

April 7, 2020

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

**Call To Order And Roll Call**

Commissioner Mike Slavik  
Commissioner Kathleen A. Gaylord  
Commissioner Thomas A. Egan  
Commissioner Joe Atkins  
Commissioner Liz Workman  
Commissioner Mary Liz Holberg  
Commissioner Chris Gerlach

Also in attendance were: Matt Smith, County Manager; James Backstrom, County Attorney; Tom Donely, First Assistant County Attorney; and Jeni Reynolds, Sr. Administrative Coordinator to the Board.

Due to the local state of emergency and social distancing, Commissioners participated in this meeting via telephone and the Board meeting was conducted under Minn. Stat. § 13D.021.

Video and audio of this County Board meeting are available on the Dakota County website.

**Pledge Of Allegiance**

The meeting was called to order at 9:00 a.m. by Chair Mike Slavik who welcomed everyone and opened the meeting with the Pledge of Allegiance.

**Audience**

Chair Slavik noted that all public comments can be sent to [CountyAdmin@co.dakota.mm.us](mailto:CountyAdmin@co.dakota.mm.us)  
No public comment was received for this meeting agenda.

**20-174**

**Approval Of Agenda (Additions/Corrections/Deletions)**

Motion: Kathleen A. Gaylord

Second: Joe Atkins

On a motion by Commissioner Kathleen A. Gaylord, seconded by Commissioner Joe Atkins, the agenda was unanimously approved.

**CONSENT AGENDA**

Motion: Joe Atkins

Second: Mary Liz Holberg

On a motion by Commissioner Joe Atkins, seconded by Commissioner Mary Liz Holberg, the consent agenda was unanimously approved as follows:

**20-175**

**Approval Of Minutes Of Meeting Held March 20, 2020, March 24, 2020, And March 31, 2020**

**Community Services**

**20-176**

**Acknowledgement Of 2020 Public Health Achievement Award Recipients**

WHEREAS, under Minn. Stat. § 145A, the Dakota County Board of Commissioners acts as the Community Board of Health and has responsibility to prevent disease and disability and to promote and protect the health and safety of County citizens; and

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WHEREAS, the first full week in April is officially designated as National Public Health Week; and

WHEREAS, this year the theme is *Looking Back, Moving Forward*, which recognizes the importance of ensuring conditions where everyone has the opportunity to be healthy; and

WHEREAS, many people in Dakota County contribute time, energy, and talent in their communities to build a healthy Dakota County; and

WHEREAS, by Resolution No. 00-175 (March 21, 2000), the Dakota County Board of Commissioners, desiring to recognize and honor these contributions, established a Public Health Achievement Award to recognize three categories of contributions: youth, individual, and community; and

WHEREAS, nominees were evaluated according to and met criteria for leadership, public health contributions, collaboration, advocacy, role model, and evidence of impact.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby acknowledges the 2020 Public Health Achievement Award to the following individuals and organizations:

<b>Category</b>	<b>Individual/Organization</b>
Youth	4-H After School Kitchen at Friendly Hills
Individual	Alissa Nesvold, Park Nicollet Women's Services
Community	The Open Door

; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby expresses congratulations and great appreciation for their valuable contributions to the public health mission of bringing people together to create a healthy future for all citizens of Dakota County

#### **20-177**

#### **Authorization To Accept Grant Funds From Minnesota Department Of Health For COVID-19 Response, Execute Related Contracts, And Amend 2020 Public Health Adopted Budget**

WHEREAS, there is a global COVID-19 (coronavirus) pandemic; and

WHEREAS, the President of the United States has declared a National Emergency; and

WHEREAS, the Governor of the State of Minnesota has declared a Peacetime Emergency; and

WHEREAS, by Resolution No. 20-139 (March 20, 2020), the Dakota County Board of Commissioners approved the continuation of the declared local state of emergency as required by Minn. Stat. § 12.29 regarding COVID-19 (coronavirus); and

WHEREAS, the Dakota County Board of Commissioners acts as the Community Health Board and has responsibility to prevent disease and disability and to promote and protect the health and safety of County residents; and

