

March 23, 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; 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 No comments were received for this agenda.

21-137

Approval Of Agenda (Additions/Corrections/Deletions)

Motion: Kathleen A. Gaylord

Second: Laurie Halverson

On a motion by Commissioner Kathleen A. Gaylord, seconded by Commissioner Laurie Halverson, the agenda was unanimously approved with the following Request for Board action items being added to the Consent Agenda:

Item 7.3 Authorization To Execute 2021-2022 Labor Agreement With AFSCME Local 693 Unit

Item 7.4 Authorization To Execute 2021-2022 Labor Agreement With AFSCME Local 306 Unit

Item 7.3 Authorization To Execute 2021-2022 Labor Agreement With AFSCME Local 450 Unit

CONSENT AGENDA

Motion: Mary Hamann-Roland

Second: Joe Atkins

On a motion by Commissioner Mary Hamann-Roland, seconded by Commissioner Joe Atkins, the amended consent agenda was unanimously approved as follows:

21-138

Approval Of Minutes Of Meeting Held On March 9, 2021

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Items Recommended By Board Committee

21-139

Approval Of Amendments To Dakota County Public Art Citizen Advisory Committee Bylaws And Selection Process And Criteria

WHEREAS, in April 2006, the Dakota County Board established a Public Art Citizen Advisory Committee; and

WHEREAS, the Dakota County Board adopted the Committee Bylaws on May 22, 2007; and

WHEREAS, the Dakota County Board revised the Committee Bylaws on January 2, 2018; and

WHEREAS, staff from Public Services and Revenue Division Administration and Committee members have reviewed the bylaws and selection criteria and recommend amendments.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves such amendments.

21-140

Adoption Of Policy 2755 Account Receivable, Nonsufficient Payment, Collection, And Past-Due Account Write Off

WHEREAS, debts owed to the County are collected through billing and receipting procedures; and

WHEREAS, consistent standards do not exist; and

WHEREAS, the newly drafted policy originated and developed because of a need to consistently apply debt write-off guidelines; and

WHEREAS, the Community Services has separate authority under County Resolution 97-786; and

WHEREAS, the new drafted policy sets standards for collecting money, includes definitions and statutory references, creates authority to write off debt with eight justification categories and five authorized staff levels.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby adopts County Board policy 2755 Account Receivable, Nonsufficient Payment, Collection, and Past-Due Account Write Off.

21-141

Authorization To Apply For Minnesota Department Of Health Women, Infants, And Children Grant, Accept Grant Funds, And Execute Grant Agreement

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

WHEREAS, the Dakota County Board of Commissioners has approved the Minnesota Department of Health Women, Infants, and Children (WIC) grant since the onset of the WIC program in Minnesota; and

WHEREAS, since 1978, Dakota County has managed the federally funded Special Supplemental Nutrition Program for the WIC Program, a voluntary program with the purpose to enhance good health care during critical periods of growth and development, prevent occurrence of health problems and improve the health status of participants; and

WHEREAS, the WIC Program has a caseload of approximately 5300 women, infants and children each month, which ensures that families with young children have access to nutrition information and education, counseling, referrals to resources available within the community and through county provided services, and food benefits

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used to obtain health food from grocery stores who are WIC approved vendors; and

WHEREAS, the target population for the program is at risk for poorer health outcomes that impact brain and physical growth, and development and learning readiness; and

WHEREAS, the WIC grant cycle for administering a local WIC Program is for five years; however, the current grant was to end December 31, 2020 but due to the pandemic, the grant cycle was extended for one more year; and

WHEREAS, the next grant cycle begins January 1, 2022, and ends December 31, 2026, and funding for the program is based on the number of participants served each month with the current rate of reimbursement being \$18.00 per participant; and

WHEREAS, staff recommends that the Dakota County Board of Commissioners authorizes the Public Health department to apply for the MDH WIC grant application up to \$1,300,000 per year for the period of January 1, 2022 through December 31, 2026; and

WHEREAS, Dakota County Public Health is considering using the funds to support a supervisor, two Coordinators, five Registered Dietitians (RDs), 4 part time RDs, six Nutrition Specialists and administrative staff; and

WHEREAS, staff recommends that the Dakota County Board of Commissioners authorizes the Community Services Director to accept up to \$1,300,000 MDH WIC grant funds and execute the grant agreement, effective January 1, 2022 through December 31, 2026.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to apply for the Minnesota Department of Health Women, Infants, and Children grant; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners authorizes the Community Services Director to accept up to \$1,300,000 Minnesota Department of Health Women, Infants, and Children grant funds, and execute the grant agreement, effective January 1, 2022 through December 31, 2026; and

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

21-142

Authorization To Submit Grant Application To Minnesota Department Of Health For Women, Infants, And Children Peer Mentoring, Accept Grant Funds, Execute Grant Agreement, And Add 1.25 Full-Time Equivalent Grant-Funded Staff

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

WHEREAS, breastfeeding promotion and support are a priority for the Women, Infants, and Children (WIC) Program with experts agreeing that it is the best source of nutrition for most infants, reducing the risk of certain health conditions for both infants and mothers; and

WHEREAS, the WIC Peer Breastfeeding Support Program was implemented in Minnesota in 2005 to support mothers who breastfeed and 29 counties having a Peer Breastfeeding Program currently; and

WHEREAS, Dakota County would like to launch a program where the major focus is to have peer counselors

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work with other mothers to increase breastfeeding initiation and duration; and

WHEREAS, Dakota County is looking to hire five peer counselors, who each work approximately 10 hours a week, recruited from the communities they serve, often speaking the same language and having similar life circumstances and experiences as their clients; and

WHEREAS, peer counselors are familiar with the resources available to WIC participants and the questions a new breastfeeding mother may ask, while instructed to recognize when to refer mothers to other resources when issues outside their scope of practice arise; and

WHEREAS, peer counselors are trained in the management of normal breastfeeding and in client-centered counseling skills, striving to help each mother reach her personal breastfeeding goals; and

WHEREAS, on January 27, 2021, the Minnesota Department of Health (MDH) notified the Minnesota counties of its intent to release a Request for Proposal (RFP) for application for its WIC Peer Mentoring Grant; and

WHEREAS, by April 16, 2021, Dakota County will submit its application for the MDH WIC Peer Mentoring grant RFP up to \$130,000 annually with a total of up to \$650,000 over the 5-year grant cycle for the period of January 1, 2022 through December 31, 2026; and

WHEREAS, Dakota County Public Health plans to use the funds to hire five peer counselors working 10 hours per week and .35 FTE WIC Coordinator time; and

WHEREAS, staff recommends that the Dakota County Board of Commissioners authorizes the Public Health Department to apply for the MDH WIC Peer Mentoring grant through the RFP process; and

WHEREAS, staff recommends that the Dakota County Board of Commissioners authorizes the Community Services Director to accept up to \$130,000 annually with a total of up to \$650,000 over the 5-year grant cycle for MDH WIC Peer Mentoring grant funds, effective January 1, 2022 through December 31, 2026, and execute the grant agreement.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Public Health Department to submit an application to the Minnesota Department of Health for Women, Infants, and Children Peer Mentoring grant through its Request for Proposal process; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to accept up to \$130,000 annually with a total of up to \$650,000 over the 5-year grant cycle from the Minnesota Department of Health Women, Infants, and Children Peer Mentoring grant funds, effective January 1, 2022 through December 31, 2026, and execute the grant agreement; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to use the grant funds of up to \$130,000 annually with a total of up to \$650,000 over the 5-year grant cycle to cover expenses for 1.25 full-time equivalent employees in the Public Health Department; and

