

February 1, 2011

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

The Dakota County Board of Commissioners convened at 9:01 a.m. on Tuesday, February 1, 2011. The meeting was called to order by Chair Joseph Harris 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 Harris 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.

**11-058**

**Approval Of Agenda**

Motion: Comm. Gaylord

Second: Comm. Egan

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the agenda for the County Board meeting on February 1, 2011, with the following revision:

- Added Item 13.3 – Appointment To Human Services Advisory Committee to the Regular agenda.

ayes 7

nays none

At this time, Fleet Manager Kevin Schlangen presented the Government Green Fleet Award and recognized the County Board's leadership and contributions from County staff. Chair Harris recognized Mr. Schlangen for his achievements in fleet management.

The time being 9:15 a.m., and pursuant to public notice, a public hearing was conducted for the purpose of receiving comments on the Adoption of Proposed Amendments To Dakota County Ordinance No. 50, Shoreland And Floodplain Management (Agenda Item 6.1). Water Resources Manager Tom Berry presented this item. Interested parties desiring to be heard were afforded the opportunity to address the County Board. The following appeared:

Hank Tressel, Hastings

**11-059**

**Closing Of Public Hearing**

Motion: Comm. Egan

Second: Comm. Workman

BE IT RESOLVED, That the public hearing is closed.

ayes 7

nays none

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**11-060****Adoption Of Proposed Amendment To Dakota County Ordinance No. 50, Shoreland And Floodplain Management**

Motion: Comm. Egan

Second: Comm. Workman

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

WHEREAS, the Dakota County Board of Commissioners desires to amend Dakota County Ordinance No. 50, Shoreland and Floodplain Management: for the purpose of including a language omission to provide consistency between Ordinance No. 50 and Minn. State Rule 6120.3300, Subpart 7 – Agricultural Use Standards; and

WHEREAS, Dakota County Ordinances cannot be less restrictive than State Rules; 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

WHEREAS, copies of the proposed amendment were made available for review on the Dakota County Website and at Dakota County libraries beginning on January 20, 2011; and

WHEREAS, notice of the public hearing was published in the newspaper of record for Dakota County on January 20 and 27, 2011; and

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

WHEREAS, the Dakota County Board of Commissioners held a public hearing at 9:00 a.m. on February 1, 2011, in the Board Room, Dakota County Administration Center, 1590 Highway 55, Hastings, Minnesota, for the purpose of receiving comments on the proposed amendment to Ordinance No. 50, Shoreland and Floodplain Management.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby adopts the amendment to Dakota County Ordinance No. 50, Shoreland and Floodplain Management, as presented on February 1, 2011; and

BE IT FURTHER RESOLVED, That staff shall publish, distribute and file the amended pursuant to Minn. Stat. § 375.51.

ayes 7

nays none

The consent agenda was then approved as follows:

Motion: Comm. Egan

Second: Comm. Workman

**11-061****Approval Of Minutes**

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the minutes of the regular County Board meeting, held January 18, 2011, as presented and entered in Commissioners' Record 2011.

**11-062****Acceptance Of Donation To Community Corrections - New Chance**

WHEREAS, Resolution No. 97-261 (April 22, 1997), requires that gifts of real or personal property exceeding \$500 in value must be accepted by resolution of the County Board; and

WHEREAS, The Honorable Paul H. Anderson, Associate Justice, Minnesota Supreme Court, and Mrs. Janice Anderson, have donated \$750 to Community Corrections in memory of their daughter, Marina, who volunteered and interned at the Juvenile Services Center and New Chance, to be used for the New Chance program.

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NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby accepts the generous gift of \$750 and expresses its appreciation to Justice Anderson and Mrs. Anderson.

