

December 1, 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 in a hybrid manner, via both virtual and in-person. 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.mn.us

No comments were received.

20-586

Approval Of Agenda (Additions/Corrections/Deletions)

Motion: Joe Atkins

Second: Thomas A. Egan

Item 11.2 Approval Of 2021 Intoxicating On-Sale And Sunday Sales Liquor License Applications, was recommended to be pulled from the Consent Agenda and moved to the Regular Agenda for further discussion. With this amendment, a motion was made by Commissioner Joe Atkins, seconded by Commissioner Thomas A. Egan, and the agenda was unanimously approved.

Public Hearing

Public Hearing To Receive Comments On 2021–2025 Capital Improvement Program Budget

The time being 9:06 a.m., and pursuant to public notice, a public hearing was conducted for the purpose of receiving comments on the 2021-2025 County Manager’s Recommended Capital Improvement Program Budget. Physical Development Deputy Director Erin Stwora spoke to this item. Interested parties desiring to be heard were afforded the opportunity to address the County Board. No one came forward.

20-587

Public Hearing To Receive Comments On 2021–2025 Capital Improvement Program Budget And Closing Of Public Hearing

Motion: Joe Atkins

Second: Chris Gerlach

WHEREAS, the General Government and Policy Committee of the Whole reviewed the 2021–2025 County Manager’s Recommended Capital Improvement Program (CIP) Budget on September 1, 2020; and

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WHEREAS, Minn. Stat. § 373.40, subd. 3., requires the County to conduct a public hearing prior to the adoption of the County Manager's Recommended Capital Improvement Program Budget; and

WHEREAS, by Resolution No. 20-467 (September 22, 2020), the Dakota County Board of Commissioners released the draft 2021–2025 CIP for formal review and comment; and

WHEREAS, comments received, and the County's responses were reviewed at the December 1, 2020, County Board meeting; and

WHEREAS, additional comments are sought during a public hearing.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby conducts a public hearing on December 1, 2020, at 9:00 a.m., in the Boardroom, Administration Center, 1590 Highway 55, Hastings, Minnesota or via telephone or other electronic means if necessary due to the ongoing COVID-19 pandemic to receive comments on the 2021–2025 County Manager's Recommended Capital Improvement Budget; and

BE IT RESOLVED, That the public hearing is closed.

Ayes: 7

Nays: 0

Public Hearing

Public Hearing To Receive Comments On And Approval Of Eligible Projects For Transportation Sales And Use Tax Funds

The time being 9:13 a.m., and pursuant to public notice, a public hearing was conducted for the purpose of receiving comments on the proposed list of eligible projects for Sales and Use Tax funds. Regional and Multi-Modal Transportation Manager Gina Mitteco spoke to this item. Interested parties desiring to be heard were afforded the opportunity to address the County Board. No one came forward.

20-588

Closing of Public Hearing

Motion: Thomas A. Egan

Second: Liz Workman

BE IT RESOLVED, That the public hearing is closed.

Ayes: 7

Nays: 0

20-589

Approval Of Eligible Projects For Transportation Sales And Use Tax Funds

Regional and Multi-Modal Transportation Manager Gina Mitteco briefed this item and responded to questions.

Motion: Kathleen A. Gaylord

Second: Joe Atkins

WHEREAS, Minn. Stat. § 297A.993 (the Act) authorizes the Dakota County Board to levy up to one-half of one percent sales and use tax and an excise tax of \$20 per motor vehicle to fund statutorily defined transportation and transit projects; and

WHEREAS, by Resolution No. 17-364 (June 20, 2017), the Dakota County Board enacted a quarter-cent sales tax and \$20 excise tax on new vehicle sales starting October 1, 2017, to fund identified transitway, transit expansion, regional County highway, trail, and trunk highway transportation projects; and

WHEREAS, Dakota County has recently updated its Draft 2040 Transportation Plan, which identifies long-term transportation system needs; and

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WHEREAS, Dakota County has identified a proposed updated list of transportation projects eligible for Transportation Sales and Use Tax funds based on the needs identified in the Draft 2040 Transportation Plan; and

WHEREAS, the Act allows the County Board to dedicate the proceeds of the Transportation Sales and Use Tax to a new enumerated project by resolution after a public hearing; and

WHEREAS, the County Board held a public hearing on the date hereof following publication of notice as required by the Act.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners approves the updated list of eligible projects for County Transportation Sales and Use Tax Funds.

Ayes: 7

Nays: 0

CONSENT AGENDA

Motion: Kathleen A. Gaylord

Second: Mary Liz Holberg

Item 7.2 Authorization To Execute Contract For Enterprise Resource Planning Software And Implementation Services, was recommended to be pulled from the Consent Agenda and moved to the Regular Agenda for further discussion. With this amendment, a motion was made by Commissioner Kathleen A. Gaylord, seconded by Commissioner Mary Liz Holberg, and the consent agenda was unanimously approved.

