

February 23, 2010

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

The Dakota County Board of Commissioners convened at 9:03 a.m. on Tuesday, February 23, 2010. The meeting was called to order by Chair Thomas Egan who welcomed everyone and opened the meeting with the Pledge of Allegiance. 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

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

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. The following individuals appeared and addressed the County Board to express concerns with homes that have been foreclosed on in the Eagan area:

- Tim Figge, Eagan
- Pete Lund, Eagan

10-098
Approval Of Agenda

Motion: Comm. Harris Second: Comm. Krause

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the agenda for the County Board meeting on February 23, 2010, with the following revision:

- Added Item 14.5 – Acceptance Of Resignation From Member Of Community Development Agency Board

ayes 6
absent 1 Comm. Branning nays none

The time being 9:04 a.m., and pursuant to public notice, a public hearing was conducted for the purpose of receiving comments on Agenda Item 5.1 – Public Hearing To Receive Comments On And Adoption Of 2010 – 2011 Solid Waste Hauler Fee Schedule. Environmental Management Director Jeff Harthun introduced the public hearing. Interested parties desiring to be heard were afforded the opportunity to address the County Board. No one appeared.

10-099
Closing Of Public Hearing

Motion: Comm. Schouweiler Second: Comm. Workman

BE IT RESOLVED, That the public hearing is closed.

ayes 6
absent 1 Comm. Branning nays none

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10-100

Adoption Of 2010-2011 Solid Waste Hauler Fee Schedule

Motion: Comm. Harris

Second: Comm. Gaylord

WHEREAS, in accordance with County Board Resolution No. 95-96 (February 7, 1995), the Dakota County Board of Commissioners approved an amendment to the Solid Waste Management Coordinating Board (SWMCB) Joint Powers Agreement that provides for a regional mixed municipal solid waste (MSW) hauler licensing program and for a fee for MSW haulers to be established by the SWMCB; and

WHEREAS, the SWMCB has established a fee of \$50 per licensed vehicle for the regional MSW hauler licensing program; and

WHEREAS, in accordance with the requirements of Dakota County Ordinance 110, Solid Waste Management, Dakota County also licenses non-MSW haulers not covered by the SWMCB regional MSW hauler licensing program; and

WHEREAS, pursuant to Dakota County Ordinance 110, Section 15.08, the County Board is to establish a hauler license fee by March 1 of each year; and

WHEREAS, the Dakota County Board of Commissioners desires to maintain consistent fee levels for all solid waste haulers operating in Dakota County; and

WHEREAS, pursuant to Minn. Stat. § 373.41, the Dakota County Board of Commissioners may charge fees to recover program costs for the administration of the hauler licensing program by the Environmental Management Department; and

WHEREAS, copies of the recommended solid waste hauler license fee schedule have been mailed to all current licensees for review and consideration; and

WHEREAS, notice of a public hearing on the recommended 2010-2011 solid waste hauler fee schedule was posted on the Dakota County website; and

WHEREAS, a public hearing to receive comments on the recommended 2010-2011 solid waste hauler fee schedule was held on February 23, 2010.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby adopts the following 2010-2011 solid waste hauler fee schedule:

Solid Waste Hauler Fee Schedule

Annual Vehicle Fee \$50

ayes 6

absent 1 Comm. Branning

nays none

The consent agenda was then approved as follows:

Motion: Comm. Workman

Second: Comm. Krause

10-101

Approval Of Minutes

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the minutes of the regular County Board meeting, held February 9, 2010, as presented and entered in Commissioners' Record 2010.

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10-102**Consideration Of Proposed Amendments To Policy No. 1015, Citizen Advisory Committee Membership**

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby amends Policy No. 1015, Citizen Advisory Committee Membership, as presented to the Administration/Finance/Policy Committee of the Whole on February 9, 2010; and

BE IT FURTHER RESOLVED, That staff is hereby directed to amend the County Policies and Procedures Manual and the County Board Operating Rules & Guidelines to include these amendments.

10-103**Approval Of 2010 Federal Legislative Program**

WHEREAS, it is in the interest of the citizens of Dakota County that initiatives beneficial to the County be advocated before the United States Congress and federal agencies; and

WHEREAS, the Dakota County Board of Commissioners has retained the services of the Lockridge Grindal Nauen Federal Relations Group to represent the interests of the County to Members of Congress and before federal agencies; and

WHEREAS, seventeen policy and appropriation initiatives have been proposed for inclusion in the Dakota County federal legislative program for 2010.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby adopts the recommended federal legislative positions for 2010 as presented to the Administration/Finance Policy Committee of the Whole on February 9, 2010; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby approves the submission of the following priority requests for directed federal appropriations:

- Cedar Avenue Corridor Transitway
- Interchange at Trunk Highway 13 and County State Aid Highway 5
- Metro Alliance for Healthy Families – Intensive Family Home-Visiting for at risk families
- Robert Street Corridor Transitway
- Criminal Justice Information Integration Network Upgrades
- Juvenile Detention Alternatives Initiative

; and

BE IT FURTHER RESOLVED, That the County Administrator is hereby directed to cause to be prepared the recommended federal legislative program elements for distribution to the County's Congressional Delegation and other members of Congress and officials of federal executive agencies, as appropriate; and

BE IT FURTHER RESOLVED, That the recommended federal legislative program shall guide the work of the Lockridge Grindal Nauen Federal Relations Group in representing the interests of Dakota County with Members of Congress and federal agencies.

10-104**Request For Approval Of Burnhaven Library Renovation Schematic Design**

WHEREAS, the 2010 – 2014 Building Capital Improvement Program (CIP) authorized the renovation of the Burnhaven Library, including the addition of the Burnsville License Center to the building, for a total project budget of \$2,422,000; and

WHEREAS, the project will improve patron and staff accessibility, entrance visibility, and use of the library.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the Schematic Design for the Burnhaven Library, as presented at the February 9, 2010, Administration/Finance/Policy Committee meeting.

