

April 20, 2010

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

The Dakota County Board of Commissioners convened at 9:01 a.m. on Tuesday, April 20, 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
- 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.

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.

10-198
Approval Of Agenda

Motion: Comm. Schouweiler Second: Comm. Krause

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the agenda for the County Board meeting on April 20, 2010, as presented.

ayes 7 nays none

Chief Deputy Assessor Teresa Mitchell presented Item 5.1 – Presentation Of 2009-2010 Local Government Innovation Award For Electronic Certificate Of Real Estate Value Project (e-CRV) To Dakota County and recognized Property Taxation and Records and Assessing Services staff for their efforts.

The consent agenda was then approved as follows:

Motion: Comm. Workman Second: Comm. Harris

10-199
Approval Of Minutes

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the minutes of the regular County Board meeting, held April 6, 2010, as presented and entered in Commissioners' Record 2010.

10-200
Adoption Of Revisions To Point-Of-Entry Screening Policy

WHEREAS, the Dakota County Board of Commissioners has the exclusive care of County property, including the care and maintenance of County courthouses; and

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WHEREAS, Minnesota law authorizes the County Board to promulgate reasonable rules and regulations for the purpose of protecting the free, proper and lawful access to, egress from and proper use of County property, and the conduct of public business free from interference; and

WHEREAS, in order to protect the free, proper and lawful access to, egress from and proper use of the Dakota County Judicial Center, and the conduct of public business therein from interference, the County Board has authorized the installation of point-of-entry screening at the public entrance of the Dakota County Judicial Center; and

WHEREAS, the cost of implementing point-of-entry screening is such that the Dakota County Board of Commissioners is not able at the present time to implement point-of-entry screening at other County courthouses; and

WHEREAS, pursuant to law the County Board desires to amend its rules and regulations regarding the implementation of point-of-entry screening; and

WHEREAS, the Dakota County Board of Commissioners hereby finds that preventing the introduction of firearms, bladed instruments or cutting tools, electronic incapacitation devices, chemical incapacitation sprays, explosives, ammunition, combustible/flammable liquids, other items designed or carried as a weapon capable of producing death or great bodily harm, and any replica or toy versions of such items will enhance the safety of persons conducting business in Dakota County Courthouses.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby rescinds County Board Resolution No. 06-300, Adoption of Judicial Center Point of Entry Screening Policy; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby adopts and implements the Dakota County Courthouse Point-of-Entry Screening Policy as presented to the Administration/Finance/Policy Committee of the Whole on April 6, 2010.

10-201

Approve Model Joint Powers Agreement For Enforcement Of Township Ordinances

WHEREAS, some Dakota County Townships have requested that the Dakota County Sheriff investigate violations of Township ordinances and, where appropriate, issue misdemeanor citations; and

WHEREAS, the Dakota County Sheriff may provide such services pursuant to a joint powers agreement entered into by the Dakota County Board of Commissioners and the Township Board of Supervisors; and

WHEREAS, the Dakota County Sheriff has agreed to provide such services to any Township that has entered into an appropriate agreement with the Dakota County Board of Commissioners; and

WHEREAS, the Dakota County Board of Commissioners desires to enable the Dakota County Sheriff to provide the requested services.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the model joint powers agreement with Townships located in Dakota County, for the enforcement of local ordinances by the Dakota County Sheriff, and authorizes the Dakota County Sheriff to present individual joint powers agreements with interested Townships to the County Board, together with an inventory of the local ordinances to be enforced pursuant to each proposed agreement.

10-202

Authorization To Execute \$80,000 Income Contract With Minnesota Department of Natural Resources For State Acquisition Of 76-Acre Schoen/Voelker Property

WHEREAS, by Resolution No. 02-90 (January 29, 2002), the County Board adopted a Farmland and Natural Area Plan in response to citizen concerns; and

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WHEREAS, by Resolution No. 03-334 (June 17, 2003), the County Board adopted Farmland and Natural Area Program (FNAP) Guidelines; and

WHEREAS, Harry Schoen and Margie Voelker submitted a 2005 FNAP natural area application for their property that included and surrounded Chimney Rock, a rare, geologic rock formation; and

WHEREAS, the FNAP Advisory Committee (AC) reviewed the Chimney Rock natural area acquisition project and ranked it as the fourth highest scoring 2005 natural area project; and