WHEREAS, in March 2020, The State of Minnesota by and through the Minnesota Department of Health (MDH) approved funding to respond to COVID-19, allocating a total of \$7,700,000 to community health boards and \$825,000 to tribal governments; and

WHEREAS, the amount of funding that Dakota County is receiving is based on the Public Health Emergency Preparedness (PHEP) funding formula with a base of \$75,000, and the agreement to use this formula is supported by the State Community Health Services Advisory Committee (SCHSAC) PHEP Oversight Workgroup; and

WHEREAS, on March 20, 2020, MDH provided Dakota County with its COVID-19 Response Grant Award in the

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amount of \$393,362 for the period of March 3, 2020, through February 1, 2021, attaching these funds to Dakota County's Local Public Health Grant; however, these funds must be accounted for and managed as a separate funding source; and

WHEREAS, Dakota County Public Health is considering using the COVID-19 Response funds to offset County levy if applicable, County and contracted staff time, purchase and provision of supplies to support the protection of County residents, supplementing community resource needs as identified, and contracting services to augment staff duties and tasks and other ways supported by MDH and as yet to be defined; and

WHEREAS, MDH will be sending the funds very quickly and will be providing more guidance on the use of the funds in the near future, but the most immediate priority is to get these funds sent to the County; at this time, MDH is unsure if any future additional COVID-19 funds will be made available or what mechanism will be used to distribute future COVID-19; and

WHEREAS, staff recommends that the Dakota County Board of Commissioners authorizes the Community Services Director to accept the \$393,362 MDH COVID-19 Response grant funds; and

WHEREAS, staff recommends an amendment to the 2020 Public Health Adopted budget by \$393,362 to reflect the revenues and expenses associated with the COVID-19 response; and

WHEREAS, staff recommends that the Dakota County Board of Commissioners authorizes the Community Services Director to authorize any contracts that result from the need to provide services in relation to the COVID-19 response.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to accept the grant funds for the Dakota County Public Health Department, in the amount of \$393,362, effective March 3, 2020, through February 1, 2021; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to execute any necessary contracts that are a result of the need to provide services in relation to the COVID-19 response; and

BE IT FURTHER RESOLVED, That unless the grant program requirements change, the Community Services Division Director is hereby authorized to amend the grant to alter the grant term, accept additional grant funds and continue grant-funded FTE's (if relevant), consistent with County contracting policies, and inclusion of grant funds in future yearly recommended and adopted budgets, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to amend the 2020 Public Health Adopted Budget as follows:

<b>Expense</b>	
Program Expenses	<u>\$393,362</u>
<b>Total Expense</b>	<b>\$393,362</b>
<b>Revenue</b>	
Public Health Revenue	<u>\$393,362</u>
<b>Total Revenue</b>	<b>\$393,362</b>

## **Physical Development**

### **20-178**

**Authorization To Enter Into Joint Powers Agreement With City Of Lakeville And Lakeville Area School District 194 For County Project 9-61, Traffic Study Area Adjacent To Lake Marion Elementary School And Lakeville North High School**

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WHEREAS, to promote a safe and efficient transportation system throughout Dakota County, the County is partnering with the City of Lakeville (City) and Lakeville Independent School District 194 (ISD 194) on County Project (CP) 9-61; and

WHEREAS, CP 9-61 is a traffic study in the area adjacent to Lake Marion Elementary School and Lakeville North High School; and

WHEREAS, the study area is bordered by Dodd Boulevard to the east, Kenwood Trail to the south, Ipava Avenue to the west and Indiana Avenue to the north; and

WHEREAS, the goal of the traffic study is to understand traffic impacts based on current and anticipated development; and

WHEREAS, the study will identify how the roadway system will function in consideration of existing traffic and anticipated development to recommend roadway and on-site facilities improvements as applicable to address traffic movements and safety; and

WHEREAS, the City is the lead for the study; and

WHEREAS, SEH Consulting Group, Inc., has been retained by the City of Lakeville to conduct the study; and

WHEREAS, project costs will be shared evenly amongst the City, County and ISD 194; and

WHEREAS, the County's expected cost for 1/3 of the study is anticipated to be approximately \$10,570; and

WHEREAS, staff recommends entering into a joint powers agreement with the City and ISD 194 to define project costs and responsibilities associated with the CP 9-61 study.