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

21-143

Ratification Of Application For Strong Foundations Family Home Visiting Grant, And Authorization To Accept Grant Funds, Execute Grant Agreement, Add 1.0 Full-Time Equivalent Grant-Funded Employee, And Amend 2021 Public Health Budget

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WHEREAS, the mission of the Family Health program is to prevent, promote and protect the health of mothers, infants and children, with a focus on the whole family, reaching across multiple ages, communities, settings and partners; and

WHEREAS, Public Health has a long history of providing home visiting to pregnant mothers and parenting families in the County with Public Health nurses providing assessment and intervention, and working with other home visiting staff to target specific needs of families; and

WHEREAS, family home visiting is a proven prevention strategy with measurable outcomes that should be offered to every family who meets the criteria; and

WHEREAS, the family home visiting program guides its work by adhering to two evidence-based models, which are The Healthy Families America (HFA) model and the new Maternal Early Childhood Sustained Home-Visiting (MECSH) model which was adopted by the Minnesota Department of Health (MDH) in 2019 and fully implemented in Dakota County on January 1, 2021; and

WHEREAS, to increase the availability of evidence-based home visiting models and to support and expand family home visiting services throughout Minnesota, MDH released a Request for Proposal for the Strong Foundations Grant of which Dakota County applied for in early February and was awarded full funding in the amount of \$370,863; and

WHEREAS, the Strong Foundations Grant was competitive and is effective April 1, 2021 through December 31, 2022, with additional funding made available from the MDH to extend beyond 2022; and

WHEREAS, the goal of this grant is to support and sustain MECSH, align both the HFA and MESH models to address the growing complexity of the family health program, and continue to show strong outcomes for families in Dakota County; and

WHEREAS, to manage the grant and provide supervision for family home visiting staff, MDH agreed to fund a 1.0 FTE Operations Manager from April 2021 through June 2021 and then a .6 FTE from July 2021 through December 2022; and

WHEREAS, the MDH will amend our current Maternal Infant Early Child Home Visiting (MIECHV) grant to fund the additional .4 FTE needed on July 1, 2021, to make the Operations Manager position whole, and staff plans to take this action to the County Board in April 2021 for authorization; and

WHEREAS, a portion of the levy funded public health nurses (PHNs) doing the work related to this grant will be offset by the Strong Foundations grant funding.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby ratifies the application to the Minnesota Department of Health for the Strong Foundations Grant; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to accept grant funds in the amount of \$370,863, effective April 1, 2021 through December 31, 2022; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to fund a 1.0 full-time equivalent (FTE) Operations Manager from April 1, 2021 through June 30, 2021, 1.0 FTE Operations Manager from April 2021 through June 2021 and then a .6 FTE from July 2021 through December 2022; and

BE IT FURTHER RESOLVED, That a portion of the levy funded public health nurses doing the work related to this grant and program expenses will be offset by grant funding; and

BE IT FURTHER RESOLVED, That unless the grant program requirements change, the Community Services Division Director is hereby authorized to amend the grant to alter the grant term, accept additional grant funds and

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continue grant funded full-time equivalents, consistent with County contracting policies, and inclusion of grant funds in future yearly recommended and adopted budgets, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, that the 2021 Public Health Adopted Budget is hereby amended as follows:

Expense	
Personnel Costs (1.0 FTE for 3 months)	\$ 32,435
Personnel Costs (0.6 FTE for 6 months)	\$ 38,922
Program Expenses	<u>\$ 12,854</u>
Total Expense	\$ 84,211

Revenue	
Strong Foundations Revenue	\$169,565
Use of Fund Balance	<u>(\$ 85,354)</u>
Total Revenue	\$ 84,211

21-144

Authorization To Amend 2021 Social Services Budget For Emergency Solutions Grant Coronavirus Funds

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

WHEREAS, these funds are administered by the U.S. Department of Housing and Urban Development (HUD) and must be used for activities that prevent, prepare for, and respond to the coronavirus; and

WHEREAS, because Dakota County is classified as an "urban county" (having a population over 200,000), Dakota County (the County) received a special allocation of ESG-CV funds in addition to the annual entitlement funds received by the County; and

WHEREAS, the ESG-CV funds must adhere to the original program rules in addition to addressing the impacts caused by the COVID-19 pandemic; and

WHEREAS, the Dakota County Community Development Agency (CDA) administers the entitlement ESG funds on behalf of Dakota County; and

WHEREAS, the ESG-CV funds must address the needs of individuals or families who are homeless or are at risk of homelessness because of the coronavirus and must support those eligible activities that mitigate the impacts of COVID-19; and

WHEREAS, the proposed activities include emergency shelter, rental assistance to individuals and families at-risk of homelessness, stabilization services for these same groups, costs associated with the Homeless Management Information System, and grant administration; and

WHEREAS, by Resolution No. 20-597 (December 1, 2020), the 2019 Action Plan for federal funds was amended by the Dakota County Board of Commissioners with Dakota County receiving \$2,109,564 of the ESG-CV funds; and

WHEREAS, the grant agreement with HUD for the ESG-CV funds was executed on January 7, 2021, and all ESG-CV funds must be fully expended by January 6, 2023; and

WHEREAS, Dakota County Social Services will be using part of the ESG-CV allocation to fund shelter activities through 2021 and into 2022.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves an

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amendment to the 2021 Social Services budget as follows:

Expense

Emergency Solutions Grant Coronavirus Funds \$1,784,417
Total Expense **\$1,784,417**

Revenue

Emergency Solutions Grant Coronavirus Funds \$1,784,417
Total Revenue **\$1,784,417**

21-145

Authorization To Respond To Request For Assessment Of Need/Letter Of Support From Sutton Outpatient Services

WHEREAS, under Minnesota Rule 9530.6800, the need for additional or expanded chemical dependency treatment programs must be determined, in part, based, on the recommendation of the county board of commissioners of the county in which the program will be located and the documentation submitted by the applicant at the time of application; and

WHEREAS, under Minnesota Rule 9530.6810, when an applicant for licensure for chemical dependency treatment services requests a written statement of support for a proposed chemical dependency treatment program, the county board of commissioners of the county in which the program is to be located shall submit a statement to the Minnesota Department of Human Services (DHS) Commissioner that either supports or does not support the need for the applicant's program; and

WHEREAS, on February 3, 2021, Dakota County received a request from Robert Sutton, Owner at Sutton Outpatient Services, requesting a written statement that supports the need for the program; and

WHEREAS, local needs assessment information suggests a need for the type of chemical dependency treatment services proposed; and

WHEREAS, Dakota County is not taking any positions about Sutton Outpatient Service's qualifications or ability to meet identified needs; and

WHEREAS, DHS will process Sutton Outpatient Service's request for a license to provide an outpatient chemical dependency program in their location in Dakota County.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to issue a letter to the Minnesota Department of Human Services stating the following: "Please consider this letter as Dakota County's support for an outpatient chemical dependency program in Dakota County as proposed by Sutton Outpatient Services."

