

February 16, 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 Regular Item 12.1 No additional comments were received for this agenda.

21-078

Approval Of Agenda (Additions/Corrections/Deletions)

Motion: Mary Hamann-Roland

Second: Kathleen A. Gaylord

On a motion by Commissioner Mary Hamann-Roland, seconded by Commissioner Kathleen A. Gaylord, the agenda was unanimously approved.

CONSENT AGENDA

Motion: Joe Atkins

Second: Laurie Halverson

On a motion by Commissioner Joe Atkins, seconded by Commissioner Laurie Halverson, the consent agenda was approved as follows:

21-079

Approval Of Minutes Of Meeting Held On February 2, 2021

Items Recommended By Board Committee

21-080

Authorization To Execute Contract With Nextera Communications For Local And Long-Distance Service Supporting Dakota County's Telephone And Faxing

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WHEREAS, the current Session Initiation Protocol (SIP) Contract and Primary Rate Interface (PRI) contract expires June 30, 2021; and

WHEREAS, there are no immediate plans to replace the need for local and long-distance telephone and faxing service; and

WHEREAS, there is a need to continue to provide County business units with local and long-distance telephone and faxing services; and

WHEREAS, staff published a request for proposals on November 9, 2020 via the County's public website; and

WHEREAS, three responses were received by December 9, 2020; and

WHEREAS, Nextera Communications provided the best value proposal response.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Chief Information Officer (CIO) to execute a five-year contract with Nextera Communications for local and long-distance service, for the period of July 1, 2021 through June 30, 2026, subject to approval as to form by the County Attorney's office, at a total cost not to exceed \$302,703.20, plus any applicable taxes and regulatory fees.

Ayes: 7

Nays: 0

21-081

Authorization To Execute Individual Joint Powers Agreements With Rural Cities And Townships For Assistance Naming Streets And Assigning Addresses

WHEREAS, by Resolution No. 08-483 (October 21, 2008), the County Board repealed County Ordinance No. 51 and adopted the Uniform Street Naming And Addressing System (USNAS) Procedural Manual, which defined a common system for naming streets and assigning addresses; and

WHEREAS, cities and townships were encouraged to adopt the local ordinances referencing the County's USNAS Procedural Manual to perpetuate the naming and numbering system that had been in place for over 40 years in their communities; and

WHEREAS, cities and townships may assign street names and addresses infrequently and have expressed the need for technical assistance; and

WHEREAS, the County has staff with skills to provide necessary technical assistance efficiently; and

WHEREAS, the County Office of GIS has sufficient staff to provide the required technical assistance; and

WHEREAS, a joint powers agreement (JPA) executed with townships and rural cities (Resolution No. 09-287, amended by Resolution No. 10-483) to provide that assistance expired on December 31, 2020; and

WHEREAS, Office of GIS staff recommends executing separate JPA with rural cities and townships within Dakota County that adopt, by resolution, the Uniform Street Naming and Addressing Procedural Manual, to provide technical assistance to determine conforming street names and addresses on a cost-recovery basis using the standard IT Professional Services Fee; and

WHEREAS, cities and townships can elect to participate in the JPA; and

WHEREAS, the JPA defines roles and responsibilities for technical assistance provided; and

WHEREAS, the County will provide a basic level of two hours of technical assistance per year at no charge to

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encourage the use of that service in order to preserve a logical and consistent system and promote public safety.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Dakota County Chief Information Officer to execute separate joint powers agreements, as presented to the General Government and Policy Committee on February 2, 2021, with rural cities and townships within Dakota County for the County to provide technical assistance for naming streets and assigning addresses, subject to approval by the County Attorney's Office as to form.

Ayes: 7

Nays: 0

21-082

Approval Of Public Art Citizen Advisory Committee And Library Advisory Committee 2021 Work Plans

WHEREAS, County Policy states that citizen advisory committees are required to consult annually with the County Board to seek concurrence regarding the topics they will study or which they advise the County Board; and

WHEREAS, the Public Art Citizen Advisory Committee and the Library Advisory Committee have discussed and drafted potential directions for their efforts in 2021; and

WHEREAS, staff recommends that the Public Art Citizen Advisory Committee and the Library Advisory Committee 2021 work plans be approved.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the Public Art Citizen Advisory Committee and the Library Advisory Committee 2021 work plans.

Ayes: 7

Nays: 0

21-083

Authorization To Accept Conservation Partners Legacy Grants And Execute Contract With State For Restoration Projects Within Spring Lake Park Reserve And Amend 2021 Parks Capital Improvement Program Budget

WHEREAS, the 2008 Minnesota Constitutional Legacy Amendment increased the State sales tax and dedicated new revenue to natural resources, clean water, arts, cultural heritage, and parks and trails; and

WHEREAS, the Conservation Partners Legacy (CPL) Grant Program was established to restore, enhance, or protect forests, wetlands, prairies, and habitat for fish, game, and wildlife; and

WHEREAS, the Minnesota Department of Natural Resources (DNR) manages this program to provide competitive grants from \$5,000 to \$400,000 to local, regional, state, and non-profit organizations, including governmental entities; and

WHEREAS, in State fiscal year 2021, \$3,250,000 was dedicated to habitat projects located within the seven-county metropolitan area; and

WHEREAS, by Resolution No. 20-394 (August 18, 2020), the County Board authorized the Physical Development Director to submit a CPL grant application for a natural resource project in Spring Lake Park Reserve; and

WHEREAS, on January 8, 2021, the DNR selected the Spring Lake Bluff Prairie and Woodland Enhancement project within Spring Lake Park Reserve (Project 1) for CPL funding totaling \$88,000; and

WHEREAS, Project 1 consists of 27-acres of bluff prairie and adjacent woodland restoration with an estimated total project cost of \$115,500; and

WHEREAS, on December 18, 2020, the DNR selected the Spring Lake Future Bison Range Enhancement project

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within Spring Lake Park Reserve (Project 2) for CPL funding totaling \$50,000; and

WHEREAS, Project 2 consists of 28-acres of oak savanna and prairie enhancement prior to the reintroduction of bison in the area that will become the bison range with an estimated total project cost of \$91,100; and

WHEREAS, staff recommends authorization to accept and execute the CPL grant agreement for Project 1 and Project 2.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves funding and authorizes the Physical Development Director to execute a Conservation Partners Legacy Grant agreement for the Spring Lake Bluff Prairie and Woodland Enhancement project for restoration within Spring Lake Park Reserve, substantially as presented, in the amount of \$88,000 with a required local match of \$11,250, plus a five percent contingency of \$5,500, derived from the approved 2021 Greenways, Parks, and Natural Resources Grant Match Budget, plus \$10,750 in-kind match for a total project cost of \$115,500, subject to approval by County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby approves funding and authorizes the Physical Development Director to execute a Conservation Partners Legacy Grant agreement for Spring Lake Future Bison Range Enhancement project for restoration within Spring Lake Park Reserve, as substantially presented, in the amount of \$50,000 with a required local match of \$32,000, plus a five percent contingency of \$5,100, derived from the approved 2021 Greenways, Parks, and Natural Resources Grant Match Budget, plus \$4,000 in-kind match for a total project cost of \$91,100, subject to approval by County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby amends the 2021 Parks Capital Improvement Program Adopted Budget as follows:

Revenue

2021 CPL Grant (DNR) Project 1 (P70062)	\$ 88,000
2021 CPL Grant (DNR) Project 2 (P70063)	\$ 50,000
Total Revenue	\$138,000

Expense

SLPR Bluff Prairie/Woodland Enhancement Project 1 (P70062)	\$104,750
SLPR Future Bison Range Enhancement (P70063)	\$ 87,100
Greenways, Parks, Natural Resources Grant Match Project 1	\$ (16,750)
Greenways, Parks, Natural Resources Grant Match Project 2	\$ (37,100)
Total Expense	\$138,000

Ayes: 7

Nays: 0

21-084

Authorization To Execute Jurisdictional Transfer Agreement And Joint Powers Agreement For Trail And Sidewalk On County Road 6 (Thompson Avenue) Between Trunk Highway 3 And Trunk Highway 52 With City Of West St. Paul

WHEREAS, Dakota County's 2030 Transportation Plan identifies County Road 6 (Thompson Avenue) between Trunk Highway 3 and Trunk Highway 52 as a turnback to the City of West St. Paul; and

WHEREAS, Minn. Stat. § 163.11 Subdivisions 5 and 9, authorize the County Board to transfer jurisdiction and ownership of a County highway to another road authority upon agreement; and

WHEREAS, the parties have identified improvements to Thompson Avenue that would bring the roadway up to County standards at the cost of approximately \$2,795,200; and

WHEREAS, the parties have developed terms of a jurisdictional transfer agreement that will provide County funds

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to the City for the roadway, trail, and sidewalk improvements; and

WHEREAS, a joint powers agreement with West St. Paul is needed to reimburse the City for the cost incurred to construct a trail and sidewalk along Thompson Avenue and includes design, right of way acquisition, and construction costs; and

WHEREAS, the 2021 Transportation Capital Improvement Program (CIP) includes sufficient funding for the jurisdictional transfer.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a joint powers agreement with West St. Paul for reimbursement of the cost incurred to construct a trail and sidewalk along Thompson Avenue and includes design, right of way acquisition, and construction costs, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners authorizes the Physical Development Director to enter into an agreement with the City of West St. Paul for jurisdictional transfer of Thompson Avenue.

Ayes: 7

Nays: 0

21-085

Authorization To Approve Submittal Of Funding Applications For 2020 Local Road Improvement Program Solicitation

WHEREAS, to provide a safe and efficient transportation system, Dakota County pursues funding from multiple sources for improvements on County Highways; and

WHEREAS, the Local Road Improvement Program (LRIP) was established in Minn. Stat. § 174.52 to assist local agencies in constructing or reconstructing their local roads; and

WHEREAS, eligible projects for LRIP funding are safety improvements on County State Aid Highways (CSAH), local roads that have regional significance, or for the local share of a Trunk Highway (TH) project; and

WHEREAS, the Minnesota Department of Transportation is now requesting project submittals for 2020 LRIP funding to be constructed in 2021, 2022, or 2023; and

WHEREAS, there is no minimum amount set, but the maximum amount that may be requested by the County for a project is \$1.250 million; and

WHEREAS, project submittals are due on March 3, 2021; and

WHEREAS, all County projects proposed for submittal are included in the adopted 2021–2025 Transportation Capital Improvement Program.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the following Dakota County projects for submittal to the Minnesota Department of Transportation for 2020 Local Road Improvement Program funding:

1. County Project (CP) 47-45, realignment of intersection on CSAH 47 (Northfield Boulevard) and County Road (CR) 85 (Goodwin Avenue) in Vermillion Township.
2. CP 32-87, reconstruction of CSAH 32 (Cliff Road) from CSAH 43 (Lexington Avenue) to 0.2 miles east of Dodd Road in Eagan.
3. CP 88-23, reconstruction of CSAH 88 (292nd St) from CR 94 (Cooper Avenue) to TH 56 (Randolph Blvd) in the city of Randolph.
4. CP 09-56, reconstruction of CR 9 (Dodd Road) from Highview Avenue to CSAH 31 (Pilot Knob Road) and construction of 179'th Street from Highview Avenue to CSAH 23 (Cedar Avenue) in Lakeville.

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; and

BE IT FURTHER RESOLVED, That if state bond funding is an award for a project, the Dakota County Board of Commissioners will consider approving execution of the related grant agreement at a future County Board meeting; and

BE IT FURTHER RESOLVED, That if state bond funding is awarded to a project, the Dakota County Board of Commissioners will provide Dakota County's share of the project costs consistent with the joint powers agreement and adopted Dakota County Transportation cost share policies; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby supports the following submittals by cities for 2020 Local Roads Improvement Program funding:

1. CP 09-62, roundabout on CR 9 (Dodd Road) at the intersections of 210th Street in the City of Lakeville.
2. CP 32-65, reconstruction of 117'th Street from CSAH 32/CSAH 71 (Rich Valley Boulevard) to Trunk Highway 52 in the City of Inver Grove Heights.

Ayes: 7

Nays: 0

21-086

Approval Of Release Of Spring Lake Park Reserve Master Plan And Natural Resources Management Plan For Public Review

WHEREAS, by Resolution No. 19-524 (May 21, 2019), the Dakota County Board of Commissioners approved the consultant contract to update the 2003 Spring Lake Park Reserve (SLPR) Master Plan (MP) and to create the park's first Natural Resources Management Plan (NRMP); and

WHEREAS, together, the plans present a long-range vision for the park and will guide 10-year improvement priorities for recreation development, natural resources management, visitor services, and park operations; and

WHEREAS, integrating natural resources planning and master planning processes allows for recommendations that support a unified park vision and strategic improvement; and

WHEREAS, the planning process is occurring in four phases during 2019–2021, and the first three phases of the project are complete; and

WHEREAS, the draft plan documents are based on the preferred concept presented to the Physical Development Committee of the Whole on August 11, 2020, and a Traditional Cultural Properties Survey completed in November 2020; and

WHEREAS, the MP addresses the desire to enhance the park's high-quality natural resources and bird habitat, to introduce bison to the park, to improve viewsheds and visitor access to the Mississippi River, to provide more access within the park with low-impact natural surface trails, and to help visitors interpret the park's rich cultural and natural landscape; and

WHEREAS, the draft MP plan further recognizes that the park landscape includes Indigenous sacred places and the need for future stewardship in partnership with associated Indigenous tribes and nations; and

WHEREAS, the NRMP is a technical guide to restoration and management of the park's natural areas and includes existing conditions-assessment-based background research and field surveys, goals for the park by natural resource management area, implementation schedules, and cost estimates; and

WHEREAS, the NRMP recommends a phased approach to restoring all the park's natural areas within 15 years, and five-year priorities are to restore nearly 300 acres of natural plant communities, reintroduce Bison, and stabilize trail and ravine erosion; and

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WHEREAS, on January 28, 2021, the Dakota County Planning Commission recommended release of the MP and NRMP for public review.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Spring Lake Park Reserve Maser Plan and the Spring Lake Park Reserve Natural Resources Management Plan be released for a 45-day public review period.

