



MINUTES
SCOTT COUNTY
BOARD OF COMMISSIONERS
February 21, 2023

(1) CONVENE COUNTY BOARD

The Board of Commissioners, in and for the County of Scott, Minnesota, met in the County Board Room in the City of Shakopee, Minnesota, and convened at 9:05 AM. The following members were present: Commissioner Weckman Brekke, Commissioner Wolf, Commissioner Brennan, Commissioner Beer, and County Commissioner Ulrich. Commissioner Wolf presided.

The following were also in attendance:

1. Lezlie Vermillion, County Administrator
2. Jeanne Andersen, Senior Attorney
3. Danny Lenz, CFO/Deputy County Administrator
4. Evan Cole, Business Information System Specialist
5. Brad Davis, Planning & Resource Management Director
6. Chris Harder, Quality Improvement Manager
7. Danielle Fox, Deputy HHS Director
8. Vanessa Strong, Water Resource Supervisor
9. Scott Goettl, County Controller
10. Laurie McMillen, Program Specialist
11. Kevin Nelson, Safety Programs Coordinator
12. Adam Pirri, Chief Deputy Sheriff
13. Joan Schwarz, HR Business Partner
14. Lori Huss, Employee Relations Director
15. Cindy Geis, Community Services Director
16. Barb Dahl, Health and Human Services Director
17. Amber Barnes, Social Work Supervisor
18. Jennifer Schultz, Enterprise Risk Manager
19. Cheryl Kollasch, Health and Safety Manager
20. Amandy Kohn, Program Specialist
21. Aaron Kotila, Shop Supervisor
22. Luke Hennen, County Sheriff
23. Radwan Abdalla, Program Delivery
24. Jon Rudolph, Engineer
25. Mark Callahan, Highway Division Program Manager
26. Tracy Cervenka, Administrative Office Supervisor
27. Michelle Hesse, Deputy Clerk to the Board

Guests:

1. Wesley Steffan, SLA
2. Rachel Miller, Henderson Independent
3. Ruth Craig, Mankato
4. Steve Albrecht, SMSC
5. Chad Deegon, MVTA
6. Jay Micholic, CPG

7. Mike Brown, CPG
8. Bob Pieper, Louisville Township
9. Stephanie Whipps, MAF
10. Tony Janowiec, Interstate Parking
11. Michael Lunzer
12. Howard Roston, Fredrikon & Tyron
13. Woody Spizmueller, PLA Prior Lake
14. Jack Freund, Shakopee
15. Mitch Michaelson, Sever's
16. Dough Erickson, Shakopee
17. Amy Leinen, Animal Rights Coalition
18. Ray Hussong
19. Vanessa Birdsey
20. Diane Langenbach, MnDOT
21. Cindy Nash, Collaborative Planning Louisville Township
22. John Weckman, Louisville Township
23. Richard Dysterheft
24. Roger Lano, Louisville Township
25. Kurt Lano, Lano Equipment
26. Paul Doucette, Louisville Township
27. Cheryl Doucette, Louisville Township
28. Dave Hagen, Louisville Township
29. Jay Picha, Louisville Township
30. Robin McCullough, MAF
31. Jim Peterson, MAF
32. Phil Kaplan, Anthony Oslund
33. John Maczko, SRF Consulting
34. Jeff Bednar, SRF Consulting
35. Jim Cunningham, MAF
36. Mike Thuening, Shakopee
37. Patte Thuening, Shakopee

(2) AMENDMENTS TO THE AGENDA

There were no amendments to the Agenda.

(3) APPROVE MINUTES

On a motion by Commissioner Ulrich, seconded by Commissioner Beer, the February 7, 2023 minutes were approved unanimously.

(4) RECOGNITION OF INTERESTED CITIZENS

Wesley Steffen, President of Spring Lake Association and Woody Spitzmueller, Prior Lake Association (1) Shared with the board that boat ramp work underway and asked if there is bonding available for boat ramp improvements. Droughts during the last 2 years have made Spring Lake and Prior Lake ramps difficult to access and unusable in some cases. Gravel dirt has been placed as a short-term remedy, but a long-term solution is being sought for all Scott County lakes. Current work with Senator Pratt has put together a bonding bill and he is seeking the support of the Board to put some funds set aside. (2) Requesting additional restrictions to increase the 150' wake on both Spring Lake and Prior Lake. Large wakes, caused by large boats, particularly wake boats, cause damage to the environment, shorelines and fishing habitat. Personal watercraft affect shore access.

County Administrator Lezlie Vermillion read into the public record a January 17, 2023 e-mail from Jennifer Stearns regarding the County Road 42 home.

(5) INNOVATION: WE WILL TAKE INFORMED RISKS TO DELIVER SERVICES MORE EFFECTIVELY AND WILL LEARN FROM OUR SUCCESSES AND FAILURES

- 5.1 The Commissioners received information on Scott County Delivers Topic: Employee Relations

Chair Wolf recessed the meeting at 10:05 a.m. and reconvened at 10:18 a.m.

