

# A G E N D A

## Dakota County Board of Commissioners Special Meeting

September 15, 2020

9:00 AM

View Live Broadcast <https://www.co.dakota.mn.us/Government/BoardMeetings/Pages/default.aspx>

If you wish to speak to an agenda item or an item not on the agenda, please notify the Clerk to the Board via email at [CountyAdmin@co.dakota.mn.us](mailto:CountyAdmin@co.dakota.mn.us)

Emails must be received by 7:30am Tuesday, Sept. 15, 2020.  
Instructions on how to participate will be sent to anyone interested.

**1. Call To Order And Roll Call**

**2. Pledge Of Allegiance**

**3. Audience**

Anyone wishing to address the County Board on an item not on the agenda or an item on the consent agenda may notify the Clerk to the Board and instructions will be given to participate during the meeting. Comments can be sent to [CountyAdmin@co.dakota.mn.us](mailto:CountyAdmin@co.dakota.mn.us)  
Comments are limited to five minutes.

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

### CONSENT AGENDA

**5. Operations, Management And Budget**

**5.1** *Information Technology* - Authorization To Execute Agreement With Hiawatha Communications Ltd. To Implement Broadband Connectivity Improvements For COVID-19 Response, Amend 2020 Non-Departmental Budget And Amend 2020 Information Technology Budget

### REGULAR AGENDA

**6. Public Services And Revenue**

**6.1** *Property Taxation And Records* - Approval Of Abatement Of Penalty On Second Half 2020 Property Taxes Until November 16, 2020

**7. Legislative Update**

**8. County Manager's Report**

**9. Information**

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

**10. Adjournment**

**For more information, call 651-438-4417**  
**Dakota County Board meeting agendas are available online at**  
<https://www.co.dakota.mn.us/Government/BoardMeetings/Pages/default.aspx>  
**Public Comment can be sent to [CountyAdmin@co.dakota.mn.us](mailto:CountyAdmin@co.dakota.mn.us)**

Future Board And Other Public Agency Meetings

**September 15, 2020**

Tuesday

- 9:00 AM - 9:00 AM                      **Special Dakota County Board of Commissioners Meeting -- View Live Broadcast**  
<https://www.co.dakota.mn.us/Government/BoardMeetings/Pages/default.aspx>
- 9:30 AM - 9:30 AM                      **Dakota County Physical Development Committee of the Whole (or following CB) --**  
<https://www.co.dakota.mn.us/Government/BoardMeetings/PDCommittee/Pages/default.aspx>
- 10:00 AM - 10:00 AM                      **Dakota County Community Services Committee of the Whole (or following PDC) --**  
<https://www.co.dakota.mn.us/Government/BoardMeetings/CSCCommittee/Pages/default.aspx>
- 3:30 PM - 3:30 PM                      **Dakota County Community Development Agency Board Regular Meeting -- Call 888-742-5095**

**September 16, 2020**

Wednesday

- 3:30 PM - 3:30 PM                      **Diffley Road Public Engagement -- Dakota Hills Middle School - 4183 Braddock Trail, Eagan, MN 55123/Eagan High School 4185 Braddock Trail, Eagan, MN 55123 - Parking Lots**

**September 18, 2020**

Friday

- 7:30 AM - 7:30 AM                      **Dakota-Scott Workforce Development Board Meeting -- Zoom <https://us02web.zoom.us/j/89488954847>**

**September 22, 2020**

Tuesday

- 9:00 AM - 9:00 AM                      **Dakota County Board of Commissioners Meeting -- View Live Broadcast**  
<https://www.co.dakota.mn.us/Government/BoardMeetings/Pages/default.aspx>
- 9:30 AM - 9:30 AM                      **Dakota County Regional Railroad Authority Meeting (or following CB) -- View Live Broadcast**  
<https://www.co.dakota.mn.us/Government/BoardMeetings/Pages/default.aspx>



**DAKOTA COUNTY BOARD OF COMMISSIONERS**

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**Authorization To Execute Agreement With Hiawatha Communications Ltd. To Implement Broadband Connectivity Improvements For COVID-19 Response, Amend 2020 Non-Departmental Budget And Amend 2020 Information Technology Budget**

Meeting Date: 9/15/2020  
 Item Type: Consent-Action  
 Division: Operations, Management and Budget  
 Department: Information Technology  
 Contact: Cater, Dan  
 Contact Phone: (651) 438-4290  
 Prepared by: Ferber, Dan

Fiscal/FTE Impact:  
 None  Other  
 Current budget  Amendment requested  
 New FTE(s) requested  
 Board Goal: A great place to live  
 Public Engagement Level: N/A

**PURPOSE/ACTION REQUESTED**

Authorize staff to enter into an agreement, subject to approval by the County Attorney's Office, with Hiawatha Communications Ltd. (HBC) to provide high speed broadband service to residents of Dakota County and to receive CARES Act funds and amend the 2020 non-departmental budget and amend the 2020 Information Technology Budget.