Ayes: 7

Nays: 0

21-087

Authorization To Amend Contract With The Link For Hotel Sheltering And Housing Search Services

WHEREAS, with the onset of the COVID-19 pandemic, Dakota County began transitioning congregate emergency shelter for people experiencing homelessness to a hotel shelter model, bringing total shelter capacity in 2020 to 44 units above the pre-COVID census; and

WHEREAS, beginning December 1, 2020, Social Services has continued supporting 90 units of hotel shelter: 50 units with Matrix Housing Services, 30 units with Ally Supportive Services, LLC (Ally), and 10 units with The Link; and

WHEREAS, the Community Action Partnership of Scott, Carver, and Dakota Counties (CAP Agency), continued to support ten hotel shelter units for families through a state grant; and

WHEREAS, Dakota County's contracted street outreach provider reported that outreach contacts have increased by 83 percent between Quarter 1 and Quarter 3 2020 from 168 to 307 individuals served; and

WHEREAS, Social Services staff have been seeking ways to continue to support existing and new hotel shelter capacity to meet this growing need in 2021; and

WHEREAS, by Resolution No. 20-563 (November 17, 2020), the Dakota County Board of Commissioners authorized a contract with The Link for \$300,000 for the period of January 1, 2021 through December 31, 2021; and

WHEREAS, upon review and in consultation with The Link, it was determined the contract needed to start on December 1, 2020; hence, an additional \$25,000 was added to the contract for a total not to exceed contract amount of \$325,000 for the period of December 1, 2020 through December 31, 2021, with the County Attorney's Office review and approval as to form; and

WHEREAS, staff requests authorization to support an expansion of shelter from ten to fifteen hotel units with The Link for youth ages 18-24, and to add \$188,000 for a total not to exceed contract amount of \$513,000 for the period of December 1, 2020 through December 31, 2021.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to amend the contract with The Link for hotel sheltering and housing search services to increase the number of hotel units from ten to fifteen and to add an additional \$188,000 for a total not to exceed contract amount of \$513,000 for the period of December 1, 2020 to December 31, 2021, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the contract contains a provision that allows the County to immediately terminate the contract in the event sufficient funds from county, state, or federal sources are not appropriated at a level sufficient to allow payment of the amount due.

Ayes: 7

Nays: 0

21-088

Authorization To Amend Contract With Bluestone Physician Services, P.A. And Update On COVID-19

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Testing And Vaccinations In Long-Term Care And Congregate Care Sites

WHEREAS, COVID-19 has disproportionately impacted Long-Term Care (LTC) and Congregate Care Settings in Minnesota and across the nation; and

WHEREAS, according to public health officials, the most effective method of containment in these settings is systemic testing and vaccination of all residents and staff, with appropriate isolation and co-horting for positive cases; and

WHEREAS, Dakota County Social Services staff, in partnership with Dakota County Public Health and the Minnesota Department of Health (MDH), reached out directly to several providers with expertise in this particular service area; and

WHEREAS, Bluestone Physician Services, P.A. (Bluestone), who is currently contracted with MDH, was selected due to their capacity to provide these services in the short, required timeframe; and

WHEREAS, by Resolution No. 20-308 (June 30, 2020), the Dakota County Board of Commissioners authorized a contract with Bluestone to conduct COVID-19 Community Systemic Testing (CST), laboratory analysis of the specimens and Personal Protective Equipment (PPE) training for the 160 LTC and 380 Congregate Care Settings located in Dakota County by utilizing Federal CARES Act funding in a not to exceed contract amount of \$1,000,000; and

WHEREAS, on December 1, 2020, the CARES Act funding ended but the need to test continued and with the pending approval of a COVID-19 vaccination, Dakota County initiated a new contract with Bluestone in a not to exceed contract amount of \$50,000 for the period of December 2, 2020 through December 31, 2021; and

WHEREAS, the contract was amended to increase the not to exceed contract amount to \$99,000 through existing Social Services Department funds until such time federal funds became available; and

WHEREAS, with federal funds being available now, staff recommends an amendment to the current contract with Bluestone to conduct COVID-19 CST, laboratory analysis of the specimens, PPE training and vaccinations for LTC and Congregate Care Settings located in Dakota County, on a fee-for-service basis, in a not to exceed contract amount of \$500,000 for the period of December 2, 2020 through December 31, 2021 with the option to extend through December 31, 2022.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to execute a contract with Bluestone Physician Services, P.A. to conduct COVID-19 Community Systemic Testing, laboratory analysis of the specimens and Personal Protective Equipment training and vaccinations for Long-Term Care and Congregate Care Settings located in Dakota County, on a fee-for-service basis, in a not to exceed contract amount of \$500,000, for the period of December 2, 2020 through December 31, 2021, with the option to extend through December 31, 2022, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the contract shall contain a provision that allows the County to immediately terminate the contract in the event that funds from county, state, or federal sources are not appropriated at a level sufficient to allow payment of the amounts due.

Ayes: 7

Nays: 0

County Board/County Administration

21-089

Authorization To Execute 2021-2022 Labor Agreement With Minnesota Nurses Association Unit

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the appropriate County officials to execute the Labor Agreement with the Minnesota Nurses Association unit for the period January 1,

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2021 – December 31, 2022, in accordance with the terms and conditions of the Agreement and those contract modifications submitted to the Dakota County Board of Commissioners dated February 16, 2021, and subject to approval by the County Attorney's Office as to form.

Ayes: 7

Nays: 0

21-090

Authorization To Execute 2021-2022 Labor Agreement With Teamsters Local 120 Transportation Maintenance Unit

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the appropriate County officials to execute the Labor Agreement with the Teamsters Local 120 Transportation Maintenance unit for the period January 1, 2021 – December 31, 2022, in accordance with the terms and conditions of the Agreement and those contract modifications submitted to the Dakota County Board of Commissioners dated February 16, 2021, and subject to approval by the County Attorney's Office as to form.

Ayes: 7

Nays: 0

Operations, Management And Budget

21-091

Authorization To Execute Fiber Optic Indefeasible Right To Use Agreement With Arvig Enterprises, Inc.

WHEREAS, Dakota County and Arvig Enterprises, Inc wish to execute an indefeasible right to use agreement; and

WHEREAS, Dakota County would like to maintain the fiber maintenance and use agreement; and

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Chief Information Officer to execute an indefeasible right to use agreement with Arvig Enterprises, Inc.

Ayes: 7

Nays: 0

Update On Dakota County Investment Portfolio Fourth Quarter 2020

This item was on the agenda for informational purposes only.

Report On Invoices Paid In January 2021

This item was on the agenda for informational purposes only.

Physical Development

21-092

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 Solutions Grant (ESG) program for Dakota County; and

WHEREAS, funds expended from previously approved projects for Fiscal Years 2017–2020 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 October 1, 2020–December 31, 2020,

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totaled \$363,663.99; and

WHEREAS, the HOME Entitlement expenses during the timeframe of October 1, 2020–December 31, 2020, totaled \$567,238.48; and

WHEREAS, the ESG Entitlement expenses during the timeframe of October 1, 2020–December 31, 2020, totaled \$51,523.70; 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 \$982,426.17 for October 1, 2020–December 31, 2020, as presented.

Ayes: 7

Nays: 0

21-093

Approval Of Right Of Way Acquisition And Authorization To Initiate Quick Take Condemnation For County Project 88-20 In Randolph Township

WHEREAS, Dakota County and Randolph Township are partnering on County Project (CP) 88-20 (the “Project”); and

WHEREAS, the Project includes the segment of County State Aid Highway (CSAH) 88 from Trunk Highway (TH) 52 to TH 56; and

WHEREAS, the purpose and need for the Project is to improve safety, operations, and capacity along the Project corridor; and

WHEREAS, to address the purpose and need for the Project, the County is proposing to reconstruct CSAH 88 to address pavement quality, safety, and operational issues by improving drainage, modifying access, improve sight angles and add turn lanes; and

WHEREAS, the County is the lead agency for the Project; and

WHEREAS, the County utilized public engagement for this project, including a public open house on October 8, 2020 at Lake Byllesby Park, and a presentation at the Randolph Township Meeting on September 15, 2020; and

WHEREAS, right of way acquisition is needed to allow for construction to begin in 2021 as scheduled; and

WHEREAS, the acquisition of the following 56 parcels as identified in Dakota County Road Right of Way Map No. 487 by the County is necessary to move forward with the Project:

Parcel No.	Owner(s)	Permanent Easement	Temporary Easement	D&U Easement
7	T&M Properties LLC	0	4,941	0
8	Dinesen Family Limited Partnership	2,137	525	0
9	Kelly A. Sirinek & Scott M. Sirinek	1,576	396	0
10	Ryan Bollig & Kari Bollig	4,487	3,138	0
11	Nikki Rae Betzold	1,706	1,800	0
12	Roswitha Ganser	1,915	2,000	0
13	Randall E. McCoy	13,780	18,971	0
14	John T. Jordan	7,107	4,721	0
15	Charles Sheridan & Krista Sheridan	6,909	4,445	0

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16	Dannielle Lerum & Jacob Lerum	7,013	3,213	0
17	Matthew D. Bennerotte & Jennifer Bennerotte	6,307	4,276	0
18	Randolph United Methodist Church	40,008	4,652	8,209
19	Dorris Ellen-Mervyne Wallof and Jeffrey Bruce Walloff	16,274	2,919	0
20	Felton Family Farms, LLP	38,546	10,793	0
21	Glenn M. Mulvihill	138,158	35,200	2,006
22	James C. Simon and Bonnie R. Simon	29,079	7,489	45,141
22A	James C. Simon and Bonnie R. Simon	0	4,321	8,945
23	Kyle Friedges	12,114	5,418	0
24	Kevin D. Rotschafer and Kimberly Rotschafer	11,892	3,536	0
25	Sherryl D. Regenscheid Revocable Trust Dated October 5, 2011	12,886	2,879	0
26	Dennis J. Murraray and Michelle E. Murraray	9,362	4,356	0
27	Gerald J. Schaack and Roseann M. Schaack and Brian D Schaak & Mary Lynn McDonald	8,696	6,955	0
28	Arlo M. Fobaire Jr.	7,677	7,829	0
29	Colin Cureton And Amanda C.M. Cureton	9,236	10,493	0
30	Mark R. McCoy	7,253	9,161	0
31	Randall E. McCoy	4,492	4,278	0
32	Thomas Peter McCoy and Wanda McCoy	4,756	1,374	0
33	Randall E. McCoy	0	9,688	0
34	Cannon Golf Club, Inc.	27,433	13,122	12,247
36	Haven W. Milesboysen And Roberta L. Milesboysen	1,978	901	0
37	Brad Duane Scharpen	1,680	560	0
39	Nathan Haler & Erika Haler	3,648	600	0
40	Verone C. Mortenson, as Trustee of The Trust Agreement of Corliss and Verone Mortenson	5,829	599	0
41-46	Verone C. Mortenson, as Trustee of The Trust Agreement of Corliss and Verone Mortenson	0	17,081	468
48	Michael L. Flom And Katharine P. Flom, As Joint Tenants,	1,184	769	0
49	Marc Larson	0	307	0
50	Clyde W. Thompson and Karen L. Thompson	1,618	1,835	0
52	Daryl D. Schmidt and Debra E. Schmidt	617	1,400	0
53	David R. Myers and Mary Jo Myers	730	1,600	0
54	James W. Bassett	948	1,500	0
55	Douglas R. Gilbertson	988	1,472	0

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56	Kari L. Dougl's, Kathleen L. Dubbels and Richard L. Douglas	0	1,083	0
57	Bradley D. Fredrickson And Janet M. Fredrickson, As Trustees Of The Bradley D. Fredrickson And Jane M. Fredrickson Living Trust Dated February 26, 2002	0	470	0
58	Bret Fredrickson And Kendra Fredrickson	0	528	0
59	Garlan E. Dubbels & Kathleen L. Dubbels	0	1,011	0
60	George C. Wilson and Judith K. Wilson	0	3,384	0
61	Glenn Mulvihill	10,230	3,138	726
62	Jeffrey B. McCusker and Alison K. McCusker	0	2,590	0
63	Scott P. Sundby and Suzanne M. Sundby	0	2,968	664
64	Robert Charles Neuman and Angela Kaye Neuman	0	1,758	534
65	Al G. Cooreman and Janet L. Cooreman	0	750	0

; and

WHEREAS, appraisals have been completed for 56 parcels by Nicollet Partners for a total appraised value of \$860,300; and

WHEREAS, the 2021 Transportation Capital Improvement Program budget for the Project includes sufficient funds for right of way acquisition.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the appraised value for the acquisition of the identified property interest from the 56 parcels for County Project 88-20 and authorizes County staff, in its discretion, to share the appraisal data with the respective landowners, including all or portions of the completed parcels; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby approves acquisition of the properties associated with the 56 parcels for County Project 88-20, at the approved appraised value, and authorizes payment from the 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 on the properties identified in the event that timely acquisition by direct negotiations of all properties does not appear possible.

Ayes: 7

Nays: 0

21-094

Execution Of Joint Powers Agreement For Planning And Preliminary Engineering For County Project 04-17 In South St. Paul And West St. Paul

WHEREAS, to promote a safe and efficient transportation system throughout Dakota County, the County is partnering with the Cities of South St. Paul and West St. Paul on County Project (CP) 04-17; and

WHEREAS, CP 04-17 will design and construct a multiuse trail on County Road (CR) 4 between Robert Street

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and Concord Avenue in the cities of South St. Paul and West St. Paul; and

WHEREAS, the City of West St. Paul is the lead agency for the planning and preliminary engineering of the multiuse trail; and

WHEREAS, Dakota County and the City of South St. Paul are cooperating with the City of West St. Paul on each stage of project 04-17; and

WHEREAS, CP 04-17 will be shared 85 percent County funds and 15 percent City funds in accordance with adopted County Policy.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a joint powers agreement with the City of South St. Paul and the City of West St. Paul to identify costs and responsibilities for planning and design of a multiuse trail, in accordance with County policy, for County Project 04-17, in the cities of South St. Paul and West St. Paul, subject to approval by the County Attorney's Office as to form.