(6) CONSENT AGENDA

- 6.1 Adopt Resolution No. 2023-18; Authorizing a Budget Amendment and a Third Contract Increase for the County Highway 83 Project
Motion by Commissioner Weckman Brekke, seconded by Commissioner Brennan. The motion carried unanimously. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference.
- 6.2 Adopt Resolution No. 2023-24; Authorizing Entering Into a Cooperative Agreement With the City of Shakopee for the County Highway 83 Pavement Rehabilitation Project
Motion by Commissioner Weckman Brekke, seconded by Commissioner Brennan. The motion carried unanimously. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference.
- 6.3 Adopt Resolution No. 2023-25; Authorizing Entering Into a Cooperative Agreement With the City of Belle Plaine for the County Highway 3 Pavement Rehabilitation Project
Motion by Commissioner Weckman Brekke, seconded by Commissioner Brennan. The motion carried unanimously. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference.
- 6.4 Adopt Resolution No. 2023-29; Authorizing Entering a Limited Use Permit With the State of Minnesota Department of Transportation for a Trail Within State Right-of-Way of Trunk Highway 21
Motion by Commissioner Weckman Brekke, seconded by Commissioner Brennan. The motion carried unanimously. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference.
- 6.5 Adopt Resolution No. 2023-31; Authorizing Entering Into an Agreement With the Cities of Shakopee and Savage for Mental Health Coordinated Response Services
Motion by Commissioner Weckman Brekke, seconded by Commissioner Brennan. The motion carried unanimously. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference.
- 6.6 Adopt Resolution No. 2023-37; Approving Amendment No. 5 to the Contract With Scott Carver Dakota CAP Agency, Inc.
Motion by Commissioner Weckman Brekke, seconded by Commissioner Brennan. The motion carried unanimously. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference.
- 6.7 Adopt Resolution No. 2023-41; Appointing the Special Board of Appeal and Equalization, Adopting Procedural Rules and Compensation, and Establishing the Board Code of Ethics and Conduct Guidelines
Motion by Commissioner Weckman Brekke, seconded by Commissioner Brennan. The motion carried unanimously. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference.
- 6.8 Adopt Resolution No. 2023-43; Approving a Grant Application to the Minnesota Pollution Control Agency for Electric Vehicle Charging Stations and Authorizing Acceptance of the Grant if Awarded
Motion by Commissioner Weckman Brekke, seconded by Commissioner Brennan. The motion carried unanimously. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference.

- 6.9 Adopt Resolution No. 2023-44; Accepting the 2022 *Watershed Management Study Final Report*
Motion by Commissioner Weckman Brekke, seconded by Commissioner Brennan. The motion carried unanimously. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference.
- 6.10 Adopt Resolution 2023-52; Authorizing Submittal of the 2023 Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Grant Application
Motion by Commissioner Weckman Brekke, seconded by Commissioner Brennan. The motion carried unanimously. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference.
- 6.11 Adopt Resolution No. 2023-53; Approving a Comprehensive Plan Amendment to Re-guide a 2.85 Acre Parcel in Sand Creek Township From Industrial to Commercial on the 2040 Planned Land Use Map (Camping World Holdings, Inc., Applicant and FRHP 4, LLC, Property Owner) in Section 4 of Sand Creek Township
Motion by Commissioner Weckman Brekke, seconded by Commissioner Brennan. The motion carried unanimously. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference.
- 6.12 Adopt Resolution No. 2023-056; Awarding a Contract to Peterson Companies Inc. for the Spring Lake Lakefront Development Project and Amending the Budget for the Parks Improvement Program
Motion by Commissioner Weckman Brekke, seconded by Commissioner Brennan. The motion carried unanimously. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference.
- 6.13 Adopt Resolution No. 2023-57; Authorizing Entering into an Agreement with Blakeborough Hardscapes and Amending the Parks Improvement Program Budget
Motion by Commissioner Weckman Brekke, seconded by Commissioner Brennan. The motion carried unanimously. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference.
- 6.14 Adopt Resolution No. 2023-060; Authorizing a Budget Amendment for the County Highway 21 and CH 87 (Revere Way) Project
Motion by Commissioner Weckman Brekke, seconded by Commissioner Brennan. The motion carried unanimously. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference.
- 6.15 Adopt Resolution No. 2023-061; Setting a Public Hearing Date of March 21, 2023 at 9:00 a.m. to Amend the Capital Improvement Plan to Provide For The Use of Excess Proceeds of General Obligation Bonds Issued Thereunder
Motion by Commissioner Weckman Brekke, seconded by Commissioner Brennan. The motion carried unanimously. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference.
- 6.16 Approve the Application for Scott County Intoxicating Liquor Consumption and Display Permit for Ferguson's Minnesota Harvest Orchards LLC in St Lawrence Township for 2023
Motion by Commissioner Weckman Brekke, seconded by Commissioner Brennan. The motion carried unanimously.
- 6.17 Approve the Appointment of a Citizen to an Advisory Committee
Motion by Commissioner Weckman Brekke, seconded by Commissioner Brennan to appoint Jody Stone from Commissioner District 5 to the Parks Advisory Commission for a term effective 2/21/2023 – 12/31/2024. The motion carried unanimously.
- 6.18 Approve Record of Disbursements and Approve Claims
To comply with Minn. Statute §375.18 Subd. 1b, *Delegation for Paying Certain Claims*, a list of all claims paid under the procedures established by the County Board shall be presented to the Board, for informational purposes only, at the next regularly scheduled meeting after payment of the claim. The Record of Disbursements will be available at the meeting. Invoices total

\$21,376,363.23 from 01/01/23 through 01/31/23. Motion by Commissioner Weckman Brekke, seconded by Commissioner Brennan. The motion carried unanimously.