21-146

Authorization To Amend 2021 Parks Capital Improvement Program Budget For Minnesota Board Of Water And Soil Resources Grant For Spring Lake Park Reserve Ravine Stabilization Project

WHEREAS, Spring Lake is a portion of Pool 2 of the Mississippi River located three miles upstream of U.S. Lock and Dam No. 2 at Hastings; and

WHEREAS, two large ravines within Dakota County's Spring Lake Park Reserve (SLPR) are actively eroding, which has resulted in sedimentation damages to public and private property, including natural resource features within SLPR and the Mississippi River; and

WHEREAS, the Clean Water Fund is a state grant program administered by Minnesota Board of Water and Soil Resources (BWSR) and is made available to local government units annually via a competitive grant application process; and

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WHEREAS, staff developed preliminary project plans, estimated water quality benefits and costs, and prepared a Clean Water Fund grant application to BWSR; and

WHEREAS, the proposed improvements to alleviate ravine erosion include tree removals, earthwork, riprap, storm sewer, and vegetation restoration; and

WHEREAS, by Resolution No. 20-393 (August 18, 2020), staff received authorization to submit a grant application for the Ravine Stabilization Project in the amount of \$452,250; and

WHEREAS, the grant program requires a 25 percent match by Dakota County, in the amount of \$113,063; and

WHEREAS, Dakota County was notified in January 2021 that the BWSR approved its grant request in the amount of \$452,250; and

WHEREAS, there are sufficient funds in the 2021 Parks Capital Improvement Program budget to provide sufficient matching funds for the grant.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby amends the 2021 Parks Capital Improvement Program Adopted Budget to reflect the anticipated revenues and expenditures associated with the Minnesota Board of Water and Soil Resources grant for Spring Lake Park Reserve Ravine Stabilization Project as follows:

Expense

Spring Lake Park Reserve Ravine Stabilization Project	\$565,313
Parks Capital Improvement Program: General Grant Match Set aside	<u>(\$113,063)</u>
Total Expense	\$452,250

Revenue

Minnesota Board of Water and Soil Resources Grant	<u>\$452,250</u>
Total Revenue	\$452,250

21-147

Authorization To Schedule Public Hearing To Receive Comments On Proposed Amendments To Ordinance No. 114, Well And Water Supply Management

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

WHEREAS, the Dakota County Board of Commissioners desires to amend Dakota County Ordinance No. 114, Well and Water Supply Management, for the purposes of ensuring that large groundwater appropriation requests are sustainable and limit groundwater exports in accordance with the 2020–2030 Dakota County Groundwater Plan; and

WHEREAS, Dakota County Environmental Resources Department staff, in consultation with the Dakota County Attorney's Office and Minnesota Department of Health, have prepared amendments to Ordinance No. 114, Well and Water Supply Management; and

WHEREAS, the Dakota County Board of Commissioners wishes to make these amendments effective immediately upon adoption; and

WHEREAS, a public hearing is requested for April 20, 2021, at 9:00 a.m., to receive comments on the proposed amendments to Ordinance No. 114, Well and Water Supply Management; and

WHEREAS, meetings of the County Board are held in the Boardroom, Administration Center, 1590 Highway 55, Hastings, MN, except due to the ongoing impacts from the COVID-19 virus, the Board is conducting public

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meetings via telephone or other electronic means pursuant to Minn. Stat. § 13D.021 and will continue to do so as long as it is not practical or prudent to hold in-person meetings because of the COVID-19 health pandemic emergency declared under Minn. Stat. Chapter 12 by the Minnesota Governor Tim Walz and the Dakota County Board of Commissioners pursuant to Res. No. 20-139; and

WHEREAS, updated information on the manner of the public meeting can be found on the Dakota County website at www.dakotacounty.us; and

WHEREAS, the public may submit comments for the public hearing via email to CountyAdmin@co.dakota.mn.us; and

WHEREAS, if the April 20, 2021, County Board meeting is conducted via telephone or other electronic means, Dakota County will provide the public the ability to participate and hear all discussion and comments during the public hearing by telephone or other electronic means; and

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

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby schedules a public hearing for April 20, 2021, at 9:00 a.m., in the Boardroom, Administration Center, 1590 Highway 55, Hastings, MN, or via telephone or other electronic means if necessary due to the ongoing COVID-19 pandemic.

21-148

Authorization To Execute Metro Mississippi East Watershed-Based Implementation Funding Grant Agreement And Amend Environmental Resources Department Budget

WHEREAS, watershed-based implementation funding (WBIF) is an alternative to the traditional project-by-project competitive process often used to fund water quality improvement projects; and

WHEREAS, the purpose of WBIF funding is to supplement existing funding to accelerate clean water activities (practices, projects, and programs) toward advancing Minnesota's water resources goals through prioritized and targeted cost-effective actions with measurable water quality results; and

WHEREAS, Dakota County qualifies for this funding since it recently adopted the State-approved 2020–2030 Dakota County Groundwater Plan, authorized under Minn. Stat. § 103B.255; and

WHEREAS, Dakota County was allocated \$54,274 toward executing activities identified in the implementation section of the 2020–2030 Groundwater Plan in the Metro Mississippi East Watershed; and

WHEREAS, activities funded include (1) "Smart Salt" training and certification for road maintenance, parking lots and sidewalks, and property owners and managers in collaboration with Washington County to help prevent chloride contamination and (2) cost-share grants for well sealing of unused wells; and

WHEREAS, a minimum 10 percent match is required, which is \$5,428; and

WHEREAS, the grant funding expires December 31, 2023.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Environmental Resources Department Director to execute the Metro Mississippi East Watershed-Based Implementation Funding grant agreement with the Minnesota Board of Water and Soil Resources subject to approval of the grant agreements as to form by the County Attorney's Office; and

BE IT FURTHER RESOLVED, That the 2021 Environmental Resources Operating budget is hereby amended as follows:

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Expense

MS East Metro WBIF (Well Seal Grants)	\$51,274
MS East Metro WBIF (Smart Salt Training)	<u>\$ 3,000</u>
Total Expense	\$54,274

Revenue

MN Board of Soil & Water Resources	<u>\$54,274</u>
Total Revenue	\$54,274

21-149

Authorization To Apply For, Accept, And Execute Grant With Minnesota Department Of Natural Resources For Trail Improvements Within Thompson County Park

WHEREAS, the Dakota County Board of Commissioners adopted the Thompson County Park Master Plan and Natural Resource Management Plan by Resolution No. 20-037 (January 21, 2020); and

WHEREAS, the initial phase of Master Plan improvements is currently in final design with construction expected to begin in the Spring of 2021; and

WHEREAS, while the scope of the project intends to meet the highest priority needs, certain five-year improvements were excluded from the scope because they exceed available revenues; and

WHEREAS, among these improvements are enhancements to the park's trail between Thompson Park Center and the River to River Greenway that would complete an accessible connection from Butler Avenue, through the park's new central plaza and play area, to the River to River Greenway and the regional trail system beyond; and

WHEREAS, the preliminary cost estimate for the trail enhancement package is \$165,000; and

WHEREAS, the Minnesota Department of Natural Resources Local Trail Connections Program provides grants to local units of government to promote short trail connections, and enhancement of the trail connection within the park aligns with the scope and funding level of the grant program; and

WHEREAS, the maximum grant award is \$150,000 and would require a County match of 25 percent; and

WHEREAS, staff recommends that Dakota County apply to the Local Trail Connections Program for the enhancement of the trail connection between Thompson Park Center and the River to River Greenway.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the submission of an application for the Minnesota Department of Natural Resources Local Trail Connections Program for an amount not to exceed \$150,000 for the enhancement of the trail connection within Thompson County Park; and

BE IT FURTHER RESOLVED, That, if awarded, the Dakota County Board of Commissioners hereby authorizes the Director of Parks, Facilities, and Fleet Management to execute a grant agreement with the Department of Natural Resources, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That, if awarded, the Dakota County Board of Commissioners authorize amendment of the Adopted 2021 Parks Capital Improvement Program to recognize the grant revenue and allocate funds from the Grant Match set aside to the project to satisfy the grant requirements.