**11-063****Authorization To Purchase Fleet Vehicles And Equipment**

WHEREAS, to provide an efficient, effective and responsive fleet, replacement of major equipment is programmed in the Dakota County Fleet Capital Equipment Program (Fleet CEP); and

WHEREAS, outdated equipment is replaced in accordance with the Fleet CEP replacement criteria; and

WHEREAS, 19 units are recommended for purchase at this time because they meet the replacement criteria; and

WHEREAS, the addition of one tractor with snow blower is recommended to provide snow removal on the Cedar Avenue Bus Rapid Transit lanes; and

WHEREAS, staff has determined that the proposed units meet Dakota County energy goals, are needed to maintain the current level of service, and reduce overall lifecycle costs; and

WHEREAS, Dakota County holds a cooperative purchase agreement with the State of Minnesota that allows the County to purchase from vendors under contract with the State of Minnesota; and

WHEREAS, the cooperative purchasing agreement with the State of Minnesota allows Dakota County to take advantage of the time spent by the State to perform the competitive bidding process, reducing waste and duplication of activity; and

WHEREAS, competitive quotes were obtained in accordance with approved County purchasing procedures when State contracts were not available or lower prices could be obtained.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Operations Management Director to purchase:

- Four 2011 Ford Crown Victoria police sedans from Elk River Ford, Inc., for a total amount not to exceed \$89,250.56, pursuant to State of Minnesota Contract Number 443719
- One 2011 Ford Explorer sport utility vehicle and two 2011 Ford Fusion hybrid sedans from Midway Ford, for a total amount not to exceed \$80,161.50, pursuant to State of Minnesota Contract Number 443913
- One 2011 Ford F550 chassis cab from Midway Ford, for a total amount not to exceed \$44,429.24, pursuant to State of Minnesota Contract 443069
- One Henderson dump body and sander, three Western plows and two Tommygate liftgates from Aspen Equipment Company for a total amount not to exceed \$50,385.14, pursuant to State of Minnesota Contract Number 443299
- One 2011 Ford F350 crew cab truck and three 2011 F250 ¾ ton pickups from Midway Ford, for a total amount not to exceed \$114,314.83, pursuant to State of Minnesota Contract Number 443070
- Four 2011 John Deere 5105M tractors, one 2011 John Deere 4720 tractor and one 2011 John Deere 3720 tractor from John Deere Company, for a total amount not to exceed \$163,427.75, pursuant to State of Minnesota Contract Number 443685
- Three 2011 Diamond side and rear flail mowers from Diamond Mowers for a total amount not to exceed \$69,498.68, pursuant to State of Minnesota Contract Number 443685
- Two 2011 New Holland TV6070 tractors from Werner Implement Company, Inc., for a total amount not to exceed \$222,081.62, pursuant to State of Minnesota Contract Number 443205
- Two Pronovost P-1020TRC snow blowers from Carlson Tractor and Equipment Company, for a total amount not to exceed \$45,315.00, as per low quote obtained in accordance with approved County purchasing procedures.

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**11-064****Authorization To Amend Operations Management Budget To Reallocate 2009 Homeland Security Grant Funds**

WHEREAS, the Minnesota Department of Public Safety, Division of Homeland Security and Emergency Management, has been provided funding from the federal government under the homeland security grant program to enhance preparedness activities related to natural disasters and terrorism; and

WHEREAS, Dakota County desires to improve internal preparedness efforts and to assist local agencies to be better prepared for any potential of disasters/emergencies in Dakota County; and

WHEREAS, Dakota County has identified improved public safety communications on the Dakota County 800 MHz subsystem as a primary strategy to enhance preparedness activities related to natural disasters and terrorism; and

WHEREAS, Dakota County has identified the need to add a tenth radio site in Welch Township to the improve radio coverage on the Dakota County 800 MHz subsystem in the southeast portion of the County; and

WHEREAS, the State of Minnesota, acting through with the Minnesota Department of Public Safety, Division of Homeland Security and Emergency Management, awarded a 2009 Homeland Security Grant in the amount of \$742,329 to Dakota County for the period of September 1, 2009 through March 31, 2012; and

WHEREAS, by Resolution No. 10-067 (January 26, 2010), the Dakota County Board of Commissioners approved the execution of the 2009 UASI homeland security grant agreement with the Minnesota Department of Public Safety; and

WHEREAS, staff recommends that the 2011 Operations Management 2009 UASI grant budget be amended to transfer grant funds from the Operations Management operations budget (planning and exercises) to the capital expenditure purchases (CEP) budget (10<sup>th</sup> radio site and hazardous materials response equipment).

