

January 5, 2010

STATE OF MINNESOTA )  
COUNTY OF DAKOTA )  
OFFICE OF COUNTY BOARD )

The Dakota County Board of Commissioners convened at 9:04 a.m. on Tuesday, January 5, 2010. The meeting was called to order by Chair Kathleen Gaylord. The Dakota County Sheriff's Honor Guard presented the colors for the Pledge of Allegiance. Honor Guard members were: Commander Blair Anderson, Captain Brad Jeska, Detective Rebecca Sherman, Deputy Tom Hooper and Deputy Mike Fenderick.

Roll was called with the following members present:

- Commissioner Joseph A. Harris, District 1
- Commissioner Kathleen A. Gaylord, District 2
- Commissioner Thomas A. Egan, District 3
- Commissioner Nancy Schouweiler, District 4
- Commissioner Liz Workman, District 5
- Commissioner Paul J. Krause, District 6
- Commissioner Willis E. Branning, District 7

Also in attendance were: Brandt Richardson, County Administrator; Karen Schaffer, First Assistant County Attorney; and Kelly Olson, Senior Administrative Coordinator to the Board.

Commissioner Gaylord thanked her colleagues for the opportunity to serve as chair. She reflected on the challenges and accomplishments of the Board in 2009 and recognized colleagues and staff for their dedication.

Commissioner Gaylord then began the election of County Board officers for 2010 by calling for nominations for the office of County Board Chair. Commissioner Harris placed the name of Commissioner Thomas A. Egan in nomination. The chair called for additional nominations. No additional names were placed in nomination

**10-001  
Election Of County Board Chair For 2010**

Motion: Comm. Branning Second: Comm. Schouweiler

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby closes nominations and casts a unanimous ballot to elect Commissioner Thomas A. Egan as County Board chair for 2010.

ayes 7 nays none

Commissioner Egan assumed the duties of chair. He presented Commissioner Gaylord with a memento in recognition and appreciation of her leadership in 2009. Chair Egan acknowledged the accomplishments of the Board in 2009 and highlighted some of the goals and upcoming challenges for 2010.

At this time, Chair Egan called for nominations for the office of County Board vice chair. Commissioner Schouweiler placed the name of Commissioner Joseph A. Harris in nomination. The Chair called for additional nominations. No additional names were placed in nomination.

**10-002  
Election Of County Board Vice Chair For 2010**

Motion: Comm. Gaylord Second: Comm. Schouweiler

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby closes nominations and casts a unanimous ballot to elect Commissioner Joseph A. Harris as County Board vice chair for 2010.

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ayes 7

nays none

Chair Egan asked if there was anyone in the audience who wished to address the County Board on an item not scheduled on the agenda or on any item on the consent agenda. No one appeared.

**10-003**

**Approval Of Agenda**

Motion: Comm. Gaylord

Second: Comm. Krause

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the agenda for the County Board meeting on January 5, 2010, as presented.

ayes 7

nays none

The consent agenda was then approved as follows:

Motion: Comm. Branning

Second: Comm. Workman

**10-004**

**Approval Of Minutes**

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the minutes of the regular County Board meeting, held December 15, 2009, as presented and entered in Commissioners' Record MM.

**10-005**

**Authorization To Execute Contract With Lockridge Grindal Nauen For Federal Legislative Services**

WHEREAS, it is in the interest of the citizens of Dakota County that the Board of Commissioners participate in federal legislative and administrative processes to assure that County interests are considered in the adoption of federal legislation and rules and awarding of federal grants; and

WHEREAS, since 1988, the Board of Commissioners has contracted for federal legislative services and support in working with executive agencies that has resulted in benefits to Dakota County, including necessary waivers to provide innovative services, authorizations and appropriations for critical projects, and federal grants; and

WHEREAS, the Board of Commissioners desires to contract for federal intergovernmental relations services for work with the legislative and executive branches of the federal government during the calendar year 2010, and the recommended 2010 budget includes funds for this purpose; and

WHEREAS, the Lockridge Grindal Nauen Federal Relations Group has provide federal intergovernmental relations services on behalf of Dakota County since 2002 and has submitted a proposal to continue to provide such services.

NOW, THEREFORE, BE IT RESOLVED, That, subject to the adoption of the recommended Dakota County budget for 2010 that includes contract funds, the Dakota County Board of Commissioners hereby authorizes the County Administrator to prepare and execute a one-year contract (January 1, 2010 to December 31, 2010), with Lockridge Grindal Nauen (Federal Relations Group) for intergovernmental relations services related to securing Congressional action and executive branch decisions in the interests of the citizens of Dakota County, in an amount not to exceed \$62,400 for 2010, subject to the approval of the County Attorney's Office; and

BE IT FURTHER RESOLVED, That the federal intergovernmental relations services provided to Dakota County shall include a continuing focus on the authorization and appropriation of funds to meet the transportation needs and interests of Dakota County; directed appropriations requests; health, human services, public safety, and workforce issues of interest to the Board of Commissioners; and other issues as identified in the Board's approved 2010 federal legislative program.