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10-105

Authorization To Accept State Dislocated Worker Funds, Amend 2010 Employment And Economic Assistance Budget, And Amend Related Contracts

WHEREAS, the Workforce Investment Act (WIA) requires Workforce Service Areas (WSA) to offer employment and training services to low-income adults and dislocated workers through funding allocated by the Minnesota Department of Employment and Economic Development (DEED) for the provision of Federal and State Formula Dislocated Worker Programs; and

WHEREAS, by Resolution No. 09-295 (June 16, 2009), the Dakota County Board of Commissioners approved the Dakota-Scott 2009 annual plan and related contracts with DEED/Job Service and HIRED for the provision of Dislocated Worker Program services in Dakota County; and

WHEREAS, by Resolution No. 09-606 (December 15, 2009), the Dakota County Board of Commissioners approved an amendment to the 2009 Employment and Economic Assistance Budget to add dislocated worker funding and to execute related contract amendments; and

WHEREAS, due to increasing demand for dislocated worker services, the Dakota-Scott WSA requested additional funding for the Dislocated Worker Program; and

WHEREAS, Dakota-Scott WSA was awarded \$235,000 of additional funding with 75.6% for Dakota County and 24.4% for Scott County; and

WHEREAS, Dakota and Scott Counties each provide employment and training program services, with Dakota County providing these services through contracts with DEED/Job Service and HIRED.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director, with the concurrence of the Dakota-Scott Workforce Investment Board (WIB), to accept the state Dislocated Worker funds in the amount of the funds awarded, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the Community Services Director is hereby authorized, with the concurrence of the Dakota-Scott Workforce Investment Board (WIB), to amend the contracts with DEED/Job Service and HIRED to provide additional state dislocated worker employment and training services, subject to approval by the County Attorney's Office as to form, as follows:

Amend the contract with DEED/Job Service to add \$1,000 for each new participant enrolled when enrollment surpasses 185 participants, not to exceed 25 additional participants; and

Amend the contract with HIRED to add \$1,000 for each new participant enrolled when enrollment surpasses 185 participants, not to exceed 25 additional participants; and

BE IT FURTHER RESOLVED, That the Community Services Director is hereby authorized to amend said contracts, to alter the number and types of participants served, types of services provided, reporting requirements, unit rate and contract term, subject to approval of the County Attorney's Office as to form; and

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

Expense	
Direct Program	\$159,894
Total Expense	\$159,894
Revenue	
DEED	\$177,660
Increase in Fund Balance	(\$17,766)
Total Revenue	\$159,894

; and

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BE IT FURTHER RESOLVED, That these contracts shall contain a provision that allows the County to immediately terminate the contract in the event sufficient funds from county, state, or federal sources are not appropriated at a level sufficient to allow payment of the amounts due.

10-106**Ratify Application Submitted To Minnesota Department Of Human Services For Family Group Decision Making Funding And Authorization To Execute Resulting Grant Agreement**

WHEREAS, Family Group Decision Making (FGDM) draws on extended family members and important people in a family's life to develop and implement a plan to provide safety and stability in a family; and

WHEREAS, Dakota County has used Family Group Decision Making (FGDM) successfully in child welfare casework since 2001, with the support of Title IV-B funds awarded through the Minnesota Department of Human Services; and

WHEREAS, in response to a Request for Proposals issued by the Minnesota Department of Human Services (DHS), County staff submitted a proposal in the amount of \$99,000 for the period of January 1, 2010 through December 31, 2011, that expanded the use of the Family Group Decision Making process to include transition planning for youth in long-term foster care age sixteen and older, some youth in the juvenile justice system, and families being diverted from Child in Need of Protection or Services (CHIPS) Court; and

WHEREAS, on January 28, 2010, DHS awarded the full request of \$49,500 for calendar year 2010, and \$49,500 for calendar year 2011; and

WHEREAS, the required 25% cash match, or \$16,500 annually, can be met with funds currently included in the Social Services budget; and

WHEREAS, staff request ratification of the application submitted to DHS, authorization to execute a grant agreement with the Minnesota Department of Human Services in the amount of \$99,000 for the period of January 1, 2010 through December 31, 2011, and authorization to amend the 2010 Social Services to add \$49,500 of grant funds; and

WHEREAS, the grant agreement may be cancelled by DHS or the County Board of Commissioners at any time, with or without cause, upon 30 days written notice to the other party.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby ratifies the application submitted to the Minnesota Department of Human Services and authorizes the Community Services Director to execute a grant agreement to accept the Family Group Decision Making funding 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 2010 Social Services budget is hereby amended as follows:

Expense	
Family Group Decision Making	\$49,500
Total Expense	\$49,500
Revenue	
DHS – FGDM grant	\$49,500
Total Revenue	\$49,500

10-107**Acceptance Of 2009 Gifts From Dakota County 4-H Federation**

WHEREAS, Dakota County provides services such as agricultural, gardening and nutrition education through an agreement with the University of Minnesota, Extension Services and by providing facilities for the regional extension center of the University of Minnesota; and

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WHEREAS, the Dakota County 4-H Federation (Federation) is a Minnesota non-profit corporation that supports the Dakota County Extension Committee and the University of Minnesota Agricultural Extension Service; and

WHEREAS, the Federation receives funds during the conduct of Federation-sponsored 4-H activities and provides these funds to Dakota County from time to time and pursuant to an agreement between the County and the 4-H Federation; and

WHEREAS, these funds are deposited in a separate agency fund established by the County for this purpose; and

WHEREAS, the Federation retains the sole discretion to determine the amount of funds to be provided and the time at which they will be provided and as such, these funds are a gift to Dakota County; and

WHEREAS, the Federation contributed \$225,468 to Dakota County Extension Services in 2009; and

WHEREAS, the County expends the funds received from the 4-H Federation solely in support of 4-H programs provided by the University of Minnesota, Extension Services to enhance the 4-H programs available to County residents; and

WHEREAS, by Resolution No. 09-246 (May 15, 2009), the Dakota County Board of Commissioners amended its gift acceptance policy so that Federation gifts would be received by the Board annually.

NOW, THEREFORE, BE IT RESOLVED, That Dakota County Board hereby accepts \$225,468 from the 4-H Federation.

10-108

Approval Of Budget Amendment For 2009 Medical Examiner Services And Additional Payment To Regina Medical Center

WHEREAS, the Dakota County Board of Commissioners approved the 2009 Medical Examiner budget in the amount of \$494,382 on December 16, 2008 (Resolution No. 08-633); and

WHEREAS, the 2009 contract with Regina Medical Center for morgue and medical examiner services is based upon the 2009 Medical Examiner budget; and

WHEREAS, the 2009 budget and contract were based upon the variable cost of an estimated 790 cases; and

WHEREAS, the 2009 contract with Regina Medical Center provides that Dakota County will pay the variable costs incurred by Regina Medical Center in the event that the actual number of investigations exceed the 2009 estimated number of investigations; and

WHEREAS, on February 9, 2010, the County Administrator received a budget reconciliation request from the Regina Medical Center for \$50,275 to cover its variable costs to conduct 97 investigations beyond the estimated 790 investigations; and

WHEREAS, over the last three years, Dakota County has paid variable costs to Regina Medical Center due to the higher than anticipated number of cases; and

WHEREAS, the reconciliation costs have risen from \$2,203 in 2007 to \$16, 811 in 2008 and \$50,275 in 2009; and

WHEREAS, staff is working with Regina Medical Center to develop a more accurate estimate of the number of cases each year to avoid any future budget reconciliation requests; and

WHEREAS, funds are available from the countywide Budget Incentive Program (BIP) to pay for this cost; and

WHEREAS, staff recommends the County Board approve a budget amendment and contract payment to Regina Medical Center, in the amount of \$50,275.