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby amends the Operations Management Budget as follows:

<b>Expense</b>	
2009 UASI Homeland Security Grant CEP	\$181,913
2009 UASI Homeland Security Grant Operational	(181,913)
<b>Total Expense</b>	<b>\$0</b>

**11-065****Authorization To Submit Grant Applications To Minnesota Department Of Public Safety For 2011 Homeland Security Grant Program**

WHEREAS, Dakota County desires to improve internal preparedness efforts and to assist local agencies to be better prepared for any potential disasters/emergencies in Dakota County; and

WHEREAS, the Minnesota Department of Public Safety, Division of Homeland Security and Emergency Management, has been provided funding from the federal government under the homeland security grant program to enhance preparedness activities related to natural disasters and terrorism; and

WHEREAS, Dakota County is eligible to apply for 2011 Homeland Security Grant Program (HSGP) funds through the Minnesota Department of Public Safety, Division of Homeland Security and Emergency Management.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the submission of grant applications to the Minnesota Department of Public Safety, Division of Homeland Security and Emergency Management, for the 2011 Homeland Security Grant Program.

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**11-066****Authorization To Execute Contract Amendment For Consulting Services For Law Enforcement Center Project**

WHEREAS, periodic maintenance and repair projects are completed in the Law Enforcement Center housing units; and

WHEREAS, in 2010, the consulting firm of CNH Architects was retained to complete an evaluation and develop design options for the renovation of the #8100 Unit for improvements for the safety of staff and inmates at a cost of \$26,775; and

WHEREAS, during the evaluation, it was determined that a number of further modifications to the Unit were desirable to improve the safety of staff and inmates, improve the efficiency of space usage and maintenance, and to comply with current State of Minnesota Department of Corrections standards; and

WHEREAS, the Sheriff's Department and Facilities Management have reviewed the options and determined that additional modifications should be included in the maintenance and repair project; and

WHEREAS, Consulting Architectural, Structural, Mechanical and Electrical Engineering Services are required to complete construction bid documents and assist in the completion of the project.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Director of Operations Management to execute a contract amendment to Dakota County Contract #12881 with CNH Architects, 7300 West 147<sup>th</sup> Street, Apple Valley, Minnesota, in the amount of \$27,400, bringing the total contract amount to \$54,175, subject to approval by the County Attorney's Office as to form.

**11-067****Ratification Of Community Development Funding Requests To U.S. Department Of Housing And Urban Development**

WHEREAS, the Dakota County Community Development Agency (CDA) is administering the Community Development Block Grant (CDBG) program on behalf of Dakota County; and

WHEREAS, funds expended from previously approved projects for Fiscal Year 2006 - 2010 of the CDBG program must be ratified by the Dakota County Board of Commissioners; and

WHEREAS, the CDA has incurred and paid the requests for payment associated with the CDBG program.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby ratifies requisitions to the U.S. Department of Housing and Urban Development for \$540,152 as presented on February 1, 2011.

