

April 20, 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; Kathryn M. Keena, Acting 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
No comments were received for this agenda

21-197

Approval Of Agenda (Additions/Corrections/Deletions)

Staff requested that the following item be pulled from the consent agenda and brought forward to a future meeting.

- 11.1 *Parks, Facilities, And Fleet Management - Award Of Bid And Authorization To Execute Contract With Parkos Construction Company For Thompson County Park Master Plan Improvements Phase I Project And Amend 2021 Parks Capital Improvement Program Budget*

Motion: Mary Hamann-Roland

Second: Mike Slavik

On a motion by Commissioner Mary Hamann-Roland, seconded by Commissioner Mike Slavik, the agenda was unanimously approved as amended.

Public Hearing

Public Hearing To Receive Comments On Dakota County Fiscal Year 2021 Action Plan For Community Development Block Grant, HOME Investment Partnerships, And Emergency Solutions Grant Programs

The time being 9:05 a.m., and pursuant to public notice, a public hearing was conducted for the purpose of receiving comments on the Dakota County Fiscal Year 2021 Action Plan for Community Block Grant, HOME Investment Partnerships, Emergency Solutions Grant Programs. Community Development Agency Assistant Director of Community and Economic Development Maggie Dykes spoke to this item. Interested parties desiring to be heard were afforded the opportunity to address the County Board. No one came forward and no additional comments were received.

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Public Hearing To Receive Comments On Dakota County Fiscal Year 2021 Action Plan For Community Development Block Grant, HOME Investment Partnerships, And Emergency Solutions Grant Programs

Motion: Kathleen A. Gaylord

Second: Mike Slavik

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 Annual Action Plan that outlines the strategies and objectives and proposes the 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 for 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 \$988,226 (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, HUD requires a public hearing to receive comments and inform the public on the Dakota County FY 2021 Annual Action; and

WHEREAS, the Notice of Public Hearing was published in the *Dakota Tribune* and the *Star Tribune* on March 19, 2021, and posted on the websites of the participating cities, the Dakota County CDA website at www.dakotacda.org, and the Dakota County website at www.co.dakota.mn.us.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners conduct a public hearing on April 20, 2021, at 9:00 a.m. in the Boardroom, Administration Center, 1590 Highway 55, Hastings, MN, and via telephone or other electronic means to receive comments on the Fiscal Year 2021 Annual Action Plan, including Community Development Block Grant Program activities funded with a budget of \$1,910,573, HOME Investment Partnerships Program activities funded with a budget of \$988,226 (Consortium total of \$3,275,274) including program income, and Emergency Solutions Grant Program activities funded with a budget of \$164,454.

Ayes: 7

Nays: 0

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

The time being 9:22 a.m., and pursuant to public notice, a public hearing was conducted for the purpose of receiving comments on the Dakota County Ordinance No. 114, Well and Water Supply Management. Groundwater Protection Unit Supervisor Valerie Grover spoke to this item. Interested parties desiring to be heard were afforded the opportunity to address the County Board. No one came forward and no additional comments were received.

**21-199
Close Public Hearing**

Motion: Mike Slavik

Second: Liz Workman

The public hearing is hereby closed.

Ayes: 7

Nays: 0

**21-200
Adoption Of Proposed Amendments To Ordinance No. 114, Well And Water Supply Management**

Motion: Mike Slavik

Second: Joe Atkins

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 notice of the public hearing on Ordinance No. 114 amendments was published in the official County newspaper on April 2 and April 9, 2021; and

WHEREAS, due to the ongoing impacts from the COVID-19 virus, the Board conducted its public meeting, including the public hearing, via telephone or other electronic means pursuant to Minn. Stat. § 13D.021 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 Minnesota Governor Tim Walz and the Dakota County Board of Commissioners pursuant to Resolution No. 20-139; and

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

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

WHEREAS, Dakota County provided the public the ability to participate and hear all discussion and comments during the public hearing by telephone or other electronic means by obtaining meeting information from the Clerk to the Board.

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NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby conducts a public hearing and adopts the amendments to Dakota County Ordinance No. 114, Well and Water Supply Management, as presented on April 20, 2021; and

BE IT FURTHER RESOLVED, That staff shall publish, distribute, and file the amended ordinance pursuant to Minn. Stat. § 375.51.

Ayes: 7

Nays: 0

CONSENT AGENDA

Motion: Mike Slavik

Second: Laurie Halverson

With the amendment that Item 11.1 Award Of Bid And Authorization To Execute Contract With Parkos Construction Company For Thompson County Park Master Plan Improvements Phase I Project And Amend 2021 Parks Capital Improvement Program Budget is pulled from the consent agenda, a motion was made by Commissioner Mike Slavik, seconded by Commissioner Laurie Halverson, and the consent agenda was unanimously approved as follows:

21-201

Approval Of Minutes Of Meeting Held On April 6, 2021

Items Recommended By Board Committee

21-202

Approval Of Amendments To Dakota County Special Board Of Equalization Rules Of Procedure

WHEREAS, by Resolution No. 90-169 (February 27, 1990), the Dakota County Board of Commissioners established the Dakota County Special Board of Equalization; and

WHEREAS, the Board adopted the Committee rules on March 13, 1990; and

WHEREAS, staff from Public Services and Revenue Division Administration, Dakota County Attorney and Assessing Services have reviewed the rules and recommend amendments.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves such amendments as presented at the General Government and Policy Committee on April 6, 2021.

21-203

Authorization To Respond To Request For Assessment Of Need/Letter Of Support From Nystrom & Associates, Ltd.

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 proposed program is to be located shall submit a statement to the need for the applicant's program; and

WHEREAS, on March 2, 2021, Dakota County received a request from Kevin Evenson, Director of Substance Use Disorder Treatment Services at Nystrom & Associates, Ltd., requesting a written statement that supports the need for the program; and

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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 Nystrom & Associates, Ltd.'s, qualifications or ability to meet the identified needs; and

WHEREAS, the Minnesota Department of Human Services will process Nystrom & Associates, Ltd.'s request for a license to provide outpatient 245G counseling programs at the Lilydale Clinic location in Dakota County.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners 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 245G counseling program at the Lilydale Clinic in Dakota County, as proposed by Nystrom & Associates, Ltd."

21-204

Authorization To Execute 2021 Federal Transit Administration Annual List Of Certifications And Assurances

WHEREAS, by Resolution 19-614 (July 23, 2019), the Dakota County Board of Commissioners authorized the County Manager to execute a Section 5310 Elderly and Disabled Assistance grant with the Minnesota Department of Transportation to improve access to transportation service and public transportation alternatives to seniors, persons with disabilities, and individuals who are system involved and transportation dependent; and

WHEREAS, before the Federal Transit Administration (FTA) may award federal assistance for public transportation in the form of a federal grant, cooperative agreement, loan, line of credit, or loan guarantee, certain pre-award Certifications and Assurances are required; and

WHEREAS, by Resolution No. 20-240 (May 19, 2020), the Dakota County Board of Commissioners authorized the Community Services Director to execute the 2020 Annual List of Certifications and Assurances for FTA Grants and Cooperative Agreements in connection with federally funded projects and grants; and

WHEREAS, these Certifications and Assurances are required annually and encompass a wide range of funding programs overseen by the FTA; and

WHEREAS, all categories have been reviewed by staff in the Dakota County Attorney's Office and the Community Services Division Contracts Unit; and

WHEREAS, it has been determined as a result of that review that Dakota County complies with the applicable terms set forth in the Certifications and Assurances; and

WHEREAS, staff recommends authorization to execute the 2021 FTA Annual List of Certifications and Assurances.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to execute the 2021 Annual List of Certifications and Assurances for Federal Transit Administration Grants and Cooperative Agreements in connection with federally funded projects and grants, upon the advice of the Community Services Director and the County Attorney, subject to approval by the County Attorney's Office as to form.

21-205

Ratification Of Application For 2021 Metropolitan Council Grant

WHEREAS, the Metropolitan Council Competitive Equity Grant program provides funding to regional park agencies for projects that will strengthen equitable usage of regional parks and trails by all our region's residents, across age, race, ethnicity, income, national origin, and ability; and

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WHEREAS, Dakota County Parks, in close collaboration with Inver Hills Community College, Dakota County Library Inver Glen Branch, Independent School District 199 including Simley High School, and Inver Grove Heights Middle School, and city of Inver Grove Heights Park and Recreation Department, developed a grant project focused on building and bridging community by creating inclusive spaces along the Mississippi River Greenway; and

WHEREAS, the goal of the project is to reduce use and visitation barriers through a collaborative, community-driven approach focused in Inver Grove Heights that will create new connections between the Mississippi River Greenway and important community centers; and

WHEREAS, the project goals will be accomplished through collaborative community engagement and the creation of a community connector route that connects residents to the Mississippi River Greenway through wayfinding, interpretation, and engaging programming; and

WHEREAS, the grant application included letters of support from Independent School District 199, Inver Hills Community College, and Dakota County Library; and

WHEREAS, the timeline for this project, if approved, is July 2021–May 2024; and

WHEREAS, the overall estimated project cost is \$320,000 with a grant request for \$160,000 and a 50 percent County match for \$160,000; and

WHEREAS, the Adopted 2021 Parks Capital Improvement Program includes sufficient funds for this match in the Grant Match set aside (P00117).