**SUMMARY**

Access to the internet is an asset to residents, families and schools within Dakota County. COVID-19 made the need for affordable, fast and reliable internet connectivity a greater priority throughout the community as students and workers moved into the home to continue education and work. As Dakota County received funds through the CARES Act, staff presented the County Board with the option to provide funding to providers to expand their network to support residents, families and schools in unserved and underserved areas. The County Board directed staff to send a letter of interest to known providers.

On July 28, 2020, staff sent a letter of interest to current broadband providers to expand broadband connectivity within Dakota County borders in unserved and underserved areas. Staff received six proposals from various providers. Staff presented a summary of the six proposals to the County Board at the August 25, 2020 County Board Meeting.

HBCs proposal contains a significant provider investment of \$450,000. HBC would be allocated \$800,000 in Cares Act funds to offer service to 835 homes in Nininger, Miesville and C.R. 46 (See Map, Attachment A). This service would include a low cost option for qualifying households.

**RECOMMENDATION**

Staff recommend the County authorize the Chief Information Officer to execute an agreement with Hiawatha Communications Ltd. to implement broadband connectivity improvements for COVID-19 response and amend 2020 Non-Departmental budget and amend 2020 Information Technology budget.

**EXPLANATION OF FISCAL/FTE IMPACTS**

A total of \$800,000 CARES Act funds would be expended for COVID-19 Broadband Services.

**Supporting Documents:**  
Attachment A: Map

**Previous Board Action(s):**

**RESOLUTION**

WHEREAS, during the COVID-19 pandemic, Dakota County residents, families and schools are experiencing a greater need for affordable, fast and reliable internet connectivity; and

WHEREAS, Dakota County received funds to use through the Federal CARES Act; and

WHEREAS, the County Board has determined that assisting broadband carriers to implement immediate broadband connectivity improvements to unserved and underserved areas of Dakota County is a necessary and reasonable response to the COVID-19 pandemic, therefore eligible for the use of CARES Act funds; and

WHEREAS, the County Board directed staff to seek out interest from providers in expending their network in unserved and underserved communities; and

WHEREAS, staff sent letters of interest to providers on July 28, 2020 and received six proposals; and

WHEREAS, staff presented the six proposals to the County Board at the August 25, 2020 County Board meeting; and

WHEREAS, the County Board directed staff to award Broadband Connectivity funds to Hiawatha Communications LTD (HBC); and

WHEREAS, speeds of service will be offered in Nininger, New Trier, Hampton and Miesville between 10 Mbps minimum and a maximum of 100 Mbps.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Chief Information Officer to award Broadband Connectivity Cares Act funds to and execute an agreement, approved as to form by the County Attorney's Office, with Hiawatha Communications Ltd., in an amount not to exceed \$800,000; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby amends the 2020 Non-Departmental budget as follows:

<b>Expense</b>	
Cares Act Expense	<u>(\$800,000)</u>
<b>Total Expense</b>	<b>(\$800,000)</b>

<b>Revenue</b>	
CARES Act Revenue	<u>(\$800,000)</u>
<b>Total Revenue</b>	<b>(\$800,000)</b>

; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby amends the 2020 Information Technology budget as follows:

<b>Expense</b>	
Cares Act Expense	<u>(\$800,000)</u>
<b>Total Expense</b>	<b>(\$800,000)</b>

<b>Revenue</b>	
CARES Act Revenue	<u>(\$800,000)</u>
<b>Total Revenue</b>	<b>(\$800,000)</b>

**County Manager's Comments:**

- Recommend Action
- Do Not Recommend Action
- Reviewed---No Recommendation
- Reviewed---Information Only
- Submitted at Commissioner Request