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NOW, THEREFORE, BE IT RESOLVED, That the 2009 Medical Examiner budget is hereby amended as follows:

Expense	
Medical Examiner Services	\$50,275
Revenue	
Countywide BIP	\$50,275

; and

BE IT FURTHER RESOLVED, That the County Administrator is hereby authorized to pay \$50,275 for medical examiner services to Regina Medical Center, pursuant to the 2009 contract with Regina Medical Center.

**10-109
 Authorization To Execute Contract With Barkeware, LLC For Professional Services For Criminal Justice Information
 Integration Network**

WHEREAS, the Dakota County Criminal Justice Information Integration Network (CJIIN) provides applications and services to integrate select state and local criminal justice information through collaboration with local and state agencies; and

WHEREAS, the Dakota County CJIIN requires technical/professional services in the areas of development and implementation of applications software and systems for CJIIN applications and the Integration Hub; and

WHEREAS, Dakota County contracted for the services of BarkeWare, LLC in 2008 to provide technical/professional services focused on the development of scheduling and eForms, and integration of applications for law enforcement and criminal justice agencies as part of CJIIN; and

WHEREAS, Dakota County desires to contract with BarkeWare from March 1, 2010 through July 31, 2010, to continue the work relating to the development and implementation of applications software and systems for CJIIN Applications and implementation of the Anoka County integration hub, for a total contract amount not to exceed \$70,000; and

WHEREAS, sufficient funds for the contract are available in the CJIIN Enterprise Fund.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Operations, Management, and Budget Director to execute a contract with BarkeWare, LLC, for professional services for the Criminal Justice Information Integration Network, for a term extending from March 1, 2010 through July 31, 2010, for a total contract amount not to exceed \$70,000, subject to approval by the County Attorney’s Office as to form; and

BE IT FURTHER RESOLVED, That the 2010 CJIIN Enterprise Fund budget is hereby amended as follows:

Expense	
CJIIN Enterprise Fund- Professional Services	\$70,000
Revenue	
CJIIN Enterprise Fund- Use of Fund Balance (From Cities/Counties)	\$70,000

**10-110
 Authorization To Execute Contract With Motorola, Inc. To Provide Post-Warranty Support Services For Dakota County 800
 MHz Subsystem**

WHEREAS, Motorola, Inc. currently provides post-warranty support for the Dakota County 800 MHz radio subsystem; and

WHEREAS, County staff have negotiated an extension of the current contract with Motorola; and

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WHEREAS, Motorola, Inc. is willing to provide the post-warranty support services at the same price as provided in the current contract.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Operations Management Director to execute an extension of the contract with Motorola, Inc. for post-warranty support of the Dakota County 800 MHz radio subsystem, in an amount not to exceed \$128,884, for the period January 1, 2010 through December 31, 2010, subject to approval of the County Attorney's Office as to form.

10-111

Scheduling Of Public Hearing To Receive Comments On Proposed Amendments To Dakota County Ordinance No. 110, Solid Waste Management

WHEREAS, Dakota County Environmental Management Department staff, in consultation with the Dakota County Attorney's Office, has prepared proposed amendments to Dakota County Ordinance No. 110, Solid Waste Management; and

WHEREAS, it is a goal of the Dakota County Board of Commissioners to maintain County Ordinance regulatory authority that effectively minimizes potential impacts to the public health, safety, and to the environment of Dakota County; and

WHEREAS, the Dakota County Board of Commissioners desires to amend Dakota County Ordinance No. 110, Solid Waste Management for the purposes of: adding and modifying several definitions; removing the Ordinance section which previously provided an exemption for farmers to burn and bury solid wastes; modifying financial assurance requirements for solid waste facilities; changing how the Ordinance defines major modifications to solid waste facility operations; establishing additional requirements for how landfills may manage contaminated soils; modifying landfill prohibited waste acceptance requirements; establishing a provision to allow landfills to recirculate leachate; including additional license application requirements for energy recovery facilities; modifying requirements pertaining to scrap yards; establishing additional requirements for the investigation and remediation of contaminated sites; and adding an emergency waiver of standards section; and

WHEREAS, copies of the proposed amendments are available for review at Dakota County libraries, the Dakota County Treasurer/Auditor's Office, and on the County website; and

WHEREAS, the Dakota County Board of Commissioners wishes to make these amendments effective immediately upon adoption.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby schedules a public hearing for 9:00 a.m. on March 16, 2010, in the Board Room of the Dakota County Administration Center, 1590 Highway 55, Hastings, Minnesota, for the purpose of receiving comments on the proposed amendments to Dakota County Ordinance No. 110, Solid Waste Management; and

BE IT FURTHER RESOLVED, That the Dakota County Treasurer/Auditor is hereby directed to publish in the official County newspaper notice of the public hearing and the County Board's intention to enact such amendments pursuant to Minn. Stat. § 375.51.

10-112

Scheduling Of Public Hearing To Receive Comments On Proposed Amendments To Dakota County Ordinance No. 111, Hazardous Waste Regulation

WHEREAS, Dakota County Environmental Management Department staff, in consultation with the Dakota County Attorney's Office, has prepared proposed amendments to Dakota County Ordinance No. 111, Hazardous Waste Regulation; and

WHEREAS, it is a goal of the Dakota County Board of Commissioners to maintain County Ordinance regulatory authority that effectively minimizes potential negative impacts to public health, safety, and to the environment of Dakota County; and

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WHEREAS, the Dakota County Board of Commissioners desires to amend Dakota County Ordinance No. 111, Hazardous Waste Regulation, for the purposes of: adding, deleting, and modifying several definitions; providing for additional financial assurance provisions; clarifying regulatory requirements for various types of hazardous waste facilities; simplifying the adoption procedure for future State rule changes; providing for consistency of the financial assurance requirements between Ordinance No. 111 and Dakota County Ordinance No. 110, Solid Waste Management; and adding an emergency waiver of standards section; and

WHEREAS, copies of the proposed amendments are available for review at Dakota County libraries, the Dakota County Treasurer/Auditor's Office, and on the County website; and

WHEREAS, the Dakota County Board of Commissioners wishes to make these amendments effective immediately upon adoption.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby schedules a public hearing at 9:00 a.m. on March 16, 2010, in the Board Room, Dakota County Administration Center, 1590 Highway 55, Hastings, Minnesota, for the purpose of receiving comments on the proposed amendments to Dakota County Ordinance No. 111, Hazardous Waste Regulation; and

BE IT FURTHER RESOLVED, That the Dakota County Treasurer/Auditor is hereby directed to publish in the official County newspaper notice of the public hearing and the County Board's intention to enact such amendments pursuant to Minn. Stat. § 375.51.