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby ratifies application for the 2021 Metropolitan Council Competitive Equity Grant; and

BE IT FURTHER RESOLVED, That, if awarded, authorization to accept and execute the grant and authorization to amend the Adopted 2021 Parks Capital Improvement Program and Operations budgets to recognize the grant revenue and allocate funds from the Grant Match set aside to the project to satisfy the grant requirements budget will be brought back to the County Board for approval.

21-206

Authorization To Submit Clean Water Fund Accelerated Implementation Grant Application For Agricultural Chemical Reduction Effort And Authorization To Execute Grant Agreements

WHEREAS, the Clean Water Fund was established with the purpose of protecting, enhancing, and restoring water quality in lakes, rivers, and streams in addition to protecting groundwater and drinking water sources from degradation; and

WHEREAS, the Minnesota Department of Health has published a Clean Water Fund request for proposals for a new Accelerated Implementation Grant program to accelerate implementation of groundwater projects across the state; and

WHEREAS, the project proposes to reduce agriculture chemical contamination (Groundwater Plan strategy 1B1) by partnering with farmers, the Soil and Water Conservation District (SWCD), state, regional, and local agencies, and other local non-governmental organizations to develop, adopt, and implement a Dakota County Groundwater Agricultural Chemical Reduction Effort (ACRE) Plan (tactic 1B1B); and

WHEREAS, the goal of ACRE is to provide prioritized, targeted, and measurable strategies that are more protective than the objectives set in the Minnesota Department of Agriculture's (MDA) Nitrogen Fertilization Management Plan and Groundwater Protection Rule; and

WHEREAS, development of ACRE includes several activities the grant application may support, to include outreach efforts to recruit an Agricultural Advisory Committee, stakeholder engagement, establishing a long-term

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monitoring well network, and developing a nitrate-loss model; and

WHEREAS, the application deadline is April 21, 2021; and

WHEREAS, Dakota County has measured worsening groundwater quality in its rural areas; and

WHEREAS, the grant program does not require a match by Dakota County; however, costs to complete the ACRE development not covered by the grant will be supplemented by the approved 2021 Environmental Resources Department Operation budget.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes staff to submit a Clean Water Fund Accelerated Implementation Program grant application to the Minnesota Department of Health for the Agricultural Chemical Reduction Effort in the amount of \$50,000 and, if awarded, authorizes the Environmental Resources Department Director to execute agreements with the Minnesota Department of Health subject to approval of the grant agreements as to form by the County Attorney's Office.

21-207

Update On Draft 2040 Transportation Plan, Comprehensive Plan Amendment Public Review And Authorization To Submit Amendment To Metropolitan Council

WHEREAS, the Dakota County Board of Commissioners directed staff to prepare the Dakota County 2040 Transportation Plan (Plan) to guide the development of the County's transportation network by identifying future investment needs, implementation direction, and priorities; and

WHEREAS, through Physical Development Committee of the Whole review, County Board Workshops and agency, and public engagement, staff has prepared a draft Plan; and

WHEREAS, the Plan identifies the County's transportation goals, policies, and strategies for a transportation system that safely and efficiently moves people and goods; and

WHEREAS, the update of the Plan necessitates parallel changes to and a minor amendment of the Dakota County Comprehensive Plan, DC2040 (Amendment); and

WHEREAS, the Dakota County Board of Commissioners held a public hearing on the DC2040 Amendment on January 19, 2021, as required under Minn. Stat. § 462.355; and

WHEREAS, staff has evaluated all public comments and has addressed and revised Plan and Amendment text accordingly; and

WHEREAS, staff requests that the Dakota County Board of Commissioners authorize staff to submit the Amendment to the Metropolitan Council for final review and approval.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes staff to submit the draft Dakota County, Minnesota Comprehensive Plan (DC2040) Transportation Amendments to the Metropolitan Council for final review and approval.

21-208

Authorization To Execute A Joint Powers Agreement With City Of West St. Paul For Design And Construction Of A Multi-Use Trail And Sidewalk Along County State Aid Highway 73 (Oakdale Avenue)

WHEREAS, to provide a safe and efficient multi-modal transportation system, Dakota County partners with cities to construct trails and sidewalks along County highways; and

WHEREAS, the City of West St. Paul (City) was awarded \$1,785,600 in federal transportation funds to construct a multi-use trail and sidewalk along CSAH 73 (Oakdale Avenue) between CSAH 8 (Wentworth Avenue) and CR 4

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(Butler Avenue), and intersection improvements (CP 73-34); and

WHEREAS, the City is the lead agency for CP 73-34 with participation from County staff; and

WHEREAS, the cost participation for design, right-of-way, and construction will be in accordance with the adopted Cost Share Policy F.1 Roadway with the County's cost-share as 85 percent and the City's share as 15 percent after the application of federal funds; and

WHEREAS, the City has requested the County provide advanced funding for the federal share of the project in accordance with County Policy F.18, County Advanced Funding for City Cost Participation, to advance construction of CP-34 from 2024 to 2023.

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 West St. Paul to define costs and responsibilities in accordance with County policy for County Project 73-34, in the City of West St. Paul, subject to approval by the County Attorney's Office as to form.

County Board/County Administration

21-209

Appointment To Extension Committee

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby appoints the following individual to the Extension Committee to complete a one-year term ending December 31, 2021:

District	Name
7	Mary Beth Kufrin

21-210

Scheduling Of Special Dakota County Board Of Commissioners Meeting To Conduct Interviews For Appointed County Attorney Finalists

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 three weeks, 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

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

WHEREAS, on March 9, 2021, at the 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; and

WHEREAS, based on a review of qualifications and experience, the subcommittee unanimously recommended

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the following three applicants to be considered by the Board for final interviews:

- Kathryn Keena
- Elizabeth Lamin
- Thomas Pugh

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioner hereby schedules a Special Dakota County Board of Commissioners meeting on May 4, 2021, at Noon, in the Boardroom, Administration Center, 1590 Highway 55, Hastings, Minnesota, or via telephone or other electronic means if necessary due to the ongoing COVID-19 pandemic, to interview finalists for Appointed County Attorney.

County Attorney

21-211

Authorization To Execute Legal Services Agreement With Dakota County Domestic Preparedness Committee

WHEREAS, the Dakota County Domestic Preparedness Committee (DPC) is established by a 2003 joint powers agreement entered into by the Cities of Apple Valley, Burnsville, Eagan, Farmington, Hastings, Inver Grove Heights, Lakeville, Mendota Heights, Rosemount, South St. Paul, West St. Paul, and the County pursuant to Minn. Stat. § 471.59; and

WHEREAS, the County Attorney's Office (CAO) provides legal services as requested by DPC; and

WHEREAS, the parties agree to enter into another Legal Services Agreement under similar terms; and

WHEREAS, a Legal Service Agreement functions as a joint powers agreement pursuant to Minn. Stat. § 471.59 between the County and DPC for the provision of legal services by the County Attorney; and

WHEREAS, the new Legal Service Agreement will be in effective upon execution thru March 31, 2026; and

WHEREAS, as long as the County continues to serve as an active member of the DPC, the DPC is not required to pay the County for legal services performed in accordance with the Legal Services Agreement; and

WHEREAS, the DPC is required to pay for actual costs incurred by the CAO, if any.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the County Attorney to execute a Legal Services Agreement with the Dakota County Domestic Preparedness Committee, subject to approval of the County Attorney's Office as to form, through March 31, 2026 for provision of legal services to the Dakota County Domestic Preparedness Committee.

Operations, Management And Budget

Report On Invoices Paid In March 2021

This was on the agenda for informational purposes only.

Physical Development

Award Of Bid And Authorization To Execute Contract With Parkos Construction Company For Thompson County Park Master Plan Improvements Phase I Project And Amend 2021 Parks Capital Improvement Program Budget

This item was pulled from the agenda and may be brought forward at a future County Board meeting.