Ayes: 7

Nays: 0

21-095

Authorization To Execute Contract With Stonebrooke Engineering, Inc., For Survey And Right Of Way Mapping Services For County Project 9-56

WHEREAS, to provide a safe and efficient transportation system, Dakota County is proceeding with County Project (CP) 9-56; and

WHEREAS, CP 9-56 is the reconstruction County State Aid Highway (CSAH) 9 from Highview Avenue to CSAH 31 (Pilot Knob Road) and 179th Street (new CSAH 9) from Highview Avenue to CSAH 23 (Cedar Avenue) in the City of Lakeville (City); and

WHEREAS, upon reconstruction, jurisdiction of CSAH 9 (Dodd Boulevard) from Highview Avenue to CSAH 31 will be transferred to the City of Lakeville and jurisdiction of 179th Street will be transferred to Dakota County; and

WHEREAS, staff sent a request for proposal to four qualified professional consultants for survey and right of way mapping for CP 9-56; and

WHEREAS, Three proposals received were evaluated by staff; and

WHEREAS, the 2021 Transportation Capital Improvement Program (CIP) Budget includes \$2,600,000 for CP 9-56 in 2021; and

WHEREAS, staff recommends execution of a contract with Stonebrooke Engineering, Inc., for professional survey and right of way mapping services for CP 9-56 for actual costs not to exceed \$168,857.40; and

WHEREAS, the survey and right of way mapping costs will be shared between the County and City in accordance with County policy.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a contract with Stonebrooke Engineering, Inc., to perform survey and right of way mapping services for County Project 9-56 in an amount not to exceed \$168,857.40 subject to approval by the County Attorney's Office as to form.

Ayes: 7

Nays: 0

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21-096

Authorization To Execute Joint Powers Agreement With City Of Inver Grove Heights For County Project 26-64

WHEREAS, to provide a safe and efficient transportation system, Dakota County and the City of Inver Grove Heights (City) are partnering on County Project (CP) 26-64; and

WHEREAS, Dakota County and the City agree to install turn lanes at the intersection of County State Aid Highway (CSAH) 26 (70th Street) at Allen Way in the City of Inver Grove Heights, Dakota County; and

WHEREAS, a joint powers agreement with the City is necessary to identify the terms of Dakota County and City responsibilities and participation in the project; and

WHEREAS, the City of Inver Grove Heights is the lead agency for the project and will be responsible for completing all contract administration, design work, construction, and acquisition of any easements necessary to construct the intersection in 2021; and

WHEREAS, the County will provide funding for the intersection project in accordance with the adopted cost participation policy F.19 Left Turn Lane/Access Permit Process; and

WHEREAS, the approved 2021–2025 Transportation Capital Improvement Program budget (CIP) includes \$1,500,000 for in Safety and Management Projects set-aside funds for projects that will manage access and improve roadway safety and operations; and

WHEREAS, the CIP will be administratively amended to transfer \$276,250 of funding from the safety and management set-aside to CP 26-64; and

WHEREAS, staff recommends entering into a joint power agreement with the City for the reconstruction of the T-intersection of CSAH 26 and Allen Way to a four-leg intersection with dedicated turn lanes.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a joint powers agreements with the City of Inver Grove Heights for reconstruction of rural through/stop T-intersection of County State Aid Highway (CSAH) 26 (70th Street) and Allen Way in accordance with Dakota County's adopted cost share policy, subject to approval by the County Attorney's Office as to form.

Ayes: 7

Nays: 0

21-097

Authorization To Amend And Restate Joint Powers Agreement With City Of Lakeville For County Project 97-163

WHEREAS, by Resolution No. 03-6 (April 7, 2003), the Lakeville City Council adopted a resolution in support of the Dakota County East-West Corridor Preservation Study; and.

WHEREAS, by Resolution No. 03-285 (May 20, 2003), the Dakota County Board of Commissioners adopted the Dakota County East-West Corridor Preservation Study, which defined the general location of three new County roadways; and

WHEREAS, the adopted preservation corridor Alignment C between County State Aid Highway 9 (Dodd Boulevard) and County State Aid Highway 23 (Cedar Avenue) follows the proposed 185th Street alignment; and

WHEREAS, designing and constructing 185th Street to County standards over and above city collector street standards will minimize the roadway and impacts to adjacent development; and

WHEREAS, by Resolution No. 18-243 (April 24, 2018), the County Board authorized execution of a joint power

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agreement with the City for County Project 97-163, which outlined the cost-sharing and responsibilities for the project; and

WHEREAS, the joint powers agreement identified the City as the lead agency for the project responsible for design, right of way dedication, and construction of approximately one-half mile of a future County road (185th Street) to meet County standards in conjunction with the development; and

WHEREAS, the City of Lakeville is the lead agency for County Project 97-163; and

WHEREAS, amending the joint powers agreement with the City of Lakeville is necessary to extend the design engineering termini from County State Aid Highway 23 (Cedar Avenue) to County State Aid Highway 9 (Dodd Boulevard) to develop a design layout advance of the anticipated development occurring between Highview Avenue and County State Aid Highway 9 (Dodd Boulevard), all in accordance with County policy; and

WHEREAS, it is appropriate to amend and restate the existing agreement because the design of 185th Street is integral to the project and is necessary to address potential issues prior to development; and

WHEREAS, the City will be the lead agency for the design, right-of-way dedication, and construction of a future County Road (185th Street) to meet County standards; and

WHEREAS, the 2018 Transportation Capital Improvement Program (CIP) budget includes \$716,000 for the County share of County Project 97-163; and

WHEREAS, the County's cost share of County Project 97-163 is estimated to be \$62,000; and

WHEREAS, adequate funds are still available in County Project 97-163 to amend and restate the existing agreement; and

WHEREAS, Dakota County and the City will share in the project costs in accordance with County policy; and

WHEREAS, staff recommends amending the JPA with the City of Lakeville for County Project 97-163 to develop a design layout advance of the anticipated development occurring between Highview Avenue and County State Aid Highway 9 (Dodd Boulevard); and

WHEREAS, the County will reimburse the City of Lakeville for the County's share of the project costs, in accordance with adopted cost-share policies, to the extent funds are budgeted by the County Board.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute an amended and restated joint powers agreement with the City of Lakeville to extend the termini from one-half mile west of CSAH 23 (Cedar Avenue) to CSAH 9 (Dodd Boulevard) for County Projects 97-163 in accordance with County policy, subject to approval by the County Attorney's Office as to form.

Ayes: 7

Nays: 0

21-098

Authorization To Release Excess Right Of Way On Old County State Aid Highway 63 In Inver Grove Heights

WHEREAS, Dakota County and the City of Inver Grove Heights are partnering on County Project (CP) 63-25; and

WHEREAS, CP 63-25 is the realignment and reconstruction of County State Aid Highway (CSAH) 28/63 (Argenta Trail) to a four-lane divided highway from its connection with CSAH 28 (Yankee Doodle Road) to Amana Trail, including the realignment of 77th Street West and the extension of Amana Trail; and

WHEREAS, By Resolution No. 15-182 (April 7, 2015), the County Board authorized execution of a joint powers

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agreement (JPA) for CP 63-25 with the City of Inver Grove Heights for right of way acquisition, construction, and maintenance; and

WHEREAS, By Resolution No. 17-224 (April 18, 2017), the County Board authorized execution of an amendment to JPA No. C0026669 for CP 63-25 with the City of Inver Grove Heights for right of way acquisition, construction, and maintenance; and

WHEREAS, in accordance with JPA No. C0026669-1, by Resolution No. 17-224 (April 18, 2017), the City of Inver Grove Heights agreed to take possession and jurisdiction of the drainage and ponding easements, permanent right of way for city streets, and real estate interests acquired in excess of what is needed for CP 63-25 purposes; and

WHEREAS, with the completion of CP 63-25 construction, the real property interests of two uneconomic remnants identified as Parcels 12A and 13A Dakota County Road Right of Way Map No 435, can now be conveyed to the adjacent property; and

WHEREAS, the City owns the adjacent property to Parcels 12A and 13A, Dakota County Road Right of Way Map No 435, and is interested in acquiring the excess property from the County; and

WHEREAS, the County has determined that the two parcels are uneconomic remnant properties remaining from CP 63-25 based on their size, shape, topography, and utility encumbrances; and

WHEREAS, the property to be conveyed is shown as Parcel 12A and 13A on Dakota County Road Right of Way Map No 435 as on file of record in the office of the Dakota County Recorder.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota Board of Commissioners hereby authorizes the County Board Chair to execute a quitclaim deeds conveying the County's interest in Parcel 12A and 13A on Dakota County Road Right of Way Map No 435, subject to approval by the County Attorney's Office as to form.

Ayes: 7

Nays: 0

21-099

Approval Of Right Of Way Acquisition And Authorization To Initiate Quick Take Condemnation For County Project 32-87 In City Of Eagan

WHEREAS, to provide a safe and efficient transportation system, Dakota County and the City of Eagan (City) are proceeding with County Project (CP) 32-87; and

WHEREAS, CP 32-87 is the reconstruction of County State Aid Highway (CSAH) 32 (Cliff Road) from CSAH 43 (Lexington Avenue) to 0.2 miles east of Dodd Road in the City of Eagan; and

WHEREAS, Dakota County and the City of Eagan have worked jointly on CP 32-87; and

WHEREAS, Dakota County is the lead agency for CP 32-87 with right of way acquisition necessary for construction to begin in winter of 2021; and

WHEREAS, the County utilized public engagement for this project that was initiated during the corridor study and preliminary design phase of the project, which has included four public open houses and four neighborhood meetings to date; and

WHEREAS, the acquisition of the following 34 parcels as identified in Attachment C is necessary to move forward with the Project:

10-17150-02-310 – Dessarae Smith - Parcel 1

A temporary easement for highway purposes over the south 35.00 feet of Lot 31, Block 2, Ches Mar East First Addition, according to the recorded plat thereof, Dakota County, Minnesota.

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Temporary Easement Area = 2,302 SF

10-17150-02-300 – Todd & Jan K. Aschoff (Contract Purchasers)
Ramona J. Johnson & Dennis D. Johnson, Trustees of the Ramona J. Johnson Revocable Trust
(Contract Sellers) - Parcel 2

A temporary easement for highway purposes over the south 35.00 feet of Lot 30, Block 2, Ches Mar East First Addition, according to the recorded plat thereof, Dakota County, Minnesota.

Temporary Easement Area = 3,792 SF

10-17150-02-290 – James E. Fruechtl - Parcel 3

A temporary easement for highway purposes over that part of Lot 29, Block 2, Ches Mar East First Addition, according to the recorded plat thereof, Dakota County, Minnesota, lying southerly of a line 25.00 feet northerly of and parallel with the south line of said Lot 29.

Temporary Easement Area = 2,206 SF

10-17150-02-280 – Marie Dubois - Parcel 4

A temporary easement for highway purposes over that part of Lot 28, Block 2, Ches Mar East First Addition, according to the recorded plat thereof, Dakota County, Minnesota, lying southerly of a line 22.00 feet northerly of and parallel with the south line of said Lot 28.

Temporary Easement Area = 2,239 SF

10-17150-02-270 – Thomas Dubois - Parcel 5

A temporary easement for highway purposes over that part of Lot 27, Block 2, Ches Mar East First Addition, according to the recorded plat thereof, Dakota County, Minnesota, lying southerly of the following described line:

Commencing at the southwest corner of said Lot 27; thence North 34 degrees 55 minutes 04 seconds West, assumed bearing along the west line of said Lot 27, a distance of 11.53 feet to the point of beginning of the line to be described; thence North 84 degrees 39 minutes 36 seconds East a distance of 17.25 feet; thence South 34 degrees 55 minutes 04 seconds East a distance of 11.44 feet to the south line of said Lot 27 and said line there terminating.

Temporary Easement Area = 172 SF

10-17150-02-160 – Andrew Robert Ames and Norka Adreina Ames - Parcel 6

A temporary easement for highway purposes over that part of Lot 16, Block 2, Ches Mar East First Addition, according to the recorded plat thereof, Dakota County, Minnesota, described as follows:

Beginning at the southeast corner of said Lot 16; thence North 25 degrees 26 minutes 24 seconds East, assumed bearing along the east line of said Lot 16 a distance of 7.36 feet; thence southwesterly a distance of 40.00 feet along a non-tangential curve concave to the northwest having a radius of 1351.39 feet, a central angle of 01 degree 41 minutes 45 seconds, and a chord bearing of South 80 degrees 49 minutes 12 seconds West; thence South 08 degrees 19 minutes 56 seconds East, not tangent to said curve, a distance of 6.00 feet to the south line of said Lot 16; thence northeasterly along said south line to said southeast corner and the point of beginning.

Temporary Easement Area = 228 SF

10-17150-02-150 – Barbara E. Tietz - Parcel 7

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A temporary easement for highway purposes over that part of Lot 15, Block 2, Ches Mar East First Addition, according to the recorded plat thereof, Dakota County, Minnesota, lying southerly of the following described line:

Commencing at the southwest corner of said Lot 15; thence North 25 degrees 26 minutes 24 seconds East, assumed bearing along the west line of said Lot 15 a distance of 7.36 feet to the point of beginning of the line to be described; thence northeasterly a distance of 30.00 feet along a non-tangential curve concave to the northwest, having a radius of 1351.39 feet, a central angle of 01 degree 16 minutes 19 seconds, and a chord bearing North 79 degrees 20 minutes 10 seconds East; thence North 11 degrees 18 minutes 00 seconds West, not tangent to said curve, a distance of 7.00 feet; thence northeasterly a distance of 75.92 feet along a non-tangential curve concave to the northwest, having a radius of 1344.39 feet; a central angle of 03 degrees 14 minutes 08 seconds, and a chord bearing North 77 degrees 04 minutes 56 seconds East to the east line of said Lot 15 and said line there terminating.