10-113**Authorization To Execute Household Hazardous Waste Reciprocal Use Agreement With Scott County**

WHEREAS, the Dakota County Board of Commissioners desires to protect public health, surface water, and groundwater by removing household hazardous waste (HHW) from the solid waste stream; and

WHEREAS, Solid Waste Management Coordinating Board (SWMCB) counties (Dakota, Anoka, Carver, Hennepin, Ramsey, and Washington) and Scott County each provide a HHW management program for their residents; and

WHEREAS, the Dakota County Board of Commissioners desires to provide and maintain a significant public service whereby Dakota County residents may use HHW management facilities in any of the five other SWMCB-member counties and Scott County; and

WHEREAS, the Dakota County Board of Commissioners wishes to recover the cost of collection and disposal of HHW to the extent possible; and

WHEREAS, on December 15, 2009 (Board Resolution No. 09-600), the Dakota County Board of Commissioners authorized execution of the SWMCB HHW Inter-County Reciprocal Use Agreement, which authorizes monetary transfers between the SWMCB counties to practically compensate each county for residents delivering HHW to sites in other SWMCB counties; and

WHEREAS, Dakota County and Scott County desire to enter into a similar HHW Inter-County Reciprocal Use Agreement.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute the Household Hazardous Waste Inter-County Reciprocal Use Agreement with Scott County as presented to the County Board at its meeting on February 23, 2010, subject to approval by the County Attorney's Office as to form.

10-114**Support For Solid Waste Management Coordinating Board Product Stewardship Legislative Initiative**

WHEREAS, the Minnesota Waste Management Act states that the waste management goal for the State is to foster an integrated waste management system in a manner appropriate to the characteristics of the waste stream and thereby protect the State's land, air, water, and other natural resources and the public health; and

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WHEREAS, local government in Minnesota is held responsible by the State for waste management outcomes, including assuring recycling opportunities, regulating and enforcing solid and hazardous waste laws, hazardous waste collection, and other costly waste management programs, without sufficient State funding; and

WHEREAS, since 1980, cities, townships, and counties have acted to work toward this goal by implementing a wide variety of publicly funded programs, such as: assuring opportunities for all residents to recycle; providing separate management of yard waste; regulating solid, hazardous, and infectious waste; and providing extensive educational programs and collection facilities for household hazardous waste and other problem materials; and

WHEREAS, even with these efforts, a substantial amount of material, approaching one million tons from the metropolitan area, is placed into landfills each year, resulting in wasted resources and energy; and

WHEREAS, manufactured goods and packaging constitute approximately 75% of the materials managed as waste based on figures reported by the U.S. Environmental Protection Agency, and offer significant opportunities for conserving materials; and

WHEREAS, per capita waste generation in the metropolitan area has remained high over the past decade, at approximately 1.2 tons per person per year, and only until the recent economic downturn did waste generation decline as a result of less consumption; and

WHEREAS, consumer products and packaging may contain materials such as heavy metals and other harmful substances that pose threats to human health and the environment if improperly managed; and

WHEREAS, local governments do not design or market products and do not profit from their sale, but have spent public resources to deal with and manage the rising volume of discarded products; and

WHEREAS, Minnesota counties spend approximately \$14 million annually on household hazardous waste collection programs; and

WHEREAS, when disposal costs are paid by local governments, producers do not have an incentive to consider end-of-life management issues; and

WHEREAS, product stewardship is an environmental policy through which producers accept responsibility for the management of post-consumer products, so that those who produce and use products bear the costs of recycling and responsible disposal; and

WHEREAS, when producers are responsible for ensuring their products are reused or recycled responsibly, and when health and environmental costs are included in the product price, there is an incentive to design products that are more durable, easier to repair and recycle, and less toxic; and

WHEREAS, when end-of-life management costs are internalized in the price of a product, comprehensive market signals are provided to the consumer so they can make informed decisions; and

WHEREAS, the State of Minnesota and the Solid Waste Management Coordinating Board have led the effort on product stewardship for some products, such as waste electronics, paint, mercury containing items, used motor oil, and lead acid batteries; and

WHEREAS, the estimated gross economic activity for Minnesota's recycling manufacturing industry is more than \$1 billion annually, and recycling offers significant local economic development opportunities.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby encourages the Minnesota Legislature to adopt a product stewardship framework approach that creates effective, flexible, producer-led reduction, reuse, and recycling programs to deal with a product's lifecycle impacts from design through end-of-life management so that State and local governments do not have primary responsibility for financing such efforts; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby supports product stewardship policies and practices, and directs Dakota County staff to forward this resolution to the Minnesota Legislature and to the Governor; and

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BE IT FURTHER RESOLVED, That Dakota County staff is directed to work with member cities to encourage the adoption of similar resolutions supporting product stewardship.

10-115**Authorization To Execute Joint Powers Agreement With Minnesota Department Of Natural Resources To Provide Aquatic And Angling Education Programming**

WHEREAS, in 2009, the County Board authorized execution of a joint powers agreement with the Minnesota Department of Natural Resources (DNR) that provided \$5,000 to Dakota County to deliver aquatic and angling education programming (MinnAqua Program); and

WHEREAS, the MinnAqua program is an educational program designed to teach angling recreation and stewardship, as well as the ecology and conservation of aquatic habitats; and

WHEREAS, in 2009, Dakota County successfully implemented the MinnAqua program throughout the County park system serving more than 600 people comprised mostly of children; and

WHEREAS, the DNR has offered Dakota County \$5,000 to deliver MinnAqua programming again in 2010; and

WHEREAS, a joint powers agreement has been prepared that includes the following County responsibilities:

- Term - May 1, 2010, or the date the State obtains all required signatures, through September 30, 2010, or until all obligations have been satisfactorily fulfilled
- Organize and implement three, multi-day fish camps in Dakota County
- Provide at least one, multi-day fish camp that culminates in a 1-day, weekend family fishing event
- Submit reports, evaluations, and invoices as required
- Participate in MinnAqua training provided by the DNR
- Work with DNR staff and other community organizations to provide angling and aquatic education in Dakota County; and

WHEREAS, the County benefits are:

- Increased angling and aquatic habitats education and programming opportunities throughout the Dakota County parks system both through formal programs (e.g., fishing camps and clinics) and informal exposure and presence in the parks (e.g., spending an afternoon at Thompson County Park with fishing equipment and working with kids and adults informally).
- Opportunity to connect people, especially children, women, persons from diverse cultures, and older adults, to angling and aquatic education and nature.
- Partnership and goodwill created with the DNR, which if successful could lead to additional partnerships; and

WHEREAS, the MinnAqua program would be fully funded by the \$5,000 from the DNR; and

WHEREAS, a portion of the grant funds will be used to hire a temporary County employee to deliver the program for the term of the JPA.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a joint powers agreement with the Minnesota Department of Natural Resources as substantially presented at the February 23, 2010 County Board meeting, and subject to approval by the County Attorney's Office as to form.