WHEREAS, on December 14, 2005, the FNAP AC recommended that the County Board give preliminary approval for the ten highest ranked 2007 natural area projects; and

WHEREAS, on January 31, 2006, the Dakota County Board of Commissioners authorized staff to initiate/continue negotiations with the landowners of the ten highest ranked natural areas from the 2005 FNAP application round; and

WHEREAS, the Scientific and Natural Areas Program (SNA), managed by the Minnesota Department of Natural Resources (DNR), preserves and perpetuates the ecological diversity of Minnesota's heritage; and

WHEREAS, the SNA Program owns and manages 141 preserves, totaling 180,000 acres throughout Minnesota, including four SNAs, totaling 531 acres, in Dakota County; and

WHEREAS, the Chimney Rock SNA was approved for acquisition by the DNR Commissioner's SNA Advisory Committee on February 7, 2007; and

WHEREAS, by Resolution No. 07-228 (May 22, 2007), the Dakota County Board of Commissioners approved the establishment of the Chimney Rock Scientific and Natural Area; and

WHEREAS, Harry Schoen declined to sell 76-acre Chimney Rock property after extensive negotiations with the County; and

WHEREAS, in 2009, Harry Schoen's heirs and Margie Voelker agreed to sell 76 acres of property containing Chimney Rock and high quality forest to the Minnesota DNR to establish the Chimney Rock Scientific and Natural Area; and

WHEREAS, the Chimney Rock project was added to the list of the 2009 FNAP natural area projects; and

WHEREAS, the FNAP AC during its June 4, 2009, meeting recommended that the 12 highest ranked natural area projects, including Chimney Rock, be preliminarily approved by the County Board for appraisal and negotiation; and

WHEREAS, by Resolution No 09-410 (August 18, 2009), the County Board preliminarily approved the Chimney Rock project as one of the 12 highest ranked natural area projects for appraisal and negotiation; and

WHEREAS, the landowners are willing to reduce the sale price for their property by \$40,000 and the DNR has secured \$470,000 of state funds for this fee title acquisition; and

WHEREAS, the legal representative of Harry Schoen's estate and Margie Voelker have signed a four-month option with the state for sale of their property to the DNR for \$550,000; and

WHEREAS, during its February 18, 2010, meeting, the FNAP AC recommended that the County Board authorize expenditure of \$80,000 of FNAP funds to assist the DNR in acquiring the Schoen/Voelker property to establish the Chimney Rock SNA.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a State Income Contract with the Minnesota Department of Natural Resources to expend \$80,000 of Farmland and Natural Areas Program funds for state acquisition of the 76-acre Schoen/Voelker property for the purpose of establishing the Chimney Rock Scientific and Natural Area, subject to approval by the County Attorney's Office as to form; and

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BE IT FURTHER RESOLVED, That the 2010 Farmland and Natural Areas Program budget is hereby amended as follows:

Expense	
Schoen/Voelker Acquisition	\$80,000
Total Expense	\$80,000
Revenue	
FNAP Fund Balance	\$80,000
Total Revenue	\$80,000

**10-203
Scheduling Of County Board Workshop On 2030 Transportation Plan Update**

WHEREAS, the Dakota County 2030 Transportation Plan is a component of the County's Comprehensive Plan (*DC 2030: Planning for the Future*) that was adopted by the County Board in May 2009; and

WHEREAS, the Dakota County 2030 Transportation Plan functions as a guide to the County's existing transportation system and as a plan for future needs of this system; and

WHEREAS, the Dakota County 2030 Transportation Plan identifies major transportation investment needs, prioritizes these needs through adopted goals and supports the County's land use goals and objectives; and

WHEREAS, the Dakota County 2025 Transportation Plan identifies an update every five years so current conditions and funding requirements can be identified with funding strategies to address needs within the County's 5-year Capital Improvement Program; and

WHEREAS, the Dakota County 2030 Transportation Plan will provide for a detailed and comprehensive inventory of the existing and future County transportation system and needs; cost estimates; and process for prioritizing projects proposed for inclusion in the County's 5-year Capital Improvement Program.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby schedules a County Board workshop for May 18, 2010, following the County Board and Regional Railroad Authority meetings, in Conference Room 3A, Administration Center, Hastings, MN, for the purpose of discussing the Dakota County 2030 Transportation Plan Update.