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21-212

Award Of Bid And Authorization To Execute Contract With Parkos Construction Company For Big Rivers Regional Trail Mendota Trailhead Project

WHEREAS, the Project site is the primary access point to the Big Rivers Regional Trail segment of the Minnesota River Greenway located at 1498 Mendota Heights Road in Mendota Heights; and

WHEREAS, despite its high use, an estimated 158,900 visitors in 2018, the Project site lacks essential features such as drinking water, permanent restrooms, and sufficient parking; and

WHEREAS, to correct these deficiencies, the Project includes a restroom facility, increased access for picnicking, an integrated information center providing details on the site, additional parking, interpretation, and natural resources restoration; and

WHEREAS, the Project schematic design scope and budget was authorized by Resolution No. 20-570 (November 17, 2020); and

WHEREAS, bid documents were prepared, and the Project was competitively advertised for three weeks with nine bids were received on April 1, 2021; and

WHEREAS, to provide flexibility with the award and keep within the approved budget, the project included bid alternates including bollard lighting, picnic, and event gravel pads, HWY 13 trail connection, and a shelter pad snowmelt system; and

WHEREAS, the lowest base bid plus alternates totaled \$1,646,865.50 as follows;

Bidder:	Amount:
Parkos Construction Company, West St. Paul, MN	\$1,646,865.50
Pember Companies, Menomonie, WI	\$1,661,007.90
Integral Contracting, Watertown, MN	\$1,726,935.00
Terra Construction, Rogers, MN	\$1,812,558.27
Ebert Construction, Corcoran, MN	\$1,824,542.11
Meisinger Construction, South St. Paul, MN	\$1,844,755.00
Jorgenson Construction, Coon Rapids, MN	\$2,026,000.00
Morcon Construction, Fridley, MN	\$2,039,705.00
CM Construction, Burnsville, MN	\$2,050,058.00

; and

WHEREAS, the Project will be completed by spring 2022 for use; and

WHEREAS, staff recommends that the County Board of Commissioners authorize the Parks, Facilities, and Fleet Director to execute a contract with Parkos Construction for the Big River Regional Trail Mendota Trailhead project, including alternates for bollard lighting, picnic and event gravel pads, HWY 13 trail connection, in an amount not to exceed \$1,646,865.50.

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 Parkos Construction Company, 1010 Robert St., West St. Paul, MN 55118 for the Big River Regional Trail Mendota Trailhead project including alternates for Bollard lights, Event/Picnic area, HWY 13 trail connection, in an amount not to exceed \$1,646,865.50. Subject to approval by the County Attorney's Office as to form.

21-213

Authorization To Execute Cooperative Construction Agreement With Minnesota Department Of Transportation For Big Rivers Regional Trail Mendota Trailhead Project

WHEREAS, the Project site is the primary access point to the Big Rivers Regional Trail segment of the Minnesota

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River Greenway located at 1498 Mendota Heights Road in Mendota Heights; and

WHEREAS, despite its high use, an estimated 158,900 visitors in 2018, the Project site lacks essential features such as drinking water, permanent restrooms, and sufficient parking; and

WHEREAS, to correct these deficiencies, the Project includes a restroom facility, increased access for picnicking, an integrated information center providing details on the site, additional parking, interpretation, and natural resources restoration; and

WHEREAS, the Project schematic design scope and budget were authorized by Resolution No. 20-570 (November 17, 2020); and

WHEREAS, the Project occurs on property owned by the Minnesota Department of Transportation (MnDOT), and negotiations with MnDOT have been ongoing since 2018 to transfer ownership of the property to the County; and

WHEREAS, these negotiations include a legislative reapportionment of the boundary of Fort Snelling State Park, which was anticipated prior to the construction of the project but has since been delayed; and

WHEREAS, to keep the Project on schedule, MnDOT proposed use of a Cooperative Construction Agreement prior to the land transfer; and

WHEREAS, staff recommends authorizing a Cooperative Construction Agreement with MnDOT for the Big Rivers Regional Trail Mendota Trailhead project.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Parks, Facilities, and Fleet Management Director to execute a Cooperative Construction Agreement with the Minnesota Department of Transportation for the Big Rivers Regional Trail Mendota Trailhead project, subject to approval by the County Attorney's Office as to form.

21-214

Authorization To Execute Contract With St. Paul Linoleum & Carpet Company For 2021 Carpet Replacement Program At Administration Center

WHEREAS, replacement of the existing carpeting for the Administration Center in the 2021–2025 Building Capital Improvement Program (CIP) Adopted Budget; and

WHEREAS, bid document and specifications were prepared by Collaborative Design Group and Capital Projects Management staff; and

WHEREAS, three competitive bids were received on April 1, 2021; and

WHEREAS, St. Paul Linoleum & Carpet Company has submitted the low bid of \$404,250; and

WHEREAS, staff has reviewed the qualifications of the bidder and recommend award to St. Paul Linoleum & Carpet Company as the lowest responsive and responsible bidder in an amount not to exceed \$404,250 for the 2021 Carpet Replacement Program at Administration Center project; and

WHEREAS, sufficient funds are available within the 2021–2025 Building CIP Adopted Budget for this project.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Parks, Facilities, and Fleet Management Director to execute a contract for the 2021 Carpet Replacement Program at Administration Center project to St. Paul Linoleum & Carpet Company, 2956 Center Ct, Eagan, MN 55121, in an amount not to exceed \$404,250, subject to approval by the County Attorney's office as to form.

21-215

Approval Of Right Of Way Acquisition And Authorization To Initiate Quick Take Condemnation For

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County Project 96-07 In Greenvale Township

WHEREAS, to provide a safe and efficient transportation system, Dakota County and Rice County are proceeding with Dakota County Project (DCP) 96-07/Rice County Project (RCP) 101-01; and

WHEREAS, DCP 96-07/RCP 101-01 will reconstruct approximately a half-mile of Rice County Road (RCR) 101 (70th Street West) in Webster Township, Rice County, and approximately four miles of Dakota County Road (DCR) 96 (320th Street West) in Greenvale Township, Dakota County; and

WHEREAS, the purpose and need for the project is to improve roadway quality, increase safety, and provide for multi-modal mobility on RCR 101/DCR 96; and

WHEREAS, to address the purpose and need for this Project, safety will be improved along the corridor by paving the roadway, realigning the roadway to remove horizontal curves, adding turn lanes, and providing paved shoulders; and

WHEREAS, Dakota County is the lead agency for DCP 96-07/ RCP 101-01; and

WHEREAS, right of way acquisition is needed to allow for construction to begin in 2022 as scheduled; and

WHEREAS, to provide a safe and efficient transportation system, Dakota County and Rice County are proceeding with Dakota County Project (DCP) 96-07/Rice County Project (RCP) 101-01; and

WHEREAS, DCP 96-07/RCP 101-01 will reconstruct approximately a half-mile of Rice County Road (RCR) 101 (70th Street West) in Webster Township, Rice County, and approximately four miles of Dakota County Road (DCR) 96 (320th Street West) in Greenvale Township, Dakota County; and

WHEREAS, the purpose and need for the project is to improve roadway quality, increase safety, and provide for multi-modal mobility on RCR 101/DCR 96; and

WHEREAS, to address the purpose and need for this Project, safety will be improved along the corridor by paving the roadway, realigning the roadway to remove horizontal curves, adding turn lanes, and providing paved shoulders; and

WHEREAS, Dakota County is the lead agency for DCP 96-07/ RCP 101-01; and

WHEREAS, right of way acquisition is needed to allow for construction to begin in 2022 as scheduled; and

WHEREAS, the acquisition of the following 38 parcels is necessary to move forward with the Project:

16-01900-50-011 – Parcel 1

A permanent easement for highway purposes over the following described subject property: The Southwest Quarter of Section 19, Township 112 North, Range 20 West, Dakota County, Minnesota, excepting therefrom the south 330.00 feet of the west 630.00 feet of the east 1705.00 feet and the west 274.00 feet of the east 1705.00 feet of the north 230.00 feet of the south 560.00 feet of said Southwest Quarter of Section 19.

Said highway easement lies southerly of the following described line: Commencing at the southeast corner of said Southwest Quarter; thence North 00 degrees 18 minutes 42 seconds East, assumed bearing, along the east line of said Southwest Quarter a distance of 55.00 feet to the point of beginning of the line to be described; thence North 89 degrees 22 minutes 07 seconds West a distance of 1705.03 feet; thence North 00 degrees 18 minutes 42 seconds East a distance of 15.00 feet; thence North 89 degrees 22 minutes 07 seconds West a distance of 237.44 feet; thence South 00 degrees 37 minutes 53 seconds West a distance of 15.00 feet; thence North 89 degrees 22 minutes 07 seconds West a distance of 536.05 feet to the west line of said Southwest Quarter and said line there terminating.