Temporary Easement Area = 1,163 SF

10-17150-02-140 – Dana Outen - Parcel 8

A temporary easement for highway purposes over that part of Lot 14, Block 2, Ches Mar East First Addition, according to the recorded plat thereof, Dakota County, Minnesota, lying southerly of a line 9.00 feet northerly of and parallel with the south line of said Lot 14.

Temporary Easement Area = 731 SF

10-17150-02-130 – Francisca D. Abbey - Parcel 9

A temporary easement for highway purposes over that part of Lot 13, Block 2, Ches Mar East First Addition, according to the recorded plat thereof, Dakota County, Minnesota, lying southerly of the following described line:

Commencing at the southwest corner of said Lot 13; thence North 23 degrees 48 minutes 56 seconds West, assumed bearing along the west line of said Lot 13, a distance of 9.05 feet to the point of beginning of the line to be described; thence northeasterly a distance of 70.00 feet along a non-tangential curve concave to the northwest, having a radius of 1348.39 feet, a central angle of 02 degrees 58 minutes 28 seconds, and a chord bearing North 70 degrees 38 minutes 59 seconds East; thence South 20 degrees 50 minutes 15 seconds East, not tangent to said curve, a distance of 9.00 feet to the south line of said lot 13 and said line there terminating.

Temporary Easement Area = 628 SF

10-51500-01-010 – Diane M. & Michael C. Chappuis - Parcel 12

A temporary easement for highway purposes over that part of Lot 1, Block 1, Noreen Addition, according to the recorded plat thereof, Dakota County, Minnesota lying southerly of the following described line:

Commencing at the southwest corner of said Lot 1; thence easterly a distance of 65.08 feet along the south line of said Lot 2 on a non-tangential curve concave to the south having a radius of 994.93 feet and a central angle of 03 degrees 44 minutes 52 seconds and a chord bearing North 69 degrees 59 minutes 00 seconds East, to the point of beginning of the easement to be described; thence North 18 degrees 08 minutes 34 seconds West a distance of 5.00 feet; thence easterly a distance of 35.00 feet along a non-tangential curve concave to the south having a radius of 999.93 feet and a central angle of 02 degrees 00 minutes 20 seconds and a chord bearing North 72 degrees 51 minutes 36 seconds East; thence North 16 degrees 08 minutes 14 seconds West not tangent to said curve a distance of 7.00 feet; thence easterly a distance of 80.00 feet along a non-tangential curve concave to the south having a radius of 1006.93 feet and a central angle of 04 degrees 33 minutes 08 seconds and a chord bearing North 76 degrees 08 minutes 20 seconds East; thence South 11 degrees 35 minutes 06 seconds East not tangent to said curve a distance of 4.00 feet; thence easterly a distance of 77.49 feet along a non-tangential curve concave to the south having a radius of 1002.93 feet and a central angle of 04 degrees 25 minutes 37 seconds and a chord bearing North 80 degrees 37 minutes 42 seconds East; thence South 07 degrees

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09 minutes 30 seconds East not tangent to said curve a distance of 8.00 feet to the south line of said Lot 1 said line there terminating.

Temporary Easement Area = 1746 SF

10-02600-53-020 – Harlan J. Doebber & Mary Doebber - Parcel 14

A permanent easement for highway purposes over the following described subject property:

The west 300 feet of the south 872 feet of the Southeast Quarter of the Southwest Quarter of Section 26, Township 27 North, Range 23 West, Dakota County, Minnesota lying north of the centerline of the New Cliff Road and the west 165 feet of the Southeast Quarter of the Southwest Quarter of Section 26, Township 27 North, Range 23 West, Dakota County, Minnesota lying south of the centerline of the New Cliff Road.

Said highway easement lies northerly of Dakota County Road Right of Way Map No. 191, according to the recorded map thereof and southerly of the following described line: Commencing at the northeast corner of Parcel 8, said Map 191, designated as corner B13; thence North 00 degrees 00 minutes 04 seconds East assumed bearing along said Right of Way Map No. 191 boundary a distance of 46.93 feet to the point of beginning of the line to be described; thence North 61 degrees 57 minutes 39 seconds West a distance of 14.80 feet; thence northwesterly a distance of 65.81 feet along a tangential curve concave to the south having a radius of 1157.50 feet and a central angle of 03 degrees 15 minutes 28 seconds; thence North 24 degrees 46 minutes 53 seconds East a distance of 24.00 feet; thence northwesterly a distance of 25.00 feet along a non-tangential curve concave to the south having a radius of 1181.50 feet and a central angle of 01 degree 12 minutes 44 seconds, the chord of said curve bears North 65 degrees 49 minutes 29 seconds West; thence South 23 degrees 34 minutes 09 seconds West not-tangent to said curve a distance of 24.00 feet; thence northwesterly a distance of 401.50 feet along a non-tangential curve concave to the south having a radius of 1157.50 feet and a central angle of 19 degrees 52 minutes 27 seconds to the north line of said Right of Way Map No. 191 and said line there terminating, the chord of said curve bears North 76 degrees 22 minutes 05 seconds West.

Highway Easement Area = 332 SF

A temporary easement for highway purposes over the following described subject property:

The west 300 feet of the south 872 feet of the Southeast Quarter of the Southwest Quarter of Section 26, Township 27 North, Range 23 West, Dakota County, Minnesota lying north of the centerline of the New Cliff Road and the west 165 feet of the Southeast Quarter of the Southwest Quarter of Section 26, Township 27 North, Range 23 West, Dakota County, Minnesota lying south of the centerline of the New Cliff Road.

Said temporary easement lies northerly of Dakota County Road Right of Way Map No. 191, according to the recorded map thereof and southerly of the following described line: Commencing at the northwest corner of Parcel 6, said Map 191, designated as corner B7; thence North 00 degrees 00 minutes 04 seconds East assumed bearing along said Right of Way Map No. 191 boundary a distance of 20.05 feet to the point of beginning of the line to be described; thence easterly a distance of 65.00 feet along a non-tangential curve concave to the south having a radius of 1024.93 feet and a central angle of 03 degrees 38 minutes 01 seconds with a chord bearing North 87 degrees 38 minutes 02 seconds East; thence North 00 degrees 32 minutes 57 seconds West not tangent to said curve a distance of 30.00 feet; thence easterly a distance of 237.10 feet along a non-tangential curve concave to the south having a radius of 1054.93 feet, a central angle of 12 degrees 52 minutes 39 seconds, and a chord bearing South 84 degrees 06 minutes 38 seconds East, to the east line of said subject property and said line there terminating, excepting from said temporary easement that part of said subject property taken for permanent highway easement by this same Transportation Project 32-87.

Together with a temporary easement over that part of the above described subject property lying southerly of County Road Right of Way Map No. 191, according to the recorded map thereof and which lies northerly of the following described line: Commencing at the northwest corner of Parcel 6, said Map 191, designated as corner B7; thence South 00 degrees 00 minutes 04 seconds West assumed bearing

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along the west line of said subject property a distance of 127.18 feet to the point of beginning of the line to be described; thence easterly a distance of 105.00 feet along a non-tangential curve concave to the south having a radius of 1035.50 feet, a central angle of 05 degrees 48 minutes 35 seconds, and a chord bearing North 87 degrees 12 minutes 22 seconds East; thence North 00 degrees 06 minutes 40 seconds East not tangent to said curve a distance of 8.00 feet; thence easterly a distance of 60.19 feet along a non-tangential curve concave to the south having a radius of 1043.50 feet and a central angle of 03 degrees 18 minutes 18 seconds, and a chord bearing South 88 degrees 14 minutes 11 seconds East; to the east line of said subject property and said line there terminating

Temporary Easement Area = 16,438 SF

10-02600-54-010 – Nancy Lynn Sweet - Parcel 16

A permanent easement for highway purposes over the following described subject property: The east 330 feet of the west 660 feet of the Southeast Quarter of the Southwest Quarter of Section 26, Township 27 North, Range 23 West, Dakota County, Minnesota.

Said highway easement lies northerly of Dakota County Road Right of Way Map No. 191, according to the recorded map thereof and southerly of the following described line: Commencing at the northeast corner of Parcel 8, said Map 191, designated as corner B13; thence North 00 degrees 00 minutes 04 seconds East assumed bearing along said Right of Way Map No. 191 boundary a distance of 46.93 feet to the point of beginning of the line to be described; thence North 61 degrees 57 minutes 39 seconds West a distance of 14.80 feet; thence northwesterly a distance of 65.81 feet along a tangential curve concave to the south having a radius of 1157.50 feet and a central angle of 03 degrees 15 minutes 28 seconds; thence North 24 degrees 46 minutes 53 seconds East a distance of 24.00 feet; thence northwesterly a distance of 25.00 feet along a non-tangential curve concave to the south having a radius of 1181.50 feet and a central angle of 01 degrees 12 minutes 44 seconds, the chord of said curve bears North 65 degrees 49 minutes 29 seconds West; thence South 23 degrees 34 minutes 09 seconds West not-tangent to said curve a distance of 24.00 feet; thence northwesterly a distance of 401.50 feet along a non-tangential curve concave to the south having a radius of 1157.50 feet and a central angle of 19 degrees 52 minutes 27 seconds to the north line of said Right of Way Map No. 191 and said line there terminating, the chord of said curve bears North 76 degrees 22 minutes 05 seconds West.

Together with a permanent highway easement over that part of the above described subject property lying southerly of County Road Right of Way Map No. 191, according to the recorded map thereof described as follows: Commencing at the southeast corner of Parcel 8, Map 191, designated as corner B21; thence North 63 degrees 30 minutes 00 seconds West assumed bearing along said Right of Way Map No. 191 boundary a distance of 129.69 feet to the point of beginning of the highway easement to be described; thence South 26 degrees 30 minutes 00 seconds West a distance of 30.00 feet; thence North 63 degrees 30 minutes 00 seconds West a distance of 25.00 feet; thence North 26 degrees 30 minutes 00 seconds East a distance of 30.00 feet to said Right of Way Map No. 191 boundary; thence South 63 degrees 30 minutes 00 seconds East along said Right of Way Map No. 191 boundary a distance of 25.00 feet to the point of beginning.

Highway Easement Area = 14,132 SF

A temporary easement for highway purposes over the following described subject property: The east 330 feet of the west 660 feet of the Southeast Quarter of the Southwest Quarter of Section 26, Township 27 North, Range 23 West, Dakota County, Minnesota.

Said temporary easement lies northerly of Dakota County Road Right of Way Map No. 191, according to the recorded map thereof and southerly of the following described line: Commencing at the northeast corner of Parcel 8, said Map 191, designated as corner B13; thence North 00 degrees 00 minutes 04 seconds East assumed bearing along said Right of Way Map No. 191 boundary a distance of 70.93 feet to the point of beginning of the line to be described; thence northwesterly a distance of 91.95 feet along a non-tangential curve concave to the south having a radius of 1178.50 feet, a central angle of 04 degrees 28 minutes 13 seconds and a chord bearing North 64 degrees 11 minutes 45 seconds West; thence North 23 degrees 34 minutes 09 seconds East not tangent to said curve a distance of 3.00 feet; thence northwesterly a distance of 125.00 feet along a non-tangential curve concave to the south having a radius

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of 1181.50 feet, a central angle of 06 degrees 03 minutes 42 seconds, and a chord bearing North 69 degrees 27 minutes 43 seconds West; thence North 17 degrees 30 minutes 26 seconds East not tangent to said curve a distance of 18.00 feet; thence northwesterly a distance of 63.32 feet along a non-tangential curve concave to the south having a radius of 1199.50 feet, a central angle of 03 degrees 01 minute 29 seconds, and a chord bearing North 74 degrees 00 minutes 18 seconds West; thence South 14 degrees 28 minutes 57 seconds West not-tangent to said curve a distance of 26.00 feet; thence northwesterly a distance of 68.00 feet along a non-tangential curve concave to the south having a radius of 1173.50 feet, a central angle of 03 degrees 19 minutes 12 seconds, and a chord bearing North 77 degrees 10 minutes 39 seconds West to the west line of said subject property and said line there terminating, excepting from said temporary easement that part of said subject property taken for permanent highway easement by this same Transportation Project 32-87.

Together with a temporary easement over that part of the above described subject property lying southerly of County Road Right of Way Map No. 191, according to the recorded map thereof, described as follows: Commencing at the southeast corner of Parcel 8, said Map 191, designated as corner B21; thence North 63 degrees 30 minutes 00 seconds West assumed bearing along said Right of Way Map No. 191 boundary a distance of 117.19 feet to the point of beginning of the temporary easement to be described; thence South 26 degrees 30 minutes 00 seconds West a distance of 30.00 feet; thence North 63 degrees 30 minutes 00 seconds West a distance of 50.00 feet; thence North 26 degrees 30 minutes 00 seconds East a distance of 30.00 feet to said Right of Way Map No. 191 boundary; thence South 63 degrees 30 minutes 00 seconds East along said Right of Way Map No. 191 boundary a distance of 50.00 feet to the point of beginning excepting from said temporary easement that part of said subject property taken for permanent highway easement by this same Transportation Project 32-87.

Together with a temporary easement over that part of the above described subject property lying southerly of County Road Right of Way Map No. 191, according to the recorded map thereof, described as follows: Beginning at the southwest corner of Parcel 8, said Map 191, designated as corner B23; thence southeasterly along the boundary of said Map 191 a distance of 65.59 feet along a non-tangential curve concave to the south having a radius of 921.93 feet a central angle of 04 degrees 04 minutes 35 seconds and a chord that bears South 71 degrees 53 minutes 21 seconds East; thence South 20 degrees 08 minutes 56 seconds West not tangent to said curve a distance of 10.00 feet to a line offset 10.00 southerly and concentric to said Map 191 boundary line; thence along said concentric line a distance of 62.00 feet to the west line of said subject property; thence north along the west line of said subject property a distance of 10.41 feet to the point of beginning.

