

February 2, 2021

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

Call To Order And Roll Call

Commissioner Mike Slavik
Commissioner Kathleen A. Gaylord
Commissioner Laurie Halverson
Commissioner Joe Atkins
Commissioner Liz Workman
Commissioner Mary Liz Holberg
Commissioner Mary Hamann-Roland

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 Mary Liz Holberg who welcomed everyone and opened the meeting with the Pledge of Allegiance.

Audience

Chair Holberg noted that all public comments can be sent to CountyAdmin@co.dakota.mn.us
Comments were received for Item 12.1 No additional comments were received for this agenda.

21-062

Approval Of Agenda (Additions/Corrections/Deletions)

Motion: Mary Hamann-Roland

Second: Laurie Halverson

On a motion by Commissioner Mary Hamann-Roland, seconded by Commissioner Laurie Halverson, the agenda was unanimously approved.

Presentation

Presentation Of Minnesota County Engineers Association, Outstanding County Engineer

Vice President of Minnesota County Engineers Association and Pope County Engineer Brian Giese presented Dakota County Engineer Mark Krebsbach with the Minnesota County Engineers Association 2020 County Engineer Award.

CONSENT AGENDA

Motion: Mike Slavik

Second: Liz Workman

On a motion by Commissioner Mike Slavik, seconded by Commissioner Liz Workman, the consent agenda was unanimously approved as follows:

21-063

Approval Of Minutes Of Meeting Held On January 19, 2021

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County Board/County Administration

21-064

Adoption Of Legislative Platform And 2021 State Legislative Priorities

WHEREAS, the Minnesota Legislature convened its 2021 session on January 5, 2021; and

WHEREAS, the interests of Dakota County and its citizens will be directly affected by the decisions of the 2021 Legislature; and

WHEREAS, at the workshop on January 19, 2021, the County Board reviewed items for inclusion in the Legislative Platform and 2021 State Legislative Priorities document including high priority initiatives related to protection of funding and service flexibility, the creation of a subordinate service district, regulation of groundwater exports, appropriate handling of the Freeway Landfill, bus rapid transit funding equity and pedestrian safety and bonding projects.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby adopts the Legislative Platform as presented to the County Board on February 2, 2021; and

BE IT FURTHER RESOLVED, That staff is directed to prepare the 2021 State Legislative Priorities for presentation and discussion with the Dakota County Legislative Delegation.

21-065

Approval Of 2021 Dakota County Pay Equity Report

WHEREAS, Minn. Stat. § 471.9981, subd. 5a, requires the submission of a Pay Equity Implementation Report; and

WHEREAS, the County is committed to ensuring that appropriate job classifications are established and maintained consistent with the requirements of the Minnesota Local Government Pay Equity Act.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Employee Relations Director to submit the 2021 Pay Equity Implementation Report to the State of Minnesota Management and Budget Department.

Operations, Management And Budget

21-066

Authorization To Execute Contract For Enterprise Resource Planning Project Management Services

WHEREAS, by Resolution No. 20-603 (December 1, 2020), the Dakota County Board of Commissioners authorized the purchase of Oracle Cloud software licenses from DLT, LLC, and implementation services from Sierra-Cedar, LLC, in order to implement a new Enterprise Resource Planning (ERP) system across the County; and

WHEREAS, Dakota County has a need for Senior ERP Project Management services to lead the project, controlling all that has to be done from Dakota County's point of view; and

WHEREAS, a full request for proposal procurement process was conducted in order to obtain the ERP Project Management services that best met the County's needs; and

WHEREAS, Proviasol, LLC, has the means to provide the required Senior ERP Project Management services that best meets the County's needs; and

WHEREAS, the funds are available in Operations, Management and Budget Division and the Major Systems

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Fund; and

WHEREAS, staff from the Finance Department, Employee Relations Department and Information Technology Department jointly recommend the adoption of this resolution.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Director of the Operations, Management and Budget Division to execute a contract with Proviasol, LLC, in the amount not to exceed \$298,000 for Enterprise Resource Planning Senior Project Management Services, subject to approval by the County Attorney's Office as to form.

Physical Development

21-067

Authorization To Execute Contract Amendment With Pember Companies, Inc., For Whitetail Woods Regional Park Cabins And Commons Project

WHEREAS, the Whitetail Woods Regional Park (WWRP) Master Plan was approved by Resolution No. 12-107 (February 14, 2012), with the WWRP Phase I Improvements completed September of 2014; and

WHEREAS, the WWRP Phase II Project schematic design scope was authorized by Resolution No. 19-441 (March 19, 2019), and the Project was unsuccessfully bid in July of 2019 with the bid received significantly over the approved budget for the project; and

WHEREAS, the bid received was rejected by Resolution No. 19-663 (August 6, 2019); and

WHEREAS, using the rejected bid as a baseline for 2019 construction market, a strategy was devised which positioned the project for a successful rebid; and