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Excepting from said highway easement that part of said Southwest Quarter lying southerly of the northerly right of way line of County Road No. 96 described as follows: Commencing at the southeast corner of said Southwest Quarter; thence North 00 degrees 18 minutes 42 seconds East, assumed bearing, along the east line of said Southwest Quarter a distance of 33.00 feet to the point of beginning of said northerly right of way line; thence North 89 degrees 52 minutes 43 seconds West a distance of 1264.57 feet; thence westerly a distance of 212.82 feet along a tangential curve concave to the north having a radius of 3326.41 feet and a central angle of 03 degrees 39 minutes 56 seconds; thence North 86 degrees 12 minutes 47 seconds West tangent to said curve a distance of 341.24 feet; thence westerly a distance of 527.71 feet along a tangential curve concave to the south having a radius of 4525.00 feet and a central angle of 06 degrees 40 minutes 55 seconds; thence South 87 degrees 06 minutes 18 seconds West tangent to said curve a distance of 133.36 feet to the west line of said Southwest Quarter and said northerly right of way line there terminating.

New Permanent Easement areas contain approximately 37,892 square feet

16-01900-50-012 – Parcel 2

A permanent easement for highway purposes over the following described subject property: The south 330.00 feet of the west 630.00 feet of the east 1705.00 feet and the west 274.00 feet of the east 1705.00 feet of the north 230.00 feet of the south 560.00 feet of the Southwest Quarter of Section 19, Township 112 North, Range 20 West, Dakota County, Minnesota.

Said highway easement lies southerly of the following described line: Commencing at the southeast corner of said Southwest Quarter; thence North 00 degrees 18 minutes 42 seconds East, assumed bearing, along the east line of said Southwest Quarter a distance of 55.00 feet to the point of beginning of the line to be described; thence North 89 degrees 22 minutes 07 seconds West a distance of 1705.03 feet; thence North 00 degrees 18 minutes 42 seconds East a distance of 15.00 feet; thence North 89 degrees 22 minutes 07 seconds West a distance of 237.44 feet; thence South 00 degrees 37 minutes 53 seconds West a distance of 15.00 feet; thence North 89 degrees 22 minutes 07 seconds West a distance of 536.05 feet to the west line of said Southwest Quarter and said line there terminating.

Excepting from said highway easement that part of said Southwest Quarter lying southerly of the northerly right of way line of County Road No. 96 described as follows: Commencing at the southeast corner of said Southwest Quarter; thence North 00 degrees 18 minutes 42 seconds East, assumed bearing, along the east line of said Southwest Quarter a distance of 33.00 feet to the point of beginning of said northerly right of way line; thence North 89 degrees 52 minutes 43 seconds West a distance of 1264.57 feet; thence westerly a distance of 212.82 feet along a tangential curve concave to the north having a radius of 3326.41 feet and a central angle of 03 degrees 39 minutes 56 seconds; thence North 86 degrees 12 minutes 47 seconds West tangent to said curve a distance of 341.24 feet; thence westerly a distance of 527.71 feet along a tangential curve concave to the south having a radius of 4525.00 feet and a central angle of 06 degrees 40 minutes 55 seconds; thence South 87 degrees 06 minutes 18 seconds West tangent to said curve a distance of 133.36 feet to the west line of said Southwest Quarter and said northerly right of way line there terminating.

New Permanent Easement area contains approximately 17,963 square feet

A temporary easement for highway purposes over the north 15.00 feet of the south 70.00 feet of the east 274.44 feet of the Southwest Quarter of the Southwest Quarter of Section 19, Township 112 North, Range 20 West, Dakota County, Minnesota.

Temporary Easement area contains approximately 4,117 square feet

16-01900-77-013 – Parcel 3

A permanent easement for highway purposes over the north 22.00 feet of the south 55.00 feet of the following described subject property:

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The West Half of the Southeast Quarter and the West Half of the East Half of the Southeast Quarter of Section 19, Township 112 North, Range 20 West, Dakota County, Minnesota, excepting therefrom that part of the Southeast Quarter of Section 19, Township 112 North, Range 20 West, Dakota County, Minnesota, described as follows: Commencing at the southwest corner of said Southeast Quarter; thence South 89 degrees 36 minutes 50 seconds East, assumed bearing, along the south line of said Southeast Quarter a distance of 934.32 feet to the beginning of the parcel to be described; thence North 00 degrees 05 minutes 49 seconds East a distance of 844.51 feet; thence South 89 degrees 36 minutes 50 seconds East a distance of 516.01 feet; thence South 00 degrees 05 minutes 49 seconds West a distance of 844.51 feet to the south line of said Southeast Quarter; thence North 89 degrees 36 minutes 50 seconds West a distance of 516.01 feet to the point of beginning.

New Permanent Easement areas contain approximately 31,550 square feet

16-01900-77-011 – Parcel 4

A permanent easement for highway purposes over the north 22.00 feet of the south 55.00 feet of the following described subject property:

That part of the Southeast Quarter of Section 19, Township 112 North, Range 20 West, Dakota County, Minnesota, described as follows: Commencing at the southwest corner of said Southeast Quarter; thence South 89 degrees 36 minutes 50 seconds East, assumed bearing, along the south line of said Southeast Quarter a distance of 934.32 feet to the beginning of the parcel to be described; thence North 00 degrees 05 minutes 49 seconds East a distance of 844.51 feet; thence South 89 degrees 36 minutes 50 seconds East a distance of 516.01 feet; thence South 00 degrees 05 minutes 49 seconds West a distance of 844.51 feet to the south line of said Southeast Quarter; thence North 89 degrees 36 minutes 50 seconds West a distance of 516.01 feet to the point of beginning.

Permanent Easement area contains approximately 11,352 square feet

16-01900-75-010 – Parcel 5

A permanent easement for highway purposes over the north 22.00 feet of the south 55.00 feet of the East Half of the East Half of the Southeast Quarter of Section 19, Township 112 North, Range 20 West, Dakota County, Minnesota.

New Permanent Easement area contains approximately 14,543 square feet

16-02000-50-018 – Parcel 6

A permanent easement for highway purposes over the south 55.00 feet of the west 75.00 Southwest Quarter of Section 20, Township 112 North, Range 20 West, Dakota County, Minnesota.

Excepting from said highway easement that part of said Southwest Quarter lying southerly of the northerly right of way line of County Road No. 96 described as follows: Commencing at the southeast corner of said Southwest Quarter; thence North 00 degrees 00 minutes 42 seconds East, assumed bearing, along the east line of said Southwest Quarter a distance of 48.05 feet to the point of beginning of said northerly right of way line; thence North 89 degrees 40 minutes 08 seconds West a distance of 2657.69 feet to the west line of said Southwest Quarter and said northerly right of way line there terminating.

New Permanent Easement area contains approximately 1,634 square feet

16-02000-50-019 – Parcel 7

A permanent easement for highway purposes over the south 55.00 feet of the following described subject property: The Southwest Quarter of Section 20, Township 112 North, Range 20 West, Dakota County, Minnesota, excepting therefrom the west 75.00 feet of said Southwest Quarter and also excepting the east 565.40 feet of said Southwest Quarter.

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Excepting from said highway easement that part of said Southwest Quarter lying southerly of the northerly right of way line of County Road No. 96 described as follows: Commencing at the southeast corner of said Southwest Quarter; thence North 00 degrees 00 minutes 42 seconds East, assumed bearing, along the east line of said Southwest Quarter a distance of 48.05 feet to the point of beginning of said northerly right of way line; thence North 89 degrees 40 minutes 08 seconds West a distance of 2657.69 feet to the west line of said Southwest Quarter and said northerly right of way line there terminating.

New Permanent Easement areas contain approximately 32,010 square feet

16-02000-50-030 – Parcel 8

A permanent easement for highway purposes over the south 55.00 feet the following described subject property: The west 330.00 feet of the east 565.40 feet of the south 300.00 feet of the Southwest Quarter of Section 20, Township 112 North, Range 20 West, Dakota County, Minnesota.

Excepting from said highway easement that part of said Southwest Quarter lying southerly of the northerly right of way line of County Road No. 96 described as follows: Commencing at the southeast corner of said Southwest Quarter; thence North 00 degrees 00 minutes 42 seconds East, assumed bearing, along the east line of said Southwest Quarter a distance of 48.05 feet to the point of beginning of said northerly right of way line; thence North 89 degrees 40 minutes 08 seconds West a distance of 2657.69 feet to the west line of said Southwest Quarter and said northerly right of way line there terminating.

New Permanent Easement area contains approximately 3,044 square feet

16-02000-50-020 and 50-012 – Parcel 9

A permanent easement for highway purposes over the south 55.00 feet the following described subject property: The east 235.40 feet of the south 370.00 feet of the Southwest Quarter of Section 20, Township 112 North, Range 20 West, Dakota County, Minnesota,

Excepting from said highway easement that part of said Southwest Quarter lying southerly of the northerly right of way line of County Road No. 96 described as follows: Commencing at the southeast corner of said Southwest Quarter; thence North 00 degrees 00 minutes 42 seconds East, assumed bearing, along the east line of said Southwest Quarter a distance of 48.05 feet to the point of beginning of said northerly right of way line; thence North 89 degrees 40 minutes 08 seconds West a distance of 2657.69 feet to the west line of said Southwest Quarter and said northerly right of way line there terminating.