**11-068****Approval Of Amendments To 2007 HOME Investment Partnership Program**

WHEREAS, on May 1, 2007 (Resolution No. 07-187), the Dakota County Board of Commissioners approved the 2007 Community Development Block Grant (CDBG) and Home Investment Partnership (HOME) Program Action Plan outlining the use of CDBG and HOME program funds for the 2007 funding year; and

WHEREAS, the 2007 HOME Program was budgeted at \$819,369 and currently has an unspent balance of \$122,187; and

WHEREAS, at least 15% of the HOME funds must be used for eligible Community Housing Development Organization (CHDO) project, and the Twin Cities Habitat for Humanity CHDO (Habitat-CHDO) is an eligible HOME CHDO in Dakota County; and

WHEREAS, the Habitat-CHDO can use the \$122,187 of remaining 2007 HOME CHDO funds for an eligible housing reconstruction project at 836 Deppe Street in West St. Paul; and

WHEREAS, three types of substantial amendments to the HOME Program are permissible by the U.S. Department of Housing and Urban Development (HUD): creation of a new activity or cancellation of an existing activity with no funds expended, increase or decrease of an activity budget by \$75,000 at one time, and a change to the location and/or national objective or beneficiaries of an activity; and

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WHEREAS, public notice of the substantial amendment was placed in the Dakota County Tribune on December 16, 2010, in accordance with the approved Citizen Participation Plan process; and

WHEREAS, one verbal comment was received, which supported the proposed allocation of funds to Twin Cities Habitat for Humanity CHDO.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the amendment to the 2007 HOME Action Plan to include the Twin Cities Habitat for Humanity CHDO's acquisition and reconstruction of 836 Deppe Street in West St. Paul as an eligible activity and reallocates \$122,187 of unspent 2007 HOME funding to the Habitat CHDO project.

**11-069**

**Authorization To Purchase Traffic And Maintenance Materials And Supplies**

WHEREAS, to promote a safe and efficient transportation system, the County Transportation staff purchase traffic and maintenance materials and supplies to maintain County roads in a cost-effective manner through contracts, as appropriate, that the State of Minnesota and other Minnesota political subdivisions have with suppliers; and

WHEREAS, the Transportation Department purchases specialized traffic materials for new installation and maintenance of the signs, pavement markings and signals within Dakota County under the County's direct responsibility or for intersections or roadways the Transportation Department performs services for other counties, cities or the Minnesota Department of Transportation (Mn/DOT); and

WHEREAS, road salt and other materials used for ice control must also be purchased in 2011 for the 2011/2012 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 2011 Transportation Operating Budget includes funds in the amount of \$421,202 to purchase traffic equipment and materials including sign materials, pavement marking materials, and traffic signal control equipment; and

WHEREAS, the approved 2011 Transportation Operating Budget includes funds in the amount of \$994,950 to purchase up to 16,500 tons of road deicing materials for the 2011/12 winter season, including 3,500 tons purchased for other governmental units with which Dakota County has joint purchasing agreements, 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 including traffic control materials, traffic marking material and sign materials, in an amount not to exceed \$421,202, and road deicing materials for the 2011/12 winter season in a total amount not to exceed \$994,950, 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, whenever advantageous.

**11-070**

**Authorization To Execute Contract With URS Corporation For Construction Services For County Projects 23-59, 23-64, And 23-70, Cedar Avenue Bus Rapid Transit Project**

WHEREAS, to meet the existing and future transportation needs of citizens, Dakota County promotes various transportation modes, including Bus Rapid Transit (BRT) in the Cedar Avenue County State Aid Highway (CSAH) 23 corridor; and

WHEREAS, the Cedar Avenue Corridor project, County Project (CP 23-59, 23-64 and 23-70) extends from south of 178<sup>th</sup> Street in Lakeville to 138<sup>th</sup> Street in Apple Valley and includes access modifications and the construction of bus shoulder lanes and a third through lane from 162<sup>nd</sup> Street in Lakeville to 153<sup>rd</sup> Street in Apple Valley; and

WHEREAS, on January 4, 2011 (Resolution No. 11-030), the Dakota County Board of Commissioner awarded the contract to Shafer Contracting, Inc. for construction of CP 23-59, 23-64 and 23-70 to begin in 2011 and to be completed by July 1, 2013; and

WHEREAS, in accordance with contract requirements, a Critical Path Management (CPM) Schedule must be followed to guarantee completion of the project within the contract time; and