6.19 Approve Payroll Processing of Personnel Actions

On the recommendation of the County Administrator, Commissioner Weckman Brekke moved, seconded by Commissioner Brennan to approve the payroll processing of personnel actions indicated below and certified by the Employee Relations Director and the Appointing Authority to be in compliance with provisions of Minnesota Statutes 375.56 - 375.71 and the Scott County Merit Personnel System:

1. Separation of employment for Madeleine Wick, FT Probationary 911 Dispatcher, County Sheriff's Office, effective 1/31/2023.
2. Separation of employment for Jessica Dalton, FT Principal Accounting Technician, Health and Human Services Division, effective 2/13/2023.
3. FT Probationary employment of Matthew Tokpah, Corrections Officer, County Sheriff's Office, effective 1/30/2023.
4. FT Probationary employment of Mariam Bassoma, eligibility specialist, Health and Human Services Division, effective 2/6/2023.
5. FT Probationary employment of Carrie Goettl, Principal Accounting Technician, Office of Management and Budget Division, effective 2/6/2023.
6. FT Probationary employment of Elizabeth Leonhardt, Eligibility Specialist, Health and Human Services Division, effective 2/13/2023.
7. FT Probationary employment of Lisa Graham, Social Work Case Manager, Health and Human Services Division, effective 2/27/2023.
8. FT Probationary employment of Julia Marcellino, Social Work Case Manager, Health and Human Services Division, effective 2/27/2023.
9. FT Probationary employment of Kendi (Jennifer) Zamor, Social Work Case Manager, Health and Human Services Division, effective 2/27/2023.
10. Intermittent (34% FTE) employment of Michael Glassberg, PT Deputy - Unclassified, County Sheriff's Office, effective 1/18/2023.
11. Intermittent (34% FTE) employment of Neva Fueller, Librarian - Unclassified, Administration Division, effective 2/1/2023.
12. Intermittent (34% FTE) employment of Katelyn Patton, Librarian - Unclassified, Administration Division, effective 1/31/2023.
13. Intermittent (34% FTE) employment of Maura Smyth, Librarian - Unclassified, Administration Division, effective 2/13/2023.
14. Intermittent (34% FTE) employment of Samuel Krech, Librarian - Unclassified, Administration Division, effective 1/30/2023.
15. Intermittent (34% FTE) employment of Nada Hassan, Facility Probation Officer - Unclassified, Health and Human Services Division, effective 2/1/2023.
16. Intermittent (34% FTE) employment of Dennis Tietz, Part Time Deputy - Unclassified, County Sheriff's Office, effective 2/9/2023.
17. Reclassification for Brooke Hartung, Intermittent (34% FTE) Facility Probation Officer to FT Temporary - benefits eligible Facility Probation Officer, Health and Human Services Division, effective 1/23/2023.
18. Promotion for Alicia Brambila, FT Case Aide to FT Probationary Family Development Support Worker, Health and Human Services Division, effective 2/13/2023.
19. Promotion for Beth Fredrickson, Intermittent (34% FTE) Library Associate - Unclassified to Intermittent (34% FTE) Librarian - Unclassified, Administration Division, effective 1/30/2023.

20. Promotion for Magelyn Knoeck, Intermittent (34% FTE) Library Associate - Unclassified to Intermittent (34% FTE) Librarian - Unclassified, Administration Division, effective 1/30/2023.
21. Promotion for Jon Rudolph, FT Graduate Engineer to FT Probationary Professional Engineer, Transportation Services Division, effective 1/30/2023.
22. Promotion for Katie Pierson, FT Social Work Case Manager, to FT Probationary Coordinated Responder, Health and Human Services Division, effective 1/30/2023.
23. Promotion for Sarah Tartaglia, FT Eligibility Specialist to FT Probationary Eligibility Supervisor, Health and Human Services Division, effective 2/13/2023.
24. Promotion for Amanda Schmitt, FT Corrections Officer to FT Probationary Sheriff's Deputy, County Sheriff's Office, effective 3/13/2023.

The motion carried unanimously.

(7) COMMUNICATION: WE WILL ALWAYS BE CLEAR ABOUT WHAT WE'RE DOING AND WHY WE'RE DOING IT

- 7.1 Conduct a Public Hearing at 10:00 a.m. to Receive Public Comment on Amending Conditional Use Permit #616-C-8 and Consider Action on Resolution No. 2023-59; Denying Applicant's Requested Amendments to Conditional Use Permit #616-C-8 Issued to Mid-America Festivals Corporation to Operate the Minnesota Renaissance Festival and Trail of Terror
Motion by Commissioner Ulrich, seconded by Commissioner Brennan to open the public hearing at 10:24 a.m. The motion carried unanimously.

Planning and Resource Manager Brad Davis presented the proposed amendments to the conditional use permit, CUP #616-C-8 and reviewed the eight proposed additional new conditions to the permit, including staff's response to those conditions:

#31. Amending the legal description for recording Conditional Use Permit #616-C-8 to include properties known as the "Green Lot" and the "145th Street Lot".

Due to questions and uncertainty, County staff is not providing a position or recommendation at this time.

#32. Allow Mid America Festivals (MAF) to move its operations of the Renaissance Festival within the legally described properties under the amended Conditional Use Permit. Mid America Festivals will ensure that any new structures meet all building codes in effect when the new structures are built.

Staff does not support this Amendment as proposed because (a) staff does not see the link between this request and the amendments to alleviate traffic access and parking concerns, and (b) County zoning ordinances already have established rules and procedures to amend a CUP when movement of operations are proposed.