New Permanent Easement area contains approximately 1,546 square feet

16-02000-76-013 L and B Schweich Properties, LP - Parcel 10

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

That part of the South Half of the Southeast Quarter lying south of the north 654.50 feet of said South Half of the Southeast Quarter of Section 20, Township 112 North, Range 20 West, Dakota County, Minnesota, excepting therefrom the south 560.00 feet of the west 576.00 feet of the east 1758.00 of said South Half of the Southeast Quarter of Section 20.

Said highway easement lies southerly of the following described line: Commencing at the southeast corner of said Southeast Quarter; thence North 00 degrees 16 minutes 47 seconds East, assumed bearing, along the east line of said Southeast Quarter a distance of 55.00 feet to the point of beginning of the line to be described; thence North 89 degrees 20 minutes 40 seconds West a distance of 424.85 feet; thence North 00 degrees 39 minutes 20 seconds East a distance of 10.00 feet; thence North 89 degrees 20 minutes 40 seconds West a distance of 115.00 feet; thence South 00 degrees 39 minutes 20 seconds West a distance of 10.00 feet; thence North 89 degrees 20 minutes 40 seconds

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West a distance of 743.90 feet; thence North 00 degrees 39 minutes 20 seconds East a distance of 15.00 feet; thence North 89 degrees 20 minutes 40 seconds West a distance of 60.00 feet; thence South 00 degrees 39 minutes 20 seconds West a distance of 15.00 feet; thence North 89 degrees 20 minutes 40 seconds West a distance of 1314.26 feet to the west line of said Southeast Quarter and said line there terminating.

Excepting from said highway easement that part of said Southeast Quarter lying southerly of the northerly right of way line of County Road No. 96 described as follows: Commencing at the southeast corner of said Southeast Quarter; thence North 00 degrees 16 minutes 47 seconds East, assumed bearing, along the east line of said Southeast Quarter a distance of 33.00 feet to the point of beginning of said northerly right of way line; thence North 88 degrees 51 minutes 23 seconds West a distance of 1048.48 feet; thence North 89 degrees 07 minutes 37 seconds West a distance of 1609.63 feet to the west line of said Southeast Quarter and said northerly right of way line there terminating.

New Permanent Easement areas contain approximately 28,821 square feet

16-02000-77-020 – Parcel 11

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

The south 560.00 feet of the west 576.00 feet of the east 1758.00 of the South Half of the Southeast Quarter of Section 20, Township 112 North, Range 20 West, Dakota County, Minnesota.

Said highway easement lies southerly of the following described line: Commencing at the southeast corner of said Southeast Quarter; thence North 00 degrees 16 minutes 47 seconds East, assumed bearing, along the east line of said Southeast Quarter a distance of 55.00 feet to the point of beginning of the line to be described; thence North 89 degrees 20 minutes 40 seconds West a distance of 424.85 feet; thence North 00 degrees 39 minutes 20 seconds East a distance of 10.00 feet; thence North 89 degrees 20 minutes 40 seconds West a distance of 115.00 feet; thence South 00 degrees 39 minutes 20 seconds West a distance of 10.00 feet; thence North 89 degrees 20 minutes 40 seconds West a distance of 743.90 feet; thence North 00 degrees 39 minutes 20 seconds East a distance of 15.00 feet; thence North 89 degrees 20 minutes 40 seconds West a distance of 60.00 feet; thence South 00 degrees 39 minutes 20 seconds West a distance of 15.00 feet; thence North 89 degrees 20 minutes 40 seconds West a distance of 1314.26 feet to the west line of said Southeast Quarter and said line there terminating.

Excepting from said highway easement that part of said Southeast Quarter lying southerly of the northerly right of way line of County Road No. 96 described as follows: Commencing at the southeast corner of said Southeast Quarter; thence North 00 degrees 16 minutes 47 seconds East, assumed bearing, along the east line of said Southeast Quarter a distance of 33.00 feet to the point of beginning of said northerly right of way line; thence North 88 degrees 51 minutes 23 seconds West a distance of 1048.48 feet; thence North 89 degrees 07 minutes 37 seconds West a distance of 1609.63 feet to the west line of said Southeast Quarter and said northerly right of way line there terminating.

New Permanent Easement area contains approximately 7,504 square feet

16-02100-50-010 – Parcel 12

A permanent easement for highway purposes over the south 55.00 feet of the Southwest Quarter of Section 21, Township 112 North, Range 20 West, Dakota County, Minnesota,

Excepting from said highway easement that part of said Southwest Quarter lying southerly of the northerly right of way line of County Road No. 96 described as follows:

Commencing at the southeast corner of said Southwest Quarter; thence North 00 degrees 10 minutes 54 seconds West, assumed bearing, along the east line of said Southwest Quarter a distance of 33.00 feet to the point of beginning of said northerly right of way line; thence North 89 degrees 32 minutes 33 seconds West a distance of 1327.22 feet; thence North 89 degrees 07 minutes 37 seconds West a distance of 931.72 feet; thence North 88 degrees 52 minutes 25 seconds West a distance of 395.45

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feet to the west line of said Southwest Quarter and said northerly right of way line there terminating.

New Permanent Easement area contains approximately 66,753 square feet

16-02100-76-010 and 76-012 – Parcel 13

A permanent easement for highway purposes over the West Half of the Southeast Quarter of Section 21, Township 112 North, Range 20 West, Dakota County, Minnesota, lying southerly of the following described line:

Commencing at the southeast corner of said Southeast Quarter; thence North 00 degrees 20 minutes 08 seconds West, assumed bearing, along the east line of said Southeast Quarter a distance of 55.00 feet to the point of beginning of the line to be described; thence North 89 degrees 47 minutes 55 seconds West a distance of 1501.88 feet; thence North 00 degrees 12 minutes 05 seconds East a distance of 11.06 feet; thence North 89 degrees 47 minutes 55 seconds West a distance of 35.00 feet; thence South 00 degrees 12 minutes 05 seconds West a distance of 11.06 feet; thence North 89 degrees 47 minutes 55 seconds West a distance of 1113.41 feet to the west line of said Southeast Quarter and said line there terminating.

Excepting from said highway easement the south 33.00 feet and the east 33.00 feet of said West Half of the Southeast Quarter.

New Permanent Easement area contains approximately 28,815 square feet

16-02100-75-014 – Parcel 14

A permanent easement for highway purposes over the north 22.00 feet of the south 55.00 feet of the west 356.00 feet of the East Half of the Southeast Quarter of Section 21, Township 112 North, Range 20 West, Dakota County, Minnesota, excepting from said easement the west 33.00 feet of said East Half of the Southeast Quarter.

New Permanent Easement area contains approximately 7,106 square feet

16-02100-75-013 – Parcel 15

A permanent easement for highway purposes over the north 22.00 feet of the south 55.00 feet of the east 484.00 feet of the west 840.00 of the East Half of the Southeast Quarter of Section 21, Township 112 North, Range 20 West, Dakota County, Minnesota.

New Permanent Easement area contains approximately 10,648 square feet

16-02100-75-020 – Parcel 16

A permanent easement for highway purposes over the north 22.00 feet of the south 55.00 feet of the East Half of the Southeast Quarter of Section 21, Township 112 North, Range 20 West, Dakota County, Minnesota, excepting therefrom the west 840.00 feet of said East Half of the Southeast Quarter.

New Permanent Easement area contains approximately 10,673 square feet

16-02200-50-010 – Parcel 17

A permanent easement for highway purposes over the north 22.00 feet of the south 55.00 feet of the Southwest Quarter of the Southwest Quarter of Section 22, Township 112 North, Range 20 West, Dakota County, Minnesota.

New Permanent Easement area contains approximately 29,159 square feet

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16-02200-52-010 – Parcel 18

A permanent easement for highway purposes over the north 22.00 feet of the south 55.00 feet of the west 165.00 feet of the East Half of the Southwest Quarter of Section 22, Township 112 North, Range 20 West, Dakota County, Minnesota.

New Permanent Easement area contains approximately 3,630 square feet

16-02200-51-011 – Parcel 19

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

The Southeast Quarter of the Southwest Quarter of Section 22, Township 112 North, Range 20 West, Dakota County, Minnesota excepting therefrom the West Three-Fourths of the South Half of the Southeast Quarter of said Southeast Quarter of the Southwest Quarter of Section 22 and also excepting the south 16 rods of the west 10 rods of said Southeast Quarter of the Southwest Quarter.