Temporary Easement Area = 9614 SF

10-02600-55-013 – Jo Ellen & Paul A. Abraham - Parcel 17

A temporary easement for highway purposes over the following described subject property:

The Southeast Quarter of the Southwest Quarter of Section 26, Township 27 North, Range 23 West, Dakota County, Minnesota, except the east 330.00 feet and except the west 660.00 and except the north 675.00 feet thereof and except the part lying south of the center line of Cliff Road.

Said temporary easement lies northerly of Dakota County Road Right of Way Map No. 191, according to the recorded map thereof and southerly of the following described line: Commencing at the northwest corner of Parcel 9A, said Map 191, designated as corner B14; thence North 00 degrees 00 minutes 04 seconds East assumed bearing along the west line of said subject property a distance of 16.76 feet to the point of beginning of the line to be described; thence South 63 degrees 30 minutes 00 seconds East a distance of 75.00 feet; thence North 26 degrees 30 minutes 00 seconds East a distance of 15.00 feet; thence South 63 degrees 30 minutes 00 seconds East a distance of 140.00 feet; thence North 26 degrees 30 minutes 00 seconds East a distance of 45.00 feet; thence South 63 degrees 30 minutes 00 seconds East a distance of 55.00 feet; thence South 26 degrees 30 minutes 00 seconds West a distance of 35.00 feet; thence South 63 degrees 30 minutes 00 seconds East a distance of 44.97 feet; thence South 00 degrees 04 minutes 59 seconds West a distance of 44.66 feet to the north boundary of said Map 191 and said line there terminating.

Temporary Easement Area = 11,590 SF

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10-02600-56-010 – Farhard & Maria Nezami - Parcel 18

A permanent easement for highway purposes over the following described subject property:

The east 330.00 feet of the Southeast Quarter of the Southwest Quarter of Section 26, Township 27 North, Range 23 West, Dakota County, Minnesota.

Said highway easement lies northerly of Dakota County Road Right of Way Map No. 191, according to the recorded map thereof and southerly of the following described line: Commencing at the northwest corner of Parcel 11, said Map 191, designated as corner B16; thence North 00 degrees 04 minutes 59 seconds East assumed bearing along the boundary of said Map 191 a distance of 19.93 feet to the point of beginning of the line to be described; thence southeasterly a distance of 111.32 feet along a non-tangential curve concave to the north having a radius of 1165.50 feet and a central angle of 05 degrees 28 minutes 20 seconds to the north boundary of said Map 191 and said line there terminating, the chord of said curve bears South 66 degrees 41 minutes 23 seconds East.

Highway Easement Area = 921 SF

A temporary easement for highway purposes over the following described subject property:

The east 330.00 feet of the Southeast Quarter of the Southwest Quarter of Section 26, Township 27 North, Range 23 West, Dakota County, Minnesota.

Said temporary easement lies northerly of Dakota County Road Right of Way Map No. 191, according to the recorded map thereof and southerly of the following described line: Commencing at the northwest corner of Parcel 11, said Map 191, designated as corner B16; thence North 00 degrees 04 minutes 59 seconds East assumed bearing along the west line of said subject property a distance of 87.30 feet to the point of beginning of the line to be described; thence South 76 degrees 44 minutes 06 seconds East a distance of 25.00 feet; thence South 46 degrees 44 minutes 06 seconds East a distance of 60.00 feet; thence South 21 degrees 44 minutes 06 seconds East a distance of 54.93 feet; thence South 76 degrees 44 minutes 06 seconds East a distance of 35.00 feet; thence South 13 degrees 15 minutes 54 seconds West a distance of 10.00 feet to the boundary of said Map 191 and said line there terminating, excepting from said temporary easement that part of said subject property taken for permanent highway easement by this same Transportation Project 32-87.

Together with a temporary easement over said subject property which lies northerly of Dakota County Road Right of Way Map No. 191 and is described as follows: Beginning at the southeast corner of the Southeast Quarter of the Southwest Quarter; thence North 00 degrees 04 minutes 53 seconds East assumed bearing along the east line of said subject property a distance of 65.00 feet; thence North 89 degrees 55 minutes 01 seconds West a distance of 55.00 feet; thence South 00 degrees 04 minutes 59 seconds West a distance of 35.00 feet; thence North 89 degrees 55 minutes 01 seconds West a distance of 15.00 feet; thence South 00 degrees 04 minutes 59 seconds West a distance of 13.60 feet to the boundary of said Map 191; thence southeasterly along said boundary of Map 191 a distance of 71.90 to the point of beginning.

Temporary Easement Area = 8821 SF

10-10250-01-010 – Slade E. Olson & Kathryn A. Olson - Parcel 19

A temporary easement for highway purposes over the south 10.00 feet of the west 10.00 feet of Lot 1, Block 1, Acorn Pond Addition, according to the recorded plat thereof, Dakota County, Minnesota.

Temporary Easement Area = 100 SF

10-44350-00-190 – Mathew & Jessica L. Gmach - Parcel 25 (Torrens)

A permanent Drainage and Utility easement over that part of Lot Nineteen (19), Lakewood Hills, according to the recorded plat thereof, Dakota County, Minnesota described as follows:

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Commencing at the southeast corner of said Lot 19; thence North 12 degrees 40 minutes 27 seconds East along the east line of said Lot 19 a distance of 32.09 feet to the point of beginning of the easement to be described; thence North 77 degrees 19 minutes 33 seconds West a distance of 30.00 feet; thence North 12 degrees 40 minutes 27 seconds East a distance of 20.00 feet; thence South 77 degrees 19 minutes 33 seconds East a distance of 30.00 feet to said east line; thence South 12 degrees 40 minutes 27 seconds West along said east line a distance of 20.00 feet to the point of beginning.

D&U Easement Area = 600 SF

A temporary easement for highway purposes over that part of Lot Nineteen (19), Lakewood Hills, according to the recorded plat thereof, Dakota County, Minnesota described as follows:

Commencing at the southeast corner of said Lot 19; thence South 89 degrees 52 minutes 27 seconds West assumed bearing along the south line of said Lot 19 a distance of 30.76 feet to the point of beginning of the easement to be described; thence North 12 degrees 40 minutes 27 seconds East a distance of 38.90 feet; thence South 77 degrees 19 minutes 33 seconds East a distance of 30.00 feet to the east line of said Lot 19; thence South 12 degrees 40 minutes 27 seconds West along said east line a distance of 32.09 feet to the point of beginning.

Together with a temporary easement over that part of Lot 19 described as follows: Commencing at the southeast corner of said Lot 19; thence North 12 degrees 40 minutes 27 seconds East along the east line of said Lot 19 a distance of 52.09 feet to the point of beginning of the easement to be described; thence North 77 degrees 19 minutes 33 seconds West a distance of 30.00 feet; thence North 12 degrees 40 minutes 27 seconds East a distance of 35.25 feet; thence South 77 degrees 19 minutes 33 seconds East a distance of 14.00 feet; thence North 12 degrees 40 minutes 27 seconds East a distance of 85.00 feet; thence South 77 degrees 19 minutes 33 seconds East a distance of 16.00 feet to the east line of said Lot 19; thence South 12 degrees 40 minutes 27 seconds West along said east line a distance of 120.25 feet to the point of beginning.

Temporary Easement Area = 3,482 SF

10-44350-00-180 – Randal & Karen Buendorf - Parcel 26 (Torrens)

A permanent easement for highway purposes over that part of Lot Eighteen (18), Lakewood Hills, according to the recorded plat thereof, Dakota County, Minnesota described as follows:

Commencing at the southwest corner of said Lot 18; thence North 89 degrees 52 minutes 27 seconds East assumed bearing along the south line of said Lot 18 a distance of 69.12 feet to the point of beginning of the easement to be described; thence North 00 degrees 07 minutes 33 seconds West a distance of 25.00 feet; thence North 89 degrees 52 minutes 27 seconds East a distance of 40.00 feet; thence South 00 degrees 07 minutes 33 seconds East a distance of 25.00 feet to said south line; thence South 89 degrees 52 minutes 27 seconds West along said south line a distance of 40.00 feet to the point of beginning.

Highway Easement Area = 1,000 SF

A permanent Drainage and Utility easement over that part of Lot Eighteen (18), Lakewood Hills, according to the recorded plat thereof, Dakota County, Minnesota described as follows:

Commencing at the southwest corner of said Lot 18; thence North 12 degrees 40 minutes 27 seconds East assumed bearing along the west line of said Lot 18 a distance of 21.52 feet to the point of beginning of the easement to be described; thence continue North 12 degrees 40 minutes 27 seconds East along said west line a distance of 20.00 feet; thence South 77 degrees 19 minutes 33 seconds East a distance of 24.13 feet; thence South 32 degrees 19 minutes 33 seconds East a distance of 12.00 feet; thence South 00 degrees 07 minutes 33 seconds East a distance of 11.81 feet; thence North 77 degrees 19 minutes 33 seconds West a distance of 35.22 feet to the point of beginning.

D&U Easement Area = 631 SF

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A temporary easement for highway purposes over that part of Lot Eighteen (18), Lakewood Hills, according to the recorded plat thereof, Dakota County, Minnesota described as follows:

Commencing at the southwest corner of said Lot 18; thence North 12 degrees 40 minutes 27 seconds East assumed bearing along the west line of said Lot 18 a distance of 104.98 feet to the point of beginning of the easement to be described; thence continue North 12 degrees 40 minutes 27 seconds East along said west line a distance of 42.43 feet; thence North 57 degrees 40 minutes 27 seconds East a distance of 18.00 feet; thence South 32 degrees 19 minutes 33 seconds East a distance of 30.00 feet; thence South 57 degrees 40 minutes 27 seconds West a distance of 48.00 feet to the point of beginning.

Together with a temporary easement over that part of Lot 18 lying southerly of the following described line: Commencing at the southwest corner of said Lot 18; thence North 12 degrees 40 minutes 27 seconds East assumed bearing along the west line of said Lot 18 a distance of 65.65 feet to the point of beginning of the line to be described; thence South 32 degrees 19 minutes 33 seconds East a distance of 46.11 feet; thence North 89 degrees 52 minutes 27 seconds East a distance of 108.24 feet; thence South 00 degrees 07 minutes 33 seconds East a distance of 15.00 feet; thence North 89 degrees 52 minutes 27 seconds East a distance of 62.78 feet to the east line of said Lot 18 and said line there terminating, excepting from said easement that part of said Lot 18 taken for permanent highway and D&U easements as part of this same project 32-87.

Temporary Easement Area = 4,252 SF

10-44350-00-170 – Keith C. Krone & Bonnie L. Blair - Parcel 27

A temporary easement for highway purposes over the south 10.00 feet of Lot 17, Lakewood Hills, according to the recorded plat thereof, Dakota County, Minnesota.

Temporary Easement Area = 1,599 SF

10-44350-00-160 – Michael K. Kennon and Peggy K. Kennon - Parcel 28

A temporary easement for highway purposes over the most southerly 10.00 feet of Lot 16, Lakewood Hills, according to the recorded plat thereof, Dakota County, Minnesota.

Temporary Easement Area = 599 SF

10-44350-00-150 – Zachary S. Zeilinger - Parcel 29

A temporary easement for highway purposes over the south 10.00 feet of the west 205.23 feet of Lot 15, Lakewood Hills, according to the recorded plat thereof, Dakota County, Minnesota.

Together with a temporary easement for highway purposes described as follows:

Beginning at the southeast corner of said Lot 15; thence South 89 degrees 52 minutes 27 seconds West, assumed bearing along the south line of said Lot 15 a distance of 45.00 feet; thence North 00 degrees 05 minutes 57 seconds West a distance of 60.01 feet; thence North 44 degrees 54 minutes 03 seconds East a distance of 35.36 feet; thence North 00 degrees 05 minutes 57 seconds West a distance of 15.00 feet; thence North 89 degrees 52 minutes 27 seconds East a distance of 20.00 feet to the east line of said Lot 15; thence South 00 degrees 05 minutes 57 seconds East along said east line a distance of 100.00 feet to the said southeast corner and the point of beginning.

Temporary Easement Area = 5,865 SF

10-02600-77-030 – Paul S. Overby - Parcel 31

A temporary easement for highway purposes over part of the South Three hundred ten (310) feet of the West Two hundred (200) feet of the East Six hundred (600) feet of the South one half (S1/2) of the

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Southeast quarter (SE1/4) of Section Twenty six (26) Township Twenty Seven (27), Range Twenty three (23) according to the Government survey thereof.

Said temporary easement lies northerly of the south 50.00 feet of the above described property, and southerly of the following described line:

Commencing at the southwest corner of the above described property; thence north along the west line thereof a distance of 75.00 feet; thence east along a line parallel to the south line of said property a distance of 140.00 feet; thence south along a line parallel with said west line a distance of 10.00 feet; thence east along a line parallel to said south line a distance of 60.00 feet to the east line of said property and said line there terminating.

Temporary Easement Area = 4,400 SF

10-02600-77-021 – Nathan P. and Brendle L. Corpman Parcel 32

A permanent easement for highway purposes over the east 60.00 feet of the north 5.00 feet of the south 55.00 feet of the Southeast Quarter of the Southeast Quarter of Section 26, Township 27 North, Range 23 West, Dakota County, Minnesota.