#33. On or before July 1 of each year, MAF will provide written plans to Scott County for parking, traffic, busing and emergency protocols. MAF will also submit to Scott County proof of the existence of any contracts the corporation has for parking, traffic, busing, and leases to use land for the Festival by July 1 or within five days of such contracts being executed, whichever is later. MAF will notify Scott County of any material changes to the submitted plans or submitted contracts within five days of any change. No later than 30 days before the start of the Renaissance Festival and upon request of Scott County, MAF will meet with Scott County to address parking, access, traffic, busing and emergency.

Condition #26 requires MAF to submit any updated operational plans to the county by July 1 is already in the permit. (a) Staff and Minnesota Department of Transportation (MnDOT) indicate a desire to review annual operational plans much sooner than July 1. (b) Staff wishes to evaluate the merits of more definitive annual operational plans and specific requirement. (c) Staff may support the last sentence regarding parking, access, traffic, busing and emergency response issues.

#34. MAF will require parking vouchers for each patron vehicle to park onsite. MAF will issue no more than 8,000 parking vouchers for each day of the festival. Parking vouchers will be sold by a third party who will verify the total number of vouchers issued. MAF will contract with a third-party professional parking company to manage parking onsite. Parking staff will scan parking vouchers

upon entry to verify that each vehicle has the correct date specific parking voucher. The Scott County Board of Commissioners will have discretion to increase this limit of onsite parking vouchers at the request of MAF.

Staff supports (a) daily, date-specific, onsite parking vouchers, (b) third party verification of the number of daily parking vouchers that are sold, and (c) the concept of scanning and verifying parking vouchers as vehicles enter the ground. Staff considered traffic impact data, uncertain future land use and parking configuration/footprint, and does not support the requested 8,000 on-site parking vouchers but feels the maximum capacity is 5,000.

#35. Each year, MAF will: (a) secure opportunities for patrons of the Festival to travel to and from the Festival by bus; and (b) encourage patrons to take buses to and from the Festival. However, MAF shall not be required to contract with any busing company that seeks to change more than its standard rates for similar busing service.

Staff does not support the amendment as proposed because bus service plans/companies/capacity, possible need for bus only lanes on township and county roads, patron flow, and movement of buses on festival grounds are uncertain.

#36. The following sentence shall be added to the end of condition #6 (of 1998 CUP):

“However, Mid America Festivals Corporation will open its parking lot gates by 7:30 a.m. each day of the Minnesota Renaissance Festival. Mid America Festivals Corporation may open its parking lot gates by 7:00 a.m. at its discretion.”

Staff is generally supportive of this amendment.

#37. The following sentence shall be added to the end of condition #11: “Upon request by Mid America Festivals Corporation, the Scott County Administrator or another staff member designated by the County may vary or modify the requirements of this condition, without requiring a formal amendment to the CUP.”

Staff is unclear on how this amendment regarding the first aid station addresses traffic access and parking, but is open to modifying this condition to submit and review the first aid station operation plan in the annual operation plan.

#38. As long as Mid America Festivals Corporation complies with the conditions of the CUP, including the amended conditions listed above, Scott County will not revoke the CUP for conduct or events that occurred before January 1, 2023.

Staff does not support this amendment as it would bind or limit a future County Board from taking action on CUP #616-C-8.

Mr. Davis also provided an update on other work that has taken place related to this CUP:

- The DNR is open to entering into a lease with MAF to allow vehicle parking on Department of Natural Resources (DNR) property.
- MnDOT submitted a comment letter on February 9, prior to MAF completing its traffic impact study. No additional comments have been received. The letter states, MnDOT doesn't feel a \$5.00 parking voucher will dissuade patrons from parking on site, and that using bus service to shuttle attendees to the site is the most effective way to manage traffic and increase safety on surrounding roadway system. MnDOT strongly supports a plan designating on-site parking for employees while shuttling all attendees from Marshall Road, Mystic Lake, Canterbury Park or other locations.
- Bryan Rock has reached an agreement with MAF for 2023 season. Terms have been agreed upon, but the agreement has not been finalized.
- The Shakopee Mdewakanton Sioux Community (SMSC) approved an agreement for MAF to use 2 parcels known as the Queen's lot for on-site parking. Terms and duration of the agreement will be finalized in the coming weeks.
- A contract is in place with MVTA.
- A contract is in place with a professional parking firm.
- Louisville Town Board reviewed this request at their February 9 meeting. A recommendation was not made due to a lack of information. They will continue discussion on March 2.

Mr. Davis stated that staff does not see a long-term plan to provide ingress and egress for the estimated peak attendance of 30,000 patrons. The applicant has proposed amendments that will improve the situation: hiring a professional parking firm, eliminating free parking, requiring same day parking vouchers and limiting the number of vehicles parking on site, but does not believe the measures are sufficient enough. The CUP should be planned for 30,000 patrons, but MAF's plan is for 2/3 of projected patrons on peak days. Staff concludes that MAF's amendments do not meet all the applicable findings criteria in the County Zoning Ordinance for CUPs and therefore should be denied.

Commissioner Ulrich questioned how many patrons may arrive at the gate without a ticket or voucher and what happens next. He expressed concern that voucher and scanning will slow down the process and that transit stations may not provide enough capacity.

Phil Kaplan, Attorney for Renaissance Festival

The Renaissance Festival denies that it violated the CUP and denies that this Board has the legal authority to revoke the CUP. He referenced the lack of any violation of the CUP and rights to the pre-existing uses dating back to 1973, before there was an applicable zoning code.

Renaissance Festival has taken steps to reduce the traffic (a) hired a professional parking management company, (b) limiting on-site parking to 8,000 vehicles per day, and (c) expanding the bussing opportunities.