20-590

Approval Of Minutes Of Meeting Held On November 17, 2020 And Special Meeting On November 24, 2020

Items Recommended By Board Committee

20-591

Amendment To Dakota County All Hazards Mitigation Plan To Include Physical Flood Mitigation Strategies

WHEREAS, the Disaster Mitigation Act of 2000 requires counties and cities to prepare All-Hazards Mitigation Plans to address potential natural and manmade hazards and develop mitigation strategies to reduce the impacts of hazardous events both in terms of dollars and lives saved; and

WHEREAS, Dakota County and cities must have an approved and adopted plan to be eligible for both federal disaster relief and mitigation project grant dollars; and

WHEREAS, Dakota County staff coordinated the completion of the Dakota County 2016 All Hazards Mitigation Plan (Plan) with the 14 urban and 6 rural cities of Dakota County; and

WHEREAS, the Dakota County Board of Commissioners adopted the 2016 Plan by Resolution No. 17-062 (January 24, 2017); and

WHEREAS, the City of Hastings would like to apply for an All Hazard Mitigation Project Grant for the study and construction of flood mitigation projects and no goal or objectives supporting this these types of projects are currently included in either the County or City portion of the 2016 Plan; and

WHEREAS, Dakota County Board of Commissioner must formally amend the Plan to include this goal and objectives for the grant application of the City of Hastings to be considered by the Minnesota Department of Homeland Security and Emergency Management (HSEM) and the Federal Emergency Management Agency (FEMA).

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby amends the 2016 Dakota County All Hazard Mitigation Plan and authorizes submittal of the amended plan to HSEM by adding

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the following goal and objectives to the Plan; Flood Goal 3: Research and Implement Physical Flood Mitigation Measures. 1. Request advance assistance to study the mitigation of flood damage and emergency access to flood prone areas throughout the county. 2. Construct mitigation solutions to flood-prone areas throughout the county to reduce or eliminate damage and improve emergency access during flooding.

; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby directs staff to coordinate with the 14 urban and 6 rural cities of Dakota County to prepare resolutions to adopt this Plan amendment should the city desire to pursue this Plan goal.

County Board/County Administration

20-592

Authorization To Amend Contract With GovernmentJobs.com, Inc. For Employee Onboarding Solution

WHEREAS, Dakota County wishes to purchase a subscription to a fully automated employee onboarding solution in response to the COVID-19 pandemic; and

WHEREAS, Dakota County presently has an enterprise software license for NEOGOV Insight, an online candidate recruitment and applicant tracking solution, pursuant to a duly executed contract with GovernmentJobs.com, Inc. (dba NEOGOV) dated December 12, 2017; and

WHEREAS, NEOGOV offers an onboarding solution, NEOGOV Onboard, that meets Dakota County's needs and fully integrates with NEOGOV Insight; and

WHEREAS, Dakota County requests to amend its contract with NEOGOV to include a subscription to NEOGOV Onboard through December 31, 2021; and

WHEREAS, the total cost of the proposed contract amendment is \$27,635; and

WHEREAS, the entirety of this cost is eligible for payment using Coronavirus Aid, Relief, And Economic Security Act funds.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the County Manager, or their designee, to execute a contract amendment with GovernmentJobs.com, Inc. (dba NEOGOV), to purchase NEOGOV Onboard for an amount not to exceed \$27,635 from NEOGOV, subject to approval by the County Attorney's Office as to form.

20-593

Scheduling Of Dakota County Board Of Commissioners Legislative Platform Workshop

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby schedules a Legislative Platform workshop for December 15, 2020, following the General Government and Policy Committee meeting, in the Boardroom, Administration Center, 1590 Highway 55, Hastings, MN or via telephone or other electronic means if necessary due to the ongoing COVID-19 pandemic, for the purpose of discussing the 2021 Legislative Platform and other legislative matters.

County Attorney

20-594

Delegation Of Authority For County Manager To Sign Waivers Of Conflict Of Interest And Consents For Representation

WHEREAS, Dakota County Attorney's Office provides legal representation and advice to Dakota County and in certain defined circumstances to other government entities as authorized by a joint powers agreement or legal

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service agreement authorized by the County Board and/or required by law; and

WHEREAS, to ensure efficient determinations about legal representation are made in what are often time sensitive matters, a process is needed to have a timely review of the Waiver of Conflict of Interest and Consent to Representation; and

WHEREAS, the County Board desires to delegate to the County Manager the authority to sign a Waiver of Conflict of Interest and Consent for Representation for contracts or agreements drafted and/or reviewed by the County Attorney's Office involving Dakota County and another entity for which the County Attorney provides legal services. This delegation is limited to transactional matters.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby delegates to the County Manager the authority to sign a Waiver of Conflict of Interest and Consent For Representation for contracts or agreements drafted and/or reviewed by the County Attorney's Office involving Dakota County and another entity for which the County Attorney provides legal services; and

BE IT FURTHER RESOLVED, That this delegation is limited to transactional matters and is valid until such time as the County Board may rescind this delegation.

