constructors (ZRC) have scheduled three "Open Houses" to discuss the 2006 New Highway 212 planned construction. These three "Open Houses" are scheduled as follows:

Chaska Community Center

Chanhasen Library

Eden Prairie City Center

5:30 to 7:00 p.m.

5:30 to 7:00 p.m.

5:30 to 7:00 p.m.

Wednesday, March 22

Wednesday, March 29

Thursday, March 30

Mn/DOT and ZRC are also jointly giving the County Boards and the City Councils along the project corridor an update on the status of the project and associated activities. These updates are being scheduled for County Board and City Council meetings at the convenience of the Boards and Councils.

BOARD ACTION/MOTION REQUESTED (In proper format)

No action by the County Board is being requested as part of this agenda item.

FINANCIAL IMPLICATIONS

Funding:

County Dollars =	
Other Sources & Amounts =	
=	
=	
Total	

Budget Information (Appropriate Items):

- Budgeted
 Not Budgeted
 Amendment Required
 (requires controller signature)

Related Financial Comments:

REVIEWS AND APPROVALS AS REQUIRED (Signatures)

County Attorney: _____

Risk Management: _____

Human Resources: _____

Controller: _____


 DEPARTMENT HEAD APPROVAL

2/17/06
 Date

Admin. Dept. Use Only: Approved Denied Tabled Other

CARVER COUNTY REQUEST FOR BOARD ACTION

AGENDA ITEM

Item Name (as you would like it to appear on the agenda):
 Order from ditch authority to extend time to complete preliminary survey for lateral on County Ditch #9

Originating Department: County Attorney	Agenda Date: March 21, 2006
Amount of Time Requested: 10 minutes	Supp. Doc. Attached (y/n): yes
Previous County Board Action, If Any (include other parties which were advised, if any):	
Item Type (_ Only One): Consent ___ Regular Session <u>x</u> Discussion Session ___	

EXPLANATION OF AGENDA ITEM (Include a description of background and benefits)

On December 13, 2005, the Carver County Board of Commissioners, acting as the ditch authority for Carver County Ditch #9, appointed Steve Klein of Barr Engineering to perform the preliminary survey for the proposed lateral to Ditch #9. Mr. Klein was given until April 1, 2006 to complete the preliminary survey. The County Attorney was informed on March 3, 2006 that Mr. Klein and Barr Engineering will need until May 15, 2006 at the latest to complete the preliminary survey.

RECOMMENDATIONS/BOARD ACTION/MOTION REQUESTED (Include motion in proper format)

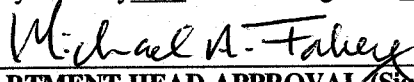
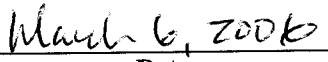
That Steve Klein and Barr Engineering shall have until May 15, 2006 to complete the preliminary survey as the appointed engineers for the proposed lateral on Carver County Ditch #9. An order authorizing this extension is attached and will be signed once this order is authorized to be signed by the Carver County ditch authority.

FINANCIAL IMPLICATIONS

<p><i>Funding:</i> County Dollars: _____ Other Source: _____ _____ TOTAL = _____</p>	<p><i>Budget Information (_ appropriate items):</i> Budgeted: _____ Not Budgeted: _____ Amendment Required: _____ (requires controller approval)</p>
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REVIEWS AND APPROVALS AS REQUIRED

All Reviews and Approvals Received:
 County Attorney ___ Risk Management ___ Human Resources ___ Controller ___ Other ___

DEPARTMENT HEAD APPROVAL (Signature) Date

Admin. Dept. Use Only: Approved ___ Denied ___ Tabled ___ Other ___

**ORDER AUTHORIZING EXTENSION OF TIME TO COMPLETE
PRELIMINARY SURVEY BY ENGINEER APPOINTED BY DITCH
AUTHORITY ON DECEMBER 13, 2005.**

**State of Minnesota }
County of Carver }**

**In the Matter of the Petition of Travis and Sara Gulbranson, Robert Dalchow,
Andrew and Bonnie Melville for the Establishment and Construction of a lateral to
Carver County Ditch #9 in the County of Carver, State of Minnesota.**

**Whereas, on December 13, 2005, the Carver County Board of Commissioners,
acting as the drainage authority for Carver County Ditch #9, appointed Steve Klein
of Barr Engineering as engineer in this ditch proceeding and that said engineer
make a preliminary survey of the area likely to be affected by the proposed tile
lateral, examine all matters set forth in the petition and file his report, as to the
necessity for, and the feasibility of, constructing the proposed tile lateral, with the
County Auditor of Carver County, on or before the 1st day of April, 2006.**

**Whereas, the Carver County Attorney was informed on March 3, 2006, that Steve
Klein of Barr Engineering will need until May 15, 2006 to complete the preliminary
survey. Steve Klein has also requested reasonable access over all the parcels of land
that the proposed tile line would traverse so as to ensure the accuracy and quality of
the preliminary survey.**

**NOW THEREFORE, It is ordered that Steve Klein of Barr Engineering shall have
until May 15, 2006 to complete his preliminary survey of the area likely to be
affected by the proposed tile lateral, examine all matters set forth in the petition and
file his report, as to the necessity for, and the feasibility of, constructing the
proposed tile lateral, with the County Auditor of Carver County. IT IS ALSO
ORDERED that Steve Klein and any other employee of Barr Engineering or its
agents shall have reasonable access over all the parcels of land that the proposed tile
line would traverse so as to ensure the accuracy and quality of the preliminary
survey. This right of entry is pursuant to Minnesota Statute section 103E.061.**

**All other terms and conditions of the Order signed by James Ische, Chair, Carver
County Board of Commissioners, acting as the drainage authority for Carver
County Ditch #9 on December 13, 2005 shall remain in full force and effect.**

Dated this 21st day of March, 2006

James Ische, Chair, Carver County Board of Commissioners, acting as the drainage authority for Carver County Ditch #9