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**10-006****Authorization To Execute Amendment To Extend Contract With DARTS To Implement Aging Initiative**

WHEREAS, in May 2006, the Aging Initiative was launched in response to County Board direction; and

WHEREAS, on April 3, 2007, the Initiative was presented to the County Board, identifying a vision, six primary strategies for achieving the vision, and more than 50 recommendations for consideration; and

WHEREAS, on July 10, 2007, the County Board directed that the Aging Initiative move forward through a partnership with Dakota Area Resources and Transportation for Seniors (DARTS); and

WHEREAS, in December 2007, Dakota County entered a contract with DARTS to implement Phase II of the Aging Initiative in 2008; and

WHEREAS, Dakota County anticipated a contract for up to three years to implement Phase II of the Aging Initiative, contingent on successful progress and availability of funds, and Aging Initiative Specialist and to fund project expenses associated with the aging implementation effort; and

WHEREAS, DARTS has made significant progress in securing community volunteers to work on implementation of the Aging Initiative, and progress toward tangible implementation and action plans has been accomplished, but not completed; and

WHEREAS, DARTS is committed to continuing implementation and action plans and will return to the Dakota County Board of Commissioners for review of those actions twice during 2010.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Operations, Management, and Budget Director to execute an amendment to extend the contract with DARTS for implementation of the County's Aging Initiative, for the period of January 1, 2010 to December 31, 2010, in an amount not to exceed \$110,000, to provide services related to implementation of the Aging Initiative, subject to approval by the County Attorney's Office as to form.

**10-007****Request For Authorization To Enter Into Lease Agreement With Aggregate Industries At Empire Transportation Facility Site**

WHEREAS, Aggregate Industries, Inc. has received a twenty seven (27) year Interim Use Permit (IUP) from Empire Township in order to operate an aggregate wash plant, aggregate processing and distribution, and ready mix concrete facility on the 80 acre parcel of land directly to the east of the Dakota County Empire Transportation Facility site; and

WHEREAS, Aggregate Industries intends to mine aggregate on property over which it has obtained mining rights on the west, southwest and south of the Dakota County Transportation Facility Site; and

WHEREAS, Aggregate Industries, Inc. has requested a lease of Dakota County property, approximately 150' wide by 1320' long (approximately 4.5 acres) across the south edge of the County's Empire Transportation Facility property to place a conveyor system on the property, in order to move aggregate mined on the west and southwest side of the County parcel, to the east side of the County Parcel for processing into concrete and other aggregate products; and

WHEREAS, Dakota County has evaluated the impact of this lease on the County's current and future operations on this site, and has identified specific conditions that will become a part of the lease in order to protect the County's investment in the site, and reduce the potential for adverse impact on the County property from Aggregate Industries use of the leased area, and adjacent operations; and

WHEREAS, Dakota County Operations Management and County Attorney's Office staff have negotiated the rate and terms for this lease, and believe they are consistent with the approach the County uses to value leases for this type of purpose.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Director of Operations Management to sign a Lease Agreement with Aggregate Industries under the following terms and conditions:

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Aggregate Industries will pay \$6,750 per year, adjusted annually by the Minneapolis – St. Paul Consumer Price Index for Urban Areas (CPIU) for the previous twelve (12) month report as calculated by the U.S. Department of Labor in order to lease approximately 4.5 acres for a term of 10 years, effective Jan. 1, 2010. Aggregate Industries may extend the lease for one or two five-year extensions, with rent negotiated for the “then fair market value.” The County may terminate the lease for cause upon one year’s notice.

Aggregate Industries will not perform any aggregate mining activities on County property, and will maintain at least a 50 foot setback to County property for any mining activities adjacent to County property.

Aggregate Industries will indemnify Dakota County for any damages incurred to persons or property, as result of mining activities on or adjacent to our County Property.

Aggregate Industries will immediately cease and desist any operations that interfere with the DCC’s ability to provide 911 service to Dakota County residents.

Aggregate Industries will operate the aggregate operation consistent with all current and future Federal, State, and local government laws, rules, regulations, and ordinance, including any and all Empire Township Interim Use Permit(s) requirements; and

BE IT FURTHER RESOLVED, That such lease agreement is subject to approval as to form by the Dakota County Attorney’s Office.

**10-008**

**Authorization To Renew Joint Powers Agreement With Dakota County Drug Task Force**

WHEREAS, the Dakota County Board of Commissioners supports the efforts of law enforcement in Dakota County to combat narcotics sales and trafficking; and

WHEREAS, federal grant funds are available through the Federal Anti-Drug Abuse Act of 1986 (Public Law 99-570) in Minnesota through the State and Local Assistance for Narcotics Control Program; and

WHEREAS, the Dakota County Sheriff’s Office has participated in a federal grant program each year since 1988 through the East Metro Coordinated Narcotics Task Force and through the South Metro Drug Task Force; and

WHEREAS, the Sheriff’s Office and the Cities of Apple Valley, Burnsville, Eagan, Farmington, Hastings, Inver Grove Heights, Lakeville, Mendota Heights, Rosemount, Savage, South St. Paul, and West St. Paul desire to combine in the Dakota County Drug Task Force for the years 2010 through 2014, and funds have been approved for their participation in a combined drug task force; and

WHEREAS, funds are available in the Sheriff’s 2010 recommended budget request to meet the requirements of the county’s portion of local government matching funds.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Dakota County Sheriff’s Office to execute a Joint Powers Agreement with the Cities of Apple Valley, Burnsville, Eagan, Farmington, Hastings, Inver Grove Heights, Lakeville, Mendota Heights, Rosemount, Savage, South St. Paul, and West St. Paul for maintaining the Dakota County Drug Task Force for the purpose of apprehending and prosecuting drug offenders in Dakota County for the period of January 1, 2010, through December 31, 2014, substantially as presented to the Administration/Finance/Policy Committee of the Whole on December 15, 2009, subject to approval by the Dakota County Attorney’s Office as to form.