20-595

Authorization To Execute Joint Powers Agreement Between City Of Eagan And Dakota County For Administration And Distribution Of Violent Crime Enforcement Teams (VCET) Grant

WHEREAS, the Dakota County Drug Task Force (DCDTF) is established by a 2001 joint powers agreement entered into by the Cities of Apple Valley, Burnsville, Eagan, Farmington, Hastings, Inver Grove Heights, Lakeville, Mendota Heights, Rosemount, South St. Paul, West St. Paul, Savage and the County pursuant to Minn. Stat. § 471.59; and

WHEREAS, the City of Eagan (City) acts as the fiscal agent for the DCDTF; and

WHEREAS, the DCDTF applied for and was awarded Violent Crime Enforcement Teams (VCET) funds; and

WHEREAS, the City receives the VCET funds as fiscal agent for the DCDTF; and

WHEREAS, \$48,000 of the VCET grant funds received are to partially pay the salary and benefits of the drug prosecutors who support DCDTF relate prosecutions through the County Attorney's Office (CAO); and

WHEREAS, the CAO currently assigns three and one quarter full time attorneys to the prosecution of controlled substance offenses; and

WHEREAS, the CAO and City desire to formalize this relationship with an Agreement to account for the 2020 grant funds.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Board Chair to execute a joint powers agreement with the City of Eagan, subject to approval of the County Attorney's Office as to form, to receive Violent Crime Enforcement Teams grant funds for 2020 to pay a portion of the salary and benefits of the drug prosecutors who support Dakota County Drug Task Force related prosecutions.

Physical Development

20-596

Ratification Of Quarterly Entitlement Funding Requests To U.S. Department Of Housing And Urban Development

WHEREAS, the Dakota County Community Development Agency (CDA) administers the Community Development Block Grant (CDBG) program, HOME Investment Partnerships (HOME) program, and Emergency

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Solutions Grant (ESG) program for Dakota County; and

WHEREAS, funds expended from previously approved projects for Fiscal Years 2017–2019 of the CDBG, HOME, and ESG programs must be ratified by the Dakota County Board of Commissioners; and

WHEREAS, the CDBG Entitlement expenses during the timeframe of July 1, 2020–September 30, 2020, totaled \$349,798.55; and

WHEREAS, the HOME Entitlement expenses during the timeframe of July 1, 2020–September 30, 2020, totaled \$179,471.17; and

WHEREAS, the ESG Entitlement expenses during the timeframe of July 1, 2020–September 30, 2020, totaled \$0; and

WHEREAS, the CDA has paid the requests for payment associated with the CDBG, HOME, and ESG programs.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby ratifies the requisitions to the U.S. Department of Housing and Urban Development for \$529,269.72 for July 1, 2020–September 30, 2020, as presented.

20-597

Approval Of Amendments To Dakota County Fiscal Year 2019 Action Plan For Community Development Block Grant And Emergency Solutions Grant Programs Funded Through CARES Act

WHEREAS, Dakota County is an Entitlement County for funds through the Community Development Block Grant (CDBG) Program and Emergency Solutions Grant (ESG) Program; and

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

WHEREAS, the Coronavirus Aid, Relief, and Economic Security (CARES) Act that was enacted on March 27, 2020, appropriated \$5 billion in Community Development Block Grant Coronavirus (CDBG-CV) funds and \$4 billion in Emergency Solutions Grant Coronavirus (ESG-CV) funds to respond to the COVID-19 pandemic; and

WHEREAS, Dakota County was allocated \$2,913,485 in CDBG-CV funds and \$2,109,564 in ESG-CV funds; and

WHEREAS, Dakota County and CDA staff have worked with local governments and housing and non-profit providers in Dakota County to develop proposed activities for the funds that meet the eligibility requirements of the CDBG-CV and ESG-CV programs; and

WHEREAS, Dakota County and CDA staff recommend funding five eligible activities with CDBG-CV funds, including operational support for mobile food pantries and senior food transportation, operational support for food shelves and/or food banks, operational support for housing and foreclosure counseling, emergency assistance payments, and grant administration; and

WHEREAS, Dakota County and CDA staff recommend funding five eligible activities with ESG-CV funding, including emergency shelter operations, rental assistance, and stabilization services for homeless people or people at risk of homelessness, data collection, and grant administration; and

WHEREAS, HUD requires the Dakota County Fiscal Year 2019 Action Plan be amended to include the special allocations of the CDBG-CV and ESG-CV funds and any proposed activities; and

WHEREAS, the proposed CDBG-CV and ESG-CV activities and budgets are considered substantial amendments

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by the approved Dakota County Citizen Participation Plan; and

WHEREAS, public notice of the substantial amendments was placed in the Dakota Tribune on November 13, 2020, and also on the Dakota County Community Development Agency (CDA) and Dakota County websites, in accordance with the approved Citizen Participation Plan; and

WHEREAS, no public comments were received on the proposed amendments.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the substantial amendments to the Dakota County Fiscal Year 2019 Action Plan to include the proposed activities and budgets funded by Dakota County's allocation of Community Development Block Grant Coronavirus funds totaling \$2,913,485 and the Emergency Solutions Grant Coronavirus funds totaling \$2,109,564.