Highway Easement Area= 300 SF

A temporary easement for highway purposes over that part of the Southeast Quarter of the Southeast Quarter of Section 26, Township 27 North, Range 23 West, Dakota County, Minnesota which lies southerly of the following described line:

Commencing at the southeast corner of said Southeast Quarter of the Southeast Quarter; thence North 00 degrees 12 minutes 21 seconds East assumed bearing along the east line of said Southeast Quarter of the Southeast Quarter a distance of 70.00 feet to the point of beginning of the line to be described; thence South 89 degrees 52 minutes 27 seconds West a distance of 69.92 feet; thence South 00 degrees 07 minutes 33 seconds East a distance of 10.00 feet; thence South 89 degrees 52 minutes 27 seconds West a distance of 156.36 feet; thence North 30 degrees 07 minutes 33 seconds West a distance of 17.32 feet; thence South 89 degrees 52 minutes 27 seconds West a distance of 25.00 feet; thence North 00 degrees 07 minutes 33 seconds West a distance of 7.00 feet; thence South 89 degrees 52 minutes 27 seconds West a distance of 40.00 feet to the west line of the east 300.00 feet of said Southeast Quarter of the Southeast Quarter and said line there terminating, excepting from said easement the south 50.00 feet of said Southeast Quarter of the Southeast Quarter and also excepting the east 60.00 feet of the north 5.00 feet of the south 55.00 feet of said Southeast Quarter of the Southeast Quarter.

Temporary Easement Area= 4,720 SF

10-25801-02-080 – Jill Osiecki Gleich - Parcel 35

A temporary easement for highway purposes over that part of Lot 8, Block 2, Fawn Ridge 2nd Addition according to the recorded plat thereof, Dakota County, Minnesota described as follows:

Beginning at the southeast corner of said Lot 8; thence North 89 degrees 31 minutes 37 seconds West, assumed bearing along the south line of said Lot 8 a distance of 53.16 feet; thence North 00 degrees 28 minutes 23 seconds East a distance of 5.00 feet; thence South 89 degrees 31 minutes 37 seconds East a distance of 45.00 feet; thence North 00 degrees 28 minutes 23 seconds East a distance of 5.00 feet; thence South 89 degrees 31 minutes 37 seconds East a distance of 10.00 feet to the east line of said Lot 8; thence South 10 degrees 53 minutes 25 seconds West along said east line a distance of 10.17 feet to said southeast corner and the point of beginning.

Temporary Easement Area = 316 SF

10-25801-02-090 – Steven D. Cherney Jr. and Melissa K. Cherney - Parcel 36

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A temporary easement for highway purposes over the south 10.00 feet of Lot 9, Block 2, Fawn Ridge 2nd Addition according to the recorded plat thereof, Dakota County, Minnesota.

Temporary Easement Area = 1,080 SF

10-25801-02-100 – Ronald & Cynthia A. Goerndt - Parcel 37

A temporary easement for highway purposes over the south 5.00 feet of the west 70.00 feet of Lot 10, Block 2, Fawn Ridge 2nd Addition according to the recorded plat thereof, Dakota County, Minnesota.

Temporary Easement Area = 350 SF

10-25801-05-010 – Michael Povolny - Parcel 38

A temporary easement for highway purposes over that part of Lot 1, Block 5, Fawn Ridge 2nd Addition, according to the recorded plat thereof, Dakota County, Minnesota, lying southerly of the following described line:

Beginning at a point on the west line of said Lot 1 distant 15.00 feet northerly from the southwest corner of said Lot 1; thence easterly on a line parallel with the south line of said Lot 1 a distance of 30.00 feet; thence northerly on a line parallel with said west line a distance of 10.00 feet; thence easterly on a line parallel with said south line a distance of 65.00 feet to the east line of said Lot 1 and said line there terminating.

Temporary Easement Area = 2,075 SF

10-25801-05-030 – Brian & Marcia Jean Marrison - Parcel 39

A temporary easement for highway purposes over that part of Lot 3, Block 5, Fawn Ridge 2nd Addition, according to the recorded plat thereof, Dakota County, Minnesota, lying southerly of the following described line:

Beginning at a point on the west line of said Lot 3 distant 25.00 feet northerly from the south corner of said Lot 3; thence east to a point on the east line of said Lot 3 distant 29.68 feet northerly from said south corner and said line there terminating.

Temporary Easement Area = 200 SF

10-25801-05-040 – Chad D. & Kelly J. Nelson - Parcel 40

A temporary easement for highway purposes over that part of Lot 4, Block 5, Fawn Ridge 2nd Addition, according to the recorded plat thereof, Dakota County, Minnesota, lying southerly of the following described line:

Commencing at the southwest corner of said Lot 4, thence North 33 degrees 05 minutes 46 seconds East, assumed bearing along the west line of said Lot 4 to the point of beginning of the line to be described; thence South 89 degrees 31 minutes 37 seconds East a distance of 49.00 feet; thence South 00 degrees 28 minutes 23 seconds West a distance of 15.00 feet; thence South 89 degrees 31 minutes 37 seconds East a distance of 75.44 feet to the east line of said Lot 4 and said line there terminating.

Temporary Easement Area = 2,165 SF

10-25801-05-050 – Jeffrey & Kristina Kilpatrick - Parcel 41

A temporary easement for highway purposes over the south 10.00 feet of Lot 5, Block 5, Fawn Ridge 2nd Addition, according to the recorded plat thereof, Dakota County, Minnesota.

Temporary Easement Area = 1,204 SF

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10-25801-05-060 – Lawrence E. & Michele J. Krakowski - Parcel 42

A temporary easement for highway purposes over the south 5.00 feet of Lot 6, Block 5, Fawn Ridge 2nd Addition, according to the recorded plat thereof, Dakota County, Minnesota.

Temporary Easement Area = 500 SF

10-25801-05-120 – Micah & Ama Yates - Parcel 48

A permanent easement for highway purposes over that part of Lot 12, Block 5, Fawn Ridge 2nd Addition, according to the recorded plat thereof, Dakota County, Minnesota described as follows:

Beginning at the southeast corner of said Lot 12; thence North 30 degrees 52 minutes 07 seconds West assumed bearing along the northeast line of said Lot 12 a distance of 88.41 feet; thence South 59 degrees 07 minutes 53 seconds West a distance of 10.00 feet; thence South 30 degrees 52 minutes 07 seconds East a distance of 35.00 feet; thence South 00 degrees 28 minutes 23 seconds West a distance of 40.41 feet to the south line of said Lot 12; thence South 89 degrees 31 minutes 37 seconds East along said south line of Lot 12 a distance of 36.32 feet to the point of beginning, excepting from said highway easement that part of said Lot 12 encumbered by City of Eagan right of way easement document number 1916687.

Highway Easement Area= 1,224 SF

A temporary easement for highway purposes over that part of Lot 12, Block 5, Fawn Ridge 2nd Addition, according to the recorded plat thereof, Dakota County, Minnesota described as follows:

Commencing at the southeast corner of said Lot 12; thence North 30 degrees 52 minutes 07 seconds West assumed bearing along the northeast line of said Lot 12 a distance of 88.41 feet to the point of beginning of the easement to be described; thence South 59 degrees 07 minutes 53 seconds West a distance of 5.00 feet; thence North 30 degrees 52 minutes 07 seconds West a distance of 50.00 feet; thence North 59 degrees 07 minutes 53 seconds East a distance of 5.00 feet to said northeast line of Lot 12; thence southerly along said northeast line of Lot 12 a distance of 50.00 to the point of beginning.

Together with that part of said Lot 12, described as follows:

Commencing at the southeast corner of said Lot 12; thence North 89 degrees 31 minutes 37 seconds West assumed bearing along the south line of said Lot 12 a distance of 36.32 feet to the point of beginning of the easement to be described; thence continuing North 89 degrees 31 minutes 37 seconds West along said south line a distance of 30.00 feet; thence North 00 degrees 28 minutes 23 seconds East a distance of 24.00 feet; thence South 89 degrees 31 minutes 37 seconds East a distance of 30.00 feet; thence South 00 degrees 28 minutes 23 seconds West a distance of 24.00 feet to the point of beginning.

Temporary Easement Area= 970 SF

10-56150-02-020 – Golda Onyeneho - Parcel 49

A temporary easement for highway purposes over that part of Lot 2, Block 2, Overhill Farm First Addition, according to the recorded plat thereof, Dakota County, Minnesota described as follows:

Commencing at the southeast corner of said Lot 2; thence North 89 degrees 31 minutes 37 seconds West assumed bearing along the south line of said Lot 2 a distance of 1.42 feet to the point of beginning of the easement to be described; thence North 30 degrees 52 minutes 07 seconds West a distance of 57.00 feet; thence North 75 degrees 52 minutes 07 seconds West a distance of 70.71 feet to the west line of said Lot 2; thence South 30 degrees 52 minutes 07 seconds East along said west line a distance of 76.55 feet to the south line of said Lot 2; thence South 89 degrees 31 minutes 37 seconds East along said south line a distance of 58.54 feet to the point of beginning.

Temporary Easement Area= 3,339 SF

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10-84800-01-010 – Steven and Stephany Bringgold - Parcel 64

A permanent easement for highway purposes over that part of Lot 1, Block 1, Woodland Place, according to the recorded plat thereof, Dakota County, Minnesota described as follows:

Beginning at the northwest corner of said Lot 1; thence easterly along the north line of said Lot 1 a distance of 20.00 feet; thence southwesterly to a point on the west line of said Lot 1 lying 10.00 feet southerly of said northwest corner of Lot 1; then northerly along said west line of Lot 1 a distance of 10.00 feet to the point of beginning.

Highway Easement Area= 90 SF

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

Beginning at the northwest corner of said Lot 1; thence easterly along the north line of said Lot 1 a distance of 80.00 feet; thence southwesterly to a point on the west line of said Lot 1 lying 20.00 feet southerly of said northwest corner of Lot 1; then northerly along said west line of Lot 1 a distance of 20.00 feet to the point of beginning, excepting from said temporary easement that part of said Lot 1 taken as permanent highway easement which is described as follows: Beginning at the northwest corner of said Lot 1; thence easterly along the north line of said Lot 1 a distance of 20.00 feet; thence southwesterly to a point on the west line of said Lot 1 lying 10.00 feet southerly of said northwest corner of Lot 1; then northerly along said west line of Lot 1 a distance of 10.00 feet to the point of beginning.

Temporary Easement Area= 629 SF

10-03600-25-028 – McLaughlin Holdings Inc. & Kenneth Lee - Parcel 65

A permanent easement for highway purposes over the following described subject property:

That part of the Northwest Quarter of Section 36, Township 27 North, Range 23 West, Dakota County, Minnesota, described as follows:

Commencing at the northeast corner of said Northwest Quarter; thence North 89 degrees 41 minutes 50 seconds West, assumed bearing along the North line thereof a distance of 805.84 feet to the point of beginning; thence continuing North 89 degrees 41 minutes 50 seconds West along said North line a distance of 312.68 feet; thence South 00 degrees 15 minutes 00 seconds West a distance of 450.80 feet; thence East a distance of 234.50 feet; thence North a distance of 164.80 feet; thence North 83 degrees 00 minutes 22 seconds East a distance of 202.90 feet; thence North 25 degrees 02 minutes 00 seconds West a distance of 286.55 feet to the point of beginning. Except the following described tract: That part of the Northwest Quarter of Section 36, Township 27 North, Range 23 West, Dakota County, Minnesota described as follows: Commencing at the northeast corner of said Northwest Quarter; thence North 89 degrees 41 minutes 50 seconds West, assumed bearing along the north line thereof a distance of 1118.52 feet; thence South 00 degrees 15 minutes 00 seconds West a distance of 286.00 feet to the point of beginning of the tract to be described; thence continuing South 00 degrees 15 minutes 00 seconds West a distance of 164.80 feet; thence East a distance of 234.52 feet; thence North a distance of 164.80 feet; thence West a distance of 233.80 feet to the point of beginning.

Said highway easement lies southerly of the north 50.00 feet of the Northeast Quarter of the Northwest Quarter of Section 36, Township 27 North, Range 23 West, Dakota County, Minnesota and northeasterly of the following described line: Commencing at the northwest corner of said Northeast Quarter of the Northwest Quarter; thence South 89 degrees 31 minutes 37 seconds East assumed bearing along the north line of said Northeast Quarter of the Northwest Quarter a distance of 317.02 feet; thence South 44 degrees 31 minutes 38 seconds East a distance of 70.71 feet to the south line of said north 50.00 feet said Northeast Quarter of the Northwest Quarter and the point of beginning of the line to be described; thence continue South 44 degrees 31 minutes 38 seconds East a distance of 121.00 feet; thence southerly a distance of 79.36 feet along a non-tangential curve concave to the northeast having a radius of 247.00 feet and a central angle of 18 degrees 24 minutes 29 seconds; thence South 47 degrees 35 minutes 14 seconds East tangent to said curve a distance of 28.71 feet; thence North 40 degrees 33

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minutes 27 seconds East a distance of 5.00 feet; thence South 49 degrees 26 minutes 33 seconds East a distance of 74.21 feet; thence South 47 degrees 24 minutes 21 seconds East a distance of 20.00 feet and said line there terminating, excepting from said highway easement that part of the above described subject property encumbered by City of Eagan right of way easement document number 1934471.

Highway Easement Area= 4,518 SF

A temporary easement for highway purposes over the south 5.00 feet of the north 55.00 feet of the west 80.00 feet of the following described subject property:

That part of the Northwest Quarter of Section 36, Township 27 North, Range 23 West, Dakota County, Minnesota, described as follows:

Commencing at the northeast corner of said Northwest Quarter; thence North 89 degrees 41 minutes 50 seconds West, assumed bearing along the North line thereof a distance of 805.84 feet to the point of beginning; thence continuing North 89 degrees 41 minutes 50 seconds West along said North line a distance of 312.68 feet; thence South 00 degrees 15 minutes 00 seconds West a distance of 450.80 feet; thence East a distance of 234.50 feet; thence North a distance of 164.80 feet; thence North 83 degrees 00 minutes 22 seconds East a distance of 202.90 feet; thence North 25 degrees 02 minutes 00 seconds West a distance of 286.55 feet to the point of beginning. Except the following described tract: That part of the Northwest Quarter of Section 36, Township 27 North, Range 23 West, Dakota County, Minnesota described as follows: Commencing at the northeast corner of said Northwest Quarter; thence North 89 degrees 41 minutes 50 seconds West, assumed bearing along the north line thereof a distance of 1118.52 feet; thence South 00 degrees 15 minutes 00 seconds West a distance of 286.00 feet to the point of beginning of the tract to be described; thence continuing South 00 degrees 15 minutes 00 seconds West a distance of 164.80 feet; thence East a distance of 234.52 feet; thence North a distance of 164.80 feet; thence West a distance of 233.80 feet to the point of beginning.