**10-009**

**Amendment Of County Board Operating Rules And Guidelines**

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby amends the County Board Operating Rules and Guidelines as presented to the Administration/Finance/Policy Committee of the Whole on December 15, 2009, with the deletion of Section IX. Legislative Workgroup and any cross references thereto; and

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BE IT FURTHER RESOLVED, That these amendments shall be effective on January 5, 2010.

**10-010****Authorize Solicitation Of Applications For "Recovery Zone" Bonding Authority**

WHEREAS, on February 17, 2009, the President signed into law the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5 Stat. 115 (2009) ("ARRA"); and

WHEREAS, Section 1401 of Title I of Division B of ARRA authorizes state and local governments to issue Recovery Zone Economic Development Bonds and Recovery Zone Facility Bonds; and

WHEREAS, Recovery Zone Economic Development Bonds may be used to finance certain "qualified economic development purposes" and Recovery Zone Facility Bonds may be used to finance certain "recovery zone property," as such terms are defined in ARRA; and

WHEREAS, the term "Recovery Zone" means: 1. Any area designated by the issuer as having significant poverty, unemployment, a high rate of home foreclosures or general distress; 2. Any area designated by the issuer as economically distressed by reason of the closure or realignment of a military installation pursuant to the Defense Base Closure and Realignment Act of 1990, and 3. Any area for which a designation as an empowerment zone or renewal community is in effect as of the effective date of ARRA, which effective date is February 17, 2009; and

WHEREAS, Recovery Zone Economic Development Bonds are considered "qualified" bonds for purposes of Section 6431 of the Internal Revenue Code of 1986, as amended, and provide for a federal subsidy through a refundable tax credit paid to State or local governmental issuers in an amount equal to 45 percent of the total coupon interest payable to investors in these taxable bonds; and

WHEREAS, the interest on State or local Recovery Zone Facility Bonds is excludable from gross income for Federal income tax purposes; and

WHEREAS, Recovery Zone Economic Development Bonds and Recovery Zone Facility Bonds must be issued before January 1, 2011; and

WHEREAS, the County of Dakota has received a volume caps of Recovery Zone Economic Development Bonds in the amount of \$13,966,000 and Recovery Zone Facility Bonds in the amount of \$20,949,000, and may use such volume cap for eligible costs or may allocate such volume cap in any reasonable manner as the Dakota County Board of Commissioners shall determine in good faith at their discretion for use for eligible costs for qualified economic development purposes or recovery zone property; and

WHEREAS, the County of Dakota does not have at the present time a qualifying and cost-effective opportunity to utilize these bonding authorities within the prescribed time limit of December 31, 2010; and

WHEREAS, the Dakota County Community Development Agency is a qualified issuer and has developed a proposal for use of the Recovery Zone Economic Development Bonds in connection with the development of affordable senior housing in Dakota County; and

WHEREAS, the Dakota County Board of Commissioners desires to ascertain whether there are qualified issuers in Dakota County of Recovery Zone Facility Bonds for qualifying projects, such that the Dakota County Board of Commissioners might allocate such bonding authority within Dakota County.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby allocates authority to issue \$13,966,000 Recovery Zone Economic Development Bonds to the Dakota County Community Development Agency for the eligible costs of developing affordable housing for seniors within Dakota County; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the County Administrator to undertake a program of informing potential issuers within Dakota County of the opportunity and requirements for Recovery Zone Facility bonds; and

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BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby further authorizes the County Administrator to establish a process and timeline for solicitation and evaluation of applications for allocation of such bonding authority; and

BE IT FURTHER RESOLVED, That such applications shall include information about the extent and assurance of site control, legal authority to issue Recovery Zone Facility bonds together with estimates of net improvement in tax base and new jobs created as a result of the project, and also including such additional information which the County Administrator deems relevant; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby imposes an application fee of \$20.00 per \$100,000.00 requested bonding allocation; and

BE IT FURTHER RESOLVED, That the County Administrator return to the Dakota County Board of Commissioners as soon as practicable, but no later than February 9, 2010, with a report on applications received, if any, and a recommendation, if any, as to whether and how the County Board should allocate such bonding authority.

**10-011**

**Authorization To Execute Contract With HIRED For Supported Work Services For African American, Native American And Somali Minnesota Family Investment Program Participants**

WHEREAS, Dakota County administers the Minnesota Family Investment Program (MFIP) for eligible participants; and

WHEREAS, the Minnesota Department of Human Services (DHS) issued funds to provide supported work services to MFIP participants; and

WHEREAS, DHS approved a plan to provide supported work funds to impact racial disparities in the amount of an additional \$220,799; and

WHEREAS, by Resolution No. 09-361 (July 21, 2009), the County Board accepted the \$220,799 MFIP supported work grant; and

WHEREAS, HIRED was selected as the vendor to provide such services through a request for proposals (RFP) process and will receive \$18,513.50 per month for program services and up to \$88,919 for client wages and benefits for a contract total not to exceed \$200,000; and

WHEREAS, the Workforce Investment Board (WIB) recommends contracting with HIRED to provide supported work programming designed to impact racial disparities.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners, with the concurrence of the WIB, hereby authorizes the Community Services Director to execute a contract with HIRED for supported work services for African American, Native American and Somali Minnesota Family Investment Program participants, in an amount not to exceed \$200,000 for the period of January 1, 2010 through June 30, 2010, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That this contract shall contain a provision that allows the County to immediately terminate this contract in the event sufficient funds from county, state or federal sources are not appropriated a level sufficient to continue providing these services; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to amend said contract to alter the contract amount, the number and type of clients, type of services provided, reporting requirements, contract amount and contract term, within the amount of MFIP supportive work grant funds available, subject to approval by the County Attorney's office.