20-598

Authorization To Approve Expansion Of Hastings Scientific And Natural Area

WHEREAS, the State Scientific and Natural Areas (SNA) Program, managed by the Minnesota Department of Natural Resources (DNR), preserves and perpetuates the ecological diversity of Minnesota's heritage, such as landforms, fossil remains, and plant and animal communities for scientific study and public education; and

WHEREAS, there are four SNA's in Dakota County: the 76-acre Chimney Rock SNA in Marshan Township, the 64-acre Hastings SNA in Hastings, the 267-acre Hastings Sand Coulee SNA in Marshan Township, and the 256-acre Pine Bend Bluffs SNA in Inver Grove Heights; and

WHEREAS, the Hastings SNA was established in 1974 and consists of Vermillion/Mississippi River floodplain forest, emergent marsh, mesic oak forest, with old-growth red oak, sugar maple, and basswood on steep north-facing bluffs and bluff tops; and

WHEREAS, the 9.9-acre landlocked James Kaehler (Kaehler) property in Hastings is adjacent to the SNA and contains valuable forested floodplain and marsh habitat for bird species migrating along the Mississippi River flyway; and

WHEREAS, inclusion of the Kaehler property within the SNA would protect additional wetland habitat within the Vermillion River watershed and facilitate future invasive species management; and

WHEREAS, Kaehler has agreed to sell his property to the DNR as an addition to the SNA; and

WHEREAS, the Hastings City Council approved Resolution No. 08-07-20 supporting the acquisition of the Kaehler property as an addition to the SNA; and

WHEREAS, by Minn. Stat. § 97A.145, subdivision 2, a County Board must vote to approve or disapprove a request to by the state to acquire land for an SNA within 90 days of notification by the State.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota Board of Commissioners hereby approves the Minnesota Department of Natural Resources acquisition of the James Kaehler property as an addition to the Hasting Scientific and Natural Areas Program.

20-599

Approval Of Final Plats Recommended By Plat Commission

WHEREAS, new subdivisions adjoining County highways are reviewed under the Dakota County Contiguous Plat Ordinance No. 108; and

WHEREAS, the Plat Commission examines plats prior to County Board approval; and

WHEREAS, the Plat Commission has reviewed and recommends approval of the final plats by the County Board;

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and

WHEREAS, the final plat approval by the County Board is subject to the conditions established by the Plat Commission review; and

WHEREAS, the following plats below require approval by their respective City Council prior to the recording of the plats.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the following final plats:

MEADOW RIDGE 4 th ADDITION	Rosemount
ROBERT AND WENTWORTH REDEVELOPMENT	West St. Paul
THE YARDS	South St. Paul
KAMPMEYER ADDITION	Lakeville

20-600

Approval Of Letter Of Intent Submittal For Minnesota Clean Transportation Pilot Funding Program Grant Application

WHEREAS, the Minnesota Department of Transportation (MnDOT) is requesting letter of intent submittals for federal funding under its Clean Transportation Pilot Program (CTPP); and

WHEREAS, these federal programs fund up to 80 percent of eligible project costs; and

WHEREAS, federal funding of projects reduces the burden local taxpayers for regional improvements; and

WHEREAS, non-federal funds must be at least 20 percent of the project costs; and

WHEREAS, letter of intent submittals are due on December 7, 2020; and

WHEREAS, the proposed project is consistent with the adopted Dakota County Comprehensive Plan; and

WHEREAS, subject to MnDOT selecting the proposed project to be submitted for a full application, the Dakota County Board of Commissioners would be asked to approve the submittal of the full application at a future meeting; and

WHEREAS, subject to federal funding award, the Dakota County Board of Commissioners would be asked to consider authorization to execute a grant agreement at a future meeting.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the following County-led project for letter of intent submittal to the Minnesota Department of Transportation for \$500,000 of federal FAST Act funds:

County State Aid Highway 30 from 1,100 feet east of County State Aid Highway 43 (Lexington Avenue) to 400 feet east of Braddock Trail in Eagan

; and

BE IT FURTHER RESOLVED, That, subject to federal funding award of the proposed project, the Dakota County Board of Commissioners will provide Dakota County's share of the matching funds consistent with adopted Dakota County Transportation cost-share policies.

20-601

Authorization To Award Bid And Execute Contract With Weber, Inc., For Judicial Center And

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Administration Center Stair Railing Upgrades And Replacements Project

WHEREAS, the 2020–2024 Building Capital Improvement Program (CIP) Adopted Budgeted includes a project to bring existing stair guardrails and handrails into accessibility compliance at the three public stairways in the Judicial Center (JDC) and Administration Center (ADC); and

WHEREAS, Wold Architects and Engineers was hired as the design consultant tasked with developing this project through a selective Request for Proposal process; and

WHEREAS, bid documents were prepared by Wold Architects and Engineers; and

WHEREAS, the Project was formally advertised from October 20, 2020, to November 9, 2020; and

WHEREAS, eight competitive bids were received on November 10, 2020; and

WHEREAS, Weber, Inc., has submitted the low bid of \$297,500; and

WHEREAS, staff and the design consultant have reviewed the qualifications of the low bidder and recommend award to Weber, Inc. as the lowest responsive and responsible bidder in an amount not to exceed \$297,500 for the JDC & ADC Stair Railings Upgrades and Replacements Project; and

WHEREAS, sufficient funds are available within the 2020–2024 Building CIP Adopted Budget for this project.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Parks, Facilities, and Fleet Management Director to execute a contract with Weber, Inc., 2497 7th Ave E, Suite 110, North St. Paul, MN 55109 for the Judicial Center and Administration Center Stair Railings Upgrades and Replacements Project, in an amount not to exceed \$297,500, subject to approval by the County Attorney's Office as to form.