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WHEREAS, a Request for Proposals (RFP) was sent to two professional engineering firms with experience in the development, review and implementation of CPM schedules; and

WHEREAS, Transportation staff received one proposal from URS Corporation and determined its proposal provides a complete understanding of the project's proposed starting dates and completion times for each of the major construction operations; and

WHEREAS, the County Engineer recommends execution of the contract with URS Corporation in the amount of \$59,205.30 for construction services for CP 23-59, 23-64, 23-70, Cedar Avenue BRT; and

WHEREAS, adequate funds are available in the approved 2010-2014 Transportation Capital Improvement Program budget for engineering services for CP 23-59, 23-60 and 23-70.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a contract with URS Corporation for construction services for CP 23-59, 23-64 and 23-70, in an amount not to exceed \$59,205.30, subject to approval by the County Attorney's Office as to form.

**11-071****Authorization To Execute Joint Powers Agreement With City Of Eagan For Traffic Signal Revisions For County Project 28-49 And County Project 43-34**

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

WHEREAS, the County is partnering with the City of Eagan and is the lead agency on County Projects (CP) 28-49 and CP 43-34; and

WHEREAS, CP 28-49 is the revision to the existing signal system operations at the intersection at County Staid Aid Highway (CSAH) 28 and Federal Drive/Central Parkway; and

WHEREAS, CP 43-34 is the revision to the existing signal systems operations at the intersections of CSAH 43 and Deerwood Drive and at CSAH 43 and Wescott Road; and

WHEREAS, all three signalized intersection projects will incorporate changes to left turn operation and add pedestrian equipment to provide flexibility in operating the signals to improve mobility through the CSAH 28 (Yankee Doodle Road) and CSAH 43 (Lexington Avenue) corridors while maintaining safe operation plus provide more information to pedestrians; and

WHEREAS, the 2011-2015 Transportation Capital Improvement Program budget includes funds for unspecified signal projects that are needed for CP 28-49 and CP 43-34; and

WHEREAS, the County Engineer recommends entering into one joint powers agreement with the City of Eagan to define project costs and responsibilities associated with the traffic signal revisions for both CP 28-49 and for CP 43-34; and

WHEREAS, Traffic Signal Agreements No. 86-04 (Resolution No. 85-645i; November 19, 1985), No. 97-02 (Resolution No. 96-297; April 30, 1996), No. 99-06 (Resolution No. 99-483; August 31, 1999), and No. 00-05 (Resolution No. 00-120; February 15, 2000), previously entered into between Dakota County and the City of Eagan will continue to be in full force and effect for the operation, maintenance, and power of the revised signals.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute an agreement with the City of Eagan for traffic signal revisions in connection with CP 28-49, intersection of CSAH 28 (Yankee Doodle Road) and Federal Drive/Central Parkway, and in connection with CP 43-34, intersections of CSAH 43 (Lexington Avenue) at Deerwood Drive and at Wescott Road, subject to approval by the County Attorney's Office as to form; and

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BE IT FURTHER RESOLVED, That the 2011 Transportation Capital Improvement Program is hereby amended as follows:

<b>Expense</b>	
CP 28-49	\$50,000
CP 43-34	100,000
Unspecified Signal Projects	(150,000)
<b>Total Expense</b>	<b>\$0</b>

<b>Revenue</b>	
Eagan City Share CP 28-49	\$25,000
Eagan City Share CP 43-34	50,000
Unspecified Signal Projects City Share	(75,000)
<b>Total Revenue</b>	<b>\$0</b>

**11-072****Authorization To Execute Joint Powers Agreement For Access To Criminal Justice Data Communications Network**

WHEREAS, the Dakota County Sheriff desires that the County of Dakota enter into a joint powers agreement with the State of Minnesota, Department of Public Safety, through its Bureau of Criminal Apprehension, to enable the Sheriff to have access to data repositories pursuant to the Criminal Justice Data Communications Network.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Dakota County Sheriff to execute a joint powers agreement with the Minnesota Department of Public Safety, through the Bureau of Criminal Apprehension, for access to data repositories pursuant to the Criminal Justice Data Communications Network, for a term of five years, at an annual cost of \$32,520, subject to approval by the County Attorney's Office as to form.