Said highway easement lies southerly of the following described line: Commencing at the southeast corner of said Southeast Quarter of the Southwest Quarter; thence North 00 degrees 07 minutes 57 seconds West, assumed bearing, along the east line of said Southeast Quarter of the Southwest Quarter a distance of 55.00 feet to the point of beginning of the line to be described; thence South 89 degrees 43 minutes 46 seconds West a distance of 821.88 feet; thence North 00 degrees 16 minutes 14 seconds West a distance of 20.00 feet; thence South 89 degrees 43 minutes 46 seconds West a distance of 85.00 feet; thence South 00 degrees 16 minutes 14 seconds East a distance of 20.00 feet; thence South 89 degrees 43 minutes 46 seconds West a distance of 418.57 feet to the west line of said Southeast Quarter of the Southwest Quarter and said line there terminating, excepting from said highway easement the south 33.00 feet of said Southeast Quarter of the Southwest Quarter.

New Permanent Easement areas contain approximately 16,295 square feet

16-02200-51-012 – Parcel 20

A permanent easement for highway purposes over north 22.00 feet of the south 55.00 of the West Three-Fourths of the South Half of the Southeast Quarter of the Southeast Quarter of the Southwest Quarter of Section 22, Township 112 North, Range 20 West, Dakota County, Minnesota.

New Permanent Easement area contains approximately 10,935 square feet

16-02200-76-020 – Parcel 21

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

The South Half of the Southeast Quarter of Section 22, Township 112 North, Range 20 West, Dakota County, Minnesota, excepting therefrom the following described parcel: That part of the Southeast Quarter of the Southeast Quarter of said Section 22, beginning at the southeast corner of said Southeast Quarter of the Southeast Quarter; thence North 00 degrees 00 minutes 32 seconds East along the east line of said Southeast Quarter of the Southeast Quarter a distance of 675.17 feet; thence North 89 degrees 36 minutes 16 seconds West a distance of 751.19 feet; thence South 01 degrees 35 minutes 03 seconds East a distance of 674.29 feet to the south line of said Southeast Quarter of the Southeast Quarter; thence South 89 degrees 30 minutes 20 seconds East along said south line a distance of 732.45 feet to the point of beginning.

Said highway easement lies southerly of the following described line: Commencing at the southwest corner of said Southeast Quarter of Section 22; thence North 00 degrees 07 minutes 57 seconds West assumed bearing along the west line of said Southeast Quarter a distance of 55.00 feet; thence South 89 degrees 50 minutes 30 seconds East a distance of 1106.81 feet; thence North 00 degrees 09 minutes 30 seconds East a distance of 10.00 feet; thence South 89 degrees 50 minutes 30 seconds East a distance of 35.00 feet; thence South 00 degrees 09 minutes 30 seconds West a distance of 10.00 feet; thence South 89 degrees 50 minutes 30 seconds East a distance of 1522.08 feet to the

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east line of said Southeast Quarter and said line there terminating, excepting from said highway easement the south 33.00 feet of said Southeast Quarter.

New Permanent Easement area contains approximately 42,816 square feet

16-02700-01-012 – Parcel 24

A permanent easement for highway purposes over the south 22.00 feet of the north 55.00 feet that part of the Northeast Quarter of Section 27, Township 112 North, Range 20 West, Dakota County, Minnesota, described as follows:

Commencing at the northeast corner of said Northeast Quarter; thence North 89 degrees 50 minutes 30 seconds West, assumed bearing, along the north line of said Northeast Quarter a distance of 839.70 feet thence South 00 degrees 09 minutes 30 seconds West a distance of 33.00 feet to the actual point of beginning; thence continuing South 00 degrees 09 minutes 30 seconds West a distance of 275.00 feet; thence North 89 degrees 50 minutes 30 seconds West a distance of 131.33 feet; thence North 00 degrees 09 minutes 30 seconds East a distance of 275.00 feet; thence South 89 degrees 50 minutes 30 seconds East a distance of 131.33 feet to the point of beginning.

New Permanent Highway Easement area contains approximately 2,889 square feet

16-02700-02-010 – Parcel 25

A permanent easement for highway purposes over the south 22.00 feet of the north 55.00 feet of the Northeast Quarter of the Northeast Quarter of Section 27, Township 112 North, Range 20 West, Dakota County, Minnesota, except the West 203.00 feet of the North 385.00 feet thereof, and except the East 30 acres thereof.

New Permanent Highway Easement area contains approximately 3,112 square feet

16-02700-03-010 – Parcel 26

A permanent easement for highway purposes over the south 22.00 feet of the north 55.00 feet of that part of the Northeast Quarter of the Northeast Quarter of Section 27, Township 112 North, Range 20 West described as follows:

Commencing at the northwest corner of said Northeast Quarter of the Northeast Quarter; thence South 385.00 feet; thence East 203.00 feet; thence North 385.00 feet; thence West 203.00 feet to the point of beginning.

New Permanent Highway Easement area contains approximately 4,466 square feet

16-02700-04-014 – Parcel 27

A permanent easement for highway purposes over the south 22.00 feet of the north 55.00 feet of the north 425.00 feet of the east 1025.00 feet of the Northwest Quarter of the Northeast Quarter of Section 27, Township 112 North, Range 20 West, Dakota County, Minnesota, except that part of said Northeast Quarter of Section 27 described as follows:

Commencing at the northeast corner of said Northeast Quarter; thence West, assumed bearing, along the north line of said Northeast Quarter, a distance of 1799.25 feet to the point of beginning of the land to be described; thence continue West, along the north line of said Northeast Quarter a distance of 272.00 feet; thence South, a distance of 400.37 feet; thence East, a distance of 272.00 feet; thence North, a distance of 400.37 feet to the point of beginning.

New Permanent Highway Easement area contains approximately 16,567 square feet

16-02700-04-012 – Parcel 28

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A permanent easement for highway purposes over the south 22.00 feet of the north 55.00 feet of that part of the Northeast Quarter of Section 27, Township 112 North, Range 20 West, Dakota County, Minnesota, described as follows:

Commencing at the northeast corner of said Northeast Quarter; thence West, assumed bearing, along the north line of said Northeast Quarter, a distance of 1799.25 feet to the point of beginning of the land to be described; thence continue West, along the north line of said Northeast Quarter a distance of 272.00 feet; thence South, a distance of 400.37 feet; thence East, a distance of 272.00 feet; thence North, a distance of 400.37 feet to the point of beginning.

New Permanent Highway Easement area contains approximately 5,984 square feet

16-02700-04-021 & 43-02700-04-013 – Parcel 29

A permanent easement for highway purposes over the south 22.00 feet of the north 55.00 feet of the Northwest Quarter of the Northeast Quarter of Section 27, Township 112 North, Range 20 West, Dakota County, Minnesota, except the North 425.00 feet of the East 1025.00 feet thereof.

New Permanent Highway Easement area contains approximately 6,029 square feet

43-02700-25-020 – Parcel 30

A permanent easement for highway purposes over the south 22.00 feet of the north 55.00 feet of the east 895.00 feet of the Northeast Quarter of the Northwest Quarter of Section 27, Township 112 North, Range 20 West, Dakota County, Minnesota, except the east 33.00 feet thereof.

New Permanent Highway Easement area contains approximately 18,964 square feet

A permanent easement for drainage and utility purposes over the south 60.00 feet of the north 115.00 feet of the west 201.45 feet of the east 895.00 feet of the Northeast Quarter of the Northwest Quarter of Section 27, Township 112 North, Range 20 West, Dakota County, Minnesota.

Drainage and Utility Easement area contains approximately 12,087 square feet

A temporary easement for highway purposes over that part of the east 895.00 feet of the Northeast Quarter of the Northwest Quarter of Section 27, Township 112 North, Range 20 West, Dakota County, Minnesota described as follows:

Commencing at the northeast corner of said Northeast Quarter of the Northwest Quarter; thence South 00 degrees 19 minutes 15 seconds East, assumed bearing along the east line of said Northeast Quarter of the Northwest Quarter, a distance of 55.00; thence South 89 degrees 43 minutes 46 seconds West a distance of 33.00 feet to the west right of way of Garrett Avenue and the point of beginning of the easement to be described; thence continuing South 89 degrees 43 minutes 46 seconds West a distance of 25.00 feet; thence South 45 degrees 17 minutes 45 seconds East a distance of 35.37 feet to said west right of way of Garrett Avenue; thence North 00 degrees 19 minutes 15 seconds West along said west right of way a distance of 25.00 feet to the point of beginning.

Temporary Easement area contains approximately 313 square feet

16-02700-25-011 – Parcel 31

A permanent easement for highway purposes over the south 22.00 feet of the north 55.00 feet of the Northeast Quarter of the Northwest Quarter, except the East 895.00 feet thereof, in Section 27, Township 112 North, Range 20 West, Dakota County, Minnesota.