21-150

Authorization For Revocation Of "Non-Existing" County State Aid Highway 5 In City Of Burnsville

WHEREAS, By Resolution No. 11-597 (December 13, 2011), the County Board authorized execution of a joint

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powers agreement (JPA) for County Project (CP) 5-41 with the City of Burnsville for right of way acquisition, construction, and maintenance; and

WHEREAS, in accordance with JPA No. #14633, by Resolution No. 11-597 (December 13, 2011), the City of Burnsville 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 5-41 purposes; and

WHEREAS, in accordance with JPA No. #14633, the County and the City have agreed that the future connection north of Trunk Highway (TH) 13 to the Interstate 35W and County State Aid Highway (CSAH) 32 (Cliff Road) Interchange will be a local City Street; and

WHEREAS, the County must revoke a portion of Commissioners Order No. 57307 for Extension to CSAH 5; and

WHEREAS, Minn. Stat. § 162.02, subd. 10 states that CSAHs may be abandoned, changed, or revoked by joint action of the County board and the commissioner and that, if a CSAH is established or located within the limits of a city, it shall not be abandoned, changed, or revoked without the concurrence of the governing body of such city, provided that any CSAH established or located within a city may be abandoned, or revoked without concurrence if the city refuses or neglects for a period of one year after submittal to approve plans for the construction of such highway which plans conform to the construction standards provided in the commissioner's rules; and

WHEREAS, the Transportation Director/County Engineer recommends revoking a portion of Commissioner's Order No. 57307 for Extension to CSAH 5.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby revokes County State Aid Status, subject to the approval of the Commissioner of Transportation of the State of Minnesota for the segments of roadway as follows:

REVOCATION OF COUNTY STATE AID HIGHWAY NO. 5 Beginning at a point on Trunk Highway No. 13 in the City of Burnsville, said point located 935 feet east and 720 feet south of the north quarter corner of section 14, township 115 north, range 21 west; thence northerly approximately 2,600 feet; thence northeasterly on a curve for approximately 1,400 feet; thence easterly to the FAI 35 Interchange located near the east quarter corner of section 33, township 27 north, range 24 west, and there terminating

;and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Dakota County Transportation Director/County Engineer to forward two certified copies of this resolution to the Minnesota Commissioner of Transportation for approval; and

BE IT FURTHER RESOLVED, That the County Board Chair and the Clerk to the County Board are hereby authorized to execute the Revocation of a Portion of County State Aid Highway 5 Right of Way with the City of Burnsville, in a form approved by the County Attorney's Office, releasing the County's interest in the right of way for the above described segment of (non-existing) road in Burnsville.

21-151

Authorization To Execute Joint Powers Agreement With City Of Apple Valley For County Project 99-14, North Creek Greenway And Tunnel, County State Aid Highway 42 Multiuse Trail, In City Of Apple Valley

WHEREAS, to promote a safe and efficient transportation system throughout Dakota County, the County is the lead agency partnering with the City of Apple Valley (City) on County Project (CP) 99-14; and

WHEREAS, CP 99-14 will design and construct a segment of multiuse trail along County State Aid Highway (CSAH 42) in Apple Valley; and

WHEREAS, CP-14 will also design and construct a segment of the North Creek Greenway, including a pedestrian

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tunnel underneath CSAH 42 in Apple Valley; and

WHEREAS, Dakota County is the lead agency for CP 99-14; and

WHEREAS, the City of Apple Valley is cooperating with the County on each stage of CP 99-14; and

WHEREAS, applicable elements of CP 99-14 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 Apple Valley to identify costs and responsibilities for construction and operation of the greenway trail, pedestrian tunnel, and multiuse trail, in accordance with County policy, for County Project 99-14, in the City of Apple Valley, subject to approval by the County Attorney's Office as to form.

21-152

Scheduling Of Public Hearing For Dakota County Fiscal Year 2021 Action Plan For Community Development Block Grant, HOME Investment Partnerships, And Emergency Solutions Grant Programs

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

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

WHEREAS, HUD further requires the development and submission of the Fiscal Year (FY) 2021 One-Year Action Plan that proposes allocation of the annual CDBG, HOME, and ESG funds to local governments and housing providers in the County; and

WHEREAS, CDA staff has worked with participating communities to identify CDBG, HOME, and ESG activities for FY 2021; and

WHEREAS, the proposed activities to receive HUD funds meet the housing and community development priorities identified in the approved 2020–2024 Five-Year Consolidated Plan; and

WHEREAS, the Dakota County FY 2021 CDBG allocation is \$1,910,573; the Dakota County FY 2021 HOME allocation is \$982,861 (Consortium total of \$3,275,274) including program income; and the Dakota County FY 2021 ESG allocation is \$164,454; and

WHEREAS, CDA staff recommends allocating FY 2021 CDBG funds to 25 eligible activities for the 12 cities with populations more than 10,000 with direct allocation funding, one eligible activity with competitive pool funds for cities and townships with populations less than 10,000, and five Countywide activities; and

WHEREAS, CDA staff recommends allocating FY 2021 HOME funds to three eligible activities as follows: a future affordable housing development at a site to be determined (70%), Community Housing Development Organization activities (15%), and grant administration (15%); and

WHEREAS, CDA staff recommends allocating FY 2021 ESG funds to four eligible activities as follows: rapid re-housing activities (76%), emergency shelter operations (16%), Homeless Management Information Systems (0.5%) and grant administration (7.5%); and

WHEREAS, the requested public hearing is to receive comments and inform the public on the draft Dakota County FY 2021 One-Year Action Plan that outlines the strategies and objectives for the proposed allocation of

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FY 2021 CDBG, ESG, and HOME funds.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby schedules a public hearing for April 20, 2021, at 9:00 a.m. in the Board Room, Administration Center, 1590 Highway 55, Hastings, MN, to receive comments on the Dakota County Fiscal Year 2021 One-Year Action Plan, including proposed Community Development Block Grant Program activities with a budget of \$1,910,573, HOME Investment Partnerships Program activities with a budget of \$982,861 (Consortium total of \$3,275,274) including program income, and Emergency Solutions Grant Program activities with an anticipated budget of \$164,454; and

BE IT FURTHER RESOLVED, That Dakota County staff is hereby authorized and directed to work with the Dakota County Community Development Agency to publish the public hearing notice in the Dakota County Tribune and the Star Tribune and to post said notice on the websites of the participating cities, the Dakota County Community Development Agency website at www.dakotacda.org, and the Dakota County website at www.dakotacounty.us

21-153

Authorization To Acquire Regional Greenway Corridor From Rockport LLC

WHEREAS, by Resolution No. 11-517 (October 18, 2011), the Dakota County Board of Commissioners approved the North Creek Regional Greenway (Greenway) Master Plan; and

WHEREAS, the Greenway travels 14 miles from Lebanon Hills Regional Park in Eagan and Apple Valley south through the cities of Lakeville and Farmington to Whitetail Woods Regional Park in Empire Township; and

WHEREAS, the Rockport LLC (Rockport) property, legally defined as "Outlot B, Orchard Place, according to the recorded plat thereof, Dakota County Minnesota," consists of a 30-foot wide, 1,550-foot long corridor in the City of Apple Valley; and

WHEREAS, a single independent appraisal was completed by the County and Rockport for Outlot B of the Rockport LLC property and was reviewed and approved by County staff and representatives from Rockport; and

WHEREAS, Rockport is willing to sell the 1.17-acre property for the \$285,000 appraised value; and

WHEREAS, the total estimated cost to acquire property from Rockport, including an estimated \$5,000 for closing costs, is \$290,000; and

WHEREAS, Rockport has agreed to grade the trail corridor for future paving at no cost to the County during development of the site; and