Together with a temporary easement for highway purposes over the following described subject property:

That part of the Northwest Quarter of Section 36, Township 27 North, Range 23 West, Dakota County, Minnesota, described as follows:

Commencing at the northeast corner of said Northwest Quarter; thence North 89 degrees 41 minutes 50 seconds West, assumed bearing along the North line thereof a distance of 805.84 feet to the point of beginning; thence continuing North 89 degrees 41 minutes 50 seconds West along said North line a distance of 312.68 feet; thence South 00 degrees 15 minutes 00 seconds West a distance of 450.80 feet; thence East a distance of 234.50 feet; thence North a distance of 164.80 feet; thence North 83 degrees 00 minutes 22 seconds East a distance of 202.90 feet; thence North 25 degrees 02 minutes 00 seconds West a distance of 286.55 feet to the point of beginning. Except the following described tract: That part of the Northwest Quarter of Section 36, Township 27 North, Range 23 West, Dakota County, Minnesota described as follows: Commencing at the northeast corner of said Northwest Quarter; thence North 89 degrees 41 minutes 50 seconds West, assumed bearing along the north line thereof a distance of 1118.52 feet; thence South 00 degrees 15 minutes 00 seconds West a distance of 286.00 feet to the point of beginning of the tract to be described; thence continuing South 00 degrees 15 minutes 00 seconds West a distance of 164.80 feet; thence East a distance of 234.52 feet; thence North a distance of 164.80 feet; thence West a distance of 233.80 feet to the point of beginning.

Said temporary easement lies southerly of the north 50.00 feet of Northeast Quarter of the Northwest Quarter of Section 36, Township 27 North, Range 23 West, Dakota County, Minnesota and lies easterly of the following described line: Commencing at the northwest corner of said Northeast Quarter of the Northwest Quarter; thence South 89 degrees 31 minutes 37 seconds East assumed bearing along the north line of said Northeast Quarter of the Northwest Quarter a distance of 295.80 feet; thence South 44 degrees 31 minutes 38 seconds East a distance of 70.71 feet to the south line of said north 50.00 feet said Northeast Quarter of the Northwest Quarter and the point of beginning of the line to be described; thence continue South 44 degrees 31 minutes 38 seconds East a distance of 134.01 feet; thence southerly a distance of 82.13 feet along a non-tangential curve concave to the northeast having a radius of 262.00 feet and a central angle of 17 degrees 57 minutes 35 seconds; thence South 47 degrees 35

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minutes 14 seconds East tangent to said curve a distance of 28.95 feet; thence North 41 degrees 29 minutes 06 seconds East a distance of 10.00 feet; thence South 49 degrees 26 minutes 33 seconds East a distance of 80.00 feet and said line there terminating and said easement lies westerly of the following described line: Commencing at the northwest corner of said Northeast Quarter of the Northwest Quarter; thence South 89 degrees 31 minutes 37 seconds East assumed bearing along the north line of said Northeast Quarter of the Northwest Quarter a distance of 317.02 feet; thence South 44 degrees 31 minutes 38 seconds East a distance of 70.71 feet to the south line of said north 50.00 feet said Northeast Quarter of the Northwest Quarter and the point of beginning of the line to be described; thence continue South 44 degrees 31 minutes 38 seconds East a distance of 121.00 feet; thence southerly a distance of 79.36 feet along a non-tangential curve concave to the northeast having a radius of 247.00 feet and a central angle of 18 degrees 24 minutes 29 seconds; thence South 47 degrees 35 minutes 14 seconds East tangent to said curve a distance of 28.71 feet; thence North 40 degrees 33 minutes 27 seconds East a distance of 5.00 feet; thence South 49 degrees 26 minutes 33 seconds East a distance of 74.21 feet; thence South 47 degrees 24 minutes 21 seconds East a distance of 20.00 feet and said line there terminating.

Temporary Easement – 4,749 SF

; and

WHEREAS, the parcels have been appraised, and offers are being prepared for a total appraised value of \$426,450; and

WHEREAS, the 2021 Transportation Capital Improvement Program Budget includes sufficient funds for CP 32-87 right of way acquisition; and

WHEREAS, in the event that timely acquisition by direct negotiation of all required parcels does not appear possible, it is necessary for the County Board to authorize the County Attorney's Office to initiate "quick take" condemnation of the remaining parcels to allow for a winter 2021 start date.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the appraised values prepared by Patchin Messner Valuation Counselors for the acquisition of the right of way for County Project 32-87 and authorizes County staff, in its discretion, to share the appraisal data with the respective landowners, including all or portions of the completed appraisals as part of the negotiation process; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby approves the acquisition of right of way for County Project 32-87 at the approved appraised values and in accordance with County policy authorizes payment from the 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 to allow a summer 2020 start date, in the event that timely acquisitions by direct negotiations of all parcels does not appear possible.

Ayes: 6

Nays: 1 Mike Slavik

21-100

Authorization To Execute Agreement With Northern States Power Company For Encroachment Agreement For County Project 30-39 In City Of Eagan

WHEREAS, Dakota County, the City of Eagan (City), and Independent School District (ISD) 196 are partnering on County Project (CP) 30-39 (Project); 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

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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 construct pedestrian improvements; and

WHEREAS, Dakota County, the City, and ISD 196 are partnering on final design for CP 30-39; and

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

WHEREAS, portions of the Diffley Road/Daniel Drive roundabout and the elementary school parking lot and eastern entrance will cross Northern States Power Company's (NSP) existing electrical transmission line easement that runs north-south along the west side of Daniel Drive; and

WHEREAS, NSP's electrical transmission line and poles are within their own easement at the crossing locations of the Diffley Road/Daniel Drive roundabout and the elementary school parking lot and eastern entrance; and, therefore, an encroachment agreement is needed to complete the CP 30-39 work within the easement; and

WHEREAS, in order to proceed with the project, NSP is requesting that Dakota County and ISD 196 execute an encroachment agreement with NSP to identify responsibilities and approved encroachments associated with CP 30-39 crossing the NSP easement; and

WHEREAS, staff recommends execution of an encroachment agreement with NSP identifying the responsibilities of the County, ISD 196, and NSP associated with encroachment of CP 30-39 on the electrical transmission line easement.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute an encroachment agreement with Northern States Power Company for the portion of County State Aid Highway 30 within Northern States Power Company's electrical transmission line easement, subject to approval by the County Attorney's Office as to form.

Ayes: 7

Nays: 0

21-101

Authorization To Sponsor Township Projects For 2020 Local Road Improvement Program Solicitation

WHEREAS, to provide a safe and efficient transportation system, Dakota County supports townships pursuit of funding for roadways; and

WHEREAS, the Local Road Improvement Program (LRIP) was established in Minn. Stat. § 174.52, to assist local agencies in constructing or reconstructing their local roads; and

WHEREAS, the legislature has provided \$75,000,000 for LRIP projects, \$5,000,000 of which has been targeted for township projects; and

WHEREAS, townships must have a County Sponsor to apply and receive funds; and

WHEREAS, staff has received requests for support and sponsorship of six projects as follows:

<u>Township</u>	<u>Description</u>
Empire	Reconstruction of Biscayne Avenue from 170 th Street of 1400 feet south of County State Aid Highway (CSAH) 46
Waterford	Canada Avenue culvert replacement
Vermillion	Resurfacing of Doffing Avenue 200 th Street to 202 nd Street
Vermillion	Paving Hogan Avenue from 220 th to the north for 1500 feet
Ravenna	Evergreen Terrace Waterway Improvements
Eureka	Eureka Estates Drainage Improvements

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; and

WHEREAS, sponsorship includes acting as fiscal agent for the township; and

WHEREAS, sponsorship also includes assisting the township with execution of the grant agreement, submitting plans, advertising and awarding the project, and assisting with project closeout.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby supports and agrees to sponsor the following submittals by townships for 2020 Local Road Improvement Program funding:

<u>Township</u>	<u>Description</u>
Empire	Reconstruction of Biscayne Avenue from 170 th Street of 1400 feet south of County State Aid Highway (CSAH) 46
Waterford	Canada Avenue culvert replacement
Vermillion	Resurfacing of Doffing Avenue 200 th Street to 202 nd Street
Vermillion	Paving Hogan Avenue from 220 th to the north for 1500 feet
Ravenna	Evergreen Terrace Waterway Improvements
Eureka	Eureka Estates Drainage Improvements

Ayes: 7

Nays: 0

21-102

Authorization To Execute Contract With St. Croix Recreation Fun Playgrounds Inc., For Thompson County Park Master Plan Improvements Playground Replacement

WHEREAS, the Thompson County Park Masterplan Improvements Project is an approved project in the 2020–2024 Capital Improvement Program; and

WHEREAS, the Thompson County Park Master Plan was approved by the County Board by Resolution No. 20-037 (January 21, 2020) and addresses community-identified needs, including enhancing the lake as a focal point, restoring natural resources, expanding community gathering opportunities, making the park more accessible, and providing more recreational opportunities; and

WHEREAS, priority improvements include adding fishing opportunities, lighting the lake loop trail, providing more picnicking opportunities, interpretation, and building an accessible playground, and

WHEREAS, the Project schematic design was approved by Resolution No. 20-569 (November 17, 2020); and

WHEREAS, the Master Plan is prescriptive regarding the Project and called for creation of an inclusionary and accessible nature-themed modular play structure responding to a range of needs, ages, and abilities integrated with circulation, gathering, picnicking, existing trees, new shade (built and natural), and use of existing topography creating a signature and unified Park feature; and

WHEREAS, using the Master Plan playground specific input, staff developed the project scope and proposal document that identified the needed playground theme and required equipment; and

WHEREAS, the selected playground includes a pollinator theme, ADA-accessible entry ramps, and surfacing, raised platforms, slides, stairs, climbing slopes, ladders, monkey bars, and educational panels; and

WHEREAS, the proposal document scope of services includes playground design and construction and two meetings with County staff in March to finalize the playground layout; and

WHEREAS, two virtual open houses have been held for the Project and included both English and Spanish translations; and

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WHEREAS, public support was resoundingly in support of the Project; and

WHEREAS, proposals were solicited publicly for three weeks via advertisement on the Dakota County Parks Project web site between December 22, 2020, and January 12, 2021, with four proposals received by the due date; and

WHEREAS, proposals received included a wide range of themes and play equipment; and

WHEREAS, staff met on January 19, 2021, to discuss the proposals and identify vendor rankings; and

WHEREAS, based on those rankings, vendor reference checks and verification of proposal completeness staff and unanimously recommends St. Croix Recreation Fun Playgrounds Inc., to complete the; and

WHEREAS, the St. Croix Recreation Fun Playgrounds Inc., proposal's unique design and approach to the project were the closest match to the Master Plan identified directives for the Project; and

WHEREAS, construction will be completed in November of 2021; and

WHEREAS, staff recommends that the County Board of Commissioners authorize the Parks Facilities and Fleet Director to execute a contract with St. Croix Recreation Fun Playgrounds Inc., for the Thompson County Park Master Plan Improvements Playground Replacement project in an amount not to exceed \$700,000.

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 St. Croix Recreation Fun Playgrounds Inc., for the Thompson County Park Master Plan Improvements Playground Replacement project in an amount not to exceed \$700,000, subject to approval by the County Attorney's Office as to form.

Ayes: 7

Nays: 0

Public Services And Revenue

21-103

Acceptance Of Gifts To Dakota County Library

WHEREAS, the Dakota County Board of Commissioners, by Resolution No. 14-400 (August 12, 2014), delegated to the Dakota County Library Advisory Committee, the authority to accept gifts of personal property of not more than \$500 for public library purposes; and

WHEREAS, the Dakota County Board of Commissioners must approve and accept gifts to County libraries with a value greater than \$500; and

WHEREAS, Friends of Inver Glen donated \$2,000.00 for Lucky U books; and

WHEREAS, Friends of Wescott donated \$24,456.33 for slatwall shelving and to remodel children's area; and

WHEREAS, Dakota County Library Foundation donated \$15,000.00 to support the Library's Summer Reads Program; and

WHEREAS, Friends of the Pleasant Hill Library donated \$1,000 for Lucky U books; and

WHEREAS, these donations will greatly enrich the capacity of Dakota County Library to offer valuable materials and programs to customers; and

WHEREAS, the Dakota County Library Advisory Committee supports acceptance of these gifts.

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WHEREAS, the Dakota County Board of Commissioners, by Resolution No. 14-400 (August 12, 2014), delegated to the Dakota County Library Advisory Committee, the authority to accept gifts of personal property of not more than \$500 for public library purposes; and

WHEREAS, the Dakota County Board of Commissioners must approve and accept gifts to County libraries with a value greater than \$500; and

WHEREAS, Friends of Inver Glen donated \$2,000.00 for Lucky U books; and

WHEREAS, Friends of Wescott donated \$24,456.33 for slatwall shelving and to remodel children's area; and

WHEREAS, Dakota County Library Foundation donated \$15,000.00 to support the Library's Summer Reads Program; and

WHEREAS, Friends of the Pleasant Hill Library donated \$1,000 for Lucky U books; and

WHEREAS, these donations will greatly enrich the capacity of Dakota County Library to offer valuable materials and programs to customers; and

WHEREAS, the Dakota County Library Advisory Committee supports acceptance of these gifts.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby accepts the following gifts:

- \$2,000 from Friends of Inver Glen for Lucky U books
- \$24,456.33 from Friends of Wescott for slatwall shelving and to remodel children's area
- \$15,000 from Dakota County Library Foundation to support the Library's Summer Reads Program
- \$1,000 from Friends of the Pleasant Hill Library for Lucky U books

; and

BE IT FURTHER RESOLVED, That the adopted 2021 budget be amended as follows:

Revenue	
Inver Glen Gifts	\$ 2,000
Wescott Gifts	\$24,456
Foundation Gifts	\$15,000
Pleasant Hill Gifts	<u>\$ 1,000</u>
Total Revenue	\$42,456

Expense	
Inver Glen Gifts	\$ 2,000
Wescott Gifts	\$24,456
Foundation Gifts	\$15,000
Pleasant Hill Gifts	<u>\$ 1,000</u>
Total Expense	\$42,456

Ayes: 7

Nays: 0

REGULAR AGENDA

County Board/County Administration

21-104

Recognition Of Service Of County Attorney James C. Backstrom

Chair Mary Liz Holberg opened with remarks recognizing the years of service that County Attorney James Backstrom served. Several Commissioners and staff expressed their appreciation and thanks. A video was also

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shared.