New Permanent Highway Easement area contains approximately 9,467 square feet

A permanent easement for drainage and utility purposes over the south 60.00 feet of the north 115.00

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feet of the west 69.31 feet of the east 964.31 feet of the Northeast Quarter of the Northwest Quarter of Section 27, Township 112 North, Range 20 West, Dakota County, Minnesota. The easterly line of said easement being the westerly line of the east 895.00 feet of said Northeast Quarter of the Northwest Quarter.

Drainage and Utility Easement area contains approximately 4,159 square feet

16-02700-26-011 – Parcel 32

A permanent easement for highway purposes over the south 22.00 feet of the north 55.00 feet of the Northwest Quarter of the Northwest Quarter of Section 27, Township 112 North, Range 20 West, Dakota County, Minnesota.

New Permanent Highway Easement area contains approximately 29,157 square feet

16-02800-01-010 – Parcel 33

A permanent easement for highway purposes over the south 22.00 feet of the north 55.00 feet of the Northeast Quarter of the Northeast Quarter of Section 28, Township 112 North, Range 20 West, Dakota County, Minnesota.

New Permanent Highway Easement area contains approximately 29,156 square feet

16-02800-02-010 – Parcel 34

A permanent easement for highway purposes over the south 27.00 feet of the north 60.00 feet of the East Half of the West Half of the Northeast Quarter of Section 28, Township 112 North, Range 20 West, Dakota County, Minnesota.

New Permanent Highway Easement area contains approximately 17,891 square feet

A temporary easement for highway purposes which lies southerly of the north 60.00 feet of the East Half of the West Half of the Northeast Quarter of Section 28, Township 112 North, Range 20 West, Dakota County, Minnesota, and northerly of the following described line:

Commencing at the northeast corner of said East Half of the West Half; thence South 00 degrees 18 minutes 23 seconds East, assumed bearing along the east line of said East Half of the West Half a distance of 65.00 feet to the point of beginning of the line to be described; thence North 89 degrees 47 minutes 55 seconds West a distance of 583.53 feet; thence South 00 degrees 12 minutes 05 seconds West a distance of 5.00 feet; thence North 89 degrees 47 minutes 55 seconds West a distance of 44.37 feet; thence North 00 degrees 12 minutes 05 seconds East a distance of 5.00 feet; thence North 89 degrees 47 minutes 55 seconds West a distance of 34.74 feet to the west line of said East Half of the West Half and said line there terminating.

Temporary Easement area contains approximately 3,535 square feet

16-02800-26-013 – Parcel 35

A permanent easement for highway purposes over the north 55.00 feet of the Northwest Quarter of the Northwest Quarter, the north 55.00 feet of the Northeast Quarter of the Northwest Quarter, the south 5.00 feet of the north 60.00 feet of the east 533.38 feet of the Northeast Quarter of the Northwest Quarter, and the south 27.00 feet of the north 60.00 feet of the West Quarter of the Northeast Quarter, all in Section 28, Township 112 North, Range 20 West, Dakota County, Minnesota, excepting therefrom that part of said Northwest Quarter of Section 28 lying northerly of the southerly right of way line of County Road No. 96 described as follows:

Commencing at the northwest corner of said Northwest Quarter; thence South 00 degrees 31 minutes 04 seconds East, assumed bearing along the west line of said Northwest Quarter a distance of 33.01

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feet to southerly right of way line of County Road No. 96 and the point of beginning of the line to be described; thence South 88 degrees 52 minutes 25 seconds East along said southerly right of way line a distance of 394.16 feet; thence South 89 degrees 07 minutes 37 seconds East along said southerly right of way line a distance of 932.11 feet; thence South 89 degrees 32 minutes 33 seconds East along said southerly right of way line a distance of 1328.24 feet to the east line of said Northwest Quarter and said line there terminating.

New Permanent Highway Easement area contains approximately 69,658 square feet

16-02900-02-011 – Parcel 36

A permanent easement for highway purposes over that part of the North 660.00 feet of the East 660.00 feet of the North Half of the Northeast Quarter of Section 29, Township 112 North, Range 20 West, Dakota County, Minnesota, described as follows:

Commencing at the northeast corner of said North Half of the Northeast Quarter; thence South 00 degrees 31 minutes 04 seconds East, assumed bearing along the east line of said North Half of the Northeast Quarter a distance of 33.01 feet to the southerly right of way of County Road No. 96 and the point of beginning of the easement to be described; thence continuing South 00 degrees 31 minutes 04 seconds East along said east line a distance of 22.00 feet; thence North 89 degrees 20 minutes 40 seconds West a distance of 385.05 feet; thence South 00 degrees 39 minutes 20 seconds West a distance of 15.00 feet; thence North 89 degrees 20 minutes 40 seconds West a distance of 100.00 feet; thence North 00 degrees 39 minutes 20 seconds East 15.00 feet; thence North 89 degrees 20 minutes 40 seconds West a distance of 175.09 feet to the west line of said East 660.00 feet of the North Half of the Northeast Quarter; thence North 00 degrees 31 minutes 04 seconds West along said west line, a distance of 27.62 feet to the southerly right of way of County Road No. 96; thence South 88 degrees 51 minutes 23 seconds East along said southerly right of way line a distance of 660.28 feet to the point of beginning.

New Permanent Highway Easement area contains approximately 17,364 square feet

A temporary easement for highway purposes over that part of the North 660.00 feet of the East 660.00 feet of the North Half of the Northeast Quarter of Section 29, Township 112 North, Range 20 West, Dakota County, Minnesota, described as follows:

Commencing at the northeast corner of said North Half of the Northeast Quarter; thence South 00 degrees 31 minutes 04 seconds East, assumed bearing along the east line of said North Half of the Northeast Quarter a distance of 55.01 feet; thence North 89 degrees 20 minutes 40 seconds East a distance of 23.14 feet to the point of beginning of the easement to be described; thence South 00 degrees 26 minutes 28 seconds East a distance of 20.00 feet; thence North 59 degrees 52 minutes 03 seconds West a distance of 40.64 feet; thence South 89 degrees 20 minutes 40 seconds East a distance of 35.00 feet to the point of beginning.

Temporary Easement area contains approximately 350 square feet

16-02900-02-020 – Parcel 37

A permanent easement for highway purposes over that part of the North Half of the Northeast Quarter of Section 29, Township 112 North, Range 20 West, Dakota County, Minnesota, Except the North 660.00 feet of the East 660.00 feet of said North Half of the Northeast Quarter, described as follows:

Commencing at the northwest corner of said North Half of the Northeast Quarter; thence South 00 degrees 16 minutes 38 seconds East, assumed bearing along the west line of said North Half a distance of 17.96 feet to the southerly right of way line of County Road No. 96 and the point of beginning of the easement to be described; thence continuing South 00 degrees 16 minutes 38 seconds East along said west line a distance of 37.05 feet; thence South 89 degrees 20 minutes 40 seconds East a distance of 1194.03 feet; thence South 00 degrees 39 minutes 20 seconds West a distance of 15.00 feet; thence South 89 degrees 20 minutes 40 seconds East a distance of 80.00 feet; thence North 00 degrees 39 minutes 20 seconds East a distance of 15.00 feet; thence South 89

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degrees 20 minutes 40 seconds East a distance of 723.80 feet to the west line of the east 660.00 feet of said North half; thence North 00 degrees 31 minutes 04 seconds West along said west line of the east 660.00 feet a distance of 27.62 feet to said southerly right of way line of County Road No. 96; thence North 88 degrees 51 minutes 23 seconds West along said southerly right of way line a distance of 389.51 feet; thence North 89 degrees 07 minutes 37 seconds West along said southerly right of way line a distance of 1608.39 feet to the point of beginning.

New Permanent Highway Easement area contains approximately 67,267 square feet

A permanent easement for drainage and utility purposes over that part of the North Half of the Northeast Quarter of Section 29, Township 112 North, Range 20 West, Dakota County, Minnesota, Except the North 660.00 feet of the East 660.00 feet of said North Half of the Northeast Quarter, described as follows:

Commencing at the northwest corner of said North Half of the Northeast Quarter; thence South 00 degrees 16 minutes 38 seconds East, assumed bearing along the west line of said North Half a distance of 17.96 feet to the southerly right of way line of County Road No. 96; thence continuing South 00 degrees 16 minutes 38 seconds East along said west line a distance of 37.05 feet; thence South 89 degrees 20 minutes 40 seconds East a distance of 1031.27 feet to the point of beginning of the easement to be described; thence continuing South 89 degrees 20 minutes 40 seconds East a distance of 162.76 feet; thence South 00 degrees 39 minutes 20 seconds West a distance of 15.00 feet; thence North 89 degrees 20 minutes 40 seconds West a distance of 13.37 feet; thence South 44 degrees 07 minutes 48 seconds West a distance of 82.20 feet; thence South 89 degrees 36 minutes 10 seconds West a distance of 92.85 feet; thence North 00 degrees 39 minutes 20 seconds East a distance of 76.36 feet to the point of beginning.