**10-204
Proclamation Of Mental Health Month, May 2010**

WHEREAS, the National Alliance on Mental Illness-Dakota County (NAMI-Dakota County) and the Dakota County Adult and Children's Mental Health Local Advisory Councils (LACs), have developed plans to bring awareness of Mental Health challenges and services to Dakota County residents; and

WHEREAS, the Dakota County Board of Commissioners supports efforts to serve the mental health needs of its citizens.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby proclaims the month of May 2010 to be observed as Mental Health Month in Dakota County.

**10-205
Proclamation Of Week Of The Family Child Care Provider, May 2 To May 8, 2010**

WHEREAS, Dakota County has approximately 850 licensed family child care providers; and

WHEREAS, Dakota County's family child care providers serve approximately 7,000 children and their families; and

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WHEREAS, many Dakota County families choose child care outside of their own homes so that parents can work or attend school; and

WHEREAS, children are a valuable asset and resource in Dakota County; and

WHEREAS, the care and education of Dakota County's children provided by licensed family child care providers is critical to the safety and healthy development of the children in their care; and

WHEREAS, licensed family child care providers are highly competent, dedicated, caring, and concerned professionals.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby proclaims the week of May 2 to May 8, 2010, as Week of the Family Child Care Provider in Dakota County in honor of its many licensed family child care providers, and asks the community to join in recognizing the valuable contributions these family child care providers make to our community.

10-206**Proclamation Of Foster Care Month, May 2010**

WHEREAS, the family, serving as the primary source of support and identity for our citizens of all ages, is the very foundation of our community; and

WHEREAS, Dakota County residents benefit from the services of a number of different types of foster care, including homes for children with disabilities, homes for vulnerable adults, and family foster care homes; and

WHEREAS, Dakota County family foster care providers are central in our efforts to keep our most vulnerable citizens safe; and

WHEREAS, foster families open their homes and hearts to children whose families are in crisis and thereby play a vital role helping children and families heal and reconnect to launch into successful adulthood; and

WHEREAS, foster families in Dakota County come from all walks of life, but share the common feature of opening their homes, their lives, and their hearts to very troubled, vulnerable people.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners is grateful to foster families for being a resource in our community; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby proclaims the month of May 2010 to be observed as Foster Care Month in Dakota County and urges all citizens to recognize and thank foster families for their hard work and commitment.

10-207**Authorization To Continue County Provided Representative Payee Services For Children In Out-Of-Home Placement With Open Collections Cases And Adults With Developmental Disabilities Who Are Wards Of State**

WHEREAS, by Resolution No. 08-485 (October 21, 2008), the Dakota County Board of Commissioners approved the discontinuation of County provided Representative Payee services and directed staff to work with the Social Security Administration to transition Representative Payee responsibilities to a Social Security Administration (SSA) approved alternative person or entities; and

WHEREAS, as of April 1, 2010, the majority of cases have been moved from County provided Representative Payees to a Social Security Administration (SSA) approved alternative person or entities; and

WHEREAS, in the process of the transition, staff determined there are two groups for whom it is in the County and clients' best interest for Dakota County to maintain the role of Representative Payee: (1) children in out-of-home placement with an open collections case; and (2) adults with developmental disabilities who are wards of the State.

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NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the continuation of County provided Representative Payee services for children in out-of-home placement with an open collections case, and adults with developmental disabilities who are wards of the State.

10-208

Authorization To Execute Joint Powers Agreement With Minnesota Department Of Public Safety Regarding Access To Minnesota Repository Of Arrest Photos

WHEREAS, the Minnesota Department of Public Safety-Bureau of Criminal Apprehension maintains the Minnesota Repository of Arrest Photos (MRAP) of photos that can be used by agencies in the criminal justice system; and

WHEREAS, the Minnesota Department of Public Safety-Bureau of Criminal Apprehension requires agencies to meet standards of training, supervision, hardware and software security; and

WHEREAS, Dakota County Community Corrections uses information from the MRAP system in carrying out criminal justice system duties; and

WHEREAS, Dakota County Community Corrections is in full compliance of screening, training, supervision, hardware and software security requirements specified by the Minnesota Department of Public Safety-Bureau of Criminal Apprehension.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to execute a Joint Powers Agreement with the Minnesota Department of Public Safety-Bureau of Criminal Apprehension allowing Dakota County Community Corrections full access to the Minnesota Repository of Arrest Photos (MRAP) until December 3, 2014, or until all obligations have been fulfilled or the agreement has been canceled, subject to approval by the County Attorney's Office as to form.