WHEREAS, the strategy repackaged the Project into two subprojects (1. Cabins and Commons and 2. Trails and Boardwalks) and removed design elements to reduce costs; and

WHEREAS, the project was successfully rebid as two bid packages, with bids received on November 21, 2019; and

WHEREAS, the WWRP Cabins and Commons Project is now in the close-out phase of construction with the original construction contract awarded to Pember Companies, Inc., in the sum of \$ 1,697,500 by Resolution No. 19-874 (December 17, 2019); and

WHEREAS, the change orders to that contract total \$152,266 equating to a contract increase of nine percent, which is reasonable for a complex Park project including mechanical, electrical, earthwork, and carpentry trades; and

WHEREAS, the items contributing to the cost increase are additional Natural Resource needs, deferred maintenance items, State of Minnesota Department of Health requirements, and reintroduction of design elements previously edited from consideration to reduce costs; and

WHEREAS, incorporating these changes allowed execution of the entire design as originally intended, and the project had accounted for this level of increase within the overall budget; and

WHEREAS, within the original construction contract approval, staff was authorized to execute up to \$100,000 worth of post-award changes per County Policy 2751 adopted by Resolution No. 18-485 (September 18, 2018); and

WHEREAS, the current request requires \$52,266 in contract amendments in addition to that authorization, and, as such, total project contract amendments with Pember Companies, Inc., in the sum of \$152,266 for construction improvements made at the WWRP Cabins and Commons Project are requested for County Board authorization;

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and

WHEREAS, these cost increases to the construction contract will be paid for with “post-contract award” funds that were reserved for this purpose within the original project budget; and

WHEREAS, staff recommends authorization of contract amendments with Pember Companies, Inc., in the sum of \$152,266 for construction improvements made at the WWRP Cabins and Commons Project for a new contract total of \$1,849,766.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Parks, Facilities, and Fleet Director to execute contract amendments with Pember Companies, Inc., N4449 469th Street, Menomonie, WI 54751, in an amount not to exceed \$152,266 for a total maximum contract total not to exceed \$1,849,766, subject to approval by the County Attorney’s office as to form.

21-068

Authorization To Execute Second Amendment To Contract With Boldt Company, LLC, For Construction Manager/General Contractor Services For Byllesby Dam Water-To-Wire Development Project And Amend 2021 Byllesby Dam Capital Improvement Program Budget

WHEREAS, Dakota County owns and operates the Lake Byllesby Dam; and

WHEREAS, by Resolution. No. 15-532 (October 20, 2015), the Dakota County Board of Commissioners authorized execution of a contract with Ayres Associates, Inc., for engineering design services to complete turbine and powerhouse upgrades for the Byllesby Dam Water-to-Wire Redevelopment Project; and

WHEREAS, by Resolution No. 17-421 (September 1, 2017), Dakota County accepted \$6,000,000 in State bonding dollars to supplement the County’s approved 2018–2022 Byllesby Dam Capital Improvement Program budget, which currently has a total project budget of \$14,000,000; and

WHEREAS, by Resolution No. 21-020 (January 5, 2021), Dakota County accepted an additional \$6,000,000 in state bonding dollars towards the project; and

WHEREAS, due to the many complexities of the water-to-wire facilities, including new turbines and generators to maximize the electric power output of the dam in the future, the County Board, by Resolution No. 18-538 (October 23, 2018), approved utilizing a special type of contractor relationship that can provide both construction management and general contractor services on the project and allowed staff to develop and solicit a request for qualification for services for the redevelopment of the hydropower site in accordance Minn. Stat. § 103G.535; and

WHEREAS, by Resolution No. 20-319 (July 14, 2020), the Dakota County Board of Commissioners authorized execution of a contract with Boldt Company, LLC, to perform Construction Manager/General Contractor Services related to the redevelopment of the site for the project for the initial phase of services; and

WHEREAS, by Resolution 20-488 (October 6, 2020), a first amendment to that contract was completed to accommodate costs associated with builder’s risk insurance and performance bond costs that were not in the initial phase estimates; and

WHEREAS, staff recommends a second amendment with Boldt to move up tasks from Phase 2 into this amendment; and

WHEREAS, there were unforeseen project conditions during the mass fill portion of the project that required a scope change for the project direction in order to complete the project; and

WHEREAS, the project team has reviewed the proposed amendment and found it to be acceptable.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a contract amendment with Boldt Company, LLC, in the amount of

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\$4,718,499.00, bringing the total contract amount not to exceed to \$10,968,157.14, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the 2021 Byllesby Dam Operating Adopted Budget is hereby amended as follows:

Expense	
Byllesby Dam Turbine Upgrade Project (BD0008)	<u>\$12,000,000</u>
Total Expense	\$12,000,000
Revenue	
State Bonding Revenue	\$ 6,000,000
Use of Fund Balance – County Match	<u>\$ 6,000,000</u>
Total Revenue	\$12,000,000