10-116**Authorization To Execute Contract With SRF Consulting Group, Inc. For Design And Engineering Services For Mississippi River Regional Trail**

WHEREAS, by Resolution No. 99-526 (September 21, 1999), the Dakota County Board of Commissioners adopted the Draft Mississippi River Regional Trail (MRRT) Development Plan; and

WHEREAS, the MRRT is divided into ten segments for design and funding purposes; and

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WHEREAS, the MRRT Pine Bend Scientific and Natural Area segment in Inver Grove Heights is scheduled for construction in 2011; and

WHEREAS, consulting services are necessary to design and engineer the MRRT Pine Bend Scientific and Natural Area segment; and

WHEREAS, proposals for the necessary design and engineering services for the MRRT Pine Bend Scientific and Natural Area segment were requested and received from five consulting firms; and

WHEREAS, based on its qualifications and lower cost proposal, the firm of SRF Consulting Group, Inc. is recommended in an amount not to exceed \$ \$114,826, including reimbursables; and

WHEREAS, the 2009 Dakota County Capital Improvement Program (CIP) included \$125,000 for the design and engineering of the MRRT Pine Bend Scientific and Natural Area segment; and

WHEREAS, these funds are sufficient for the consultant contract and will be requested to be carried over to the 2010 CIP.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a contract with SRF Consulting Group, Inc. for design and engineering of the Mississippi River Regional Trail Pine Bend Scientific and Natural Area segment in an amount not to exceed \$114,826, including reimbursables, subject to approval by the County Attorney's Office as to form.

10-117

Authorization To Execute Contract With Short Elliott Hendrickson, Inc. For Design Services On County Project 28-30

WHEREAS, to provide a safe and efficient transportation system, Dakota County is proceeding with County Project (CP) 28-30 for the design of intersection modifications, new public street connections and median closures on County State Aid Highway 28 (Yankee Doodle Road) from Denmark Avenue to Lexington Avenue; and

WHEREAS, the 2009 Transportation Capital Improvement Program (CIP) included design funds for CP 28-30 that will be carried over to 2010; and

WHEREAS, CP 28-30 will implement improvements to the West Segment of County State Aid Highway 28 as identified in the adopted County State Aid Highway 28 Corridor Study (Resolution No. 07-390, August 28, 2007); and

WHEREAS, CP 28-30 also includes modifications of traffic operations at the intersection of Denmark Avenue and Promenade Place which will be funded entirely by the City; and

WHEREAS, the Dakota County Transportation Department sent a Request for Proposals to several professional design service firms; and

WHEREAS, four proposals were received and evaluated by Transportation Department and City of Eagan Engineering staff; and

WHEREAS, the Transportation Director recommends execution of the contract with Short Elliott Hendrickson, Inc. (SEH) for design engineering services for CP 28-30 in an amount not to exceed \$200,800.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a contract with SEH Inc. to perform professional design services for CP 28-30 in an amount not to exceed \$200,800, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the Transportation CIP budget is hereby amended as follows:

Expense	
CP 28-30 Design (2010 CIP)	\$200,800
Total Expense	\$200,800

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Revenue	
City of Eagan	\$118,850
Dakota County State Aid	81,950
Total Revenue	\$200,800

10-118

Approval Of Acquisition And Authorization To Initiate "Quick Take" Condemnation Of Right Of Way For Cedar Avenue Transitway

WHEREAS, Dakota County is proceeding with the design of Bus Rapid Transit in the Cedar Avenue (CSAH 23) Corridor from south of 179th Street in Lakeville to 138th Street in Apple Valley in County Projects 23-59, 23-64, and 23-70 (Projects); and

WHEREAS, the projects include the construction of bus shoulder lanes and access modifications along CSAH 23 and the construction of a third through lane from 162nd Street in Lakeville to 153rd Street in Apple Valley; and

WHEREAS, acquisition of right of way is necessary to move forward with the Cedar Avenue corridor projects; and

WHEREAS, four appraisals that were previously approved have been updated and the revised amounts are being presented in this request; and

WHEREAS, the remaining right of way parcels have been appraised and offers will be made to the property owners; and

WHEREAS, the appraised value for the revised parcels and this portion of the new right of way is \$2,422,450; and

WHEREAS, Federal and Counties Transit Improvement Board (CTIB) funds are anticipated to cover 90% of the right of way costs and 10% shared with Lakeville or Apple Valley per joint powers agreement; and

WHEREAS, adequate funds are available in the Transportation Capital Improvement Program (CIP) budget for Cedar Avenue right of way acquisition in 2010; and

WHEREAS, in the event that timely acquisition by direct negotiation of all required parcels does not appear possible, it is necessary to have the County Board authorize the County Attorney to initiate "quick take" condemnation of the remaining parcels to allow a fall 2010 start date.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the revised appraisal amounts for right of way acquisition for Cedar Avenue Bus Rapid Transit (County Projects 23-59, 23-64 and 23-70) and authorizes payment from the 2010 Transportation CIP budget as follows:

Parcel No.	Owner	Revised Value	Previous Value
85	Morningview Ponds Association	\$29,600	\$27,100
119-121	Joe Graeve	\$90,500	\$90,000
136	Theodore Midthun	\$21,100	\$21,000
179	Majestic Cove Limited Partnership	\$61,500	\$60,500
Total appraised value (revised):			\$202,700

; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby approves the right of way acquisition for Cedar Avenue Bus Rapid Transit (County Projects 23-59, 23-64 and 23-70) and authorizes payment from the 2010 Transportation CIP budget as follows:

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Parcel No.	Owner	Value
19	Tony & Teresa Padilla	\$7,200
28	Jay & Grace Neuenschwander	\$16,100
30	Tyler Rother & Melissa Noyes	\$3,200
31	Michael & Lynette Anderson	\$2,250
42	Lydell & Stacy Tapp	\$19,000
43	Ryan & Kayla Schulz	\$17,100
44	Thomas Rosen & Sherri Billington	\$18,800
51	Seeta Ramnandon & Bhisham Rampersaud	\$5,800
53	Konstantin & Lyubov Andreyevskiy	\$2,200
57	Ganga Parsram	\$3,200
78	Yared Adgeh & Alemnesh Girma	\$10,900
79	Glenn McKeever	\$8,500
80	Terry & Judith McDonald	\$7,700
81	Lisa Akinseye	\$7,700
82	Christopher Keller	\$10,600
83	Ronald Baumgart	\$13,150
84	Thanh Ngoc Phan	\$16,950
88	Independent School District 196	\$72,800
100	Apple Valley Minnesota Realty LLC	\$231,000
102-103	Car Apple Valley Square LLC	\$95,200
104	White Castle Systems, Inc.	\$52,200
110	DJK Holdings LLC	\$22,000
115	Spirit Master Funding LLC	\$5,200
116	Kennedy Properties LLC	\$34,700
117-118	R & M properties of Apple Valley LLC	\$53,000
137	Darren & Stacy Ouimette	\$7,300
140	Robert & Mary Lewis	\$1,800
149	Karl Biewald	\$30,000
151	LA Donnay, LLC	\$77,700
152	DBAPPLEF, LLC	\$46,400
153	West 147 th St. Partners LLC	\$30,500
154	Wings Financial Federal Credit Union	\$6,200
161	Centro Bradley Southport Centre LLC	\$77,000
162	Centro Bradley Southport Centre LLC	\$76,000
163	Target Corporation	\$3,500
164	Centro Bradley Southport Centre LLC	\$51,100
165	Centro Bradley Southport Centre LLC	\$263,000
167	SVH Realty, Inc.	\$318,700
171	AP Apple Valley Limited Partnership	\$71,000
172	Fairview Hospital & Health Care Services	95,000
182	F & W Properties	\$138,500
184	Sokhoeun Bauer & Bunthoeun Sorn	\$20,700
186	Eric & Laura Hunter	\$19,700
187	George & Diane Johnson	\$12,800
188	Klay & Shanda Jaeger	\$14,300
189	Steve Wensole & Marianne Wensole-Landivar	\$900
190	Keith & Linda Hammel	\$10,100
198	Secretary of Housing & Urban Development	\$17,800
199	Robin Zangs	\$19,050
200	Tori Anne Matascastillo	\$33,350

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201	Michael & Jamie Bailey	\$7,200
202	Dakota County CDA	\$14,100
216	Forrest & Patricia Herbst	\$17,800
222	Alexsandr Silko	\$1,800

Total appraised value (new): \$2,219,750

Total appraised value (new & revised parcels): \$2,422,450

; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the County Attorney to initiate "quick take" condemnation on the above parcels to allow a fall 2010 start date, in the event that timely acquisition by direct negotiations of all parcels does not appear possible.

10-119

Authorization To Purchase Traffic And Maintenance Materials And Supplies

WHEREAS, to maintain County roadways, the Transportation Department must purchase specialized traffic materials, including traffic marking paint, reflectorized glass beads, reflectorized sign face materials, sign blanks and hardware, barricade supplies, and traffic signal and control equipment; and

WHEREAS, road salt used for ice control must also be purchased in 2010 for the 2010/2011 winter season; and

WHEREAS, cooperation with the State of Minnesota and other political subdivisions to purchase traffic and maintenance materials commonly results in reduced workload, improved quality of materials, and competitive pricing; and

WHEREAS, the approved 2010 Transportation Operating Budget includes funds in the amount of \$416,202 to purchase traffic equipment and materials including sign materials, pavement marking materials, and traffic signal control equipment; and

WHEREAS, the approved 2010 Transportation Operating Budget includes funds in the amount of \$1,028,125 to purchase up to 17,500 tons of road salt materials for the 2010/2011-winter season, depending upon the amount of stockpiled material and weather conditions.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the County Engineer to purchase items for operating the Dakota County Highway system traffic materials, including traffic marking paint, glass beads, and sign and barricade materials in an amount not to exceed \$416,202, and road salt for the 2010/2011 winter season in a total amount not to exceed \$1,028,125, whenever advantageous, from vendors under contract with the State of Minnesota or under contract with any other political subdivisions with which Dakota County has a joint purchasing agreement.

10-120

Authorization To Execute Agreement With Diamond Pharmacy Services For Pharmaceutical Services To Dakota County Jail

WHEREAS, the Dakota County Sheriff's Office is responsible for operating a 265-bed detention facility for a wide range of offenders; and

WHEREAS, the Sheriff is further required to provide medical services to inmates, which includes providing prescribed pharmaceuticals from a licensed medical physician; and

WHEREAS, the Dakota County Sheriff's Office, working with the Dakota County Attorney's Office, issued a Request for Proposal (RFP) from vendors interested in providing pharmaceutical services to the Dakota County Sheriff's Office and the Sheriff received responses from three vendors; and

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WHEREAS, the Sheriff identified Diamond Drug as providing the best value for pharmaceuticals while maintaining a high level of service for the inmate population.

NOW, THEREFORE, BE IT RESOLVED that the Dakota County Board of Commissioners hereby authorizes the Dakota County Sheriff to execute an agreement with Diamond Pharmacy Services for the purchase of pharmaceutical drugs and services related to inmates of the Dakota County jail, based upon the Average Wholesale Price (AWP) minus 19 percent, no dispensing fee, including buyback of unused unexpired blister packs, and provision of Medication Administration Records at no cost, for the period March 1, 2010 through December 31, 2010, subject to approval of the County Attorney's Office as to form.

END OF CONSENT AGENDA

ayes 6
absent 1 Comm. Branning nays none

The following items were on the agenda for informational purposes only: Item 9.1 – 2009 Gift Acceptance Report and Item 9.4 – Report On Invoices Paid In January 2010.

There were no plats presented for approval.

The following appointment was made to the Farmland and Natural Areas Program Advisory Committee.

**10-121
Appointment To Farmland And Natural Areas Program Advisory Committee**

Motion: Comm. Gaylord Second: Comm. Harris

BE IT 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, 2011:

District	Name
2	Reid Anderson

ayes 6
absent 1 Comm. Branning nays none

The resignation of Sheriff Don Gudmundson was accepted.

**10-122
Accept Resignation Of Sheriff Don Gudmundson**

Motion: Comm. Harris Second: Comm. Gaylord

WHEREAS, Sheriff Don Gudmundson has submitted his written, signed letter of resignation, effective February 28, 2010, 12:01 a.m.; and

WHEREAS, the Dakota County Board of Commissioners finds that it is desirable to accept such resignation in order to be able to prospectively fill the vacancy to be created as of the effective date of the resignation.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby accepts the signed written resignation of Dakota County Sheriff Don Gudmundson, dated February 10, 2010, effective February 28, 2010, 12:01 a.m.

ayes 6
absent 1 Comm. Branning nays none

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County Attorney James Backstrom made comments on behalf of Sheriff Gudmundson and reflected on the Sheriff's years of service in Dakota County and law enforcement.

The following appointment was made to the Office of the Dakota County Sheriff.