Public Services And Revenue

20-602

Authorization To Approve Renewal Of Policy Regarding Installment Plan For Repurchases Of Non-Homestead Tax-Forfeited Property

WHEREAS, Minn. Stat. § 282.241 and Minn. Stat. § 282.261 require a person repurchasing a tax-forfeit parcel pay at least one-tenth of the purchase price and shall pay the balance in nine equal installments; and

WHEREAS, Minn. Stat. § 282.261, subd. 3, provides that a county board may annually resolve to require that for non-homesteaded property, the minimum down payment must be 20 percent of the purchase price with the balance paid in four equal annual installments.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby resolves that the five-year installment repurchase plan, authorized in Minn. Stat. § 282.261, subd. 3, shall apply to all non-homestead, tax-forfeited property in Dakota County for one year beginning the first business day of 2021.

REGULAR AGENDA

20-603

Authorization To Execute Contract For Enterprise Resource Planning Software And Implementation Services

Chief Information Officer Dan Cater and Tim Auld briefed this item and responded to questions. This item was pulled from the Consent Agenda for further clarification and discussion following comments submitted by Todd Eubanks, Account Executive with Workday. Workday was one of the respondents to the Request For Proposals for this project.

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Motion: Joe Atkins

Second: Thomas A. Egan

WHEREAS, on June 26, 2020 Dakota County staff issued a Request for Proposal (RFP) for an Enterprise Resource Planning (ERP) Solution with Implementation Services; and

WHEREAS, by July 24, 2020 sixteen (16) proposals were received by the County in response to the RFP; and

WHEREAS, the proposal submitted by Sierra-Cedar, LLC for the Oracle Enterprise Resource Planning, Human Capital Management and Enterprise Performance Management Cloud applications was found to be the best solution to meet or exceed Dakota County's requirements as specified in the RFP and provides the best value to the County; and

WHEREAS, Sierra-Cedar, LLC has the ability to provide the implementation, training and support services required; and

WHEREAS, DLT Solutions, LLC has the ability to provide the Oracle software licenses required; and

WHEREAS, funds are available in the Major Systems Fund to cover the licensing and implementation costs; and

WHEREAS, staff from Finance, Budget, Employee Relations and Information Technology along with staff from all Divisions of the County recommend the adoption of this resolution.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Director of the Office of Management and Budget Division to execute a contract with Sierra-Cedar, LLC for the implementation services required to implement the Oracle Enterprise Resource Planning, Human Capital Management and Enterprise Performance Management Cloud applications, in an amount not to exceed \$4,393,753.00 (including 10% contingency), 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 Director of the Office of Management and Budget Division to execute a contract with DLT Solutions, LLC for the purchase of the required Oracle software licenses, in an amount not to exceed \$511,112 (including 10% contingency), renewing each year for five years, subject to approval by the County Attorney's office as to form.

Ayes: 7

Nays: 0

20-604

Approval Of 2021 Intoxicating On-Sale And Sunday Sales Liquor License Applications

Public Services and Revenue Director Tom Novak briefed this item and responded to questions. This item was pulled from the Consent Agenda for further clarification and discussion. The motion was made to amend the Resolution and add additional language that waives 2021 intoxicating liquor license fees.

Motion: Joe Atkins

Second: Liz Workman

WHEREAS, a county may not issue or renew a retail license to sell any alcoholic beverages until the County Board has received a written certification from the Sheriff and County Attorney that to the best of their knowledge the application is eligible to be licensed under Minn. Stat. § 340A.402 and Minn. Rules § 7515.0410; and

WHEREAS, the applications have been approved by the Townships of Douglas, Empire, Marshan, Nininger, Randolph, and Ravenna.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the following 2021 intoxicating liquor licenses and authorizes the Public Services and Revenue Division to issue the licenses:

Douglas Township:

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Gopher Hills, Inc. – On Sale and Sunday Sale

Empire Township:

Newman Golf Investors, LP DBA Southern Hills Golf Course – On Sale and Sunday Sale

Marshan Township:

Hidden Greens, Inc. – On Sale and Sunday Sale

Little Log House Properties, Inc. – On Sale and Sunday Sale

Bellwood Oaks, Inc. – On Sale and Sunday Sale

Nininger Township:

Emerald Greens Golf, LLC – On Sale and Sunday Sale

Randolph Township:

Cannon Golf Club, Inc. – On Sale and Sunday Sale

Ravenna Township:

Almquist Farm LLC – On Sale and Sunday Sale

; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby waive the 2021 intoxicating liquor license fees for the forgoing approved licenses.

Ayes: 7

Nays: 0

County Board/County Administration

Update On Monitoring And Responses To Coronavirus Outbreak

Director of Public Health Bonnie Brueshoff, Social Services Deputy Director Gil Acevedo, 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.

20-605

Ratification Of County Manager's Additional Allocations Of Remaining Coronavirus Aid, Relief, And Economic Security Act Funds

County Manager Matt Smith briefed this item and responded to questions.