21-069

Ratification Of Revisions To Certain Legal Descriptions Of Right Of Way Acquisitions For County Projects 26-54 And 63-27 In City Of Inver Grove Heights And City Of Eagan

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 Eagan (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 Eagan, 70th Street in Inver Grove Heights) from Trunk Highway (TH) 55 to TH 3 from an existing two-lane rural roadway 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 to 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 access points, 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 starting right of way acquisition in 2020 for construction to begin in 2021; and

WHEREAS, the County utilized public engagement for this project, including a public open house on December 18, 2019, at the Veterans Memorial Community Center in Inver Grove Heights and a presentation at the Inver Grove Heights City Council meeting on May 26th, 2020; and

WHEREAS, the County undertook an environmental review process to determine if County Projects 26-54 and 63-27 have the potential for significant environmental effects and prepared an Environmental Assessment Worksheet for the project, pursuant to Minn. Stat. Ch. 116D, with a 30-day comment period that ended on June 3rd, 2020; and

WHEREAS, two virtual open house meetings were held from May 14, 2020, to May 21, 2020 and November 9, 2020 to November 20, 2020, where the public could learn more about the environmental review of the project and preliminary construction phasing and send the project team questions and comments; and

WHEREAS, the 2021 Transportation Capital Improvement Program Adopted Budget for County Project 26-54 includes \$16,149,300, and for County Project 63-27 includes \$22,179,271 for a current total budget of

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\$44,676,274 carried over from previous years; and

WHEREAS, the acquisition of right of way is needed to move forward with County Project 26-54 and County Project 63-27 for the construction to begin in 2021 as scheduled; and

WHEREAS, County Board by Resolution No. 20-425 (September 1, 2020), authorized the total acquisition of the following parcels as identified in Dakota County Road Right of Way Map No. 471 with applicable relocations as necessary:

Parcel	PID	Owner	Site Address
18	20-27700-00-120	Joseph J. Vogel & Colleen A. Vogel	6963 Arkansas Ave W
22	20-00600-55-050	Pamela K. Brust	6970 Argenta Trl W
28	20-00700-01-010	Timothy M. and Suzanne C. Grundhoffer	1090 70th St W
35	20-00700-05-016	Lawrence J. Flannery & Linda Flannery	1466 70th St W
41	20-00700-26-011	Bruce Frank Huysentruit	1700 70th St W

; and

WHEREAS, the legal description of the five total acquisition have been amended from an individual parcel number to a parcel number with subsets in Dakota County Road Right of Way Map No. 471 to account for dividing the parcel into existing right of way, new right of way, and fee purchase (remnant):

Parcel	Owner	Sheet Number	Description
18	Joseph J. Vogel & Colleen A. Vogel	sheet 4	new highway right of way
18A	Joseph J. Vogel & Colleen A. Vogel	sheet 4	fee purchase
Total Take Acquisition – also described as; Lot 12, Franke's Addition, according to the recorded plat thereof, Dakota County, Minnesota. (Containing approximately 28,912 square feet.)			
22	Pamela K. Brust	sheet 4	new highway right of way
22A	Pamela K. Brust	sheet 4	fee purchase
22B	Pamela K. Brust	sheet 4	existing right of way
22C	Pamela K. Brust	sheet 4	existing right of way
Total Take Acquisition – also described as; The south 1 acre of the south 20 acres of the East Half of the Southwest Quarter of Section 6, Township 27 North, Range 22 West, lying East of Sunfish Road. (Containing approximately 43,499 square feet; 28,923 of which lies outside of existing road right of way.)			
28	Timothy M. & Suzanne C. Grundhoffer	sheet 5	fee purchase
28A	Timothy M. & Suzanne C. Grundhoffer	sheet 5	existing right of way
Total Take Acquisition – also described as; The North 287.50 feet of the East 405.00 feet of the Northeast Quarter of Section 7, Township 27 North, Range 22 West, Dakota County, Minnesota. (Containing approximately 116,438 square feet.)			
35	Lawrence J. & Linda Flannery	sheets 4 & 5	new highway right of way
35A	Lawrence J. & Linda Flannery	sheets 4 & 5	fee purchase
35B	Lawrence J. & Linda Flannery	sheets 4 & 5	fee purchase
35C	Lawrence J. & Linda Flannery	sheets 4 & 5	existing right of way
35D	Lawrence J. & Linda Flannery	sheets 4 & 5	existing right of way
Total Take Acquisition – also described as; That part of the Northwest Quarter of the Northeast Quarter and the Northeast Quarter of the Northwest Quarter of Section 7, Township 27 North, Range 22 West, Dakota County, Minnesota described as follows: Beginning at the northeast corner of said Northeast Quarter of the Northwest Quarter; thence West (assumed bearing) along the north line thereof a distance of 167.51 feet to the centerline of S.A.H. No. 63; thence South 16 degrees 27 minutes 56 seconds East along said centerline a distance of 557.51 feet; thence southeasterly along said centerline along a tangential curve concave to the west, radius of 549.30			