10-209

Authorization To Execute Interagency Agreement With Minnesota Department Of Public Safety-Bureau Of Criminal Apprehension For Access To Minnesota Predatory Offender Registration Database

WHEREAS, the Minnesota Department of Public Safety-Bureau of Criminal Apprehension maintains the Minnesota Predatory Offender Registration Database (POR) that is used by agencies in the criminal justice system; and

WHEREAS, the Minnesota Department of Public Safety-Bureau of Criminal Apprehension requires agencies to meet standards of training, supervision, hardware and software security; and

WHEREAS, Dakota County Community Corrections uses information from the POR database in carrying out criminal justice system duties; and

WHEREAS, Dakota County Community Corrections is in full compliance of screening, training, supervision, hardware and software security requirements specified by the Minnesota Department of Public Safety-Bureau of Criminal Apprehension.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to execute an Interagency Agreement with the Minnesota Department of Public Safety-Bureau of Criminal Apprehension (DPS) allowing Dakota County Community Corrections full access to the Minnesota Predatory Offender Registration Database (POR) for the period March 1, 2010 through March 1, 2015, subject to approval by the County Attorney's Office as to form.

10-210

Acceptance Of Resignation From Member Of Community Development Agency Board

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby accepts the resignation received from Rusty Fifield, District 7 representative on the Community Development Agency Board.

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10-211

Authorization To Execute Amendment No. 1 To Minnesota Department Of Transportation Agreement No. 94035 For County Project 97-85 Regional Roadway System Visioning Study

WHEREAS, to promote safe and efficient transportation throughout the County and region, Dakota County is partnering with the Minnesota Department of Transportation (Mn/DOT), the Metropolitan Council, the Federal Highway Administration, and the Cities of Eagan, Inver Grove Heights, Mendota Heights and Sunfish Lake and is the lead agency for County Project (CP) 97-85, the Regional Roadway System Visioning Study; and

WHEREAS, by Resolution No. 09-168 (April 4, 2009), Dakota County and Mn/DOT entered into a Joint Powers Agreement to define agency responsibilities and cost participation for the study; and

WHEREAS, by Resolution No. 10-146 (March 16, 2010), Dakota County amended its contract with SRF Consulting Group Inc. to include \$20,000 of additional work necessary to complete the study, not included in the original contract; and

WHEREAS, Mn/DOT Agreement No. 94035 is being amended to allow Mn/DOT to pay one-third of the additional study costs, or \$6,667; and

WHEREAS, executing Amendment No. 1 to the original Agreement No. 94035 will increase the County's compensation and reimbursement from the State from \$73,448 to \$80,115.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute Amendment No. 1 to the Minnesota Department of Transportation Agency Agreement No. 94035 for County Project 97-85, subject to approval by the County Attorney's Office as to form.

10-212

Award Of Bid And Authorization To Execute Contract With Precision Sealcoating, Inc. For Crack Sealing, County Project 97-99

WHEREAS, the Transportation Department's pavement management system has identified several roadways with slight to moderate cracking that would benefit from crack sealing; and

WHEREAS, pursuant to advertisement, bids were received for the 2010 Dakota County crack sealing projects, County Project (CP) 97-99 until 9:00 a.m. on April 6, 2010; and

WHEREAS, the crack sealing in CP 97-99 covers approximately 55 miles of the County highway system with the work to be completed by the end of August 2010; and

WHEREAS, the 2010 Transportation Capital Improvement Program (CIP) includes funding for Pavement Preservation Projects; and

WHEREAS, the bid of Precision Sealcoating, Inc. in the amount of \$437,000.43 was the lowest responsible bid received; and

WHEREAS, the County Engineer recommends awarding the bid to Precision Sealcoating, Inc.; and

WHEREAS, a budget amendment is necessary to transfer funds from Pavement Preservation Projects to the crack sealing projects in CP 97-99.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby awards the bid to and authorizes the Physical Development Director to execute the contract with Precision Sealcoating, Inc. for crack sealing projects in CP 97-99, in the amount of \$437,000.43 based on their low bid, subject to approval by the County Attorney's Office as to form; and