WHEREAS, it is expected that the Metropolitan Council (MC) Acquisition Opportunity Fund (AOF) program will have additional new funds available after July 1, 2021, for the County grant request; and

WHEREAS, Rockport has agreed to delay the acquisition to accommodate a County AOF reimbursement request to the MC after July 1, 2021; and

WHEREAS the Physical Development Director is required to sign the purchase agreement to acquire the Rockport property; and

WHEREAS, the 2021 Parks Capital Improvement Program (CIP) budget includes adequate fund balance for County match of MC AOF requests, and a CIP budget amendment is required; and

WHEREAS, the final acquisition costs of the Rockport property will be determined after the settlement statement is finalized and all associated acquisition expenses have been invoiced.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the expenditure of up to \$290,000, including an estimated \$5,000 in closing costs, to acquire the 1.17-acre Rockport

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property in the City of Apple Valley; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute the purchase agreement to acquire 1.17 acres from Rockport, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the submission of an Acquisition Opportunity Fund grant request to the Metropolitan Council for acquisition of the Rockport property and associated costs; and

BE IT FURTHER RESOLVED, That the 2021 Parks Capital Improvement Program budget is hereby amended as follows:

Expense	
Acquisition of the Rockport property	<u>\$290,000</u>
Total Expense	\$290,000
Revenue	
Metropolitan Council Acquisition Opportunity Fund	\$217,500
County Metropolitan Council Acquisition Opportunity Fund match	<u>\$ 72,500</u>
Total Revenue	\$290,000

; and

BE IT FURTHER RESOLVED, That following acquisition of the Rockport property, staff will submit the necessary forms and documentation to the Metropolitan Council to receive approximately \$217,500 of reimbursement funds which will be returned to the 2021 Parks Capital Improvement Program.

21-154

**Authorization To Execute Joint Powers Agreement With City Of West St. Paul For River To River
Greenway: Garlough/Marthaler Park Segment**

WHEREAS, by Resolution No. 15-431 (August 25, 2015), the County Board adopted the River to River Greenway Master Plan; and

WHEREAS, by Resolution No. 16-177 (March 22, 2016), the County Board authorized a joint powers agreement (JPA) with the City of West St. Paul for a feasibility study of the River to River Greenway: Garlough/Marthaler Park segment; and

WHEREAS, by Resolution No. 20-315 (July 14, 2020), the County Board authorized a JPA with the City of West St. Paul for the final design and bid documents for the River to River Greenway: Garlough/Marthaler Park segment; and

WHEREAS, the reconstruction of the Garlough/Marthaler Park segment is a priority project along the River to River Greenway; and

WHEREAS, construction costs will be shared between Dakota County and the City; and

WHEREAS, the City of West St. Paul will provide necessary land control for Dakota County to maintain corridor as a regional greenway; and

WHEREAS, the construction bid and administration cost is \$702,268; and

WHEREAS, the City of West St. Paul will contribute \$150,000; and

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WHEREAS, the City of West St. Paul will provide staff in-kind services to manage project; and

WHEREAS, a Supplemental Maintenance Agreement will be prepared prior to Dakota County assuming ongoing maintenance and operations; and

WHEREAS, the total cost of the joint powers agreement is \$579,881.40 including five percent contingency; and

WHEREAS, sufficient revenues are available in the Greenway Collaborative set aside in the Adopted 2021 Parks Capital Improvement Program.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the County Manager, or their designee, to execute a joint powers agreement with City of West St. Paul to fund the construction of the River to River Greenway: Garlough/Marthaler Parks segment for the period of March 23, 2021, through December 31, 2022, as presented in the term sheet dated March 23, 2021, subject to approval by the County Attorney's Office as to form.

County Board/County Administration

21-155

Appointment To Extension Committee

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby appoints the following individual to the Extension Committee for a two-term ending December 31, 2022:

District	Name
4	James Ehrmann

; and

BE IT FURTHER RESOLVED, That the term end date was adjusted for staggered terms.

21-156

Scheduling Of Dakota County Board Of Commissioners Preparation For American Rescue Plan Workshop

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby schedules a Preparation For American Rescue Plan Workshop for April 13, 2021, following the Physical Development Committee of the Whole meeting, in the Boardroom, Administration Center, 1590 Highway 55, Hastings, MN or via telephone or other electronic means if necessary due to the ongoing COVID-19 pandemic, to discuss interests or priorities for strategic areas of investment using American Rescue Plan and related funds.

21-157

Authorization To Execute 2021-2022 Labor Agreement With AFSCME Local 693 Unit

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the appropriate County officials to execute the Labor Agreement with the AFSCME Local 693 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 March 23, 2021, and subject to approval by the County Attorney's Office as to form.

21-158

Authorization To Execute 2021-2022 Labor Agreement With AFSCME Local 306 Unit

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the appropriate County officials to execute the Labor Agreement with the AFSCME Local 306 unit for the period January 1, 2021 – December 31, 2022, in accordance with the terms and conditions of the Agreement and those contract

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modifications submitted to the Dakota County Board of Commissioners dated March 23, 2021, and subject to approval by the County Attorney's Office as to form.

21-159

Authorization To Execute 2021-2022 Labor Agreement With AFSCME Local 450 Unit

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the appropriate County officials to execute the Labor Agreement with the AFSCME Local 450 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 March 23, 2021, and subject to approval by the County Attorney's Office as to form.

Community Services

21-160

Authorization To Execute Service Contracts With Cities Of Eagan And Hastings For Provision Of Law Enforcement Service For COVID-19 Vaccination Clinics

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

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

WHEREAS, Dakota County Public Health is managing vaccination clinic processes which include vaccine inventory and distribution, client appointment scheduling and data reporting and are providing vaccinations for priority groups identified by the Minnesota Department of Health (MDH); and

WHEREAS, the County has operated vaccination clinics at the Western Service Center and the Northern Service Center; and

WHEREAS, beginning on March 31, 2021, the clinics will be consolidated at the Metcalf Middle School (Metcalf) located at 2250 Duffley Road, Eagan, Minnesota, operating Monday, Wednesday and Thursday from 8:00 am to 4:00 pm each week thru June 30, 2021; and

WHEREAS, to provide for the safety of the public obtaining a vaccine and staff operating the vaccine clinic, the City of Eagan Police Department will provide security services during the clinics; and

WHEREAS, to provide access to a broader population in Dakota County, the County will operate a smaller vaccination clinic at the Pleasant Hill Library in Hastings on Tuesdays beginning April 13, 2021, from 9:00 am to 3:30 pm thru June 30, 2021; and

WHEREAS, to provide for the safety of the public obtaining a vaccine and staff operating the vaccine clinic, the City of Hastings Police Department will provide security services during the clinics; and

WHEREAS, depending on vaccine demand and availability the schedules for the schedules at the clinics may be adjusted; and

WHEREAS, the costs associated with security provided at the vaccination clinics are eligible for Federal Emergency Management Agency (FEMA) funding; and

WHEREAS, a service contract is necessary to establish the eligibility for FEMA fund; and

WHEREAS, the respective Police Departments will manage, control and direct the assigned law enforcement

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officers providing security services; and

WHEREAS, the County will pay the City of Eagan \$88.50 per hour per license peace officer and the rate for the City of Hastings will be approximately \$90.00 per hour per licensed peace officer; and

WHEREAS, the service contract will be in an amount not to exceed \$75,000 with Eagan and \$25,000 with Hastings; and

WHEREAS, the County has authority to enter into the service contracts pursuant to Minn. Stat. § 12.37.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the County Manager to execute a service contract with the City of Eagan for provision of law enforcement services for COVID-19 vaccination clinics in an amount not to exceed \$75,000, subject to approval as to form by the County Attorney's Office; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners authorizes the County Manager to execute a service contract with the City of Hastings for provision of law enforcement services for COVID-19 vaccination clinics in an amount not to exceed \$40,000, subject to approval as to form by the County Attorney's Office; and

BE IT FURTHER RESOLVED, That the service contracts 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; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners authorize the County Manager to extend the service contract for either or both locations if the vaccination clinics continue to operate beyond June 30, 2021, under the same terms and conditions.