Mr. Kaplan referenced Mr. Beller's letter and an e-mail from Mitch Michaelson of Severs. He addressed the proposed amendments to CUP and that some changes were made.

#31. Mr. Kaplan stated that the county stated in November that by parking in the Green Lot and the 145th Street Lot, without including them in the CUP, the Renaissance Festival was violating a parking ordinance. He denied that there was a new violation of the ordinance but wants to solve the problem so asked to include those two parking areas in the CUP for future use.

#32. Renaissance Festival deleted this amendment.

#33. (new #32) Renaissance Festival is willing to put a condition in the CUP to submit plans to the County on an annual basis to avoid future miscommunication. Mr. Kaplan clarified that this new condition will not change and other conditions, rather add detail to reporting requirements.

#34. (new #33) The Renaissance Festival will impose a number of new restrictions on itself.

1. Require patrons to have vouchers to park on site number.
2. Limit on-site parking vouchers to 8,000 vehicles per day.
3. Require vouchers to be sold and tracked by a third party.
4. Require the Renaissance Festival to contract with a third-party professional parking management company.
5. Require parking staff to scan and verify vouchers when vehicles enter.
6. Give the Board discretion based on its review of the 2023 season to increase or decrease that parking limit.

Mr. Kaplan commented that staff seem to agree to the concept to have fewer people attend by car and get the cars into the lots more quickly. Exceptions are that staff want a 5,000 vehicle rather than an 8,000 limit. Staff think a new application would be necessary to change the limit on cars in future years. The 8,000-vehicle limit that the Renaissance Festival has proposed is based on a third-party expert (SRF) and assumes conditions will be the same as 2022 when there was no professional parking management company.

Mr. Kaplan stated that the Renaissance has proposed the concept of Board discretion on parking limits to see how things go in 2023 so that the Board can decide what to do with that limit. He added that a 5,000-vehicle limit may not be economically feasible for the Renaissance Festival.

Mr. Kaplan addressed staff's uncertainty about what the future parking footprint will look like and how that may impact the parking capacity and the traffic. SRF will show that the parking footprint and the number of spots we have on site doesn't have an impact on the traffic, rather the traffic is impacted by how fast you get the cars into the lots.

#35. (new #34) Busing plans continue to progress and evolve. A contract with MVTA was signed last week and a meeting with Southwest Transit is forthcoming. More time is needed to provide details, but the amendment as written seems to satisfy the commissioner's and staff's desire to encourage busing.

#36. (new #35) Mr. Kaplan understands it to be supported by staff.

#37. (new #36) Mr. Kaplan understands it to be supported by staff.

#38. (new #37) Mr. Kaplan clarified his understanding that staff opposes the amendment because they don't want to bind a future County Board from taking action on the CUP and stated that we are not preventing a future board from taking any action on the CUP if there is a future violation. We are asking that this board, or a future board, not reach back to pre-amendment times and revoke the CUP based on something that happened in 2022 or earlier.

Mr. Kaplan received a memorandum from Cindy Nash of Louisville Township on Friday and commented that MAF would like more time to respond.

Mr. Kaplan stated that the "Renaissance Festival respectfully requests that the board approve the Amendments that have been proposed and vote not to revoke the conditional use permit that already exists".

John Maczko, SRF Traffic Engineer

SRF developed a model to determine where system broke down using Scott County, MVTA and other data, drone footage, maps, parking and road configurations. Parking is not the problem, the problem is flow rate. The model used what existed last year and did not assume any parking or access improvements. Models were created for 5,000, 8,000 and 10,000 vehicles. Arrival rates were modeled. The model starts to break down at 9,000 vehicles. SRF concluded that at 9,000 vehicles per day, the entering system starts to show signs of stress. Mr. Maczko recommended an enhanced traffic/event management plan that creates a partnership of stakeholders.

- Limit parking to 8,000.
- Widen access points to create a toll booth effect will help the flow.
- Use transit.

Commissioner Ulrich again expressed his concern for people who show up and also about an implementation plan as tickets are available for purchase now, but parking vouchers are not.

Commissioner Weckman Brekke asked if SRF is under contract to do this work to which Mr. Maczko replied they are not.

Commissioner Wolf asked if the single lane road on private property, or a township road to which Mr. Maczko replied he believes it is on private property, but it is in the plan to be widened to other access points.

County Administrator Lezlie Vermillion asked about modeling of 2 lanes of traffic with transit. Mr. Maczko responded that there is no dedicated transit lane. Buses would be running with traffic.

In response to Commissioner Beer's clarification, Maczko confirmed there are none external to the site. There will be dedicated bus lanes on-site.

Mr. Maczko also confirmed that there is a contract with MVTA, and that there are conversations happening with Southwest Transit.

Commissioner Beer asked if SMSC should be on list for the year and Mr. Maczko agreed.

In response to Ms. Vermillion's inquiry, Mr. Maczko stated that the signs will be actively managed during the day, but the agreement is not yet under contract.

Mr. Maczko confirmed that SRF has been contracted to implement the study.

Tony Janowiec, Founder, Owner, and CEO Interstate Parking Company

Interstate Parking Company has been contracted to perform the parking management component. SRF does not manage the traffic management plan, they are an expert consultant working with Interstate Parking Company and MAF to put together the plan. Interstate Parking Company and MAF make sure the traffic management plan works right. Interstate Parking Company is capable of managing the VMS signs, but the traffic management plan will determine who will actively manage.