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BE IT FURTHER RESOLVED, That the 2010 Transportation CIP budget is hereby amended as follows:

Expense	
2010 Crack Sealing-CP 97-99	\$437,000.43
Pavement Preservation Projects	(437,000.43)
Total Expense	\$0

10-213

Authorization To Allocate Funds For County Project 30-15 For Intersection And Signal Revisions

WHEREAS, promoting safe and efficient operation of the highway system throughout the County is a mission of the Transportation Department; and

WHEREAS, County Project (CP) 30-15 is the modification of the intersection and revisions to the existing signal system at the intersection of County State Aid Highway (CSAH) 30 (Diffley Road) and Blackhawk Avenue in the City of Eagan; and

WHEREAS, Resolution No. 07-126 (March 20, 2007), for CP 30-15 authorizes Dakota County to enter into agreement with the City of Eagan; and

WHEREAS, the County and City concur that the right turn lane addition and signal revisions are the proper measures to improve operations and safety at this intersection; and

WHEREAS, the City has a resurfacing project along Blackhawk and is now requesting to take the lead on the project to construct the turn lane and revise the traffic signal in conjunction with the city project this summer; and

WHEREAS, funds transferred to CP 30-15 from Unspecified Signal Funds in 2007 (Resolution No. 07-126, March 20, 2007), were put into the Transportation Fund Balance; and

WHEREAS, the 2010-2014 Transportation Capital Improvement Program (CIP) budget includes funds for unspecified signal projects that are needed for CP 30-15; and

WHEREAS, a budget amendment is needed to transfer funds in the Transportation CIP to CP 30-15 in the amount of \$80,000 from Unspecified Signal Funds; and

WHEREAS, Traffic Signal Agreement No. 89-08 (Resolution No. 89-147; February 14, 1989), between Dakota County and City of Eagan, will continue to be in full force and effect for the operation, maintenance, and power of the revised signal.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby amends the 2010-2014 Transportation CIP budget as follows:

Expenses	
CP 30-15 Expense	\$80,000
Unspecified Signal Funds	(80,000)
Total	\$0

10-214

Award Of Bid And Authorization To Execute Contract With Dustcoating, Inc. For Purchase And Application Of Chloride On Dakota County Roads

WHEREAS, to enhance performance and service life of gravel surfacing on the County's gravel roads, the Transportation Department uses liquid material consisting of Magnesium Chloride on specified projects and residential areas; and

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WHEREAS, to secure favorable pricing for the 2010 season, the Transportation Department proposes to purchase liquid material jointly with other political subdivisions that have signed a joint purchasing agreement with Dakota County (Resolution No. 04-140; March 23, 2004); and

WHEREAS, it is estimated that approximately 400,000 gallons will be needed for Dakota County's 2010 summer season and that up to 150,000 gallons will be needed for other political subdivisions for a total of 550,000 gallons; and

WHEREAS, one bid was received and tabulated on April 7, 2010; and

WHEREAS, the bid of Dustcoating, Inc. in the amount of \$383,900 is the lowest responsible bid; and

WHEREAS, the County Engineer recommends awarding the bid to Dustcoating, Inc. at the bid rate of \$.698 per gallon for up to 400,000 total gallons of liquid materials and application for Dakota County and up to 150,000 gallons for other political subdivisions; and

WHEREAS, the approved 2010 Transportation Department budget includes \$315,000 for liquid material; and

WHEREAS, depending on the County's needs, the County may increase or decrease quantities ordered throughout the season, but will not exceed the Transportation Department's budget of \$315,000.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby awards the bid and authorizes the Physical Development Director to execute a contract with Dustcoating, Inc. for liquid material and application for Dakota County in an amount not to exceed \$315,000 subject to approval by the County Attorney's Office as to form.