Operations, Management And Budget

Report On Invoices Paid In February 2021

This item was on the agenda for informational purposes only.

Physical Development

21-161

Authorization To Execute Contract With Dakota Electric Association For Installation Of Street Lighting Along County State Aid Highway 30 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

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 make pedestrian improvements; and

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

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

WHEREAS, the final design includes street lighting at the proposed roundabouts along Diffley Road at Daniel Drive and Braddock Trail, two streetlights at the Diffley Marketplace crossing and pedestrian scale lighting from the Diffley Marketplace crossing to the Braddock Trail roundabout; and

WHEREAS, Dakota Electric Association has provided an estimate of \$252,254.69 for installation of roundabout lighting, the lighting for the Diffley Marketplace pedestrian crossing, pedestrian scale lighting along Diffley Road in the school zone area and the necessary electrical connections (e.g., control cabinets, transformers, pedestals); and

WHEREAS, the cost participation for roundabout lighting, marked pedestrian crossing lighting, and lighting along county highway trails within school zones will be in accordance with the adopted Cost Share Policy F.17 Traffic Signal and Street Lighting Power Costs and Maintenance Responsibilities; and

WHEREAS, the County's cost share is 85 percent (\$214,416.49) and the City's share is 15 percent (\$37,838.20) of the total lighting cost; and

WHEREAS, County staff recommends executing a contract with Dakota Electric Association for installation of street lighting along CSAH 30 for CP 30-39.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a contract with Dakota Electric Association in the amount not to exceed \$252,254.69 for installation of street lighting along County State Aid Highway 30 for County Project 30-39, subject to approval by the County Attorney's Office as to form.

21-162

Authorization To Execute Agreement With City Of Apple Valley For Traffic Signal At County State Aid Highway 31 (Pilot Knob) And 155Th Street

WHEREAS, to promote a safe and efficient operation of the highway system throughout Dakota County, the County is partnering with the City of Apple Valley for a project to install a traffic signal system at the intersection of County State Aid Highway (CSAH) 31 (Pilot Knob) and 155th Street; and

WHEREAS, installation of the traffic signal is justified and the appropriate traffic control for this intersection of CSAH 31 and 155th Street in consideration of traffic and signalized coordination along CSAH 31; and

WHEREAS, the City is the lead agency for the project to install the signal system at CSAH 31 and 155th Street; and

WHEREAS, the City will be issued a permit for CP 31-105, the installation of the traffic signal, and all other necessary geometric improvements; and

WHEREAS, the City will be responsible for all costs for design, construction, equipment, and inspection of the traffic signal installation, including County supplied materials for connection to the County fiber network; and

WHEREAS, County and City costs for power and maintenance will be in accordance with the adopted Cost Share Policy (Policy F.17 Traffic Signal and Street Lighting Power Costs and Maintenance Responsibilities), such that the County and City will each be responsible for 50 percent of the power costs of the traffic signal, including attached street lighting, and the City will be responsible for streetlight maintenance and signal painting; and

WHEREAS, in accordance with Dakota County Transportation Plan (Policy M.13), staff recommends County Board authorization to permit the City of Apple Valley to install a traffic control signal system at CSAH 31 and 155th Street for County Project 31-105; and

WHEREAS, a joint powers agreement with the City of Apple Valley is needed for signal installation and to define

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operation and maintenance costs and responsibilities.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the installation of a traffic control signal system at the intersection of County State Aid Highway 31 (Pilot Knob Road) and 155th Street, in the City of Apple Valley in accordance with Dakota County Transportation Plan (Policy M.13); and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a joint powers agreement with the City of Apple Valley for County Project 31-105 for the installation and maintenance of a traffic signal at the intersection of County State Aid Highway 31 (Pilot Knob Road) and 155th Street, subject to approval by the County Attorney's Office as to form.

21-163

Authorization To Award And Execute Contract With JL Theis Inc., For County Project 32-105

WHEREAS, to provide a safe and efficient transportation system, Dakota County (County) is partnering with the City of Egan (City) on County Project (CP) 32-105; and

WHEREAS, CP 32-105 includes traffic signal replacement and ADA improvements at the intersection of County State Aid Highway 32 and Cliff Lake / Rahn Cliff Road; and

WHEREAS, the County is lead agency for CP 32-105 with construction anticipated to begin April 2021; and

WHEREAS, the Transportation Capital Improvement Project (CIP) "Signal Project Various Locations" line item has sufficient funds for design, signal equipment and construction for CP 32-105; and

WHEREAS, the project was advertised, and four responsive bids were received and tabulated on February 23, 2021; and

WHEREAS, the bid from JL Theis Inc., in the amount of \$702,961.36 was the lowest responsive and responsible bid received; and

WHEREAS, staff recommends awarding the bid to JL Theis Inc.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby awards the bid to and authorizes the Physical Development Director to execute the contract with JL Theis Inc., for County Project 32-105, in the amount of \$702,961.36 based on their low bid, subject to approval by the County Attorney's Office as to form.

21-164

Authorization To Execute Joint Powers Agreement With City Of Farmington For County Project 50-30, Sidewalk Improvements, In City Of Farmington

WHEREAS, to provide a safe and efficient transportation system, including intermodal transportation opportunities, Dakota County is Partnering with the City of Farmington on sidewalk improvements on County State Aid Highway (CSAH) 50 (Elm Street); and

WHEREAS, the proposed improvements include constructing new pedestrian ramps to meet American Disabilities Act (ADA) standards, removal of the direct access from CSAH 50 at the Dakota Motors building, and sidewalk removal and replacement; and

WHEREAS, the improvements are part of a larger project the City of Farmington is completing in the downtown area; and

WHEREAS, the City is the lead agency on the project; and

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WHEREAS, the cost participation for trail and sidewalks will be in accordance with the adopted Cost Share Policy F8, Multi-Use Trails and Sidewalk Maintenance; and

WHEREAS, the County is responsible for 100 percent of the costs associated with the repair and replacement of the sidewalk; and

WHEREAS, the estimated cost of County Project 50-30 is \$140,000; and

WHEREAS, staff recommends entering into a joint powers agreement (JPA) with the City of Farmington for costs associated with sidewalk improvement on CSAH 50.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to enter into a joint powers agreement with the City of Farmington for County Project 50-30, for sidewalk construction and replacement in accordance with Dakota County's adopted cost-share policy, subject to approval by the County Attorney's Office as to form.