Mr. Janowiec referred to the last years' parking map that showed two lanes on Red Rock leading into the site and narrow to one lane into parking spaces. He noted three major categories that are the least efficient ingress parking plan: (a) Parking one area at a time. Would rather create fanning out moments within the site. Mr. Janowiec estimates his company will be able to process 1800 – 2200 vehicles per hour based on the quantity of ingress lanes that will be designed into the site. The fanning effect on the south gate will have 3 gates with 2 lanes each. Each lane will have 2-3 scanning ambassadors. Commissioner Brekke questioned 1 or 2 lanes over the railroad crossing. Mr. Janowiec commented that lane delineation will make 2 lanes clearer. (b) Each parking zone was parked one at a time. The creation of two entry points and simultaneously parking multiple zones with three different parking teams will result in faster parking. (c) Cars were historically parked row by row. Interstate Parking Company parks cars in a manner to avoid delays caused by pedestrians and hatch opens.

Commissioner Ulrich asked what percentage of parking should be reserved for patrons who show up without advance parking vouchers. Mr. Janowiec estimates 10-20% of patrons will arrive without advance parking vouchers and is confident that his company can handle that. He feels that if advanced reservations are limited to 5,000 and more than that number show up, he won't be able to accept them, will have to turn them away, which makes the problem worse because those vehicles will have to be turned around that will gridlock the system. He recommends that people who just show up, be allowed in for the first year and familiarize people with advance reservations. He would like to see a certain number available for advance sales (i.e. 6,000) and the ability to sell an additional number on the day of (i.e. 2,000). Once the 6,000 advance tickets are sold-out, communicate that it is sold-out and people are to use transit. The on-site capacity would remain for those who show up without tickets.

Ms. Vermillion asked, and Mr. Janowiec confirmed that tickets can be sold specifically for transit.

Commissioner Beer asked Mr. Janowiec if he has seen the lots, their condition, and the work that is needed to make them efficient. Mr. Janowiec replied that he saw them 2 years ago and referred infrastructure to Robin McCullough.

Mr. Janowiec summarized that historically there have been approximately 20 people parking. Interstate Parking Company will have 68. The number of entry gates will increase from 2 to 6 and entry lanes from 2 to 1 which will support 8,000 vehicles.

Mr. Janowiec clarified that "cashiers" are scanners and should be noted as located at the entrance to parking lots. A pass can be scanned or a credit card run in 6-8 seconds. Mr. Janowiec is comfortable with the available Verizon service.

Jack Freund 2571 150th Street (County Rd 14) Business owner works 7 days per week. Mr. Freund reported that on September 24 his driveway was blocked from 10:45 am – 5:30 pm. It took him 40 minutes to drive 300 yards and he observed another truck move 600 yards in 40 minutes. Mr. Freund observes drinking and public urination along County Road 14, and is concerned about safety, especially those who may be turned away and are mad.

Christopher Freund 2571 150th Street

Mr. Freund voiced his concern that firetrucks and ambulances cannot get through to residents in the area.

Mike Thuening, Minnesota Valley, Bluff Drive

Mr. Thuening stated that we are not being told the bus route. Is it TH169, County 14, or Louisville Road? Traffic patterns varied last year and road closures and bus routes changed each week. He commented that he received conflicting information from the Sheriff's Department and there was no communication.

Vanessa Birdsey, 1727 Crossings Boulevard, Shakopee

Ms. Birdsey spoke in favor of the Festival as they are a big employer for the County that pays a lot of taxes. She asked about parking for handicapped people and is concerned about buses parking in the pit because she cannot get out of the pit.

Kurt Lano, Lano Equipment

Mr. Kurt shared that Renaissance Festival is a good community thing, but they need to get together with Bryan Rock to grade parking lots, make access to get people in, hire people to get people into parking lots and off of the roads.

Patte Thuening, Minnesota Valley, Bluff Drive

Ms. Thuening reported that Verizon shut down and could not use cell phones last year.

Tyler Near, 3036 150th Street West

Verizon cell phone peaks at about 10,000 and texting peaks at 20,000. He is in favor of a cap on the online ticket sales at (i.e. 5,000) with more entrance availability for those who show up without a pre-purchased ticket can be allotted into different areas.

Mick Lunzer, Bloomington

Mr. Lunzer is an independent contractor who works at and owns 3 businesses at the Renaissance Festival. He loves Minnesota Renaissance Fest and doesn't make profit until the third or fourth weekend. He employs approximately 30 people who depend on this. He feels reducing the cars could kill his business and commented that the proposed parking changes will solve a lot of the problems. Commissioner Wolf added that we are trying to find a balance.

Rachel Miller, 316 Lincoln N., New Prague

Ms. Miller spoke as a constituent, not as media to economic impact on the area including restaurants, gas stations and hotels. The Festival includes made in MN vendors. Regarding traffic, she has concerns with 5,000. Cutting the cars to 8,000 will be a big change which she can support. A reduction of 5,000 cars (13,000 to 8,000) plus an additional 3,000 (from 8,000 to 5,000) will be about 7,500 people, \$175,000 per day (admission) and \$2.8 million over the course of festival. She recommended allowing a cap of 8,000 will prevent turning people away, prevent on street parking and not limit economic revenue for vendors.

Vanessa Birdsey

Ms. Birdsey added that the Queens lot was closed for at least 2 weekends last year due to flooding.