10-215

Award Of Bid And Authorization To Execute Contract For Traffic Signal Cabinets With Traffic Control Corporation For TS-2 Type 1 Universal Cabinet Assembly

WHEREAS, to promote safety and efficient operation of the highway system, the Transportation Department purchases signal equipment for new signals and for maintenance of existing systems; and

WHEREAS, the approved 2010 Transportation Department Operating Budget includes funds in the amount of \$120,796 under the Traffic Signal Materials line item for control equipment, LEDs, signal cabinets and all other necessary signal equipment needs throughout 2010; and

WHEREAS, the Transportation Department utilizes TS-2 Type 1 Universal Cabinet Assembly Cabinets for new installations, preventative or urgent maintenance of traffic signal systems; and

WHEREAS, the Transportation Department advertised for bids to purchase TS-2 Type 1 ("P" and "R" Style) Universal Cabinet Assembly Cabinets in order to maintain cost effective equipment that meets County needs; and

WHEREAS, one bid was received and tabulated on April 7, 2010; and

WHEREAS, the County Engineer recommends awarding the bid and executing a contract with Traffic Control Corporation for Universal Cabinet Assembly Cabinets at the bid rate of \$ 9,940 per unit for TS-2 Type 1 ("P" Style) and \$11,725 per unit for TS-2 Type 1 ("R" Style) cabinet; and

WHEREAS, once awarded, the contract prices shall be available to all public agencies that Dakota County has a Joint Purchasing Agreement with at the same prices, terms and conditions under individual contracts with the supplier; and

WHEREAS, depending on the County's needs, the County may increase or decrease quantities ordered throughout the season.

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NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby awards the traffic signal cabinet bid to Traffic Control Corporation for a not to exceed price of \$9,940 per unit for TS-2 Type 1 ("P" Style), and \$ 11,725 per unit for TS-2 Type 1 ("R" Style) cabinets plus tax, and a total not to exceed contract amount of \$120,796; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a contract with Traffic Control Corporation, subject to approval by the County Attorney's Office as to form.

10-216

Authorization To Execute Agreement No. 96043 With Minnesota Department Of Transportation For Trunk Highway 149 Detour, State Project 1917-40

WHEREAS, Minnesota Department of Transportation (Mn/DOT) will be performing drainage re-construction and other associated construction upon, along and adjacent to Trunk Highway (TH) 149 from County Road (CR) 8 (Wentworth Avenue West) to Emerson Avenue in the City of Mendota Heights through State Project 1917-40; and

WHEREAS, a detour will be required to carry TH 149 traffic on CR 8 (Wentworth Avenue West) and County State Aid Highway (CSAH) 63 (Delaware Avenue); and

WHEREAS, executing Mn/DOT Agreement No. 96043 is necessary to receive reimbursement in the amount of \$1,358.28 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, the County Engineer recommends entering into agreement No. 96043 with Mn/DOT to accept reimbursement for the TH 149 detour; and

WHEREAS, the amount of \$1,358.28 will be applied to the miscellaneous revenue in the Transportation operations fund.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute Agreement No. 96043 with the Commissioner of Transportation of the State of Minnesota for the County to receive the State's reimbursement of \$1,358.28 for the road life consumed by the TH 149 detour through State Project 1917-40, subject to approval by the County Attorney's Office as to form.

10-217

Authorization To Execute Joint Powers Agreements With Cities Of Eagan And Hastings For City Utility Repairs On County Pavement Preservation Projects

WHEREAS, Dakota County is the lead agency for pavement preservation projects and the 2010 projects include work on County State Aid Highway (CSAH) 30 (Diffley Road) and CSAH 32 (Cliff Road) in Eagan and on CSAH 46 (Vermillion Road) in Hastings; and

WHEREAS, the Cities of Eagan and Hastings have requested that city utility repairs be included with the 2010 Dakota County's preservation projects; and

WHEREAS, the Cities of Eagan and Hastings will reimburse the County for the construction costs associated with the utility repairs.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute separate joint powers agreements with the Cities of Eagan and Hastings for city utility repairs in County preservation projects, subject to approval by the County Attorney's Office as to form.

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10-218

Authorization To Execute Joint Powers Agreement With Vermillion River Watershed Joint Powers Organization For Groundwater Monitoring, Studies, And Public Outreach

WHEREAS, the Dakota County Water Resources Department is currently conducting studies and coordinating public outreach and communication programs that have direct benefits to the Vermillion River Watershed; and

WHEREAS, on March 18, 2010, the Vermillion River Watershed Joint Powers Board approved a resolution to enter into a Joint Powers Agreement with Dakota County to provide funding assistance for groundwater monitoring, studies, and public outreach programs currently underway in the County; and