Motion: Joe Atkins

Second: Liz Workman

WHEREAS, by Resolution No. 20-325 (July 14, 2020), Dakota County accepted Coronavirus Aid, Relief, and Economic Security (CARES) Act funding from the State of Minnesota in the amount of \$52,259,025.61 (CARES Funds); and

WHEREAS, the CARES Act requires that the payments from the fund only be used to cover expenses that: are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19); were not accounted for in the budget most recently approved as of March 27, 2020 (the date of enactment of the CARES Act) for the State or government; and were incurred during the period that begins on March 1, 2020 and ends on December 30, 2020; and

WHEREAS, the County Board has previously allocated the full amount of the CARES Funds to eligible internal and external expenditures and programs including: Telework support Teleservices Elections Eligible personnel costs Aid to businesses and other organizations Aid to households and individuals Public health outreach and services Improvement to public capacity to utilize teleservices; and

WHEREAS, the County anticipated that the funds allocated to certain expenditures and programs will not be fully

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utilized; and

WHEREAS, the remaining CARES Act funds must be expended by December 1, 2020; and

WHEREAS, by Resolution No. 20-597 (November 17, 2020), Dakota County Board of Commissioners, in order to maximize the use of the CARES Funds for the benefit of the County and its residents in response to the public health emergency concerning the Coronavirus (COVID-19), delegated authority to the County Manager to allocate the remaining funds as necessary; and

WHEREAS, the County Manager will report to the Board on December 1, 2020, at the County Board of Commissioners meeting the final allocation of the CARES Funds and ask for the ratification of the final allocations; and

WHEREAS, in addition to the final allocation, the contract for emergency sheltering services with Matrix Housing Services was amended to a final contract amount of \$1,115,000 to utilize funds previously allocated to that service.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby ratifies the County Manager's additional expenditures of remaining Coronavirus Aid, Relief, and Economic Security (CARES) Act to meet the December 1, 2020 expenditure deadline as presented to the County Board on December 1, 2020; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby ratifies the contract amendment with Matrix Housing Services for the provision of emergency hotel sheltering related to COVID-19 for a total contract amount of \$1,115,000.

Ayes: 7

Nays: 0

Discussion On Impacts Of Minnesota Governor's Executive Order 20-99

County Manager Matt Smith briefed this item and responded to questions. This item was on the agenda for informational purposes only. Staff was given direction to bring this back for Board discussion at the December 15, 2020 County Board meeting.

Closed Executive Session

20-606

Settlement Authority For Acquisition Of Certain Property Rights Necessary For County Project 30-39

This item did not go into closed session.

Motion: Thomas A. Egan

Second: Mary Liz Holberg

WHEREAS, to provide a safe and efficient transportation system, Dakota County is proceeding with County Project (CP) 30-39; and

WHEREAS, the Project includes the segment of County State Aid Highway (CSAH) 30 from approximately 1,100 feet east of CSAH 43 (Lexington Avenue) to 400 feet east of Braddock Trail; and

WHEREAS, the purpose and need for the Project is to increase pedestrian safety and connections, provide safe facilities, lower vehicle speeds and reduce pedestrian and vehicle conflict points; and

WHEREAS, to address the purpose and need for the Project, the County is proposing to reconstruct and narrow CSAH 30 (Diffley Road) to a two-lane divided highway, construct two single-lane roundabouts at Daniel Drive and Braddock Trail, construct a new school access road, and improve the Diffley Marketplace Crossing; and

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WHEREAS, the County is the lead agency for the Project (design, right of way, and construction); and

WHEREAS, by Resolution No., 20-545, the County Board of Commissioners authorized the acquisition of certain properties identified in the resolution and initiation of quick-take eminent domain pursuant to Minn. Stat. § 117.042, if necessary, to construct the recommended improvements; and

WHEREAS, on November 24, 2020, the Dakota County Attorney's Office provided a confidential memorandum to the Dakota County Board of Commissioners explaining the legal strategy accomplishing Dakota County's acquisition of property rights from Joseph & Deborah Cunningham (Parcel 5), legally described as:

PID 10-52100-01-010 – TE 5

A Temporary easement over that part of Lot 1, Block 1, Northview Meadows, according to the recorded plat thereof, Dakota County, Minnesota, described as follows:

Beginning at the northeast corner of said Lot 1; thence North 89 degrees 56 minutes 41 seconds West, assumed bearing along the north line of said Lot 1 a distance of 35.00 feet; thence South 00 degrees 03 minutes 19 seconds West a distance of 10.00 feet; thence South 89 degrees 56 minutes 41 seconds East a distance of 25.26 feet; thence southerly a distance of 63.87 feet along a non-tangential curve being 10.00 feet parallel and westerly of the east line of said Lot 1 to the southerly line of said Lot 1; thence North 67 degrees 46 minutes 37 seconds East along said southerly line a distance of 10.00 feet to the east line of said Lot 1; thence northerly along said east line of Lot 1 a distance of 70.00 feet on a non-tangential curve concave to the east with a radius of 180.00 feet to the point of beginning.

and Wilson D. & Karen M. Lackey (Parcel 8), legally described as:

PID 10-72500-01-100 - Parcel 8

A permanent easement for highway purposes over that part of Lot 10, Block 1, Stafford Place, according to the recorded plat thereof, Dakota County, Minnesota, lying southwesterly of the following described line:

Beginning at the most westerly corner of said Lot 10, said corner being at the intersection of a northerly line of said Lot 10 and the east right of way line of Braddock Trail; thence South 42 degrees 58 minutes 33 seconds East, a distance of 29.80 feet; thence South 29 degrees 36 minutes 23 seconds East a distance of 64.08 feet; thence South 58 degrees 45 minutes 05 seconds East a distance of 59.69 feet to the south line of said Lot 10 and said line there terminating, for the basis of this description said south line of Lot 10 bears South 89 degrees 56 minutes 40 seconds East.