Motion: Mike Slavik

Second: Liz Workman

WHEREAS, James C. Backstrom was appointed as Dakota County Attorney by the Dakota County Board of Commissioners upon the resignation of his predecessor on September 11, 1987, and has been elected to continue his service as County Attorney eight times; and

WHEREAS, under County Attorney Backstrom's leadership, the Dakota County Attorney's Office has provided outstanding civil legal services to County government, effectively prosecuted adult and juvenile crimes; efficiently enforced child support obligations; and diligently pursued other civil legal actions necessary for the protection of children, vulnerable adults and the public; and

WHEREAS, under County Attorney Backstrom's leadership, the Dakota County Attorney's Office was the recipient of 10 National Association of Counties Achievement Awards; and

WHEREAS, County Attorney Backstrom has established numerous innovative programs, including many aimed at preventing crime, reducing chemical abuse, and diverting adult and juvenile criminal offenders charged with low-level crimes into alternative accountability programs outside of the court system; and

WHEREAS, County Attorney Backstrom has served on numerous federal, state and local boards, councils and committees, including the National District Attorneys Association, the American Prosecutors Research Institute, the National Association to Prevent Sexual Abuse of Children, the National Leadership Council of Fight Crime: Invest in Kids, the Minnesota County Attorneys Association, the Governor's Commission on Sex Offender Policy, the Minnesota Supreme Court's Chemical Dependency Task Force, the Minnesota Judicial Council's Treatment Court Initiative Advisory Committee, the Sexual Abuse Prevention Network of Minnesota, the Youth Intervention Programs Association, the Dakota Alliance for Prevention, and the Dakota Council for Healthy Communities; and

WHEREAS, County Attorney Backstrom has received numerous awards and professional recognitions from various national, state and local governmental agencies and public and private organizations for his many contributions to public safety, crime victims, crime prevention efforts and his dedication and commitment to justice, public service and the public practice of law; and

WHEREAS, the Dakota County Board of Commissioners has accepted the resignation of County Attorney Backstrom, effective the end of the day on February 27, 2021, and upon his departure he will have been the longest serving County Attorney in Dakota County's history, with over 33 years of service.

NOW, THEREFORE, BE IT RESOLVED, On behalf of the citizens of Dakota County, the Dakota County Board of Commissioners hereby commends James C. Backstrom for his outstanding dedication, exemplary service and long-standing commitment to Dakota County government, public safety and justice while serving as Dakota County Attorney from September 11, 1987 to February 27, 2021.

Ayes: 7

Nays: 0

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.

Update On Round 4 Of Small Business Relief Grant Program And Direction For Implementation Of Priority 3 Grants

Community Development Agency Executive Director Tony Schertler briefed this item and responded to questions. This item was an action item; however, staff directed the Board that no action is needed on this item at this time.

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21-105

Approval Of Appointed County Attorney Job Description And Establish Process For Selection And Appointment

Employee Relations Director Andrew Benish briefed this item and responded to questions. This was the original vote for this item. As the minutes will reflect, this item was brought back up to amend the timeline in the resolution language.

Motion: Joe Atkins

Second: Kathleen A. Gaylord

WHEREAS, County Attorney James C. Backstrom provided notice of his retirement effective February 27, 2021; and

WHEREAS, on January 19, 2021, the County Board of Commissioner accepted County Attorney Backstrom's notice of retirement; and

WHEREAS, under Minn. Stat. §§ 382.02 and 375.08, when a vacancy occurs in the Office of the County Attorney the County Board has the authority to appoint an individual to fill such vacancy for the balance of the current term of office of the departing County Attorney; and

WHEREAS, the Board wishes to provide all interest, qualified parties the opportunity to apply for the vacancy; and

WHEREAS, the Director of Employee relations present the County Board with a draft vacancy posting with a job description and tentative schedule for an appointment process; and

WHEREAS, pursuant to Minn. Stat. § 382.02, the Chief Deputy County Attorney will perform all the duties and functions of the office until it is filled.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Director of Employee Relations to seek candidates for appointment to the office of County Attorney by advertising in appropriate locations for a four week period a job posting providing the minimum qualifications, a general description of the statutory duties of the County Attorney and summary of the expected knowledge, skill and abilities of the candidates; and

BE IT FURTHER RESOLVED, That a candidate for the appointment to the County Attorney vacancy shall meet all statutory qualifications, including: Juris Doctor from an accredited Law School; and Admission to the Minnesota Bar; and

BE IT FURTHER RESOLVED, That the job posting for the appointment to the County Attorney vacancy shall state preferred qualifications of seven years of attorney experience and three years of supervisory experience or an equivalent combination of education and experience; and

BE IT FURTHER RESOLVED, That to be eligible for appointment a candidate must be a resident of Dakota County at the time of appointment; and

BE IT FURTHER RESOLVED, That pursuant to Minn. Stat. § 388.18, Subd. 2, the County Board of Commissioners will set the annual salary for the appointed County Attorney upon appointment within the anticipated range of \$170,000 to \$190,000; and

BE IT FURTHER RESOLVED, That at the March 9, 2021 County Board meeting, the County Board of Commissioners will receive an update on the application process from the Director of Employee Relations and consider the appointment and role of a subcommittee to evaluate the applicants.

Ayes: 7

Nays: 0

21-106

Reconsideration Of Approval Of Appointed County Attorney Job Description And Establish Process For

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Selection And Appointment

A motion and a second were made to reconsider the resolution language for this item.

Motion: Mike Slavik

Second: Laurie Halverson

Ayes: 7

Nays: 0

21-107

Approval Of Appointed County Attorney Job Description And Establish Process For Selection And Appointment

Employee Relations Director Andrew Benish briefed this item and requested that language in the resolution be amended. It was presented to the Board for approval. The amended language is reflected in the resolution below.

Motion: Joe Atkins

Second: Mike Slavik

WHEREAS, County Attorney James C. Backstrom provided notice of his retirement effective February 27, 2021; and

WHEREAS, on January 19, 2021, the County Board of Commissioner accepted County Attorney Backstrom's notice of retirement; and

WHEREAS, under Minn. Stat. §§ 382.02 and 375.08, when a vacancy occurs in the Office of the County Attorney the County Board has the authority to appoint an individual to fill such vacancy for the balance of the current term of office of the departing County Attorney; and

WHEREAS, the Board wishes to provide all interest, qualified parties the opportunity to apply for the vacancy; and

WHEREAS, the Director of Employee relations present the County Board with a draft vacancy posting with a job description and tentative schedule for an appointment process; and

WHEREAS, pursuant to Minn. Stat. § 382.02, the Chief Deputy County Attorney will perform all the duties and functions of the office until it is filled.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Director of Employee Relations to seek candidates for appointment to the office of County Attorney by advertising in appropriate locations for a three week period, a job posting providing the minimum qualifications, a general description of the statutory duties of the County Attorney and summary of the expected knowledge, skill and abilities of the candidates; and

BE IT FURTHER RESOLVED, That a candidate for the appointment to the County Attorney vacancy shall meet all statutory qualifications, including: Juris Doctor from an accredited Law School; and Admission to the Minnesota Bar; and

BE IT FURTHER RESOLVED, That the job posting for the appointment to the County Attorney vacancy shall state preferred qualifications of seven years of attorney experience and three years of supervisory experience or an equivalent combination of education and experience; and

BE IT FURTHER RESOLVED, That to be eligible for appointment a candidate must be a resident of Dakota County at the time of appointment; and

BE IT FURTHER RESOLVED, That pursuant to Minn. Stat. § 388.18, Subd. 2, the County Board of Commissioners will set the annual salary for the appointed County Attorney upon appointment within the anticipated range of \$170,000 to \$190,000; and

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BE IT FURTHER RESOLVED, That at the March 9, 2021 County Board meeting, the County Board of Commissioners will receive an update on the application process from the Director of Employee Relations and consider the appointment and role of a subcommittee to evaluate the applicants.

Ayes: 7

Nays: 0

Community Services

21-108

Authorization To Execute Joint Powers Agreement With Counties Of Hennepin And Ramsey And Cities Of Minneapolis And Saint Paul, And To Execute A Subrecipient Agreement For Landlord Program Administrator

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

Motion: Mike Slavik

Second: Mary Hamann-Roland

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, not less than 90 percent of awarded funds must be used for direct financial assistance, including rent, rental arrears, utilities and home energy costs, utilities and home energy costs arrears, and other expenses related to housing; and

WHEREAS, remaining funds are available for housing stability services, including case management and other services intended to keep 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), the 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, by Resolution No. 21-073 (February 2, 2021), the Dakota County Board of Commissioners accepted the grant funds and amended the 2021 Social Services Budget; and

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

WHEREAS, the Landlord Program includes a joint powers agreement (JPA) with the Counties of Hennepin and Ramsey and the Cities of Minneapolis and Saint Paul, and a subrecipient agreement with Family Housing Fund to act as the Landlord Program Administrator.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to execute a joint powers agreement with the Counties of Hennepin and Ramsey and the Cities of Minneapolis and Saint Paul for landlord program administration services as substantially presented and subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners authorizes the Community Services Director to execute a subrecipient agreement with Family Housing Fund to serve as the Landlord Program Administrator for an amount anticipated to be \$8,500,000, but in no event shall exceed \$11,000,000, for the period of March 1, 2021 to March 31, 2022, subject to approval by the County Attorney's Office as to form;

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and

BE IT FURTHER RESOLVED, That the Community Services Director is hereby authorized to amend said agreement, consistent with the amount budgeted, to alter the number and types of clients served, types of services provided, agreement amount and the agreement term, consistent with County contracting policies, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the agreement shall contain a provision that allows the County to immediately terminate the agreement in the event that funds from county, state, or federal sources are not appropriated at a level sufficient to allow payment of the amounts due; and

BE IT FURTHER RESOLVED, That this program will end immediately in the event that sufficient funds from county, state, or federal sources are no longer available to continue this program.

Ayes: 7

Nays: 0

Closed Executive Session

21-109

Authorization To Approve Acquisition Settlements From Susan Ferrozzo For Parcel 42 (475) For County Project 78-10

This item did not go into closed session.

Motion: Mike Slavik

Second: Kathleen A. Gaylord

WHEREAS, Dakota County is proceeding with County Project (CP) 78-10, which is the reconstruction of County State Aid Highway (CSAH) 78 from State Highway 3 to County Road 79 (Blaine Avenue); and

WHEREAS, the County is the lead agency for the design and right of way acquisition for CP 78-10; and

WHEREAS, to construct the recommended improvements, Dakota County must acquire property from Susan Ferrozzo, ("Landowner") identified in Dakota County Right of Way Map 475 as Parcel 42; and

WHEREAS, the County offered the Landowner compensation based on the County's approved appraised value for the parcel; and

WHEREAS, the Landowners rejected the offer seeking additional damages for costs related to the acquisition; and

WHEREAS, the parties in this action have agreed to settle all damages caused by the taking whereby the County will pay Landowners \$33,300.00; and

WHEREAS, the County Attorney and Transportation Department staff recommend approval of the settlement agreement as being a fair and equitable settlement of the claims in view of the impacts to the property, real estate market data, the time, additional expense and risk involved in continued litigation and belief that the settlement 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 hereby approves the acquisition of property from Susan Ferrozzo, ("Landowner") identified in Dakota County Right of Way Map 475 as Parcel 42 for \$33,300.00 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.

Ayes: 7

Nays: 0

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21-110

Legislative Update And Approval To Amend Legislative Platform

Jeremy Estenson with Stinson LLP gave a brief update on the State legislature and responded to questions. Tom Down with Downs Government Affairs gave a brief update at the Federal level. This item was on the agenda for informational purposes only; however, additional items for the Legislative Platform were discussed and a motion to add them to the previously approved platform items was made.

Motion: Joe Atkins

Second: Laurie Halverson

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, the County Board supports appropriation of Renewable Development Account funds to support safety and operational improvements to Byllesby Dam; and

WHEREAS, the County Board supports updates to policies within the Office of Broadband to expand eligible program costs to take advantage of advances in broadband technology.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby amends the Legislative Platform as adopted by the County Board on February 2, 2021, to adopt positions of support for appropriation of Renewable Development Accounts funds to support safety and operational improvements to Byllesby Dam and of support for updates to policies within the Office of Broadband to expand eligible program costs to take advantage of advances in broadband technology.

Ayes: 7

Nays: 0

Interagency Announcements/Reports

Interagency announcements and reports were then presented.

County Manager's Report

County Manager Matt Smith shared information regarding the upcoming submissions for the National Association of Counties Achievement Awards.

Information

See Attachment A - Future Board Meetings And Other Board Activities

21-111

Adjournment

Motion: Mike Slavik

Second: Mary Hamann-Roland

On a motion by Commissioner Mike Slavik, seconded by Commissioner Mary Hamann-Roland, the meeting was adjourned at 10:26 p.m.

Mary Liz Holberg
Chair

ATTEST

Matt Smith
County Manager