WHEREAS, the Dakota County Water Resources Department is working on programs that are consistent with the approved 2010 Vermillion River Watershed Joint Powers Organization (VRWJPO) Budget and that help fulfill the goals and objectives of the Vermillion River Watershed Plan; and

WHEREAS, this Joint Powers Agreement between the County and the VRWJPO would result in increased government efficiency and would avoid duplication between these entities.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes its Chair to execute a joint powers agreement with the Vermillion River Watershed Joint Powers Organization for groundwater monitoring, studies, and public outreach in an amount not to exceed \$17,250, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the 2010 Water Resources Department Budget is hereby amended as follows:

Expense	
Hydrogeology and Groundwater/ Surface Water Interaction Study	\$11,250
South Branch Groundwater Study	3,000
Wetland Health Evaluation Program	3,000
Total	\$17,250
Revenue	
Vermillion River Watershed Joint Powers Organization	\$17,250
Total	\$17,250

10-219

Scheduling Of Public Hearing To Receive Comments On Proposed Amendments To Dakota County Ordinance No. 50, Shoreland Zoning And Floodplain Management

WHEREAS, since 1980, Dakota County has been one of more than 20,400 participating communities in the National Flood Insurance Program (NFIP); and

WHEREAS, as a requirement for NFIP participation, Dakota County administers a floodplain program by ordinance throughout the 13 unincorporated townships, which includes maps and a flood insurance study to ensure new construction is safely located outside of designated floodplain areas; and

WHEREAS, since late 2003, Dakota County has partnered with FEMA to complete a new county-wide floodplain restudy; and

WHEREAS, in January of this year, FEMA approved the final floodplain maps and insurance study and now requires Dakota County to adopt the new maps and insurance study by amending Ordinance No. 50 by June 18, 2010; and

WHEREAS, Dakota County Water Resources Department staff in consultation with the Minnesota Department of Natural Resources and the Dakota County Attorney's Office, has prepared proposed amendments to Dakota County Ordinance No. 50, Shoreland Zoning and Floodplain Management; and

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WHEREAS, at the March 23, 2010 Physical Development Committee of the Whole meeting, staff provided an informational update to the County Board outlining a summary of proposed amendments to Ordinance No. 50; Shoreland Zoning and Floodplain Management; and

WHEREAS, the County Board desires to amend Dakota County Ordinance No. 50, Shoreland Zoning and Floodplain Management to ensure new construction is safely located outside the designated floodplain areas and maintain its participation in the National Flood Insurance Program; and

WHEREAS, the County Board 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 Tuesday, May 18, 2010, in the Board Room, Dakota County Administration Center, Hastings, Minnesota, to receive comments on the proposed amendments to Dakota County Ordinance No. 50, Shoreland Zoning and Floodplain 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.

10-220

Approval Of 2010 Dakota County Emergency Response Plan For Prairie Island Nuclear Generating Plant

WHEREAS, an annual review of the Dakota County Emergency Response Plan for Prairie Island Nuclear Generating Plant is required by the Minnesota Department of Public Safety, Division of Homeland Security and Emergency Management (HSEM), and the Federal Emergency Management Agency (FEMA); and

WHEREAS, staff updated the plan, submitted it for review, and received preliminary approval from HSEM and FEMA.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the 2010 Dakota County Emergency Response Plan for Prairie Island Nuclear Generating Plant; and

BE IT FURTHER RESOLVED, That the County Board Chair, the Sheriff/Director of Public Safety, and the Emergency Preparedness Coordinator are hereby authorized to sign the Verification of Plan Approval.

10-221

Approval Of Applications For 2010 3.2% Malt Beverage Licenses

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the following applications for licenses to sell 3.2% Malt Beverages for the period of May 1, 2010 through April 30, 2011, and authorizes the Property Taxation and Records to issue licenses upon payment of the proper fees:

Castle Rock Township:

MN Scottish Fair & Highland Games (held at Fairgrounds) \$34.00 Temp On-Sale

Marshan Township:

Bellwood Oaks, Inc. \$170.00 On-Sale

Vermillion Township:

USW Local 662 \$195.00 Consumption & Display

Randolph Township:

Woody's Pump N Munch, Inc. \$170.00 On-Sale

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10-222

Proclamation Of Law Day, May 1, 2010

WHEREAS, this country was founded on the principle that voluntary adherence to the rule of law expands, rather than limits, the opportunities for freedom; and

WHEREAS, a viable democracy requires understanding of the nature and basis of our freedoms and recognition of the individual responsibilities that those freedoms impose; and

WHEREAS, the 2010 Law Day theme is *Law in the 21st Century: Enduring Traditions, Emerging Challenges*.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby proclaims May 1, 2010, as Law Day in Dakota County, to use this occasion to celebrate and recognize our liberty and this nation's rule of law.