And

A temporary easement over that part of Lot 10, Block 1, Stafford Place, according to the recorded plat thereof, Dakota County, Minnesota, described as follows:

Beginning at the most westerly corner of said Lot 10, said corner being at the intersection of a northerly line of said Lot 10 and the east right of way line of Braddock Trail; thence South 42 degrees 58 minutes 33 seconds East, a distance of 29.80 feet; thence South 29 degrees 36 minutes 23 seconds East a distance of 64.08 feet; thence South 58 degrees 45 minutes 05 seconds East a distance of 59.69 feet to the south line of said Lot 10; thence North 38 degrees 08 minutes 47 seconds East, along the southeasterly line of said Lot 10 a distance of 10.07 feet; thence North 58 degrees 45 minutes 05 seconds West a distance of 58.30 feet; thence North 29 degrees 36 minutes 23 seconds West a distance of 68.62 feet; thence North 57 degrees 20 minutes 17 seconds West a distance of 25.67 feet to a northerly line of said Lot 10; thence southwesterly along said northerly line a distance of 5.00 feet to the point of beginning, for the basis of this description said south line of Lot 10

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bears South 89 degrees 56 minutes 40 seconds East.

; and

WHEREAS, after review of the information contained in the confidential memorandum the County Board determined a closed session discussion with the County Attorney's Office was not required prior to providing settlement direction.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the County Attorney's Office to proceed with settlement negotiations on the acquisition of property rights for County Project 30-39 consistent with the settlement authority requested in the confidential memorandum to the County Board.

Ayes: 7

Nays: 0

20-607

Settlement Authority For Acquisition Of Certain Property Rights Necessary For County Projects 26-54 And County Project 63-27

This item did not go into closed session.

Motion: Thomas A. Egan

Second: Joe Atkins

WHEREAS, Dakota County (County) is proposing County Project 26-54 and County Project 63-27 in the City of Inver Grove Heights and City of Egan (Cities); and

WHEREAS, to provide a safe and efficient transportation system, the County and the Cities are proceeding with County Project 26-54 and County Project 63-27; and

WHEREAS, County Project 26-54 will expand approximately two miles of County State Aid Highway (CSAH) 26 (Lone Oak Road in Egan, 70th Street in Inver Grove Heights) from Trunk Highway (TH) 55 to TH 3 from an existing two-lane roadway rural section to a four-lane divided urban roadway; and

WHEREAS, County Project 63-27 will construct on a new alignment CSAH 63 (Argenta Trail) from CSAH 28 (Amana Trail) north to 65th Street and from 65th Street to old Argenta Trail (CSAH 63) to the north of CSAH 26; and

WHEREAS, the purpose and need for the project is to improve safety, multi-modal mobility, and traffic operations on CSAH 26 and CSAH 63 and provide additional capacity on CSAH 26; and

WHEREAS, to address the purpose and need for this Project, safety will be improved along the corridor by managing the number of conflict points (access management), adding turn lanes, realigning intersections to improve spacing, providing paved shoulders, and adding multi-use trails to both sides of the road; and

WHEREAS, Dakota County is the lead agency for County Project 26-54 and County Project 63-27 with right of way acquisition necessary in 2020 for construction to begin in 2021; and

WHEREAS, by Resolution Nos. 20-330, 20-399, and 20-425, the County Board of Commissioners authorized the acquisition of certain properties identified in the resolutions and initiation of quick-take eminent domain pursuant to Minn. Stat. §117.042, if necessary, to construct the recommended improvements; and

WHEREAS, on October 20, 2020, by Resolution No. 20-534, the County Board of Commissioners authorized 2nd written offers of the certain properties identified in the resolutions; and

WHEREAS, the owners of the following parcels have agreed to settle all damages caused by the taking whereby the County will pay owners the identified amount:

Parcel 21:	\$221,600
Parcels 32-33:	\$220,000

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Parcel 37:	\$51,300
Parcel 39:	\$61,775
Parcel 53:	\$78,675

; and

WHEREAS, the County Attorney and Transportation Department staff recommend approval of the proposed settlements as being a fair and equitable settlements of the claims in view of the impacts to the properties, real estate market data, the time, additional expense and risk involved in continued litigation and belief that the settlements represents an appropriate allocation of the prospects for success if the matter is allowed to proceed to a commissioners' hearing.