**10-012**

**Authorization To Execute Grant Agreement With Minnesota Department Of Human Services To Implement Minnesota Family Investment Program Racial Disparities Programming And Execute Contract With HIRED To Provide Intensive Case Management And Professional Development Programming**

WHEREAS, Dakota County administers the Minnesota Family Investment Program (MFIP) for eligible participants; and

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WHEREAS, the Minnesota Department of Human Services (DHS) has notified staff that Dakota County has been allocated \$94,206 to implement the approved plan, Racial Disparities 2 (RD2), to improve outcomes for African American and Native American MFIP participants for the period of January 1, 2010 through December 31, 2010; and

WHEREAS, staff request authorization to execute a contract with HIRED to implement RD2 at a rate of \$6,506.25 per month plus up to \$2,000 in reimbursement for client incentives for a contract amount not to exceed \$80,075.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director, with the concurrence of the Workforce Investment Board (WIB) to execute a grant agreement with the Minnesota Department of Human Services to implement RD2 in the amount of the grant awarded, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the Community Services Director, with the concurrence of the WIB, is hereby authorized to execute a contract with HIRED to implement RD2 serving at least 40 MFIP participants, at a rate of \$6,506.25 per month plus up to \$2,000 in reimbursement for client incentives for a total contract amount not to exceed \$80,075 for the period of January 1, 2010 through December 31, 2010, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That this contract shall contain a provision that allows the County to immediately terminate this contract in the event sufficient funds from county, state or federal sources are not appropriated a level sufficient to continue providing these services; and

BE IT FURTHER RESOLVED, That the Community Services Director, with the concurrence of the WIB, is hereby authorized to amend said contract within the amount of the DHS grant award, to alter the number and types of clients, type of services provided, reporting requirements, contract amount and contract term, subject to approval by the County Attorney's office; and

BE IT FURTHER RESOLVED, That the 2010 Employment and Economic Assistance budget is hereby amended as follows:

<b>Expense</b>	
Direct Program	\$80,075
<b>Total Expense</b>	<b>\$80,075</b>
Revenue	
DHS-MFIP RD	\$94,206
Increase in fund balance	(14,141)
<b>Total Revenue</b>	<b>\$80,075</b>

**10-013**

**Designation Of Local Officials For Campaign Finance & Public Disclosure Board Reporting Requirement**

WHEREAS, Minn. Rules 4501.0400, subpts. 1 and 2, require a metropolitan governmental unit (MGU) to determine which positions within the MGU meet the definition of local official as defined in Minn. Stat. § 10A.01, subd. 22; and

WHEREAS, the MGU must provide a list to the Campaign Finance & Public Disclosure Board of the full-time and part-time positions meeting this definition annually.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby designates the following Dakota County positions as local officials in 2010, as defined in Minn. Stat. § 10A.01, subd. 22, for the purpose of reporting to the Campaign Finance & Public Disclosure Board:

- Assessing Services Director/County Assessor
- Assistant County Engineer
- Chief Deputy County Attorney
- Chief Deputy Sheriff
- Communications Director
- Community Corrections Director

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Community Services Director  
County Administrator  
County Attorney  
County Commissioner  
County Sheriff  
Criminal Justice Information Integration Network Manager  
Employee Relations Director  
Employment and Economic Assistance Director  
Environment and Natural Resources Director  
Financial Services Director  
First Assistant County Attorney  
Information Technology Director  
Library Board Member  
Library Director  
Office of Planning and Analysis Manager  
Operations, Management, and Budget Director  
Operations Management Director  
Physical Development Director  
Property Taxation and Records Director  
Property Taxation and Records Manager—Cash Management  
Public Health Director  
Public Services and Revenue Deputy Director  
Public Services and Revenue Director  
Service and License Centers Director  
Social Services Director  
Transportation Director/County Engineer  
Veterans Services Director

**10-014**

**Designation Of 2010 Official Voting Delegates For Association Of Minnesota Counties**

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby designates the following County officials as official voting delegates to represent Dakota County at the Association of Minnesota Counties (AMC) Annual Conference and during the year 2010:

Commissioner Joseph A. Harris  
Commissioner Kathleen A. Gaylord  
Commissioner Thomas A. Egan  
Commissioner Nancy Schouweiler  
Commissioner Liz Workman  
Commissioner Paul J. Krause  
Commissioner Willis E. Branning  
County Administrator  
Community Services Division Director  
Public Services and Revenue Division Director

**10-015**

**Summary Of Conclusions Of Closed Executive Session (December 15, 2009) To Evaluate Performance Of County Administrator**

WHEREAS, pursuant to Minn. Stat. § 13D.05, subd. 3(a), the County Board held a closed executive session on December 15, 2009, to evaluate the performance of the County Administrator; and

WHEREAS, Minn. Stat. § 13D.05, subd. 3(a) requires that the County Board summarize its conclusions regarding the evaluations; and

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WHEREAS, 50 percent of the Administrator's rating was based on the 32 annual board goals and the four County Balanced Scorecard elements (Stakeholder, Financial, Internal, and Employee Learning & Growth perspectives); and

WHEREAS, the remaining 50 percent on the rating was based upon 10 established Administrator core competencies, including Strategic Agility; Communicating Vision & Purpose; Analytical Thinking & Planning; Decision Making; Listening-Communications Skills; Handling Conflict & Difficult Situations; Organizational Expertise; Working with Others & Teams; Honesty & Integrity; and Impact on Results.