10-123

Make Appointment To Fill The Office Of Dakota County Sheriff

Motion: Comm. Harris

Second: Comm. Schouweiler

WHEREAS, effective February 28, 2010, 12:01 a.m. there will be a vacancy in the Office of Dakota County Sheriff; and

WHEREAS, the Dakota County Board of Commissioners desires to make an appointment to fill such vacancy for the remainder of the calendar year and until a successor has been elected and qualified.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby appoints David Bellows to the Office of Dakota County Sheriff, effective February 28, 2010, at 12:01 a.m., and establishes the annual salary for the remainder of 2010 at \$128,500.

ayes 6

absent 1 Comm. Branning

nays none

Dave Bellows made comments following the appointment.

Financial Services Director Matt Smith presented Item 14.3 – Update On Governor's Proposed Budget And Impact On Dakota County. This item was for information only.

Item 14.5 – Acceptance Of Resignation From Member Of Community Development Agency Board and Item 14.6 – Appointment To Community Development Agency Board were added to the agenda.

10-124

Acceptance Of Resignation From Member Of Community Development Agency Board

Motion: Comm. Harris

Second: Comm. Krause

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby accepts the resignation received from Ron Clare, District 1 representative on the Community Development Agency Board.

ayes 6

absent 1 Comm. Branning

nays none

10-125

Amendment Of Agenda

Motion: Comm. Gaylord

Second: Comm. Schouweiler

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby amends the agenda for the County Board meeting on February 23, 2010, with the following revision:

- Added Item 14.6 – Appointment To Community Development Agency Board – District 1

ayes 6

absent 1 Comm. Branning

nays none

February 23, 2010

10-126

Appointment To Community Development Agency Board–District 1

Motion: Comm. Harris

Second: Comm. Krause

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby appoints the following individual to the Community Development Agency Board for a three-year term ending January 3, 2012:

District	Name
1	Joseph A. Harris

ayes 6

absent 1 Comm. Branning

nays none

The time being 10:00 a.m., the annual Employee Recognition Ceremony was held. County Administrator Brandt Richardson and Chair Egan recognized and presented certificates to current employees with 20 or more years of service.

10-127

Recognition Of Employee Service Award Recipients

Motion: Comm. Schouweiler

Second: Comm. Workman

WHEREAS, Dakota County has designated one County Board meeting of each year for a countywide employee recognition day; and

WHEREAS, Dakota County recognizes employees for 20 or more years of continuous service

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby recognizes the following employees with certificates of appreciation for their 20 or more years of service to Dakota County:

40 Years of Service

Mary Catherine Longley
Margaret Mankowski
Phyllis B. Grubb

35 Years of Service

Nancy Wisser	Brian S Christensen
Michael J Labovitch	Barbara J Bauer
Paulette E Carlson	Gary J Esler
Frances K Bakke	Janet Marie Petersen
Roger H Parish	

30 Years of Service

Rhonda J Myrmel	Mary J Lenarz
Sandra Jasnoch	Michael J Corman
John R Forrest	Warren D Chaffee
Carolee A Eide	Michael T Meeks
Maureen M Miller	Bonnie K Henry
Theresa Ann Erlandsen	Kevin L Henriksen
Barbara K Frank	Naomi R Golv

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Robert W Winters
David M Pettit
Barbara J Marcotte
Paul S Schutz

Theresa M Cysiewski

25 Years of Service

Ann A Rosenstein
Richard R Amaro
Maryjo E Rudolph
Glenn J Olson
Cathy J Maguire
Judith A Burrows
Susan M Krey
Sue Chambard-Thompson
Beverly H Westling
Meg C Grove
Peggy L Scherff
Joyce A Johnson
Gregory M Sexton
Mary J Wussow
Kathleen L Karnick
Cynthia M Anderson
Larry C Huneke

Karen L Henke
Janelle Mayer
Sandra E Robinson
Patrick J Coyne
Patricia M Gmeiner
Joan M Allery
Marianne L Fahey
Peggy McCabe
Robert H Gibbens
Phillip D Prokopowicz
Richard P Morrissey
Mary S Pellant
Cathy R Diberardini
Lennora M Youle
Nancy K Jurgensen
Janice L Larson

20 Years of Service

Brian D McGinn
Mark L Johnson
Mark G LaPointe
Patricia M Molitor
Kalla C Kalloway
Tom D Bergstrom
Lavonne R Stein
Kathryn Peterson Scott
Gina M Birk
Bonnie Brueshoff
Robert Egan
Kurt D Chatfield
Shannon H Sailer
Kathleen R Raschke
Steve M Truman,
Jean M Seracki

Deeanne K Rozinka
Rick A Czapinski
Gregory J Maliszewski
Teresa A Mitchell
Delray Goddard
Carol C Southward
Mary K Retzlaff
Nancy C Webb
James A Rochel
Sandra L Gibbs
Valerie A Isabella
Scott J Bensen
Mary E Jakubowsky
Kristin M Grainer-Illies
Mary H Fitzharris
Kevin L Schlagen

Lisa M West
Jacqueline L Dircks
Ruth B Burns
Lee Anne Benson
Pamela C Norby
Carol C Andrews
Mary T Schultz
Karen J Huotari
Daniel J Endres
Lenora M Thompson
Beverly A Schomburg
David J Magnuson
Dale B Stoerzinger
Lollie A Randen
Christine D Larson
Allan E Cotter

ayes 6

absent 1 Comm. Branning

nays none

The time being 10:45 a.m., a reception was held in the Third Floor Atrium, Administration Center, in honor of employees receiving service awards.

The County Board reconvened at 11:13 a.m. with all members present except Commissioner Branning.

Public Services and Revenue Deputy Director Jean Erickson presented item 15.1 – Scheduling Of Public Hearing To Receive Comments On Proposed Amendments To Ordinance No. 112, Regulating Assemblages Of Large Numbers Of People. Discussion was held in regard to hours during which assemblage is allowed.

February 23, 2010

10-128

Scheduling Of Public Hearing To Receive Comments On Proposed Amendments To Ordinance No. 112, Regulating Assemblages Of Large Numbers Of People

Motion: Comm. Harris

Second: Comm. Schouweiler

WHEREAS, Dakota County Ordinance 112, Regulating Assemblages of Large Numbers of People, was last updated in 2004; and

WHEREAS, the need to update several provisions of the ordinance has arisen; and

WHEREAS, staff of the Public Services & Revenue Division, the County Attorney's Office and the County Sheriff's Office have worked together to develop appropriate language.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners, hereby schedules a public hearing for March 16, 2010, at 9:00 a.m. in the Boardroom, Administration Center, Hastings for the purpose of receiving comments regarding proposed amendments to Dakota County Ordinance 112, Regulating Assemblages of Large Numbers of People; and

BE IT FURTHER RESOLVED, That the proposed ordinance state, in Section 4, Subdivision 5. "No performance or other activity in connection with the licensed show or exhibition shall go beyond 11:30 p.m. on Fridays and Saturdays or beyond 9:00 p.m. on Sundays through Thursdays. No performance or other activity in connection with the licensed show or exhibition shall begin before 9:00 a.m. on any day of the week"; and

BE IT FURTHER RESOLVED, That the Dakota County Property Taxation and Records Department is hereby directed to publish notice of the public hearing in the Official County newspaper.

ayes 6

absent 1 Comm. Branning

nays none

Land Conservation Manager Al Singer presented Agenda Items 16.1 and 16.2.