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feet and a central angle of 2 degrees 57 minutes 13 seconds a distance of 28.32 feet; thence East, parallel with said north line, not tangent to last described curve a distance of 344.59 feet, more or less, to a point 994.89 feet west of the east line of said Northwest Quarter of the Northeast Quarter, thence North 0 degrees 08 minutes 40 seconds West, parallel with said east line a distance of 562.00 feet to the north line of said Northwest Quarter of the Northeast Quarter; thence West along said north line a distance of 341.01 feet, more or less, to the point of beginning. (Containing approximately 240,328 square feet; 205,496 of which lies outside of existing road right of way.)

41	Bruce F. Huysentruit	sheet 4	new highway right of way
41A	Bruce F. Huysentruit	sheet 4	fee purchase
41B	Bruce F. Huysentruit	sheet 4	existing right of way

Total Take Acquisition – also described as;

The West 471.00 feet of the North 350.00 feet of the Northeast Quarter of the Northwest Quarter of Section 7, Township 27 North, Range 22 West, according to the United States Government Survey thereof and situate in Dakota County, Minnesota. (Containing approximately 164,852 square feet; 149,309 of which lies outside of existing road right of way.)

; and

WHEREAS, County Board by Resolution No. 20-425 (September 1, 2020), authorized the partial acquisition of the following parcel as identified in Dakota County Road Right of Way Map No. 471:

Parcel	PID	Owner	New Highway Right Of Way (Sq. Ft.)	Temporary Easement (Sq. Ft.)	Drainage And Utility Easement (Sq. Ft.)
71	20-00600-30-010	Cole Enterprises, Inc.	58,985	58,071	52,378

; and

WHEREAS, parcel 71 identified in Dakota County Road Right of Way Map No. 471 is encumbered by existing cross access easements on both of the driveways located on the west side of Argenta Trail; and

WHEREAS, parcels 71 was appraised and offer made that include appraised land encumbered by new cross access easement value of \$7,425; and

WHEREAS, the permanent cross access easement of 8,632 SF is a replacement driveway constructed on the parcel 71, which will also serve the cell tower on the adjacent parcel (parcel 72) owned by Wesley Wille described as

Cole Enterprises, Inc. Access Easement Description

A 20.00 foot wide perpetual easement for access purposes over part of the Southwest Quarter of the Northwest Quarter of Section 6, Township 27 North, Range 22 West, Dakota County, Minnesota lying westerly of Parcel 71B, Dakota County Road Right of Way Map No. 471 according to the recorded map thereof, the centerline of said easement is described as follows:

Commencing at the southeast corner of said Southwest Quarter of the Northwest Quarter; thence North 01 degree 12 minutes 00 seconds West, assumed bearing along the east line of said Southwest Quarter of the Northwest Quarter, a distance of 236.91 feet to the point of beginning of the centerline to be described; thence North 77 degrees 01 minute 23 seconds West a distance of 121.59 feet; thence northwesterly a distance of 53.30 feet along a tangential curve concave to the northeast having a radius of 99.70 feet and a central angle of 30 degrees 37 minutes 43 seconds; thence North 46 degrees 23 minutes 40 seconds West, tangent to said curve, a distance of 334.07 feet; thence North 39 degrees 08 minutes 52 seconds East a distance of 24.75 feet; thence northerly a distance of 23.91 feet along a tangential curve concave to the west having a radius of 24.00 feet and a central angle of 57 degrees 04 minutes 18 seconds; thence

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North 17 degrees 55 minutes 27 seconds West, tangent to said curve, a distance of 50.00 feet and said centerline there terminating.

Containing approximately 8,632 square feet outside of existing road right of way.

; and

WHEREAS, staff recommends the County Board of Commissioners ratify the amended legal descriptions to clarify the intent of the Resolution No. 20-425 (September 1, 2020), to acquire the full properties as necessary for County Project 26-54 and County Project 63-27.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners do hereby ratify the amended legal descriptions and revises the references in Resolution No. 20-425 (September 1, 2020), for Dakota County Right of Way Map No. 471 Parcels 18, 22, 28, 35, and 41 to be Dakota County Right of Way Map No. 471 Parcels 18, 18A, 22, 22A, 22B, 22C, 28, 28A, 35, 35A, 35B, 35C, 35D, 41, 41A, and 41B; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners do hereby ratify the amended legal descriptions and revises the references in Resolution No. 20-425 (September 1, 2020), for Dakota County Right of Way Map No. 471 Parcel 71; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby approves and ratifies any actions by County staff to pursue the acquisition of right of way for County Project 26-54 and County Project 63-27 based on the amended legal descriptions, at the approved appraised values or the minimum compensation estimate, whichever is higher, and in accordance with County policy, plus relocation costs as required by law, and authorizes payment from the adopted 2021 Transportation Capital Improvement Program budget; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the County Attorney's Office to initiate quick take condemnation of the remaining parcels identified in Right of Way Map No. 471 to allow a fall 2021 start date, in the event that timely acquisition by direct negotiations of all parcels does not appear possible.