NOW, THEREFORE, BE IT RESOLVED, That based upon a review of the Administrator's performance with respect to the annual board goals and the Balanced Scorecard elements and core competencies, the Administrator's 2009 performance is rated at the level of Achiever.

**10-016**

**Setting Of Minimum 2011 Salary For County Attorney And County Sheriff**

WHEREAS, pursuant to Minn. Stat. § 387.20, subd. 2, and Minn. Stat. § 388.18, subd. 2, at the January meeting prior to the first date on which applicants may file for the office of County Attorney and County Sheriff, the County Board must set by resolution the minimum salary to be paid the County Attorney and County Sheriff for the term next following; and

WHEREAS, the next terms of the County Attorney and County Sheriff commence in January 2011.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby sets the minimum 2011 salary for the County Attorney at \$96,400; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby sets the minimum 2011 salary for the County Sheriff at \$86,500.

**10-017**

**Appointments To Metropolitan Emergency Services Board Radio Technical Operations Committee And 911 Technical Operations Committee**

WHEREAS, the Metropolitan Emergency Services Board (MESB) bylaws provide for each county to appoint one representative to the Radio Technical Operations Committee with the option of one alternate; and

WHEREAS, the MESB bylaws also provide for each county to appoint one or two representatives to the 911 Technical Operations Committee with the option of one or two alternates; and

WHEREAS, input from the Dakota County Sheriff's Office, Operations Management Department, and the Dakota Communications Center (DCC) Executive Director resulted in the recommendations below.

NOW, THEREFORE BE IT RESOLVED, That the Dakota County Board of Commissioners hereby appoints the following individuals to the Radio Technical Operations Committee of the Metropolitan Emergency Services Board for 2010:

Representative 1:	Ron Jansen, Dakota County Operations Management (Radio Services)
Alternate1:	Captain Dan Scheuermann, Dakota County Sheriff's Office

; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby appoints the following individuals to the 911 Technical Operations Committee of the Metropolitan Emergency Services Board for 2010:

Representative 1:	Rose Kruchten, DCC Dispatch Training Supervisor
Alternate 1:	Tara Shoemaker, DCC Dispatch Supervisor
Representative 2:	Diane Lind, Operations Manager, Dakota Communications Center (DCC)

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Alternate 2: Troy Ruby, DCC Dispatch Supervisor

**10-018**

**Scheduling County Board Workshop To Develop Priorities And Strategies For Future Land Conservation In Dakota County**

WHEREAS, one of the 2010 County Board goals is to develop a comprehensive land conservation vision for Dakota County; and

WHEREAS, County staff recommends that a workshop be held to review the current status of land conservation activities; and

WHEREAS, County staff seeks direction on developing the goals, priorities and potential strategies for future land protection and stewardship investment.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby schedules a County Board Workshop for February 9, 2010, following the Administration/Finance/Policy Committee of the Whole meeting in Conference Room 3A at the Administration Center in Hastings, Minnesota, for the purpose of discussing the development of the County's comprehensive land conservation vision.

**10-019**

**Authorization To Execute Agreements No. 95475 And 95636 With Minnesota Department Of Transportation For Trunk Highway 3 And Trunk Highway 50 Detours, State Projects 1921-83 And 1923-11**

WHEREAS, Minnesota Department of Transportation (Mn/DOT) will be performing bituminous surfacing, mill and overlay, drainage, guardrail and signal construction and other associated construction upon, along and adjacent to Trunk Highway (TH) 3 from .5 miles south of County State Aid Highway (CSAH) 42 to .04 miles north of TH 149 in the Cities of Rosemount, Eagan and Inver Grove Heights through State Project 1921-83; and

WHEREAS, a detour will be required to carry TH 3 traffic on to multiple County Roads during the construction; and

WHEREAS, executing Mn/DOT Agreement No. 95475 is necessary to receive reimbursement in the amount of \$4,085.57 from the State to the County and to define the detour location, weight limits, traffic control devices, maintenance and duration of the detour; and

WHEREAS, Mn/DOT will be performing drainage improvements, pond construction and other associated construction upon, along and adjacent to TH 50 from 83 feet west of junction TH 20 to 88 feet east of junction TH 20 in Douglas Township through State Project 1923-11; and

WHEREAS, a detour will be required to carry TH 50 traffic on to CSAHs 47, 62, 85 and 86 during the construction; and

WHEREAS, executing Mn/DOT Agreement No. 95636 is necessary to receive reimbursement in the amount of \$7,211.23 from the State to the County and to define the detour locations, weight limits, traffic control devices, maintenance and duration of the detour; and

WHEREAS, the State will reimburse the County for the road life consumed by the detours based on the income determined by the "Gas Tax Method" in accordance with the Detour Management Study Final Report; and

WHEREAS, the combined amounts of \$4,085.57 and \$7,211.23 (\$11,296.80) will be applied to the miscellaneous revenue in the Highway fund.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute Agreement No. 95475 with the Commissioner of Transportation of the State of Minnesota for the County to receive the State's reimbursement of \$4,085.57 for the road life consumed by the TH 3 detour through State Project 1921-83, subject to approval by the County Attorney's Office as to form; and

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BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute Agreement No. 95636 with the Commissioner of Transportation of the State of Minnesota for the County to receive the State's reimbursement of \$7,211.23 for the road life consumed by the TH 50 detour through State Project 1923-11, subject to approval by the County Attorney's Office as to form.