NOW, THEREFORE, BE IT RESOLVED, that the Dakota County Board of Commissioners approves the acquisition of property from Chad T. Sandell and Holly A. Sandell identified in CP 26-54/63-27 as Parcel 21 (471), in the amount of \$221,600 as being in the best interest of the County, and authorizes the County Attorney to arrange for final payment of the acquisition amount and to effectuate final settlement of the acquisition between the parties; and

BE IT FURTHER RESOLVED, that the Dakota County Board of Commissioners approves the acquisition of property from James E. Peltier identified in CP 26-54/63-27 as Parcels 32-33 (471), in the amount of \$220,000 as being in the best interest of the County, and authorizes the County Attorney to arrange for final payment of the acquisition amount and to effectuate final settlement of the acquisition between the parties; and

BE IT FURTHER RESOLVED, that the Dakota County Board of Commissioners approves the acquisition of property from James E. Peltier identified in CP 26-54/63-27 as Parcel 37 (471), in the amount of \$51,300 as being in the best interest of the County, and authorizes the County Attorney to arrange for final payment of the acquisition amount and to effectuate final settlement of the acquisition between the parties; and

BE IT FURTHER RESOLVED, that the Dakota County Board of Commissioners approves the acquisition of property from Carol L. Sachs identified in CP 26-54/63-27 as Parcel 39 (471), in the amount of \$61,775 as being in the best interest of the County, and authorizes the County Attorney to arrange for final payment of the acquisition amount and to effectuate final settlement of the acquisition between the parties; and

BE IT FURTHER RESOLVED, that the Dakota County Board of Commissioners approves the acquisition of property from Ronald Hagen, Kathryn Hagen, and Shannon Hagen identified in CP 26-54/63-27 as Parcel 53 (471), in the amount of \$78,675 as being in the best interest of the County, and authorizes the County Attorney to arrange for final payment of the acquisition amount and to effectuate final settlement of the acquisition between the parties.

Ayes: 7

Nays: 0

Interagency Announcements/Reports

Interagency announcements and reports were then presented.

County Manager's Report

County Manager Matt Smith gave a brief update on the following:

- Budget staff have been recognized by the Government Finance Officers Association
- The annual Budget/Levy (TNT) Public Hearing will be held this evening at 6:00 p.m.
- Public Services and Revenue Director Tom Novak gave an update on the State MNLARS update.

20-608

Closed Executive Session: Labor Negotiations Strategy

Motion: Kathleen A. Gaylord

Second: Joe Atkins

WHEREAS, upon adoption of a resolution by majority vote, the Dakota County Board is authorized, pursuant to Minn. Stat. § 13D.03, to hold a closed executive session to discuss labor negotiations strategy; and

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WHEREAS, the Dakota County Board of Commissioners desires to meet to discuss labor negotiations strategy.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby closes the County Board meeting on December 1, 2020, and recesses to a confidential conference call to discuss labor negotiations strategy.

Ayes: 7

Nays: 0

The time being 11:07 a.m. and pursuant to public notice, the County Board joined via a confidential telephone conference conducted in accordance with Minnesota Statutes sections 13D.021 and 13D.03. to hold a Closed Executive Session to discuss labor negotiations strategy.

The following were present:

Commissioner Mike Slavik, District 1
Commissioner Kathleen A. Gaylord, District 2
Commissioner Thomas A. Egan, District 3
Commissioner Joe Atkins, District 4
Commissioner Liz Workman, District 5
Commissioner Mary Liz Holberg, District 6
Commissioner Chris Gerlach, District 7
Matt Smith, County Manager
Tom Donely, First Assistant County Attorney
Jeni Reynolds, Sr. Administrative Coordinator to the Board
Andy Benish, Employee Relations Director

The Closed Executive Session continued until 11:57 a.m., at which time the Board continued with the next Closed Session item.

20-609

Closed Executive Session: County Manager's Year-End Performance Review

Motion: Kathleen A. Gaylord

Second: Liz Workman

WHEREAS, upon adoption of a resolution by majority vote, the Dakota County Board is authorized, pursuant to Minn. Stat. § 13D.05 3(a), to hold a closed executive session to discuss the performance of an individual who is subject to its authority; and

WHEREAS, the Dakota County Board of Commissioners desires to meet to discuss the performance of the County Manager.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby closes the Dakota County Board of Commissioners meeting on December 1, 2020, and recesses to a confidential conference call to discuss the performance of the County Manager.

Ayes: 7

Nays: 0

The time being 12:02 p.m. and pursuant to public notice, the County Board joined via a confidential telephone conference conducted in accordance with Minnesota Statutes sections 13D.021 and 13D.03. to hold a Closed Executive Session to discuss the County Manager's Year-End Performance Review.

The following were present:

Commissioner Mike Slavik, District 1
Commissioner Kathleen A. Gaylord, District 2
Commissioner Thomas A. Egan, District 3
Commissioner Joe Atkins, District 4
Commissioner Liz Workman, District 5
Commissioner Mary Liz Holberg, District 6

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Commissioner Chris Gerlach, District 7
Matt Smith, County Manager

The Closed Executive Session continued until 12:40 p.m., at which time the Board reconvened to close the County Board meeting with all members present.

Information

See Attachment A - Future Board Meetings And Other Board Activities

20-610

Adjournment

Motion: Joe Atkins

Second: Kathleen A. Gaylord

On a motion by Commissioner Joe Atkins, seconded by Commissioner Kathleen A. Gaylord, the meeting was adjourned at 12:40 p.m.

Mike Slavik
Chair

ATTEST

Matt Smith
County Manager