**11-073****Scheduling Of Public Hearing To Hear Comments On Classification Of 2010 Tax-Forfeited Properties As Conservation Or Non-Conservation**

WHEREAS, Minn. Stat. 282.01 requires the County Board to hold a public hearing regarding the classification of tax-forfeited property as conservation or non-conservation; and

WHEREAS, notice of the public hearing date must be mailed and be made available electronically at least 60 days before the meeting date and published at least 30 days before the meeting date.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners, hereby schedules a public hearing for April 5, 2011 at 9:00 a.m. in the Boardroom, Administration Center, Hastings, MN to receive comments regarding the classification of tax-forfeited property as conservation or non-conservation; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby directs staff to mail, post on the county's website and publish notice of the hearing date and list of tax-forfeited properties being classified by dates necessary to comply with Minn. Stat. 282.01, Subd 1.

**11-074****Approval Of Application From Lentsch Company, LLC For Repurchase Of Tax-Forfeited Parcel**

WHEREAS, in accordance with Minn. Stat. § 282.241 and Minn. Stat. § 282.261, a county board may approve repurchase of tax-forfeited land; and

WHEREAS, such repurchase shall be permitted if a county board determines that undue hardship or injustice resulting from the forfeiture will be corrected, or that permitting such repurchase will promote the use of such lands that will best serve the public interest; and

WHEREAS, Frank Lentsch is the owner of the Lentsch Company, LLC that formerly owned the property; and

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WHEREAS, all applicable taxes, special assessments, penalties, interest and costs have been paid in full; and

WHEREAS, the Lentsch Company, LLC has applied to repurchase the following parcel located in Eagan:

PID: 10-32880-033-00  
HIGHVIEW ACRES  
E 30 FT OF LOT 3 ALL SUBJECT TO  
HWY ESMNT 3

; and

WHEREAS, the County Treasurer-Auditor recommends this repurchase on the basis that it will best serve the public interest.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the application from the Lentsch Company, LLC for the repurchase of the above-described parcel of tax-forfeited land, as recommended by the County Treasurer-Auditor.

**11-075**

**Authorization To Execute Department Of Natural Resources (DNR) Affidavit To Complete Transfer Of Tax Forfeited Property**

WHEREAS, the Dakota County Board has been the administrator of a tax-forfeited parcel described below:

Parcel ID: 20-03500-010-52  
SECTION 35 TWN 27 RANGE 22  
THAT PART OF GOVERNMENT LOT NINE (9),  
SECTION 35, TOWNSHIP 27 NORTH, RANGE 22 WEST,  
DESCRIBED AS FOLLOWS:  
BEGINNING AT THE SOUTHWEST CORNER OF SAID GOVERNMENT LOT 9  
AND RUNNING THENCE NORTH 24 RODS; THENCE EAST 20 RODS; THENCE  
SOUTH 24 RODS; THENCE WEST 20 RODS TO THE POINT OF BEGINNING.

; and

WHEREAS, County staff has no knowledge of unsatisfied judgments of record against Dakota County nor any actions pending in court which affect the land described above; and

WHEREAS, County staff has no knowledge of any labor or materials furnished to the property for which payment has not been made in full; and

WHEREAS, County staff has no knowledge of any unrecorded contracts, leases, easements or other agreements or interests relating to the land; and

WHEREAS, there are no persons in possession of any portion of the land other than those named on the auditor's certificate to the State of which County staff has actual knowledge; and

WHEREAS, there are no encroachments or boundary line questions affecting the land of which County staff has actual knowledge; and

WHEREAS, this property was classified as conservation land by the Dakota County Board in February 2008; and

WHEREAS, the Dakota County Board has resolved that these lands be devoted to conservation uses and encouraged acquisition by the Minnesota Department of Natural Resources (DNR); and

WHEREAS, the DNR has requested that the Chair and the Clerk to the Board execute an affidavit on behalf of the County affirming the above-stated facts.