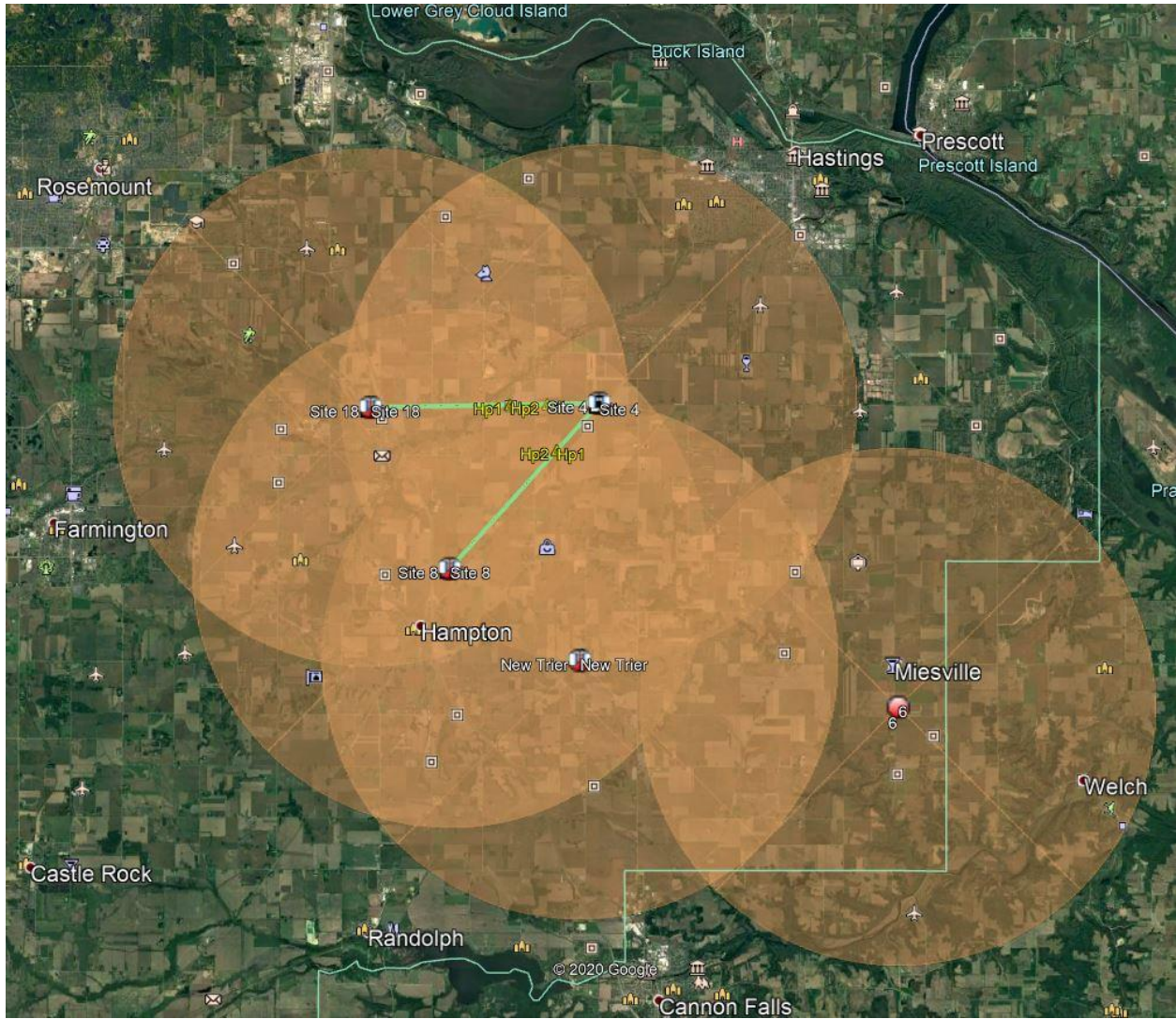
**Reviewed by (if required):**

- County Attorney's Office
- Financial Services
- Risk Management
- Employee Relations
- Information Technology
- Facilities Management



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County Manager





**DAKOTA COUNTY BOARD OF COMMISSIONERS****Approval Of Abatement Of Penalty On Second Half 2020 Property Taxes Until November 16, 2020**

Meeting Date: 9/15/2020  
 Item Type: Regular-Action  
 Division: Public Services and Revenue  
 Department: Property Taxation and Records  
 Contact: Koethe, Amy  
 Contact Phone: (651) 438-4370  
 Prepared by: Koethe, Amy

Fiscal/FTE Impact:  
 None  Other  
 Current budget  Amendment requested  
 New FTE(s) requested  
 Board Goal: Excellence in public service  
 Public Engagement Level: N/A

**PURPOSE/ACTION REQUESTED**

Approval of abatement of penalty on second half 2020 property taxes until Monday, November 16, 2020, for certain taxpayers.

**SUMMARY**

Many taxpayers in Dakota County have been financially impacted by the COVID-19 coronavirus pandemic, which may affect their ability to pay property taxes timely. Under Minnesota law, real and personal property taxes are due and payable in two equal installments, May 15 and October 15 (November 15 for agricultural property) each year. The county collects property taxes on behalf of all taxing districts in its boundaries and distributes the taxes following collection.

While counties do not have the legislative authority to extend the property tax due date, Minn. Stat. § 279.01, Subd. 2, authorizes a county board to abate penalty for late payment of property taxes in the current year upon finding that the imposition of the penalty would be unjust and unreasonable.

