

## MINUTES

### DAKOTA COUNTY PHYSICAL DEVELOPMENT COMMITTEE OF THE WHOLE

May 10, 2011

14955 Galaxie Avenue, Conference Room L139, Apple Valley, Minnesota

#### 1. CALL TO ORDER AND ROLL CALL

Commissioner Paul Krause, Chair of the Physical Development Committee of the Whole, called the meeting to order at 9:50 a.m., following the Community Services Committee and the Legislative Update. Commissioners in attendance:

Commissioner Joseph A. Harris, District 1  
 Commissioner Kathleen Gaylord, District 2  
 Commissioner Thomas 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  
 Lynn Thompson, Division Director  
 Jay Stassen, Assistant County Attorney  
 Jeanne Nash Hoffmann, Administrative Coordinator

#### 2. INTRODUCTION OF NEW STAFF

There was no new staff to introduce this month.

#### 3. AUDIENCE

Chair Krause asked if anyone in the audience wished to address the Committee on an item not on the agenda or if anyone wished to discuss an item on the Consent Agenda. No one came forward.

#### 4. APPROVAL OF THE AGENDA

**Motion by Commissioner Schouweiler, Second by Commissioner Workman**, and passed on a 7-0 vote to approve the agenda as presented on May 10, 2011.

#### 5. CONSENT/INFORMATION AGENDA

**Motion by Commissioner Harris, Second by Commissioner Gaylord**, and passed on a 7-0 vote to approve the consent agenda.

##### 5.1 – Minutes Of The April 12, 2011 Meeting

##### 5.2 – Sponsorship of Snowmobile Club Grant-In-Aid Program Applications To Minnesota Department Of Natural Resources And Authorization To Execute Related Agreements

WHEREAS, Dakota County area snowmobile clubs are eligible for state grants for assistance in developing, maintaining, and grooming snowmobile trails located within Dakota County; and

WHEREAS, sponsorship by a local government unit is required by the Minnesota Department Of Natural Resources (DNR) for state grants for local snowmobile trail development and maintenance; and

WHEREAS, the Dakota Trail Association, Inc., the Inver Grove Heights Connections Snowmobile Club, and the Waterford Warriors Snowmobile Club, Inc. (Clubs) have requested that Dakota County sponsor grant applications for the 2011-2012 season; and

WHEREAS, this approach bases payments upon County certification that program benchmarks, including having the trails prepared and ready to be opened, adequate grooming, post-season closure, and the submission of required paperwork, are achieved; and

WHEREAS, under past grant agreements, the DNR has given written consent for the County to assign certain sponsor obligations from the County to the Clubs; and

WHEREAS, DNR staff has again agreed to give written consent for the County to assign the certification of benchmarks from the County to the Clubs.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves sponsorship of the grant applications of Dakota Trail Association, Inc., the Inver Grove Heights Connections Snowmobile Club, and the Waterford Warriors Snowmobile Club, Inc. for the 2011-2012 season to the Minnesota Department Of Natural Resources for trail development and maintenance funds under the same sponsorship terms as the County has agreed to in the past; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute assignment agreements with the Dakota Trail Association, Inc., the Inver Grove Heights Connections Snowmobile Club, and the Waterford Warriors Snowmobile Club, Inc., whereby the Clubs agree to provide maintenance and grooming for their respective trails and meet benchmarks or pay for penalties imposed for failing to satisfy any benchmarks in accordance with the DNR's snowmobile trail program with the County serving primarily as a pass-through agency, subject to the approval of the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute grant agreements with the Minnesota Department of Natural Resources (DNR) to receive trail development and maintenance funds as a sponsor for the Dakota Trail Association, Inc., the Inver Grove Heights Connections Snowmobile Club, and the Waterford Warriors Snowmobile Club, Inc. on condition that the DNR allows the County to assign the tasks and duties required by the grants to the respective snowmobile clubs and on condition that the snowmobile clubs execute assignment agreements with the County; subject to the approval of the County Attorney's Office as to form.

### **5.3 – Plat Commission Update**

This was an information item; no action was requested.