END OF CONSENT AGENDA

ayes 7

nays none

The following item was on the agenda for informational purposes only: Item 8.1 – Report On Invoices Paid In March 2010.

There were no plats presented for approval.

Appointments were then made to various Citizen Advisory Committees.

10-223

Appointment To Human Services Advisory Committee

Motion: Comm. Workman

Second: Comm. Schouweiler

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

District	Name
5	Fardosa Hassan

ayes 7

nays none

10-224

Appointment To Farmland And Natural Areas Program Advisory Committee

Motion: Comm. Schouweiler

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
4	Todd Kruse

ayes 7

nays none

April 20, 2010

10-225

Appointment To Community Development Agency Board

Motion: Comm. Branning

Second: Comm. Workman

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
7	Willis E. Branning

ayes 7

nays none

Item 13.1 - Update on American Recovery and Reinvestment Act (ARRA) was presented by Operations Manager Taud Hoopingarner and Dakota-Scott Workforce Investment Board Director Mark Jacobs. This item was for information only; no action was requested.

Community Development Agency Executive Director Mark Ulfers presented Item 14.1 – Scheduling Of Public Hearing To Receive Comments On Dakota County Community Development Agency Bonds To Finance Affordable Rental Housing For Seniors.

10-226

Scheduling Of Public Hearing To Receive Comments On Dakota County Community Development Agency Bonds To Finance Affordable Rental Housing For Seniors

Motion: Comm. Gaylord

Second: Comm. Schouweiler

WHEREAS, pursuant to Minnesota Statutes, Chapter 475 and Sections 469.001 through 469.047 (the "Act"), and particularly Section 469.034, Subd. 2, the Dakota County Community Development Agency (the "CDA") is authorized to issue its bonds to finance or refinance qualified housing development projects and, with the consent of Dakota County (the "County"), to pledge the County's full faith and credit to such bonds; and

WHEREAS, the CDA proposes to issue bonds (the "New Money Bonds") to finance three multifamily rental housing developments expected to be located in Farmington, South St. Paul and Burnsville (together, the "Developments"), each of which will provide housing for low and moderate income elderly persons and each of which constitutes a qualified housing development project; and

WHEREAS, the CDA further proposes to issue refunding bonds (the "Refunding Bonds") to refund some or all of the outstanding principal amount of certain bonds secured by the full faith and credit of the County, which were previously issued by the CDA to finance qualified housing development projects providing housing for low and moderate income elderly persons in order to achieve debt service savings; and

WHEREAS, the CDA has requested that the County pledge its full faith and credit to the New Money Bonds and the Refunding Bonds; and

WHEREAS, the Act requires as a condition precedent to issuance of the New Money Bonds and the Refunding Bonds, to the extent that the principal amount thereof exceeds the outstanding principal amount of the refunded bonds, that both the CDA and Dakota County hold public hearings regarding the issuance of the bonds.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby schedules a public hearing for May 18, 2010, at 9:00 a.m. in the Board Room, Administration Center, Hastings, Minnesota, for the purpose of receiving comments regarding the issuance by Community Development Agency of the New Money Bonds and the portion of the refunding bonds that exceeds the outstanding principal amount of the Refunded Bonds; and

April 20, 2010

BE IT FURTHER RESOLVED, That the staff of the Dakota County CDA is hereby directed to publish the public hearing notice in the *Dakota County Tribune* and the *Rosemount Town Pages* and to post the notice on the Dakota County CDA website at www.dakotacda.org and the Dakota County website at www.dakotacounty.us.

ayes 7

nays none

Received a Legislative Update.

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

10-227

Adjournment

Motion: Comm. Gaylord

Second: Comm. Harris

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby adjourns to Tuesday, May 4, 2010.

ayes 7

nays none

The County Board meeting was adjourned at 9:57 a.m.

Thomas A. Egan
Chair

ATTEST

Brandt Richardson
County Administrator