21-070

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; 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:

REDSTONE	Lakeville
APPLEWOOD POINTE OF APPLE VALLEY	Apple Valley
LEXINGTON LOGISTICS CENTER 2ND ADDITION	Eagan

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REGULAR AGENDA

County Board/County Administration

Update On Coronavirus Public Health Response, Vaccinations, And County Operational Impacts

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.

21-071

Update And Policy Clarification For Small Business Relief Grant Program

Community Development Agency Executive Director Tony Schertler briefed this item and responded to questions. A motion was made to approve the resolution with amended language. The following amended resolution language was approved.

Motion: Mike Slavik

Second: Joe Atkins

WHEREAS, the State passed legislation on December 14, 2020 allocating \$88,000,000 in direct payments from the Department of Revenue to qualifying places of public accommodation, gyms, sports facilities and fitness centers; \$14,000,000 in direct payments from the Department of Employment and Economic Development to qualifying movie theatres and multipurpose convention centers; and \$114,800,000 to counties to administer grant programs to support businesses and nonprofit organizations; and

WHEREAS, Dakota County's allocation totals \$8,551,447.34 which includes \$8,342,875.45 in per capita allocation and an additional \$208,571.89 for administrative costs; and

WHEREAS, feedback from community stakeholders was solicited and research of peer programs was reviewed and discussed to develop the program parameters to assist Dakota County businesses and nonprofit organizations impacted by COVID-19 associated Executive Orders; and

WHEREAS, a Board Workshop was held on January 12, 2021, to discuss program parameters for this new round of small business relief grants; and

WHEREAS, based on that discussion, staff presented drafted program guidelines, including eligibility and ineligibility requirements to the Board at its January 19, 2021 meeting; and

WHEREAS, by Resolution No. 21-059 (January 19, 2021), the County Board of Commissioners authorized implementation of a business and non-profit assistance program utilizing funding from the State of Minnesota to address impacts due to pandemic Executive Orders (Program); and

WHEREAS, the Program provides grants on a first-come, first-serve basis subject to three priority groups:

- Priority 1 includes any for-profit business and non-profit organization that has not received any funding from Dakota County through the CARES-funded Small Business Relief Grant Program (Rounds 1, 2 or 3) or the Non-profit Assistance Program or state funded grant programs providing COVID-19 relief in 2020 or 2021;
- If funds remain after Priority 1, Priority 2 applicants will be considered, including businesses and non-profits that have received some portion, but less than a total of \$15,000, of CARES/County funds from Dakota County in Rounds 1, 2, and 3 of the Small Business Relief Grant Program or the Non-profit Assistance Program or state funded grant programs providing COVID-19 relief in 2020 or 2021; and
- If funds are still available, Priority 3 includes providing additional funding to Priority 1 and Priority 2 applicants and previous award winners, defined as businesses and non-profits who received a total of \$15,000 or more in CARES/County Rounds 1, 2, or 3 or the Non-profit Assistance

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Program, subject to the County Board of Commissioners establishing final parameters for allocation of remaining funds in Priority 3 at a future meeting.

; and

WHEREAS, the County Board desires to amend the calculation of eligibility for Priority 2 to exclude the Dakota County Round 3 funds received by businesses and non-profits from the calculation of the \$15,000 limit for funds previously received from COVID-19 relief in 2020 or 2021.

NOW, THEREFORE, BE IT RESOLVED, That the County Board of Commissioners hereby amends the calculation of eligibility for Priority 2 for the relief program and associated guidelines authorized by Resolution No. 21-059 (January 19, 2021), to exclude the Dakota County Round 3 funds received by businesses and non-profits from the calculation of the \$15,000 limit for funds previously received from COVID-19 relief in 2020 or 2021.

Ayes: 7

Nays: 0

21-072

Employee Service Awards And Employee Recognition Day

The time being 10:00 a.m., the annual Employee Service Award Recognition Ceremony was held. Current employees with 20 or more years of service were recognized. Three employees that passed away while in service to Dakota County were also recognized.