21-165

Authorization To Execute Agreement No. 1045337 With Minnesota Department Of Transportation For Trunk Highway 316 Detour

WHEREAS, to provide a safe and efficient transportation system, Dakota County is partnering with the Minnesota Department of Transportation (MnDOT) on State Project (SP) No. 1926-22; and

WHEREAS, construction work will begin in 2021 on Trunk Highway (TH) 316, constructing three roundabouts, adding pedestrian facilities, and installing medians between the junction of TH 61 and Michael Avenue; and

WHEREAS, detours will divert TH 316 traffic onto CSAH 54 (Ravenna Trail) and CSAH 91 (Nicolai Avenue) during construction; and

WHEREAS, Minn. Stat. § 161.25 authorizes the Commissioner of Transportation to designate any public street or highway as a temporary TH detour when it is determined that such detour is necessary for the construction or maintenance of any TH; and

WHEREAS, MnDOT Agreement No. 1045337 allows the State to reimburse the County approximately \$16,264 for the road life consumed by the detour based on the income determined by the "Gas Tax Method" in accordance with the Detour Management Study Final Report; and

WHEREAS, executing this agreement is necessary for the State to reimburse the County for road consumption from the detour and for the project to continue; and

WHEREAS, the \$16,264 will be deposited in the Transportation Capital Improvement Program fund; and

WHEREAS, staff recommends entering into Agreement No. 1045337 with MnDOT to accept reimbursement for SP 1921-102 TH 3 detour on CSAHs 54 and 91.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute Agreement No. 1045337 with the Commissioner of Transportation of the State of Minnesota for the County to receive the State's reimbursement of \$16,264 for the road life consumed by the Trunk Highway 316 detour through State Project 1926-22, subject to approval by the County Attorney's Office as to form.

21-166

Approval Of Final Plats Recommended By Plat Commission

WHEREAS, new subdivisions adjoining County highways are reviewed under the Dakota County Contiguous Plat

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Ordinance No. 108; and

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

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

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

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

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

VERMILLION ACRES Hastings

21-167

Authorization To Execute 2021 Lease Agreement For Agricultural Use Of County Property

WHEREAS, Dakota County has historically leased portions of unimproved County-owned parkland for interim agricultural purposes until such time that it can be converted to its highest and best use according to approved master plans; and

WHEREAS, by Resolution No. 12-526 (October 23, 2012), the County Board directed staff to use a competitive sealed-bid process for leasing County-owned property for agricultural use; and

WHEREAS, the resolution authorized one-year lease terms for the initial leases and a sealed-bid leasing process, and subsequent leases may have terms up to three years; and

WHEREAS, the resolution further directed that, if the County receives no bids or receives unacceptable bids, staff was to negotiate with current tenants or others to develop one-year agricultural use leases for those sites without an acceptable bid; and

WHEREAS, all successful bids and negotiated agricultural use leases must be presented to the County Board for review and consideration; and

WHEREAS, on February 16, 2021, two bids were received for leasing County-owned property for agricultural use; and

WHEREAS, staff recommends executing a contract with the high bidder in the amount of \$8,232 for the 2021 growing season.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute an agricultural lease agreement with the following individual for use of specified County land at the rates, durations, and terms described, subject to approval by the County Attorney's Office, as to form: Tim Braun, for a lease on no more than 42 acres of cropland near the Empire Composting Facility (Site 6) at a rate of \$196.00 per acre for a total amount of \$8,232 from April 1, 2020, through December 31, 2021, with two annual options to extend in 2022 and 2023.

21-168

Authorization To Execute Lease Agreement With City Of Inver Grove Heights For Criminal Justice Network Office

WHEREAS, the Dakota County Criminal Justice Network (CJN) provides applications and services to integrate

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select state and local criminal justice information through collaboration with local and state agencies; and

WHEREAS, the Dakota County CJN Office requires secure and adequate space for CJN staff, meetings of the CJN Steering Committee, Dakota County Law Enforcement Agency Joint Powers Board, various workgroups and training activities; and

WHEREAS, since 2015, CJN has lease office space in the Inver Grove Heights City Hall; and

WHEREAS, the initial term of the current lease expired in May 2020, at which time the City and County began discussing leasing space that was formerly occupied by the Fire Department; and

WHEREAS, during this negotiation period, the City has agreed to continue the rates in the initial lease on a month-to-month basis through December 2020; and

WHEREAS, this separate suite provides secure space for CJN staff; and

WHEREAS, Dakota County desires to execute a lease with the City of Inver Grove Heights for office space for the CJN Office for a five-year term beginning on January 1, 2021; and

WHEREAS, the annual lease payment for 2021 is \$12,270, which escalates 4.3 percent annually; and

WHEREAS, the initial lease payment also includes an amount of \$12,336.23 for electrical and network cabling improvements required to customize the space for the CJN Office; and

WHEREAS, there are sufficient funds in the 2021 Adopted CJN budget to pay for the annual lease, and CJN funds for the electrical, and network cabling improvements.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Dakota County Board Chair to execute a lease agreement, substantially as presented, with the City of Inver Grove Heights for space in the Inver Grove Heights City Hall with a term beginning on January 1, 2021, for a five-year term for an annual amount of \$12,270 plus a one-time payment of \$12,336.23 for electrical and network cabling, subject to approval by the County Attorney's Office as to form.

Public Safety

21-169

Authorization To Execute Contract With Minnesota Department Of Public Safety For 2020 Emergency Management Performance Grant

WHEREAS, the Federal Emergency Management Agency (FEMA) and the Minnesota Department of Public Safety, Division of Homeland Security and Emergency Management (HSEM), have awarded Dakota County the sum of \$171,057 in grant funding for the 2020 Emergency Management Performance Grant; and

WHEREAS, the grant period runs from January 1, 2020, through December 31, 2020; and

WHEREAS, the grant provides for 50 percent matching funds from Dakota County and those funds are included in the Sheriff's Office Emergency Preparedness budget; and

WHEREAS, funds received from this grant reimburse Dakota for 50 percent of the salary and benefits for the Emergency Preparedness Coordinator, Emergency Operations Plan requirements, Domestic Preparedness Committee annual fees, required emergency management conference per grant requirements, and equipment and supplies.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Sheriff to execute a grant agreement with the Federal Emergency Management Agency (FEMA) and the

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Minnesota Department of Public Safety, Division of Homeland Security and Emergency Management (HSEM) for the Emergency Management Performance Grant in the amount of \$171,057, subject to approval of the County Attorney's Office as to form.

21-170

Authorization To Enter Into Joint Powers Agreement With Minnesota State Colleges And Universities To Provide Educational Programs To Jail Inmates

WHEREAS, the Sheriff's Office and Minnesota State Colleges and Universities wish to enter into a joint powers agreement for the purpose of providing educational programs to jail inmates; and

WHEREAS, the Minnesota State Colleges and Universities, Dakota County Technical College will provide one two-credit course at the cost of \$401.34 per enrolled student up to the total amount not to exceed \$6,020.10 through the term of the contract May 31, 2021.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Dakota County Sheriff to execute a joint powers agreement with Minnesota State Colleges and Universities to provide educational programs to Dakota County jail inmates through May 31, 2021, subject to approval by the County Attorney's Office as to form.

REGULAR AGENDA

County Board/County Administration

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

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

Discussion And Direction On Future Board Meeting Operations

Director of Public Health Bonnie Brueshoff, and First Assistant County Attorney Tom Donely briefed this item and responded to questions. This item was on the agenda for informational purposes only. Beginning April 6, 2021, Commissioners will participate in meetings either in-person or via electronic means. Staff that are presenting should continue to remain remote and participate via electronic means.

21-171

Determination Of Finalists For County Attorney Appointment And Discuss Finalist Interview Process

The County Attorney Appointment Subcommittee Chair Kathleen A. Gaylord briefed this item and discussion was held. A recommendation was made to remove a date and time for the interviews from the resolution language. The details of interviews will be decided at a later date. A motion was made that included this change.