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 City of Lakeville and Independent School District 194 to identify costs, roles, and responsibilities for County Project 9-61, traffic study in the area of Lake Marion Elementary School and Lakeville North High School accordance with County policy, for County Project 9-61, subject to approval by the County Attorney's Office as to form.

## **20-179**

### **Authorization To Purchase Salt Through 2020-2021 State Road Salt Contract**

WHEREAS, in order to provide a safe and efficient transportation system and secure the lowest price for road salt, Dakota County (County) purchases road salt from the vendor selected pursuant to the State Road Salt Contract (SRSC) process; and

WHEREAS, the SRSC for the 2020-2021 snow and ice season will be issued in April 2020; and

WHEREAS, the County may participate in the solicitation by committing to an estimated quantity of road salt to purchase to assist with winter snow and ice control on County highways; and

WHEREAS, the County is required to purchase at least 80 percent, but no more than 120 percent, of the estimated quantity of road salt needed between June of 2020 and May of 2021; and

WHEREAS, the County's proposed salt use was reduced from 13,000 tons to 10,000 tons in 2018; and

WHEREAS, the estimated cost of 10,000 tons for County use is \$850,000, with an estimated unit price of \$85.00 per ton through the State Contract; and

WHEREAS, it is estimated that other units of government that the County has cooperative purchasing

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agreements with for salt, will purchase 3,000 tons of road salt from the County totaling \$255,000, which will be paid for by those agencies; and

WHEREAS, staff recommends authorization of participation in the 2020-2021 SRSC process to purchase 10,000 tons of road salt for County use at an estimated cost of \$850,000 and 3,000 tons of road salt for other agencies use at an estimated cost of \$255,000.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to purchase 13,000 tons of road salt from June 2020 to May 2021, in the amount of \$1,105,000, through the State Road Salt Contract.

**20-180**

**Award Of Bid And Authorization To Execute Contract With Asphalt Surface Technologies dba ASTECH Corp. For Highway And Parking Lot Pavement Preservation Projects And Amend 2020 Transportation Capital Improvement Program Budget, County Project 98-018**

WHEREAS, Dakota County undertakes pavement preservation projects on an annual basis to maximize pavement life and minimize pavement life cycle costs; and

WHEREAS, the pavement preservation projects were advertised, and bids were received for County Project (CP) 98-018 on March 10, 2020; and

WHEREAS, CP 98-018 includes the crack sealing of approximately 21 miles of County highways and a parking lot at the Dakota County Northern Service Center, and the Holland Lake entrance road to Lebanon Hills Regional Park; and

WHEREAS, the 2020 Transportation Capital Improvement Program (CIP) Adopted Budget includes funding for Highway Surface: Bituminous Projects; and

WHEREAS, the 2020 Building CIP Adopted Budget includes funding for parking lot crack sealing and repairs; and

WHEREAS, the 2020 Parks CIP Adopted Budget includes funding for parking lot system-wide pavement reconstruction; and

WHEREAS, the Transportation Department will provide construction management and inspection for the parking lot and crack sealing; and

WHEREAS, staff recommends awarding the bid to ASTECH Corp.; and

WHEREAS, a budget amendment is necessary to transfer funds from Highway Surface: Bituminous Projects to CP 98-018 for County highway crack sealing.

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 Asphalt Surface Technologies Corp., dba ASTECH Corp., for County Project 98-018 in the amount of \$318,045 based on their low bid, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the 2020 Transportation Capital Improvement Program Adopted Budget is hereby amended as follows:

<b>Expense</b>	
County Project 98-018	\$311,980
Highway Surface: Bituminous Projects	<u>(\$311,980)</u>
<b>Total Expense</b>	<b>\$0</b>

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**20-181**

**Award Of Bid And Authorization To Execute Contract With Fitzgerald Excavating And Trucking Inc. For County Project 78-10**