**10-020****Authorization To Execute Contract Amendment With Bolton & Menk, Inc. For Professional Services For County Project 97-72, Farmington Area Transportation Study**

WHEREAS, to promote safe and efficient transportation throughout the County and region, Dakota County partnered with City of Farmington to conduct a transportation study within the northwest Farmington area; and

WHEREAS, by Resolution No. 08-263 (May 20, 2008), the Dakota County Board of Commissioners authorized the Physical Development Director to execute a contract with Bolton & Menk, Inc. to perform professional services for County Project (CP) 97-72, in an amount not to exceed \$75,000; and

WHEREAS, staff from the County Transportation Department and the City of Farmington determined additional study tasks and analysis were required to assist in assessing alternatives and developing the study recommendation for CP 97-72; and

WHEREAS, Bolton & Menk, Inc. submitted a summary of costs for the additional project work requested beyond the project scope in the contract for CP 97-72; and

WHEREAS, County staff reviewed and negotiated the costs associated with the additional engineering services; and

WHEREAS, the Transportation Director recommends execution of the contract amendment with Bolton & Menk, Inc. for professional services for CP 97-72 in an amount not to exceed \$19,313, including reimbursable items; and

WHEREAS, the costs for professional services will be shared between Dakota County and the City of Farmington in accordance with the cost sharing agreement of 55% County and 45% City in accordance with adopted County policy; and

WHEREAS, the approved 2009 Transportation Capital Improvement Program budget includes adequate funds under Future Studies/Professional Services for Dakota County's funding commitment to contract with a consultant to complete the area roadway system study.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a contract amendment with Bolton & Menk, Inc. to perform professional services for County Project 97-72, in an amount not to exceed \$19,313, including reimbursable items, for the work required, subject to approval by the County Attorney's Office as to form.

**10-021****Authorization To Execute Contract With Department Of Homeland Security, Federal Emergency Management Administration, For Homeland Security Grant**

WHEREAS, Dakota County desires to improve the internal preparedness efforts and to assist local, state, and federal agencies to be better prepared for any potential disaster or emergency in Dakota County and bordering areas; and

WHEREAS, the Department of Homeland Security, Federal Emergency Management Administration (FEMA), had provided funding under the Homeland Security Grant Program to enhance preparedness activities related to natural disasters and terrorism to law enforcement agencies.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby ratifies the grant application the Department of Homeland Security, Federal Emergency Management Administration (FEMA), for the purpose of accepting a grant in the amount of \$103,741, for the grant period of June 1, 2009, through May 31, 2012; and

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BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Dakota County Sheriff to enter into a contract with the Department of Homeland Security, Federal Emergency Management Administration (FEMA), for the purpose of accepting a grant in the amount of \$103,741, for the grant period of June 1, 2009, through May 31, 2012, subject to approval by the County Attorney's Office as to form, and

BE IT FURTHER RESOLVED, That the 2010 Sheriff's budget is hereby amended as follows:

<b>Expense</b>	
Replacement of river boat	\$78,775
SCUBA gear for Sheriff's Underwater Rescue and Recovery Team	24,966
<b>Total</b>	<b>\$103,741</b>
<b>Revenue</b>	
2009 FEMA Grant	\$103,741
<b>Total</b>	<b>\$103,741</b>

**10-022**

**Authorization To Renew Contract With Intermediate School District 917 For School Resource Officer Services**

WHEREAS, Intermediate School District 917 desires to continue the School Resource Officer Program with the Dakota County Sheriff's Office and the Sheriff also wishes to continue that service in 2010; and

WHEREAS, Intermediate School District 917 has agreed to pay 75 percent for the cost of salary and benefits for this position.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Dakota County Sheriff to execute a contract with Intermediate School District 917 for the position of school resource officer at the Students with Unique Needs (SUN) Program for the period of January 1, 2010, through December 31, 2010, provided that Intermediate School District 917 agrees to pay 75 percent of the cost of salary and benefits and the county agrees to pay 25 percent of the cost of salary and benefits for the school resource officer position, subject to approval by the County Attorney's Office as to form.

**10-023**

**Approval Of Abatement**

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the following change in tax status as recommended by the County Assessor:

Real Estate Market Value Abatement: Approved

John and Esta Ratzlaff - #10-45150-140-01 – Eagan, City of

Reduce the 2008 estimated market value from \$669,300 to \$317,000. The tax capacity is reduced from \$7,116 to \$3,170.

END OF CONSENT AGENDA

ayes 7

nays none

Chair Egan presented his recommendations for appointment of the chairs of the Committees of the Whole and Regional Railroad Authority for 2010 (Agenda Item 14.1.)

**10-024**

**Ratification Of Appointment Of Chairs Of Committees Of The Whole For 2010**

Motion: Comm. Gaylord

Second: Comm. Harris

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby ratifies the County Board Chair's recommendation and appoints the following County Board members to serve as chairs for the Committees of the Whole for 2010:

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Administration/Finance/Policy Committee of the Whole Chair	Schouweiler
Community Services Committee of the Whole Chair	Gaylord
Physical Development Committee of the Whole Chair	Krause

; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby endorses the County Board Chair's following recommendation for Chair of the Dakota County Regional Railroad Authority for 2010 and refers the appointment to the Dakota County Regional Railroad Authority:

Regional Railroad Authority Chair	Branning
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ayes 7

nays none

Chair Egan then presented his recommendations for appointment of County Board members to various interagency and in-county boards/committees/commissions (Agenda Item 14.2).