On March 17, 2020 the Chair of the Dakota County Board of Commissioners declared a local emergency pursuant to Minn. Stat. §12.29, with consent from the County Board by Resolution No. 20-139 (March 20, 2020), due to the COVID-19 pandemic. Additionally, the President of the United States has declared a National Emergency and the Governor of the State of Minnesota has declared a Peacetime State of Emergency.

By Resolution No. 20-213 (April 28, 2020), the Board took action to provide property tax relief to taxpayers experiencing hardship as a result of COVID-19 and authorized a penalty waiver until July 15, 2020 on first half 2020 property taxes for eligible taxpayers. Just over 7500, or 10 percent of eligible taxpayers took advantage of the penalty waiver.

In this continued time of a declared local emergency, the imposition of a penalty for certain taxpayers can be considered unjust and unreasonable. The County Board may consider waiving the penalty on second half 2020 property taxes, through November 16, 2020 (November 15 falls on a Sunday), to provide certain taxpayers additional time to make payment. Taxpayers eligible for the penalty abatement would include all properties except the following: 1) taxpayers who escrow their property tax payment through a mortgage or escrow service, and 2) taxpayers with properties classified as utility, railroad, machinery and transmission lines. Most agricultural property has a November 15 tax due date by statute.

Property taxes are a fundamental revenue source for local taxing districts to ensure sustainability of essential services and statutory mandates. Many taxing districts have been financially impacted by COVID-19. The county may consider providing early distribution of property taxes to districts.

**RECOMMENDATION**

Staff requests that the Dakota County Board of Commissioners authorize an automatic abatement of penalty on the second half October 15, 2020 property tax payments for qualifying properties through November 16, 2020. Qualifying taxpayers include all properties except the following: 1) taxpayers who escrow their property tax payment through a mortgage or escrow service, and 2) taxpayers whose properties are classified as utility, railroad, machinery and transmission lines. Agricultural properties have a November 15 due date by statute.

**EXPLANATION OF FISCAL/FTE IMPACTS**

Delayed tax payments will impact investment revenue.

**Supporting Documents:**

**Previous Board Action(s):**

20-139; 3/20/20  
20-213; 4/28/20

**RESOLUTION**

WHEREAS, on March 17, 2020 the Chair of the Dakota County Board of Commissioners declared a local emergency pursuant to Minn. Stat. §12.29, with consent from the County Board by Resolution No. 20-139 on March 20, 2020, due to the COVID-19 pandemic; and

WHEREAS, the President of the United States has declared a National Emergency and the Governor of the State of Minnesota has declared a Peacetime State of Emergency; and

WHEREAS, the Dakota County Board of Commissioners recognize the financial impact the COVID-19 pandemic has on property taxpayers; and

WHEREAS, Minn. Stat. § 279.01, Subd. 2, authorizes a county board to abate penalty for late payment of property taxes in the current year upon finding that the imposition of the penalty would be unjust and unreasonable; and

WHEREAS, at this time of a declared local emergency, the imposition of a penalty for certain taxpayers can be considered unjust and unreasonable; and

WHEREAS, by Resolution No. 20-213 (April 28, 2020), the Board took action to provide property tax relief to taxpayers experiencing hardship as a result of COVID-19, and authorized a penalty waiver until July 15, 2020 on first half 2020 property taxes for eligible taxpayers; and

WHEREAS, the County Board may consider waiving the penalty on second half 2020 property taxes through Monday, November 16, 2020, to provide certain taxpayers additional time to make payment; and

WHEREAS, taxpayers eligible for the penalty abatement would include all properties except 1) taxpayers who escrow their property tax payment through a mortgage or escrow service, and 2) taxpayers whose properties are classified as utility, railroad, machinery and transmission line tax. Agricultural properties have a November 15 due date by statute; and

WHEREAS, property taxes are a fundamental revenue source for local taxing districts to ensure sustainability of essential services and statutory mandates.

NOW, THEREFORE, BE IT RESOLVED, That the penalty for late payment of property taxes, that would otherwise be imposed between October 16, 2020 and November 16, 2020 on second half taxes, be waived for taxpayers except the following: 1) taxpayers who escrow their property tax payment through a mortgage or escrow service, 2) taxpayers with properties classified as utility, railroad, machinery and transmission line tax, and 3) agricultural property with a November 15 due date by statute; and

BE IT FURTHER RESOLVED, That early tax distributions will be made, as is practical and reasonable, to impacted local taxing districts.

**County Manager's Comments:**

- Recommend Action
- Do Not Recommend Action
- Reviewed---No Recommendation
- Reviewed---Information Only
- Submitted at Commissioner Request

**Reviewed by (if required):**

- County Attorney's Office
- Financial Services
- Risk Management
- Employee Relations
- Information Technology
- Facilities Management



County Manager