WHEREAS, to provide a safe and efficient transportation system, Dakota County is proceeding with County Project (CP) 78-10; and

WHEREAS, CP 78-10 is the reconstruction and paving of County State Aid Highway (CSAH) 78 (240th Street/Alverno Avenue/245th Street) from Trunk Highway 3 to CSAH 79 (Blaine Avenue) including the realignment of CSAH 78 east of Alverno Avenue; and

WHEREAS, the 2020 Transportation Capital Improvement Program Adopted Budget includes adequate funding for the construction of CP 78-10; and

WHEREAS, the bid of Fitzgerald Excavating & Trucking Inc. in the amount of \$6,201,059.75 was the lowest responsive and responsible bid received; and

WHEREAS, Fitzgerald Excavating & Trucking Inc. will be eligible for up to a \$90,000 incentive for constructing pavements that exceed density and smoothness specifications; and

WHEREAS, staff recommends awarding the bid to Fitzgerald Excavating & Trucking Inc.

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 Fitzgerald Excavating & Trucking Inc. for County Project 78-10, in the amount of \$6,201,059.75 based on their low bid, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the contract amount may be increased by up to \$90,000 for the additional cost of pavement incentives met by Fitzgerald Excavating & Trucking Inc. as specified in the contract documents.

**20-182**

**Authorization To Execute Joint Powers Agreement With Vermillion River Watershed Joint Powers Organization For County Project 78-10 And Amend 2020 Transportation Capital Improvement Program Budget**

WHEREAS, to provide a safe and efficient transportation system, Dakota County is proceeding with County Project (CP) 78-10; and

WHEREAS, CP 78-10 is the reconstruction and paving of County State Aid Highway (CSAH) 78 (240th Street/Alverno Avenue/245th Street) from Trunk Highway 3 to CSAH 79 (Blaine Avenue) in Castle Rock Township; and

WHEREAS, CP 78-10 project limits are adjacent to a tributary of the south branch of the Vermillion River, and the southern branch of the Vermillion River and upstream tributaries are considered significant sources of nitrate-based on VRWJPO and County studies; and

WHEREAS, the VRWJPO has developed construction solutions to incorporate nitrate treatment into highway reconstruction projects, and CP 78-10 includes the construction of a basin with enhanced soil media for nitrate treatment at CSAH 78 and Biscayne Avenue; and

WHEREAS, the VRWJPO applied for and was awarded a grant from the Minnesota Board of Water and Soil Resources to construct the nitrate treatment basin within CP 78-10, and the grant requires a local match; and

WHEREAS, a joint powers agreement with the VRWJPO, is necessary to outline the responsibilities for construction and ongoing maintenance of the basin constructed in CP 78-10.

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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 Vermillion River Watershed Joint Powers Organization for the construction and maintenance of the nitrate treatment basin to be included in County Project 78-10, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the 2020 Transportation Capital Improvement Program Adopted Budget is hereby amended as follows:

<b>Expense</b>	
County Project 78-10	<u>\$33,700</u>
<b>Total Expense</b>	<b>\$33,700</b>
<b>Revenue</b>	
Grant funds	\$26,960
VRWJPO funds	<u>\$ 6,740</u>
<b>Total Revenue</b>	<b>\$33,700</b>

**20-183**

**Authorization To Execute Contract With Wold Architects And Engineers For Professional Design Services For Judicial Center And Administration Center Projects**

WHEREAS, the 2020-2024 Building Capital Improvement Program (CIP) Adopted Budget includes projects to renovate the Judicial Center (JDC) Lower Level Courts Area and to modify the JDC and Administration Center (ADC) Stair Railings to meet current building codes; and

WHEREAS, the scope of the work for each project includes professional design services; and

WHEREAS, a Request for Proposals for professional design services was prepared and issued on February 13, 2020; and

WHEREAS, three Proposal Responses were received on March 5, 2020; and

WHEREAS, following the proposal response evaluations and discussion staff reached a unanimous decision to recommend Wold Architects and Engineers as the consultant firm to provide the specified professional design services for these two projects; and

WHEREAS, Wold Architects and Engineers has submitted a total fee proposal of \$108,000 for professional design services; and

WHEREAS, sufficient funds are available within the 2020-2024 Building CIP Adopted Budget for these projects.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Parks, Facilities, and Fleet Management Director to execute a professional services contract with Wold Architects and Engineers, 332 Minnesota Street, Suite W2000, Saint Paul, MN 55101 for the Judicial Center Lower Level Courts Area Renovation and the Judicial Center and Administration Center Railing Code Modifications Projects, in an amount not to exceed \$108,000, subject to approval by the County Attorney's Office as to form.