Motion: Mary Hamann-Roland

Second: Laurie Halverson

WHEREAS, Dakota County has designated one County Board meeting of each year as a Countywide Employee Recognition Day; and

WHEREAS, February 2, 2021, is designated as Employee Recognition Day; and

WHEREAS, Dakota County honors the memory of employees who passed away in 2020 while in service to Dakota County:

LEWIS, ELAINE – FLEET MANAGEMENT
ANDERSON, STEVE – SHERIFF
KOPPERUD, BRIAN – COMMUNITY CORRECTIONS

; and

WHEREAS, each year, Dakota County publicly recognizes employees with 10, 15, 20, 25, 30, 35, 40 years of continuous service to Dakota County.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby recognizes the following employees for their years of service to Dakota County:

40 Years of Service

OTTO, DINA M

35 Years of Service

DOBBELAERE, MARK A
FISCHER, JULIE C
FRANDRUP, CHERYL R
JACKSON, LURA LEE
KLEIN, DAWN F
OLSON, JULIE L
OTTO, ELAINE M
SEME, ROCHELLE
SPIES, MARY BETH

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WRIGHT, DEBRA J

30 Years of Service

BROKOFSKY, LORI A

FUCHS, SCOTT A

HERNLEM, JENNIFER J

HOSKING, ROBERT E

KENT-ANDERSON, DIANE L

LANDAHL, ELIZABETH A

LOHMANN, BRENT D

LYONS, SCOTT D

MAKI, THOMAS E

MCDANIELS, DENISE M

SCOTT, STEPHEN A

STORLIE, JOAN M

WAIBEL, WAYNE D

WELSHONS, TRACY M

25 Years of Service

ANDERSON, PAMELA J

ANDERSON-DECKER, SONYA CHALESE

BAUER, MATTHEW J

BESKAU, LISA M

BILLMEYER, BRADLEY

BIRK, NANCY A

CLARK, RUTH L

DAVISSON, DYKE

FROEMING, LORI A

GLEWWE, JUDITH K

HANSON, LORI J

HAYS, BRIAN J

HOFF, LORI J

HOLMAN, SUSAN

KEWITSCH, GRETCHEN

KNOLL, SARA L

KULVICH, COREEN A

LARSON, KELLY R

LOBERG KREY, TAMERA L

MORRIS, JANICE D

MORRISON, DEBRA D

OBERG, SHEILA R

OLSEN, WILLIAM C

OLSON, THERESA E

PLETSCH, PAULA M

SAPLETAL JR, JOSEPH D

SCHNEIDER, MATTHEW N

SCOVIL, JAMES J

SMOTHERS, BETTY ANN

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STREETER, KATHLEEN
TRUAX, MARY K
VELDHUIS, LORI M
WERNER, LAURINDA A
WILKERSON, PHOUTHAIIVANH
WITT, ROBERT W
WOODFORD, HUGH L
ZEPP, STACI

20 Years of Service

ALFERNESS, KURT
ALLEVA, RACHEL A
ANDERSON, PENNY A
ANDERSON, SALLY
AUGER, AMY T
BACON, TAMARA M
BATTIG, BERNARD
BERGE, JEROME W
BIANCONI, DANIEL M
BLISS, DIANE C
BRAU, GRETCHEN A
BROOKS, SHONA S
BURMAN, RENEE S
CLARK, DEB
CLEVELAND, SUSAN
DEAVEN, LESLEY A
DEVITT, STACY A
DOSE, SANDRA J
DUFOUR, MICHELLE L
ERICKSON, GERALD R
FISCH, JEFFREY
FREKOT, LORI
FUENTES-STRENKE, ANDREA
GENTNER, MICHAEL
GOETTL, JODI
GOMEZ, STEVEN A
GREELEY, GERILEE M
HART, BRIAN K
HEDENSTROM, KAREN R
HENNEN, MARY E
HIZA, CAROLYNE T
HUBER, TRENT T
ILIFF, JAMES M
IRWIN, KATRINA M
JACKSON, JENNIFER L
JACKSON, MARY A
JACOBS, MARK R
JANUSCH, KRISTIE K

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JOHNSON, SUSAN M
KAUFMAN, SARAH R
KEILBART, FRED R
KENNEDY, JOHN R
KLEIS, KELLY L
KREGER, MOLLY A
LAPLANT, SARAH A
LAURSEN, SCOTT
LEAF, PATRICIA
LORENTZ, LORI L
MARTIN, MAUREEN A
MATAYA, KATHERINE I
MCCARTHY, JOHN C
MCCARTY, BRIDGET
MCEACHERN, ZUBAYDA S
MORALES, IRASEMA
MUTCHLER, KATHRYN
NELSON, VERA H
OSTER, MARK A
PELLINGER, JODI
PITTELKOW, JILL L
POHL, CAROL J
PRAZAK, MICHELLE L
REEVES, SHARON M
REGIS, MATTHEW
RUSCH, JASON
SCHUSTER, MATTHEW
SEBASTIAN, KRISTI M
SEEBECK, ZENAIDA
SMITH, PAULA JO
SOLINGER, JEFF
SPEAKMAN, KAREN B
SPORE, ELIZABETH
STEVENSON, PEGGY J
STRAND, DYLAN E
STRUTHERS, JOHN
TAYLOR, SUSAN R
TOLLEFSON, TODD
TURBES, MICHAEL J
WEISE, LAURA K
WINTER, ELIZABETH A
WOODARD, MARY L