Motion: Kathleen A. Gaylord

Second: Mike Slavik

WHEREAS, County Attorney James C. Backstrom retired effective February 27, 2021; 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, by Resolution No. 21-107 (February 16, 2021), the County Board authorized 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

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abilities of the candidates; and

WHEREAS, the application period closed on March 8, 2021; and

WHEREAS, at the March 9, 2021 County Board of Commissioners meeting, the Director of Employee Relations provided an update on the number of applications received; and

WHEREAS, by Resolution No. 21-131 (March 9, 2021), the County Board authorized the Board Chair to appoint a subcommittee to review applicants and identify finalists was authorized by the Board; and

WHEREAS, based on a review of qualifications and experience, the subcommittee unanimously identified the following three applicants to proceed as finalists:

- Kathryn Keena
- Elizabeth Lamin
- Thomas Pugh

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the list of three finalists for Appointed County Attorney.

Ayes: 7

Nays: 0

Physical Development

21-172

Direction On Lawshe Museum Building Upgrades

Capital Projects Manager Jay Biedny briefed this item and responded to questions.

Motion: Kathleen A. Gaylord

Second: Joe Atkins

WHEREAS, the Lawshe Museum was built in 1976 and needs renovation; and

WHEREAS, the replacement of the building roof and windows is currently underway, and this work has been funded outside of the \$1,200,000 provided for 2020 within the 2020–2024 Buildings Capital Improvement Program (CIP) Adopted Budget; and

WHEREAS, the building renovation would address numerous accessibility issues and adjacent construction; and

WHEREAS, County staff has proposed a balanced scope for the original \$1,200,000 approved budget; and

WHEREAS, the approved budget contains \$900,000 for direct accessibility requirements and then splits the remaining \$300,000 equally for improvement in the office areas upstairs and the exhibit spaces on the main level affected by the new bathroom construction; and

WHEREAS, this apportionment of funds has been reviewed with and agreed to by the Museum's Executive Director; and

WHEREAS, it has been agreed that no project funds will be spent on exhibit installation elements, but rather only building infrastructure support.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby directs staff to pursue the accessibility needs for this project as provided for 2020 within the 2020–2024 Buildings Capital Improvement Program Adopted Budget; and

March 23, 2021

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby directs staff to develop a design consistent with the adopted budget of \$900,000 for direct accessibility improvements and the remaining \$300,000 for other improvements.

Ayes: 7

Nays: 0

Closed Executive Session

21-173

Authorization To Approve Acquisition Settlements From Jeremy J. Illg And Kelly Illg For Parcel 52 (471) For County Project 26-54 And 63-27

This item did not go into closed session.

Motion: Joe Atkins

Second: Laurie Halverson

WHEREAS, Dakota County is proceeding with County Projects 26-54 and 63-27 in the City of Inver Grove Heights and City of Eagan (Cities); and

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

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

WHEREAS, the County is the lead agency for the design and right of way acquisition for County Projects 26-54 and County Project 63-27; and

WHEREAS, to construct the recommended improvements, Dakota County must acquire property from Jeremy J. Illg and Kelly Illg ("Landowners"), identified in Dakota County Right of Way Map 471 as Parcel 52; and
WHEREAS, the County offered the Landowners 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 \$110,000.00; 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 approves the acquisition of property from Jeremy J. Illg and Kelly Illg, identified in Dakota County Right of Way Map 471 as Parcel 52 for \$110,000.00 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

Legislative Update

21-174

Authorization To Submit Resolution Of Support Requesting Federal Financial Assistance For Dakota

March 23, 2021

County Veterans Memorial Greenway Project

Physical Development Director Steve Mielke briefed this item and responded to questions.

Motion: Mike Slavik

Second: Mary Hamann-Roland

WHEREAS, the Veterans Memorial Greenway is a new five-mile greenway that would include five to seven veteran memorials along the route; and

WHEREAS, at least one of the memorials will accommodate large group gatherings and community events; and

WHEREAS, the greenway trail would contiguously connect to the Mississippi River Regional and Mendota-Lebanon Regional Greenways as part of Dakota County's 200-mile-long planned greenway system; and

WHEREAS, the greenway system serves over 665,000 visitor per year, connecting rural and suburban communities together, and provides equitable access to people of diverse backgrounds, interests and abilities exceeding the Americans with Disabilities Act; and

WHEREAS, the greenway safely separates the public from high speed roads and railroads; and

WHEREAS, the greenway has further connectivity to rich cultural resources including historic Dodd Military Road, near-by connection to Fort Snelling, plus is located on Dakota Tribe Homeland; and

WHEREAS, Dakota County is working in partnership with surrounding cities, veteran's organizations and related organizations in the development of the greenway; and

WHEREAS, there are over 23,000 veterans who have served in the armed forces from the 34 cities and townships in Dakota County; and

WHEREAS, Dakota County does not have a regional facility to recognize and commemorate the services of its veterans; and

WHEREAS, the memorials along the trail are being planned and will be constructed in partnership with veterans' groups; and

WHEREAS, the total cost of the project is \$10 million, and Dakota County would match federal funding with non-federal funds; and

WHEREAS, the State of Minnesota has committed \$5,000,000 in State bonding in support of this project.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby requests \$5,000,000 in project funding to support the design and construction of the Veteran's Memorial Greenway in Dakota County, Minnesota.

Ayes: 7

Nays: 0

21-175

Authorization To Submit Resolution Of Support Requesting Federal Financial Assistance For I-35 Corridor And County State Aid Highway Interchange Project

Physical Development Director Steve Mielke briefed this item and responded to questions.

Motion: Joe Atkins

Second: Liz Workman

WHEREAS, Interstate 35 (I-35) passes through Dakota County carrying 85,000 to 111,000 average daily traffic;

March 23, 2021

and

WHEREAS, this section of the I-35 corridor, that extends from Minnesota to Texas, has national significance and facilitates 8,500-9,500 heavy commercial vehicle trips in this area daily; and

WHEREAS, the interchange of I-35 and County State Aid Highway (CSAH) 50 in Lakeville, Minnesota is deficient in capacity and geometry; and

WHEREAS, the I-35 bridge over CSAH 50 creates a bottleneck with only one travel lane in the westbound direction of CSAH 50; and

WHEREAS, CSAH 50 carries 26,500 (2019 annual average) at the Interchange and is projected to grow to 32,000 by 2040; and

WHEREAS, I-35 is identified as a future MNPASS corridor and both Federal Highway Administration and Minnesota Department of Transportation have identified the need for auxiliary lanes south of CSAH 50 to be constructed when the CSAH 50 Interchange is built; and

WHEREAS, preliminary engineering funds are needed to determine safety and capacity needs for the corridor, and to build consensus on the needed improvements; and

WHEREAS, a corridor and Interchange footprint is needed to advance design engineering and the environmental processes.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby requests \$700,000 for Interstate 35 (I-35) in Minnesota, preliminary engineering activities to determine corridor mobility and safety improvement need from the County State Aid Highway (CSAH) 50 Interchange in Lakeville to CSAH 42 in Burnsville, work to determine project scope and cost for corridor improvements for this section of I-35, the redesign of the Interchange at CSAH 50, and the development of a geometric layout and environmental documentation for the corridor.

Ayes: 7

Nays: 0

Interagency Announcements/Reports

Interagency announcements and reports were then presented.

County Manager's Report

County Manager Matt Smith gave a brief overview of upcoming items:

- April 12 - Legislative Delegation Forum
- April 13 - American Rescue Plan Workshop

Information

See Attachment A - Future Board Meetings And Other Board Activities

21-176

Adjournment

Motion: Liz Workman

Second: Mike Slavik

On a motion by Commissioner Liz Workman, seconded by Commissioner Mike Slavik, the meeting was adjourned at 11:00 a.m.

March 23, 2021

Mary Liz Holberg
Chair

ATTEST

Matt Smith
County Manager