Ruth Craig, Mankato

Ms. Craig has been a vendor for 30 years and earns approximately 25% of yearly sales from Renaissance Festival. Last year was first year she did well. She would like to get patrons into her booth faster and shared her concern that this is where we are starting and hopes the Board does not limit parking to 5,000 per day. She said that profit is made the last 4 weekends and asked to stick with about 8,000 vehicles. People will need to be trained to change.

John Weckman, Louisville Town Board

Mr. Weckman stated that it is good that it looks like they will be able to park a lot of people. He commented that the Township traffic is blocked and disagrees with the traffic study that shows all intersections are at "A" when they are blocked. Some township businesses must close on Saturdays because no one can get to them.

Commissioner Beer stated that the Board is not looking at shutting down Renaissance Festival but nothing here is new. The irony is we want more business for the Renaissance Festival but we also want traffic to get to nearby businesses and residences on township roads and increase commerce. We are trying to balance all of this.

Commissioner Weckman Brekke shared that we have been trying to make incremental change over the past six years and we hope there will be incremental change.

Commissioner Ulrich shared that since he began taking the bus to the State Fair, it is his preference. He hopes the transit plan will work and will help the Renaissance Festival flourish.

Ms. Vermillion read into the record 2 e-mails from (a) January 16 that he doesn't want the CUP revoked, and (b) January 17, he would pay an escalated parking fee if it went to fixing certain road and infrastructure issues.

Mr. Weckman added that there is a need for bussing from Mall of America, Bloomington and Eden Prairie. The Marshall Road Transit station did not participate this year because last year they could not handle it due to residential streets being blocked.

Robin McCullough expressed the Renaissance Festival's desire for busing.

Commissioner Weckman Brekke asked questions about using the pit for bus parking, access and if MVTA has seen conditions, during rain and is looking for assurances regarding infrastructure.

Mr. McCullough referred to the Custom Traffic Management Plan map and noted the intention to widen 1D to handle the ingress bus lane. IB is the bus egress route, so that buses are separated from cars and cars are separated from people. He added that internal shuttle buses will have a different route than the transit buses. The pit is already a fairly stable, solid base with gravel that drains well. They intend to work with the landlord for further improvements.

He continued that MVTA, Interstate Parking, and SRF need to meet at the site and take a good look to decide what needs to be done. He expressed surprise that Verizon crashed and he will check into that. If the bus transit hub is in the pit, they have several golf carts to pick up those who need it and will cater to ADA needs. The Green Lot needs work and may need a draining permit. The Queen's lot gets water but does not flood and we need to improve our communication with the Sheriff's department.

Ms. Vermillion asked about the railroad crossings and whether there has been any work with the Railroad to upgrade them. Mr. McCullough responded that there are 4 track crossings, some on a concrete base, some on a wood base and all are a specific width that he cannot widen. All are wider than the gates and they do plan to widen the gates.

Commissioner Beer asked if MVTA would take buses over an approved route and into the pit. Mr. McCullough replied that some MVTA officials have been to the site. The use of the pit as a transit hub has not been decided.

Commissioner Beer asked about parking line striping. Mr. Janowiec responded that they will paint and delineate the entire area.

Commissioner Beer asked if emergency lanes are they factored into the equation moving forward. Mr. McCullough explained that an emergency route was implemented by Renaissance Festival last year, but the route on paper was never used. There has never been delay with getting in. Mr. Davis stated that emergency routes are part of the annual plan which he has not seen yet.

Ms. Vermillion asked for clarification on the actual number of parking capacity. Mr. McCullough recognizes that there are multiple parking calculations and parking was done poorly last year.

Cindy Nash, Collaborative Planning, Township Planner for Louisville Township
Ms. Nash stated that the traffic study was based upon last year's conditions and included 2 inbound lanes on Red Rock and 145th St. The traffic study should be updated to indicate that the road is designed for 1 inbound lane and those 2 lanes were a temporary improvement. The Louisville Town Board has not received any requests for improvements and it does not address MVTA's request for an inbound dedicated bus lane. 145th is a narrow, rural section of road. We don't believe that the town has fee title to right-of-way outside the boundaries of the maintained roadway so trying to do anything extra on 145th might be a challenge in terms of getting anything permanent that's more than one lane in one lane.

Bo Beller, Mid America Festivals

Mr. Beller commented that at the November public hearing, almost everyone who spoke wants Renaissance Festival to continue. There are many problems and we need deliverables. So far, we have: (a) moved from free parking to a voucher system and reduced number to 8,000 (b) Hired Interstate Parking (c) Contracted with MVTA and looking for more companies (private and school buses). (d) He senses mistrust issues that are unfounded and hopes everyone can move forward. (e) Safety Signs is going to be part of Interstate Parking's 5 year contract. (f) Patrons who purchase tickets from a retailer or online will receive an e-mail to purchase their parking voucher as a separate online transaction. This will be on social media and heavily publicized. If the cap is 8,000 we will sell a lesser number and hold some back.

Commissioner Ulrich asked where the employees and vendors park to which Mr. Beller replied there is an employee lot. Some also park behind their booth.

Commissioner Ulrich also pointed out that this is not a service area for Southwest Transit. Mr. Beller stated that SW Transit met with MVTA and we are optimistic that Southwest Transit will be a partner.

Paul Doucette, Louisville Township

Mr. Doucette pointed out that everything sounds good, but nothing is on paper and he is losing business too.

Kevin Theis, Louisville Town Board

Mr. Theis shared that the Town Board tabled this item because they want to see signed contracts. He trusts Interstate Parking Company but pointed out that this has been talked about for 13 years. CUPs have to be opened for everything.