15 Years of Service

AKOLLY, CHRISTINA M
ANDERSON, CASEY M
AULD, TIMOTHY R
AUSTIN, MICHELLE L

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BECKER, LINDA M
BIERWERTH, JESSICA
CARDER, ERIN M
COSTELLO, MARY R
CRAVEN, DALVA N
DAWSON, MELISSA
FETTIG, ERIN K
FIEREK, HEIDI R
FIKE, LAUREL B
GOSS-LOVE, LASHAWN
HEUSSER, TIM J
HICKS, LATWILLA J
HOPPER, STEVEN E
JARA, SCOTT E
JENSEN, KATHLEEN M
JUAREZ, ROSA E
KAVITZ, BRIAN M
KILLIAN, JULIE M
KOPSENG, KAREN L
LEOPOLD, JEFFREY D
LEXA, JOSEPH J
LIEPOLD, PAULA E
MARQUEZ ZAZUETA, LUCIO
MEYER, ROBERT
NICHOLSON, KELLY M
NYHUS, WENDY M
OLEAN, SHANNON
PETERSON, KATHY R
PHAM, MUI T
REDING, JOLENE C
RIPPLINGER, CORAL LEE M
SALAVA, SARA T
SIEBENALER, DANIEL M
SIMPSON, PHILLIP M
STEFANSKI, MELINDA A
THACHIL, MOLU
UNDEM, CATHY H
VILLA, YOLANDA
WALTER, RACHEL M
WISE, AMANDA C
ZOET, THOMAS H

10 Years of Service

ANDERSON, JOANNA M
ANDRIST, AMY R
BLOMGREN, PATRICE
BOEHLER, TANYA L
BROTZLER, LINDSEY M

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CARLSON, HOLLY A
DAVIS, JASON
FREESE, SANDRA
GALLAGHER, MARY ELLEN
GEHRMAN, GREGORY
GRIEMANN, CHELSEA A
HOLL, ERIN
HOLMQUIST, RYAN R
JORGENSEN, THOMAS J
KASLOW, MICHELLE L
KORTAN, TAMERA J
KURTZHALTS, JENNIFER A
LEE, LISA L
LOHMANN, MATTHEW W
LUNDELL, DIANA P
MCGREE, NICHOLAS J
MCLEAN, MOLLY A
NIGON, BETH
OTOOL, CASSANDRA L
PARKER, TIM A
PETERSEN, JOSHUA G
PETERSEN, THERESE
RHOADS, MEGAN L
SCHADT, MATTHEW
SCOVIL, AMY D
SHUMAN, TERRA M
SWANK, ELIZABETH
WALICKE, CHRISTOPHER M
YANG, XUE

Ayes: 7

Nays: 0

Community Services

21-073

Authorization To Accept Federal Emergency Rental Assistance Program Grant Funds And Amend 2021 Social Services Adopted Budget

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

Motion: Mary Hamann-Roland

Second: Mike Slavik

WHEREAS, as part of the recently signed federal Consolidated Appropriations Act, 2021, the Emergency Rental Assistance (ERA) program makes available \$25 billion to assist households that are unable to pay rent and utilities due to the COVID-19 pandemic; and

WHEREAS, the funds are provided directly to States, U.S. Territories, local governments, and Indian tribes and ERA payments may be made directly to local governments with more than 200,000 residents; and

WHEREAS, not less than 90 percent of awarded funds must be used for direct financial assistance and remaining funds are available for housing stability services, including case management and other services intended to keep

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households stably housed, and administrative costs; and

WHEREAS, funds need to be 65 percent spent by September 30, 2021, and expire on December 31, 2021; and

WHEREAS, by Resolution No. 21-038 (January 19, 2021), Dakota County Board of Commissioners ratified the acceptance of the award terms for ERA funds which had been submitted to the U.S. Department of the Treasury by the due date of January 12, 2021; and

WHEREAS, on January 21, 2021, Dakota County received a deposit of \$12,842,446 from the U.S. Department of the Treasury for the ERA program; and

WHEREAS, Dakota County intends to operate both a Tenant Access Program and a Landlord "Portfolio" Program; and

WHEREAS, staff recommends authorizing acceptance of Federal Emergency Rental Assistance Program grant funds.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes acceptance of the Emergency Rental Assistance Program grant funds in the amount of \$12,842,446 from the U.S. Department of the Treasury; and

BE IT FURTHER RESOLVED, That unless the grant program requirements change, the Community Services Director is hereby authorized to amend the grant to alter the grant term, and accept additional grant funds, 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 2021 Social Services Adopted Budget is hereby amended as follows:

Revenue	
Federal Emergency Rental Assistance Program	<u>\$12,842,446</u>
Total Revenue	\$12,842,446
Expense	
Federal Emergency Rental Assistance Program	<u>\$12,842,446</u>
Total Expense	\$12,842,446