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NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Dakota County Chair and Clerk to the Board to sign an affidavit containing the above-stated facts on behalf of the County.

END OF CONSENT AGENDA

ayes 7

nays none

There were no plats presented for approval.

Appointments were then made to various Dakota County Citizen Advisory Committees (Agenda Items 13.1 – 13.3).

**11-076**

**Appointments To Dakota-Scott Workforce Investment Board**

Motion: Comm. Branning

Second: Comm. Gaylord

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby appoints the following individuals to the Dakota-Scott Workforce Investment Board:

Representing	Name	Term Ending
Private	Jeff Rothmeyer	June 30, 2012
Public – Community Based	Carolina Bradpiece	June 30, 2011

ayes 7

nays none

**11-077**

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

Motion: Comm. Egan

Second: Comm. Schouweiler

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby appoints the following individuals to the Farmland and Natural Areas Program Advisory Committee for two-year terms ending December 31, 2012:

District	Name
2	VACANT
3	Paul Redleaf
6	VACANT

; and

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

District	Name
2	VACANT

ayes 7

nays none

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**11-078****Appointment To Human Services Advisory Committee**

Motion: Comm. Krause

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
6	Deborah Haqq

ayes 7

nays none

**11-079****Closed Executive Session: Development Of Counteroffer For Purchase Of Alfred C. Shadduck Trust And Marjorie G. Shadduck Trust Property**

Motion: Comm. Workman

Second: Comm. Krause

WHEREAS, the Alfred C. Shadduck Trust and Marjorie G. Shadduck Trust property is located within Lebanon Hills Regional Park; and

WHEREAS, the Lebanon Hills Regional Park Master Plan includes the Alfred C. Shadduck Trust and the Marjorie G. Shadduck Trust property as a high priority in-holding, in connection with which the County Board, through Resolution No. 09-528, has authorized an appraisal and negotiations; and

WHEREAS, the landowner representatives have a made an offer for sale of the property to Dakota County; and

WHEREAS, Minn. Stat. § 13D.05, subd. 3 authorizes a public body to close a meeting to develop offers or counteroffers for the purchase of real property.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby closes the County Board meeting on February 1, 2011, and recesses to Conference Room 3A, Administration Center, Hastings, Minnesota, in order to develop a counteroffer for the purchase of the Alfred C. Shadduck Trust and Marjorie G. Shadduck Trust property, located at 1286 Carriage Hills Drive, Eagan, Minnesota, and located within Lebanon Hills Regional Park.

ayes 7

nays none

The time being 9:25 a.m. and pursuant to public notice and Resolution No. 11-079, the County Board convened in Conference Room 3A to hold a Closed Executive Session to discuss development of a counteroffer for purchase of Alfred C. Shadduck Trust and Marjorie G. Shadduck Trust property.

The following were 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  
 Brandt Richardson, County Administrator  
 Karen Schaffer, First Assistant County Attorney

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Kelly Olson, Sr. Administrative Coordinator to the Board  
Lynn Thompson, Physical Development Director  
Al Singer, Land Conservation Manager  
Steve Sullivan, Parks Director  
Bill Peterson, County Assessor

The Closed Executive Session continued until 9:47 a.m., at which time the Board reconvened in the Board Room with all members present.

Received a Legislative update.

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

**11-080**  
**Adjournment**

Motion: Comm. Egan

Second: Comm. Schouweiler

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby adjourns to Tuesday, February 15, 2011.

ayes 7

nays none

The County Board meeting was adjourned at 10:22 a.m.

Joseph A. Harris  
Chair

ATTEST

Brandt Richardson  
County Administrator