Commissioner Weckman Brekke asked Diane Langenbach to comment on the MnDOT letter.

Diane Langenbach, Environmental Engineer, MnDOT

Ms. Langenbach stated that Trunk Highway 169 traffic at 65 -70 mph has been backed up for 5 miles and highway 41 has also been backed up into Chaska and has created safety issues. She questioned why this hasn't been fixed before and thanked the Board for taking a strong stand on this issue. Without a good, reliable, efficient transit lane the patrons will revert to the habit of parking on site.

Motion by Commissioner Brennan, seconded by Commissioner Ulrich to close the public hearing at 2:00 p.m. The motion carried unanimously.

Scott County Senior Attorney Jeanne Andersen outlined the Board deliberation guide for the amendment.

Commissioner Ulrich commented that he thinks the Board does not have enough information to make a decision on the resolution. The Board would like to see firm plans such as signed contracts for parking, SRF, and busing companies, number of parking tickets to be sold, transit plan with numbers, township recommendations, infrastructure plans, and grading permits.

Motion by Commissioner Ulrich, seconded by Commissioner Brennan to table this item to March 21, 2023. The motion carried unanimously.

7.2

Receive a Status Update and Consider Action on Conditional Use Permit #616-C-8 Issued to Mid-America Festivals Corporation and Adopt Resolution No. 2022-265; Setting Forth Findings of Fact and Conclusions of Law and an Order Revoking Conditional Use Permit #616-C-8 Issued to Mid-America Festivals Corporation to Operate the Minnesota Renaissance Festival and Trail of Terror.

Motion by Commissioner Ulrich, seconded by Commissioner Beer to pull this item. The motion carried unanimously.

(8) COMMITTEE REPORTS AND COMMISSIONER UPDATES

1. All Commissioners attended a Board Workshop following the meeting on February 7.
2. All Commissioners participated in a Metropolitan Council Transportation Plan Listening Session on February 7.
3. Commissioner Weckman Brekke attended the Blakeley Town Board Monthly meeting on February 7.
4. Commissioner Weckman Brekke attended the Belle Plaine Town Board Monthly meeting on February 7.
5. Commissioner Weckman Brekke attended the Louisville Town Board meeting on February 9.
6. All Commissioners attended the Scott County Association for Leadership and Efficiency (SCALE) meeting on February 10.
7. Commissioner Weckman Brekke attended the National Association of Counties (NACo) Human Services & Education Committee meeting on February 11.
8. Commissioner Weckman Brekke attended the NACo conference on February 11-14.
9. Commissioner Weckman Brekke attended the Community Action Partnership (CAP) Agency Board meeting on February 15.
10. Commissioner Weckman Brekke met with County Administrator Lezlie Vermillion on February 16.
11. Commissioner Weckman Brekke attended the Dakota-Scott Workforce Development Board meeting on February 17.
12. Commissioner Weckman Brekke met with Health and Human Services Director Barb Dahl on February 21.
13. All Commissioners conducted a Scott County Ditch Board meeting on February 21.
14. Commissioner Ulrich and Commissioner Beer attended the Families & Individuals Sharing Hope (FISH) meeting on February 9.
15. Commissioner Ulrich attended the Suburban Transit Association (STA) meeting on February 13.
16. Commissioner Ulrich attended the Metropolitan Council Transportation Advisory Board meeting on February 15.
17. Commissioner Ulrich and Commissioner Brennan attended the Minnesota Valley Transit Authority (MVTA) meeting on February 15.
18. Commissioner Ulrich and Commissioner Brennan attended the Live, Learn, Earn Steering Committee meeting on February 16.
19. Commissioner Ulrich attended the Metropolitan Council Policy Plan Work Group meeting on February 17.
20. Commissioner Ulrich attended the Greater MSP meeting on February 17.
21. Commissioner Ulrich attended the Minnesota Inter-County Association (MICA) Board meeting on February 17.
22. Commissioner Brennan attended the Scott County Historical Society meeting on February 8.
23. Commissioner Brennan met with County Administrator Lezlie Vermillion on February 10.
24. Commissioner Brennan met with Senator Hoffman on February 13.
25. Commissioner Brennan attended the Community Development Agency (CDA) meeting on February 14.
26. Commissioner Brennan attended the Prior Lake-Spring Lake Watershed District meeting on February 14.
27. Commissioner Brennan met with Carver County Commissioner Udermann on February 15.
28. Commissioner Brennan attended the State Community Health Advisory Committee (SCHAC) meeting on February 15.
29. Commissioner Beer met with Tony Albright on February 14.
30. Commissioner Wolf attended the New Market Town Board meeting on February 7.

31. Commissioner Wolf attended the Cedar Lake Water & Sanitary Sewer District meeting on February 8.
32. Commissioner Wolf attended the I-35 Solutions Alliance meeting on February 9.
33. Commissioner Wolf attended the Scott County Planning and Zoning meeting on February 13.
34. Commissioner Wolf attended the Scott Soil and Water Conservation District Board of Supervisors meeting on February 16.

(9) COUNTY ADMINISTRATOR UPDATE

Due to time constraints, the workshops were removed from the agenda.

(10) RECESS FOR ATTORNEY/CLIENT MEETING

There was no need to recess for an attorney/client meeting.

(11) ADJOURN

On a motion by Commissioner Ulrich, seconded by Commissioner Brennan, the meeting adjourned at 2:20 p.m. The motion carried unanimously.

County Board Chair

**Clerk to the Board/County
Administrator**

Deputy Clerk to the Board