Ayes: 7

Nays: 0

Physical Development

21-074

Dakota County Withdrawal From The Third Amended And Restated Joint Powers Agreement Of The Minnesota Valley Transit Authority

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

The following people presented to the meeting to share verbal comments:

- Luther Wynder, Chief Executive Officer Minnesota Valley Transit Authority
- Gary Hansen, Eagan City Councilmember

There were multiple comments sent to the Board via email, now on file with the Clerk to the Board:

- Tom Lawell on behalf of Apple Valley City Council
- Ed Kearny on behalf of Apple Valley Chamber of Commerce
- Maureen Scallen Failor on behalf of Dakota County Regional Chamber of Commerce
- Bill Gray on behalf of Uponsor North America
- William Droste on behalf of City of Rosemount

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A motion was made to amend the presented resolution language. The amendment would remove the following WHEREAS statement; WHEREAS, the 2040 Plan acknowledges the changing transit environment, that the County is not a service provider, and envisions the County stepping back from transit planning activities; and The motion passed 7-0 to remove the language.

Motion: Kathleen A. Gaylord

Second: Mike Slavik

Ayes: 7

Nays: 0

21-075

A motion was made to table the Minnesota Valley Transit Authority item until a future agenda. The motion failed 2-5 to table the item.

Motion: Mary Hamann-Roland

Second: Laurie Halverson

Ayes: Mary Hamann-Roland, Laurie Halverson

Nays: Mike Slavik, Liz Workman, Mary Liz Holberg, Joe Atkins, Kathleen A. Gaylord

21-076

Dakota County Withdrawal From The Third Amended And Restated Joint Powers Agreement Of The Minnesota Valley Transit Authority

The Board took action to the following resolution language as amended from a prior action.

Motion: Mike Slavik

Second: Liz Workman

WHEREAS, to provide safe and efficient transportation, Dakota County promotes a variety of modes to meet existing and future transportation needs of residents and businesses, including transit; and

WHEREAS, Dakota County became a member of the Minnesota Valley Transit Authority Board (MVTA) by Resolution No. 12-378 (July 31, 2012); and

WHEREAS, the County approved the Third Amended and Restated joint powers agreement (JPA) of the MVTA and Ratification of the Agreement to Consolidate by Resolution No.14-412 (August 26, 2014) and subsequently took formal action in 2015 to remain a member of the MVTA by Resolution No.15-072 (February 03, 2015); and

WHEREAS, several significant changes have occurred that have impacted the County role in transit, including the dissolution of the Counties Transit Improvement Board, Metropolitan Council assumption of the County share of METRO Red Line Cedar Avenue Bus Rapid Transit operating cost, and County enactment of the Transportation Sales and Use Tax, which included transit capital and operating as eligible uses of those funds; and

WHEREAS, the County has prepared the Draft Dakota County 2040 Transportation Plan (2040 Plan), which includes an updated vision for the County role in transit; and

WHEREAS, the 2040 Plan acknowledges the need to pursue an array of transit services with multiple providers as necessary to meet the diverse transit needs of the entire County; and

WHEREAS, the MVTA provides primarily regular route and express services for only a portion of the County; and

WHEREAS, the County role is envisioned in the 2040 Plan acting as a stakeholder, technical resource, advocate, and financial partner to work with various transit providers, local agencies, and the public to best advance transit capital and service enhancements across the County; and

WHEREAS, the County Board discussed the County role as a member of the MVTA at their workshop on January 19, 2021; and

WHEREAS, under terms of the JPA withdrawal shall be initiated by serving written notice upon the MVTA no later than February 15 of the year at the end of which such party withdrawal is to be effective.

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NOW, THEREFORE, BE IT RESOLVED, That Dakota County hereby notifies the Minnesota Valley Transit Authority (MVTA) that it desires to withdraw from the Third Amended and Restated joint powers agreement of the MVTA, consistent with the terms of the agreement; and

BE IT FURTHER RESOLVED, That Dakota County intends to continue to work in partnership with the MVTA in the effort to advance transit capital and service enhancements within the MVTA service area of Dakota County.

Ayes: 4

Mike Slavik, Liz Workman, Mary Liz Holberg, Kathleen A. Gaylord

Nays: 3

Joe Atkins, Laurie Halverson, Mary Hamann-Roland

Interagency Announcements/Reports

Interagency announcements and reports were then presented.

County Manager's Report

County Manager Matt Smith gave an update on the following:

- Month of February – Celebrating Black History Month; there are several educational and cultural events planned.

Information

See Attachment A - Future Board Meetings And Other Board Activities

21-075

Adjournment

Motion: Mary Hamann-Roland

Second: Mike Slavik

On a motion by Commissioner Mary Hamann-Roland, seconded by Commissioner Mike Slavik, the meeting was adjourned at 11:35 a.m.

Mary Liz Holberg
Chair

ATTEST

Matt Smith
County Manager