**20-184**

**Approval Of Countywide Accessibility Compliance And Barrier Removal Implementation Plan**

WHEREAS, the Countywide ADA/Accessibility Assessment and Barrier Removal Plan Report completed in 2019 lists various deficiencies throughout all County facilities; and

WHEREAS, the County is committed to addressing these found deficiencies to improve all facilities for staff and public; and

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WHEREAS, staff has developed an implementation plan for the next 10 years to address the deficiencies through a systematic approach; and

WHEREAS, sufficient funds are available within the Adopted 2020–2024 Building Capital Improvement Program budget for this effort.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Parks, Facilities, and Fleet Management Director to implement the plan to address the accessibility deficiencies as presented.

**20-185**

**Revise Public Hearing Notice For Dakota County 2020-2024 Five Year Consolidated Plan And Fiscal Year 2020 Action Plan For Community Development Block Grant, HOME Investment Partnerships, And Emergency Solutions Grant Programs**

WHEREAS, Dakota County is an Entitlement County for federal funds through the Community Development Block Grant (CDBG) Program and Emergency Solutions Grant (ESG) Program, and a Participating Jurisdiction for the HOME Investment Partnerships (HOME) Program; and

WHEREAS, the Dakota County Community Development Agency (CDA) administers the CDBG, ESG and HOME programs on behalf of Dakota County, thereby requiring agreements between the U.S. Department of Housing and Urban Development (HUD) and Dakota County for the CDBG, ESG, and HOME funds and between Dakota County and the Dakota County CDA for CDBG, ESG and HOME program administration; and

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) requires the development and submission of the 2020-2024 Five Year Consolidated Plan that outlines the strategies and objectives of Dakota County's use of the federal funds and the development and submission of the Fiscal Year (FY) 2020 One Year Action Plan that proposes allocation of the annual CDBG, HOME, and ESG funds to local governments and housing providers in the County; and

WHEREAS, HUD requires a public hearing to receive comments and inform the public on the Dakota County 2020-2024 Five Year Consolidated Plan and the FY 2020 One Year Action Plan; and

WHEREAS, the Dakota County Board of Commissioners scheduled a public hearing for April 21, 2020 at 9:00 a.m. in the Boardroom, Administration Center, 1590 Highway 55, Hastings, MN, to receive comments on the 2020 – 2024 Five Year Consolidated Plan and the Fiscal Year 2020 One Year Action Plan; and

WHEREAS, due to the ongoing impacts due to the COVID-19 pandemic, the County Board is conducting public meetings via telephone or other electronic means necessitating a revised public hearing notice that will be published in the Star Tribune, and posted on the websites of the participating cities, the Dakota County Community Development Agency website at [www.dakotacda.org](http://www.dakotacda.org), and the Dakota County website at [www.dakotacounty.us](http://www.dakotacounty.us); and

WHEREAS, the public may submit comments for the public hearing via email to [CountyAdmin@co.dakota.mn.us](mailto:CountyAdmin@co.dakota.mn.us); and

WHEREAS, Dakota County will provide the public the ability to participate during the public hearing by telephone or other electronic means; and

WHEREAS, Dakota County continues to work to improve the technology and process for remote participation for public meetings during this local emergency and will provide notice of any change in process.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby schedules a public hearing for April 21, 2020, at 9:00 a.m. via telephone or other electronic means.



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## REGULAR AGENDA

### County Board/County Administration

#### Update On Monitoring Of Coronavirus Outbreak

Director of Public Health Bonnie Brueshoff and Deputy County Manager Jean Erickson briefed this item and responded to questions. This item was on the agenda for informational purposes only. No staff direction was given by Board members.