10-129

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

Motion: Comm. Harris

Second: Comm. Krause

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 the scope and process for 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 March 16, 2010, following the Administration/Finance/Policy Committee of the Whole meeting in Conference Room 3A, Administration Center, Hastings, for the purpose of discussing the development of the County's comprehensive land conservation vision.

ayes 6

absent 1 Comm. Branning

nays none

10-130

Approval Of 2010 Farmland Projects And Authorization To Submit 2010 Farm And Ranch Lands Protection Program Funding Application To United States Natural Resources Conservation Service

Motion: Comm. Harris

Second: Comm. Gaylord

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WHEREAS, Dakota County staff worked with the Minnesota Department of Agriculture to develop a state farmland protection plan in 2003; and

WHEREAS, Dakota County has submitted and received over \$8.3 million of Farm and Ranch Lands Protection Program (FRPP) matching funds from the United States Department of Agriculture Natural Resources Conservation Service (NRCS) from 2003 through 2009 for Farmland and Natural Areas Program (FNAP) farmland protection; and

WHEREAS, by Resolution No. 09-354 (July 21, 2009), the Dakota County Board of Commissioners authorized staff to initiate appraisals and landowner negotiations for the ten highest ranked farmland projects submitted during the 2009 application round; and

WHEREAS, the selection of these ten 2009 projects was based, in part, on maximizing available 2009 FRPP matching funds; and

WHEREAS, the NRCS has issued a 2010 Request for Proposals on February 10, 2010, to provide matching funds to eligible states for protecting farmland by acquiring permanent agricultural conservation easements; and

WHEREAS, the FRPP requires a list of approved easement acquisition projects to qualify for funding; and

WHEREAS, the majority of the 2009 farmland projects submitted but not approved for appraisals and negotiation by the Board of Commissioners are of high enough quality to meet the land protection and financial goals of the FNAP; and

WHEREAS, County staff has contacted the landowners of projects submitted in 2009, but not initially selected by the Board of Commissioners for appraisals and negotiations, to determine if they are still interested in participating in FNAP; and

WHEREAS, the FNAP Advisory Committee (AC) reviewed the remaining 2009 projects from interested landowners at its February 18, 2010, meeting, and recommended that the following 17 projects be included in a 2010 FRPP application to NRCS by the County:

<u>Rank</u>	<u>Landowner</u>	<u>Estimated Easement Acres</u>	<u>Township</u>	<u>Average Score</u>
1	Mark and Janet Otte – III	76	Waterford	140
2	Wayne and Candace Hallcock	110	Eureka	115
3	Lloyd Adelman	85	Waterford	110
4	Mark Niebur	72	Douglas	109
5	Wayne and Bernadette Kieffer	134	Marshan	107
6	Paul Jr. and Lorri Gergen	60	Hampton	105
7	Dean and Geralyn Odette	66	Greenvale	104
8	Gerald and Mary Taylor	60	Sciota	104
9	Dean and Sara Taylor	63	Sciota	103
10	James and Martha Schultz	66	Eureka	97
11	Marian Frandrup and Arthur Frandrup Estate	109	Hampton	96
12	Daniel and Charlene Adelman	80	Eureka	95
13	David and Teresa Sorem	202	Waterford	89
14	Der Thao	60	Greenvale	86
15	Frances and Irvin Karnick	47	Hampton	68
16	James and Barbara Gilomen	72	Greenvale	68
17	Lawrence and Roxanne Valek	52	Greenvale	66

; and

WHEREAS, at its February 18, 2010, meeting, the AC further recommended that the eight highest ranked projects with a minimum of 15 percent landowner donation be approved by the County Board of Commissioners for initiating appraisals and negotiations in 2010; and

WHEREAS, the estimated 2010 FRPP funding allocation to the State of Minnesota is \$1.5 - \$2 million; and

February 23, 2010

WHEREAS, the federal FRPP funds can be used to provide up to a 50 percent match to acquire permanent, agricultural conservation easements; and

WHEREAS, the 2010 FRPP funding application deadline is March 5, 2010.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the following projects be included in a 2010 Farm and Ranch Lands Protection Program funding request:

<u>Rank</u>	<u>Name</u>	<u>Township</u>
1	Mark and Janet Otte III	Waterford
2	Wayne and Candace Hallcock	Eureka
3	Lloyd Adelman	Waterford
4	Mark Niebur	Douglas
5	Wayne and Bernadette Kieffer	Marshan
6	Paul Jr. and Lorri Gergen	Hampton
7	Dean and GERALYN Odette	Greenvale
8	Gerald and Mary Taylor	Sciota
9	Dean and Sara Taylor	Sciota
10	James and Martha Schultz	Eureka
11	Marian Frandrup & Arthur Frandrup Estate	Hampton
12	Daniel and Charlene Adelman	Eureka
13	David and Teresa Sorem	Waterford
14	Der Thao	Greenvale
15	Frances and Irvin Karnick	Hampton
16	James and Barbara Gilomen	Greenvale
17	Lawrence and Roxanne Valek	Greenvale

; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners authorizes the Physical Development Director to submit a 2010 Farm and Ranch Lands Protection Program funding request of up to \$2 million to the Natural Resources Conservation Service; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby approves the following projects for appraisal and negotiations:

<u>Rank</u>	<u>Name</u>	<u>Township</u>
1	Mark and Janet Otte III	Waterford
2	Wayne and Candace Hallcock	Eureka
3	Lloyd Adelman	Waterford
4	Mark Niebur	Douglas
5	Wayne and Bernadette Kieffer	Marshan
6	Paul Jr. and Lorri Gergen	Hampton
7	Dean and GERALYN Odette	Greenvale
8	Gerald and Mary Taylor	Sciota

; and

BE IT FURTHER RESOLVED, That acquisition expenditures for any of the aforementioned farmland easement projects must be approved by the Dakota County Board of Commissioners at a future date.

ayes 6

absent 1 Comm. Branning

nays none

Received a Legislative Update.

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Inter-agency announcements and reports were then presented. The County Administrator's Report followed.

10-131

Adjournment

Motion: Comm. Harris

Second: Comm. Krause

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby adjourns to Tuesday, March 16, 2010.

ayes 6

absent 1 Comm. Branning

nays none

The County Board meeting was adjourned at 12:12 p.m.

Thomas A. Egan
Chair

ATTEST

Brandt Richardson
County Administrator