**10-025**

**Appointment Of County Board Members To Boards/Committees/Commissions For 2010**

Motion: Comm. Workman

Second: Comm. Krause

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby appoints, as recommended by the County Board Chair, County Board members to serve on interagency boards, in-county boards, and as liaison commissioners for 2010 as follows:

**Inter-Agency Appointments**

Association of Minnesota Counties

Board of Directors Member

Schouweiler  
Gaylord (Alternate)  
Gaylord  
Workman (Alternate)

District X

General Government Policy Committee  
Environment & Natural Resources Policy Committee  
Health and Human Services Policy Committee  
Public Safety Policy Committee  
Transportation Policy Committee

Gaylord  
Egan  
Workman  
Schouweiler  
Krause

Byllesby Parks Committee

Harris  
Krause

Counties Transit Improvement Board

Krause  
Schouweiler  
Egan (Alternate)

Grant Evaluation and Ranking System (GEARS) Committee

Egan

Facility Operations Advisory Committee for Thompson Park Centers

Egan  
Gaylord  
Schouweiler

Greater Metropolitan Workforce Council

Branning  
Egan (Alternate)

High Performance Partnerships (HiPP) Steering Committee  
I-35W Solutions Alliance Board

Schouweiler  
Workman  
Krause (Alternate)

MetroGIS Policy Board

Egan  
Staff (Alternate)

Metropolitan Area Agency on Aging Board

Gaylord

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Metropolitan Energy Policy Coalition	Egan
	Harris
Metropolitan Emergency Services Board (*Executive Committee)	Gaylord*
	Krause (Alternate)
	Egan
	Schouweiler (Alternate)
Metropolitan Mosquito Control District Commission (*Executive Committee)	Egan*
	Workman
	Schouweiler
Minnesota Inter-County Association (MICA) Board	Egan
	Harris
Minnesota River Board	Egan
	Workman (Alternate)
Minnesota Valley Transit Authority Board	Branning
	Workman (Alternate)
Scott-Carver-Dakota CAP Agency Board	Workman
Solid Waste Management Coordinating Board (*Executive Committee)	Harris*
	Gaylord
	Workman (Alternate)
State Community Health Services Advisory Committee	Schouweiler
Transportation Advisory Board–Metropolitan Council	Krause
Vermillion River Watershed Joint Powers Board	Harris
	Krause
	Branning (Alternate)
Wakota Bridge Coalition, Inc.	Gaylord
	Workman (Alternate)
<b>In-County Appointments</b>	
Dakota County Community Corrections Advisory Board	Schouweiler
Dakota County Board/Court Policy Committee	Harris
	Egan
Dakota County Extension Committee	Harris
	Schouweiler
Dakota County Law Library Board	Gaylord
Dakota County Legislative Lead	Harris
Dakota County Legislative Liaison	Schouweiler
	Krause
Dakota County Regional Railroad Authority	All Commissioners
<b>Liaison Commissioner Appointments</b>	
Dakota-Scott Workforce Investment Board	Branning

; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby recommends to the President of the Association of Minnesota Counties (AMC) the appointment of Commissioner Gaylord as alternate to the AMC Legislative Steering Committee for 2010; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby recommends to the University of Minnesota the appointment of Commissioner Branning and Commissioner Harris to the UMORE Park Advisory Council for 2010; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby appoints Commissioner Workman as member and Commissioner Egan as alternate to the Dakota Communications Center Board of Directors for a two-year term ending December 31, 2011; and

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BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby appoints Commissioner Schouweiler as member and Commissioner Workman as alternate to the Metro Alliance for Healthy Families Governing Board for a two year term ending December 31, 2011.

ayes 7

nays none

Appointments were then made to various Dakota County Advisory committees (Agenda Items 14.3 – 14.11, and 14.13).

**10-026**

**Appointment To Community Corrections Advisory Board–District 6**

Motion: Comm. Krause

Second: Comm. Schouweiler

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby appoints the following individual to the Community Corrections Advisory Board to fill an unexpired term ending December 31, 2010:

District	Name
6	Jay Meyer

ayes 7

nays none

**10-027**

**Appointments To Community Development Agency Board–Districts 2 And 3**

Motion: Comm. Gaylord

Second: Comm. Harris

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby appoints/reappoints the following individuals to the Community Development Agency Board for three-year terms ending January 8, 2013:

District	Name
2	Kathleen Gaylord
3	Thomas Egan

ayes 7

nays none

**10-028**

**Appointment To Extension Committee–District 3**

Motion: Comm. Egan

Second: Comm. Harris

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby appoints/reappoints the following individual to the Extension Committee for a three-year term ending December 31, 2012:

District	Name
3	Thomas Smith

ayes 7

nays none

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**10-029**

**Appointments To Farmland And Natural Areas Program Advisory Committee**

Motion: Comm. Harris

Second: Comm. Schouweiler

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby appoints the following individuals to the Farmland and Natural Areas Program Advisory Committee for a two-year term ending December 31, 2011:

District	Name
1	Phillip Veith
2	Vacant
3	Trixie Golberg
3	Adina Lebowitz
3	Holly Loeffler
4	Vacant
5	Vacant
6	Greg Stattman
7	Craig Belbeck

; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby appoints the following individual to the Farmland and Natural Areas Program Advisory Committee for a two-year term ending December 31, 2010:

District	Name
7	Vacant

ayes 7

nays none

**10-030**

**Appointments To Library Board—Districts 1 And 4**

Motion: Comm. Gaylord

Second: Comm. Schouweiler

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby appoints/reappoints the following individuals to the Library Board for three-year terms ending December 31, 2012:

District	Name
1	Patricia Hanauer
4	Barbara Berggren

ayes 7

nays none

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At this time, discussion was held on Resolution No. 10-029 regarding the erroneous appointment of members to represent District 3 on the Farmland and Natural Areas Program Advisory Committee. Following discussion, Commissioner Gaylord moved and Commissioner Schouweiler seconded amending Resolution No. 10-029 as follows:

**10-031**

**Appointments To Farmland And Natural Areas Program Advisory Committee**

Motion: Comm. Gaylord

Second: Comm. Schouweiler

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby appoints the following individuals to the Farmland and Natural Areas Program Advisory Committee for a two-year term ending December 31, 2011:

District	Name
1	Phillip Veith
2	Vacant
3	Kenneth Virnig
4	Vacant
5	Vacant
6	Greg Stattman
7	Craig Belbeck

; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby appoints the following individual to the Farmland and Natural Areas Program Advisory Committee for a two-year term ending December 31, 2010:

District	Name
7	Vacant

ayes 7

nays none

**10-032**

**Appointments To Human Services Advisory Committee And Appointment Of 2010 Chair**

Motion: Comm. Branning

Second: Comm. Krause

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby appoints the following individuals to the Human Services Advisory Committee for two-year terms ending December 31, 2011:

District	Name
1	Colleen Fritsch
1	Patrick Ramel
1	Allen Koss
2	Tom Alleva
2	Elizabeth Gunhus

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- 2 Mary Kahnke
- 3 Trixie Golberg
- 3 Adina Lebowitz
- 3 Holly Loeffler
- 4 Deborah Scofield
- 4 Arlene Sheldon
- 4 Karen Kirkwood
- 5 Vacant
- 5 Vacant
- 5 Brent Poppenhagen
- 6 Elizabeth Campbell
- 6 Bruce Folken
- 6 Aaron Virdure
- 7 Sharon Babcock
- 7 Ty Morris
- 7 Daniel Schultz

; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby appoints Tom Alleva as the 2010 chair of the Human Services Advisory Committee.

ayes 7

nays none

**10-033**

**Appointment To Personnel Board Of Appeals**

Motion: Comm. Workman

Second: Comm. Schouweiler

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby appoints the following individual to the Personnel Board of Appeals for a three-year term ending December 31, 2012:

District	Name
At Large	Linda Nelson

ayes 7

nays none

**10-034**

**Appointments To Public Art Citizen Advisory Committee—Districts 1, 2, 4 And 6**

Motion: Comm. Schouweiler

Second: Comm. Krause

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby appoints the following individuals to the Public Art Citizen Advisory Committee for two-year terms ending December 31, 2011:

District	Name
2	Betty Thompson

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- 4 Elizabeth Undis
- 6 Beth Adams

; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby appoints the following individual to the Public Art Citizen Advisory Committee for a two-year term ending December 31, 2010:

District	Name
1	Vacant

ayes 7

nays none

**10-035**

**Appointments To Special Board Of Appeal And Equalization—Districts 1, 2, 5 And 6, And Appointment Of 2010 Chair**

Motion: Comm. Krause

Second: Comm. Harris

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby appoints/reappoints the following individuals to the Special Board of Appeal and Equalization for two-year terms ending December 31, 2011:

District	Name
1	Lance Twedt
5	Ken Slipka
6	Herbert Nybert

; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby appoints the following individual to the Special Board of Appeal and Equalization for a two-year term ending December 31, 2010:

District	Name
2	Vacant

; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby appoints Ken Slipka as the 2010 chair of the Special Board of Appeal and Equalization.

ayes 7

nays none

**10-036**

**Appointment To Scott-Carver-Dakota CAP Agency Board Of Directors**

Motion: Comm. Krause

Second: Comm. Schouweiler

WHEREAS, the Scott-Carver-Dakota CAP Agency has two Dakota County public official positions on its Board of Directors; and

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WHEREAS, in the past, Dakota County has chosen to appoint one commissioner and one public official representative to fill its two positions; and

WHEREAS, due to the interrelated nature of the services provided by the CAP Agency and Dakota County Employment & Economic Assistance and providers, staff recommends that the department director continue to be appointed to fill one vacant position; and

WHEREAS, in order that this appointment coincide with other annual commissioner appointments, staff recommends that the term of this position end on December 31, 2010.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby appoints Ruth Krueger, Employment & Economic Assistance Director, as a Dakota County public official representative to the Scott-Carver-Dakota CAP Agency Board for a term ending December 31, 2010.

ayes 7 nays none

**10-037  
Appointment To Parks And Recreation Advisory Committee - District 3**

Motion: Comm. Branning Second: Comm. Workman

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby appoints the following individuals to the Parks and Recreation Advisory Committee for a two-year term ending January 4, 2011:

District	Name
3	Jill Smith

ayes 7 nays none

Inter-agency announcements and reports were then presented. The County Administrator had no report.

**10-038  
Adjournment**

Motion: Comm. Harris Second: Comm. Workman

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby adjourns to Tuesday, January 26, 2010.

ayes 7 nays none

The County Board meeting was adjourned at 9:59 a.m.

Thomas A. Egan  
Chair

ATTEST

Brandt Richardson  
County Administrator