#### Legislative Update

Tom Downs, President Downs Government Affairs LLC, briefed this item and responded to questions. This item was on the agenda for informational purposes only. No staff direction was given by Board members.

#### Community Services

##### 20-186

#### Authorization To Amend Emergency Hotel Funding For Matrix Housing Services

Social Services Deputy Director Madeline Kastler briefed this item and responded to questions.

Motion: Thomas A. Egan

Second: Kathleen A. Gaylord

WHEREAS, the Housing section in the Social Services Department provides both in-house and contracted services across the service continuum and contracted services includes emergency shelter; and

WHEREAS, by Resolution No. 19-586, (June 18, 2019), the Dakota County Board of Commissioners authorized a contract with Matrix Housing Services to operate a cold weather drop-in emergency shelter in the amount of \$250,000 for the period of July 1, 2019 through June 30, 2020; and

WHEREAS, this shelter is currently being operated at Grace Lutheran Church in Apple Valley, is scheduled to close on April 1, 2020, and is currently at capacity with 44 individuals; and

WHEREAS, a Request for Proposal (RFP) was issued on October 10, 2019, to contract with a vendor to place adults with disabilities experiencing homelessness in hotels, using Department of Human Services (DHS) Emergency Shelter Grant funds; and

WHEREAS, three proposals were received, and a review committee comprised of Dakota County staff recommended Salvation Army as Salvation Army received the highest point total, followed closely by Matrix Housing Services; and

WHEREAS, by Resolution No. 19-580 (November 26, 2019), the Dakota County Board of Commissioners authorized a contract with Salvation Army, who has successfully placed twelve individuals in a hotel; however, Salvation Army's budget remains underspent; and

WHEREAS, in light of the current situation with the drop-in emergency shelter closing on April 1, Matrix Housing Services has the capacity to begin placing their current clients experiencing homelessness in hotels as soon as they have resources to do so; and

WHEREAS, the spread of the COVID-19 virus has prompted the World Health Organization (WHO), the Center for Disease Control (CDC), the Minnesota Department of Health (MDH), and others to encourage, and in some cases mandate, people and especially vulnerable populations to "social distance" from others; and

WHEREAS, a contract was executed with Matrix Housing Services for emergency hotel shelter services, approved by the County Attorney's Office as to form, in the amount of \$99,000 for the period of date of execution

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through December 31, 2020, to house and support 44 individuals in hotels; and

WHEREAS, staff recommends the Dakota County Board of Commissioners authorize a contract amendment to the Matrix Housing Services contract for emergency hotel funding services in the amount of \$540,000, for a total not to exceed contract amount of \$639,000 for the period of date of execution through December 31, 2020.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to amend the contract with Matrix Housing Services for emergency hotel shelter services funded by the Minnesota Department of Human Services Emergency Shelter Grant in the amount of \$540,000 for a total not to exceed contract amount of \$639,000 for the period of date of execution through December 31, 2020, 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 to amend said contract, within the amount budgeted, to alter the number and types of clients served, types of services provided, service expectations and rates, and the contract term, consistent with County contracting policies, subject to the approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the contract 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.

Ayes: 7

Nays: 0

### **Physical Development**

#### **20-187**

#### **Scheduling Of Public Hearing To Receive Comments On Proposed Interim Ordinance Establishing Temporary Moratorium To Prevent Groundwater Diversion From Dakota County**

Groundwater Protection Unit Supervisor Valerie Grove briefed this item and responded to questions.