## **6. REGULAR AGENDA**

### **6.1 - Authorization To Execute Purchase Agreement To Acquire Property For Mississippi River Regional Trail Central Segment And Authorization To Submit Acquisition Opportunity Fund Grant Request To Metropolitan Council**

Parks Facility Development and Natural Resources Manager Bruce Blair briefed this item and responded to questions. **Motion by Commissioner Gaylord, Second by Commissioner Schouweiler** and passed on a 7-0 vote to recommend that the County Board adopt the following resolution with an addition to the first Resolve authorizing the Physical Development Director to execute the purchase agreements.

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, by Resolution No. 10-392 (August 10, 2010), the County Board selected the Park Lake alignment within the City of Inver Grove Heights as the preferred alignment for the MRRT Central Segment; and

WHEREAS, acquisition of right of way is necessary to move forward with the MRRT Central Segment; and

WHEREAS, by Resolution No. 11-149 (March 22, 2011), the County Board approved the acquisition of four properties required for the MRRT Central Segment, including property owned by Walter Krech with a staff opinion of value of \$4,050 and Scott Cunningham with a staff opinion of value of \$46,000; and

WHEREAS, property owned by William and Adriana Krech, Kevin and Alison Krech, dba Total Construction (Total Construction), and WWKM LLC is also required; and

WHEREAS, the only payment requested for the property owned by Total Construction and WWKM LLC is a pro-rated share of existing assessments due on the property; and

WHEREAS, a fair value for the pro-rated share of existing assessments has been determined to be:

Total Construction	\$10,244
WWKM, LLC	<u>6,047</u>
<b>Total</b>	<b>\$16,291</b>

; and

WHEREAS, the Metropolitan Council Acquisition Opportunity Fund (AOF) is intended to provide up to 75% of the cost of acquiring private property required for regional trail development, and requires a 25% non-reimbursable local match; and

WHEREAS, of the \$4,050 staff opinion of value for the Walter Krech property, \$650 is for temporary construction easement which is not eligible for AOF funding, leaving a balance of \$3,400 that is eligible; and

WHEREAS, the Walter Krech, Scott Cunningham, Total Construction and WWKM, LLC properties combined have a value of \$65,691 eligible for 75% AOF funding; and

WHEREAS, the approved Parks and Open Space Capital Improvement Program includes County funds eligible and sufficient for the required 25% local match to the AOF grant.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute the purchase agreements to acquire property for the Mississippi River Regional Trail Central Segment as described as follows:

<u>Owner</u>	<u>Amount</u>
William/Adriana Krech, Kevin/Alison Krech, dba Total Construction	\$10,244
WWKM, LLC	<u>6,047</u>
<b>Total Amount</b>	<b>\$16,291</b>

; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to submit a Acquisition Opportunity Fund grant request to the Metropolitan Council for \$49,268 of the total eligible acquisition cost of \$65,691 for the Walter Krech, Scott Cunningham, Total Construction and WWKM, LLC properties; and

BE IT FURTHER RESOLVED, That following completion of the acquisition of the Walter Krech, Scott Cunningham, Total Construction and WWKM, LLC properties, Dakota County will submit the necessary documentation to the Metropolitan Council to received approximately \$49,268 in Acquisition Opportunity Fund reimbursement funds; and

BE IT FURTHER RESOLVED, That the 2011 Parks and Open Space Department Capital Improvement Program budget for the Mississippi River Regional Trail Central Segment is hereby amended as follows:

<b>Expense</b>	
75% of estimated acquisition costs	\$49,268
<b>Total Expenses</b>	<b>\$49,268</b>

**Revenue**

Metropolitan Council Acquisition Opportunity Funds	\$49,268
<b>Total Revenue</b>	<b>\$49,268</b>

**DIRECTOR'S REPORT**

Physical Development Director Lynn Thompson presented her update to the Committee.

**ADJOURNMENT**

**Motion by Commissioner Gaylord, Second by Commissioner Egan** to adjourn the Physical Development Committee of the Whole meeting at 10:06 a.m. Motion passed.

A Dakota County Land Conservation was held, immediately following the Physical Development Committee meeting in Conference Room L139.

Respectfully submitted:

Jeanne Nash Hoffmann  
Administrative Coordinator