Motion: Joe Atkins

Second: Liz Workman

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

WHEREAS, Dakota County has administered Ordinance No. 114, Well and Water Supply Management, through a Delegation Agreement with the Minnesota Department of Health to manage and operate a well regulatory program since 1988; and

WHEREAS, the purpose of Ordinance No. 114 is to establish standards for the construction, reconstruction, sealing, maintenance, and regulation of wells to protect groundwater and the environment and to promote the health, safety, and welfare of the public; and

WHEREAS, in 2019, a commercial enterprise proposed to pump 500 million gallons per year of groundwater from Dakota County and ship it by rail to sell in the southwestern United States; and

WHEREAS, exporting millions of gallons of groundwater from Dakota County could deplete the County's future water supply for human uses and damage its natural ecosystems; and

WHEREAS, current Minnesota Statutes and Rules and Dakota County Ordinance 114 do not adequately address the construction of wells for the purpose of bulk water exportation/ diversion out of state; and

WHEREAS, Dakota County Environmental Resources Department Staff, in consultation with the Dakota County Attorney's Office, has prepared an interim ordinance establishing a moratorium temporarily prohibiting the

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construction on new wells that will use greater than 10,000 gallons per day or 1,000,000 gallons per year for commercial/industrial water supply, other water supply, and agriculture/food processing, with the exception for replacement of existing wells; and

WHEREAS, a public hearing is requested for May 5, 2020, at 9:00 a.m. to receive comments on the Industrial Well Moratorium; and

WHEREAS, meetings of the County Board are held in the Boardroom, Administration Center, 1590 Highway 55, Hastings, MN, except due to the ongoing impacts from the COVID-19 virus, the Board is conducting public meetings via telephone or other electronic means pursuant to Minn. Stat. § 13D.021 and will continue to do so long as it is not practical or prudent to hold in-person meetings because of the COVID-19 health pandemic emergency declared under Minn. Stat. Chapter 12 by the Minnesota Governor Tim Walz and the Dakota County Board of Commissioners pursuant to Resolution. No. 20-139; and

WHEREAS, updated information on the manner of the public meeting can be found on the Dakota County website at [www.dakotacounty.us](http://www.dakotacounty.us); and

WHEREAS, the public may submit comments for the public hearing via email to [CountyAdmin@co.dakota.mn.us](mailto:CountyAdmin@co.dakota.mn.us); and

WHEREAS, if the May 5, 2020, County Board meeting is conducted via telephone or other electronic means, Dakota County will provide the public the ability to participate and hear all discussion and comments during the public hearing by telephone or other electronic means; and

WHEREAS, Dakota County continues to work to improve the technology and process for remote participation for public meetings during this local emergency and will provide notice of any change in the process.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby schedules a public hearing for May 5, 2020, at 9:00 a.m. in the Boardroom, Administration Center, 1590 Highway 55, Hastings, MN or via telephone or other electronic means; and

BE IT FURTHER RESOLVED, That staff will work with the Minnesota Department of Natural Resources and Minnesota Department of Health to study the potential impacts on public health and the environment if millions of gallons of water were removed from Dakota County watersheds and bring recommendations to the County Board for consideration.

Ayes: 7

Nays: 0

## **Public Services And Revenue**

### **Consideration Of Taxpayer Concern Regarding Property Tax Deadline Amid COVID-19**

Director of Property Taxation and Records Amy Koethe briefed this item and responded to questions. This item was on the agenda for informational purpose only. Board members directed staff to follow up as follows:

- While a statewide approach is preferred, the County should be prepared to act on its own authority.
- Develop parameters and have discussion with Cities and School Districts.
- Future changes at this time would only be considered for May payments.
- Accelerate disbursement to jurisdictions as the County receives the payments.
- Have the capacity to control overall impact by controlling abatements.
- Stay in conversation with other Metro counties to create consistency.

## **Interagency Announcements/Reports**

Interagency announcements and reports were then presented.

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## **County Manager's Report**

County Manager Matt Smith gave an update on the following items:

- Public Health Achievement Award Recipients
  - Youth           4-H After School Kitchen at Friendly Hills
  - Individual       Alissa Nesvold, Park Nicollet Women's Services
  - Community      The Open Door
  
- 2020 Census
- Library Pick-up options

## **Information**

**See Attachment A - Future Board Meetings And Other Board Activities**

**20-188**

## **Adjournment**

Motion: Liz Workman

Second: Thomas A. Egan

On a motion by Commissioner Liz Workman, seconded by Commissioner Thomas A. Egan, the meeting was adjourned at 11:14 a.m.

Mike Slavik  
Chair

ATTEST

Matt Smith  
County Manager