Drainage and Utility Easement area contains approximately 9,745 square feet

16-02900-25-012 – Parcel 39

A permanent easement for highway purposes over the north 55.00 feet of that part of the Northwest Quarter of Section 29, Township 112 North, Range 20 West, Dakota County, Minnesota described as follows:

Commencing at the northwest corner of said Northwest Quarter; thence South 89 degrees 02 minutes 20 seconds East along the north line of said Northwest Quarter, a distance of 803.76 feet to the point of beginning of the land to be described; thence South 89 degrees 02 minutes 20 seconds East, along said North line a distance of 458.00 feet; thence South 00 degrees 57 minutes 40 seconds West a distance of 422.00 feet; thence North 89 degrees 02 minutes 20 seconds West a distance of 458.00 feet; thence North 00 degrees 57 minutes 40 seconds East a distance of 422.00 feet to the point of beginning.

Excepting therefrom the existing road right of way of County Road No. 96, which lies northerly of the following described line:

Beginning at a point on the west line of said Northwest Quarter distant 33.00 feet southerly from the northwest corner of said Northwest Quarter to a point on the east line of said Northwest Quarter distant 17.96 feet southerly from the northeast corner of said Northwest Quarter.

Permanent Highway Easement area contains approximately 12,754 square feet

16-03000-01-011 – Parcel 40

A permanent easement for highway purposes over the south 22.00 feet of the north 55.00 feet of the North Half of the Northeast Quarter of Section 30, Township 112 North, Range 20 West, Dakota County, Minnesota.

Together with a permanent easement for highway purposes over the south 10.00 feet of the north 65.00 feet of the east 40.00 feet of the west 187.97 of the Northeast Quarter of the Northeast Quarter

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of said Section 30.

Permanent Highway Easement area contains approximately 57,940 square feet

16-03000-25-012 – Parcel 41

A permanent easement for highway purposes over the north 55.00 feet of that part of the Northwest Quarter of Section 30, Township 112 North, Range 20 West, Dakota County, Minnesota, described as follows:

Beginning at the northeast corner of the Northwest Quarter of said Section 30; thence North 89 degrees 22 minutes 07 seconds West along the north line of said Northwest Quarter 1765.10 feet; thence South 00 degrees 32 minutes 42 seconds East 1325.88 feet to the south line of the Fractional Northwest Quarter of said Northwest Quarter; thence South 89 degrees 26 minutes 54 seconds East along said south line 420.26 feet; thence South 28 degrees 15 minutes 49 seconds East 626.04 feet; thence South 89 degree 31 minutes 40 seconds East 1044.00 feet to the east line of said Northwest Quarter; thence North 00 degrees 15 minutes 13 seconds West along said east line 1870.44 feet to the northeast corner of said Northwest Quarter and the point of beginning.

Excepting therefrom that part of said Northwest Quarter lying northerly of the following described line:

Commencing at said northeast corner of the Northwest Quarter; thence South 00 degrees 15 minutes 13 seconds East, assumed bearing along said east line of the Northwest Quarter a distance of 33.00 feet to the point of beginning of the line to be described; thence North 89 degrees 52 minutes 43 seconds West a distance of 1264.67 feet; thence westerly a distance of 217.04 feet along a tangential curve concave to the north having a radius of 3392.41 feet and a central angle of 3 degrees 39 minutes 56 seconds; thence North 86 degrees 12 minutes 47 seconds West, tangent to said curve, a distance of 341.24 feet; thence westerly a distance of 520.01 feet along a tangential curve concave to the south having a radius of 4459.00 feet and a central angle of 6 degrees 40 minutes 55 seconds; thence South 87 degrees 06 minutes 18 seconds West, tangent to said curve, a distance of 136.60 feet to the west line of said Northwest Quarter and said line there terminating.

Permanent Highway Easement area contains approximately 29,201 square feet

A temporary easement for highway purposes over the south 15.00 feet of the north 70.00 feet of the east 289.50 feet of the Northwest Quarter of the Northwest Quarter of Section 30, Township 112 North, Range 20 West, Dakota County, Minnesota.

Temporary Easement area contains approximately 4,343 square feet

; and

WHEREAS, 33 appraisals have been completed by Valbridge Property Advisors for a total appraised value of \$1,065,400; and

WHEREAS, the 2021–2025 Dakota County Transportation Capital Improvement Program budget for the Project includes sufficient funds for right of way acquisition; and

WHEREAS, three properties require relocation of items impacted by the project (two farm taps and one storm tile inlet); and

WHEREAS, additional costs for relocation expenses for the three properties are estimated at \$50,000 for a total estimated cost of \$1,115,400; 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 spring 2022 start date.

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

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appraised value for the acquisition of the identified property interest from the 38 parcels for County Project 96-07; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby approves acquisition of the properties associated with the 38 parcels for County Project 96-07, at the approved appraised value, and authorizes payment from the 2021–2025 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.

21-216

Authorization To Execute Local Road Improvement Program Agreement No. 1046444 With Minnesota Department Of Transportation For County Project 30-39

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 improve the Diffley Marketplace Crossing; and

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

WHEREAS, by Resolution No. 20-168 (March 24, 2020), the County Board amended the 2020 Dakota County Legislative Platform to add support for a state bond fund request for improvements in the vicinity of Diffley Road, Braddock Trail, and the Northview Elementary, Dakota Hills Middle, and Eagan High School Campus in the City of Eagan; and

WHEREAS, Dakota County has applied to the Commissioner of Transportation for a grant from the Minnesota State Transportation Fund for Local Road Improvement; and

WHEREAS, the Commissioner of Transportation has given notice that funding for this project is available; and

WHEREAS, the Project was allocated up to a maximum of \$4,000,000 in state bond funds for CP 30-39 through the 2020 bonding bill; and

WHEREAS, the state bond funding will cover up to 100 percent of the Project's eligible construction costs up to a maximum state bond share of \$4,000,000; and

WHEREAS, the amount of the grant for Dakota County has been determined to be \$2,840,000 by reason of the lowest responsible bid; and

WHEREAS, the Minnesota Department of Transportation (MnDOT) manages state bond funds on behalf of local agencies through its Local Road Improvement Program and will act as the County's agent to receive and disperse the state bond funds for the construction of CP 30-39; and

WHEREAS, an agreement with MnDOT is necessary to allow the County to construct CP 30-39 in 2021.

NOW, THEREFORE, BE IT RESOLVED, That Dakota County does hereby agree to the terms and conditions of

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the grant consistent with Minn. Stat. § 174.52, and will pay any additional amount by which the cost exceeds the estimate and will return to the Minnesota State Transportation Fund any amount appropriated for the project but not required; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the County Board Chair to execute Exhibit C - Bond Finance Property Certification of general obligation bond financed property on the project area as required by Minnesota Department of Transportation Agreement No. 1046444 for the Local Road Improvement Program (LRIP), 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 Physical Development Director to execute Agreement No. 1046444 with the Minnesota Department of Transportation for state bond funds through the Local Road Improvement Program for County Project 30-39; State Aid Project 019-630-022; tied to State Aid Projects 019-596-011, 195-020-037, and 195-117-008, subject to approval by the County Attorney's Office as to form.

21-217

Authorization To Execute Amendment To Joint Power Agreement With City Of Eagan And Independent School District 196 And Execute Contract Amendment For Consultant Services 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 improve the Diffley Marketplace Crossing; and

WHEREAS, Dakota County, the City, and ISD 196 are partnering on the design, right of way acquisition, and construction for CP 30-39; and

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

WHEREAS, by Resolution No. 20-302 (June 30, 2020), the County Board adopted the Diffley Road School Area Improvements project concept, executed a joint powers agreement with the City and ISD 196 for design of the project, and authorized a contract with Bolton and Menk, Inc., for design services; and

WHEREAS, by Resolution No. 21-052 (January 19, 2021), the County Board authorized a contract amendment with Bolton and Menk, Inc., for design services; and

WHEREAS, Bolton and Menk, Inc., has requested additional funding for final design in the amount of \$46,576; and

WHEREAS, the 2021 CP 30-39 Transportation Capital Improvement Program budget includes sufficient funding in 2021 for CP 30-39; and

WHEREAS, by Resolution No. 20-545 (November 3, 2020), the County Board executed a joint powers agreement with the City of Eagan and ISD 196 for right of way acquisition, construction, and maintenance of the project; and

WHEREAS, to align with the requirements of the State bond funding, the right of way acquisition, construction,

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and maintenance JPA should be amended to update the project cost splits; and

WHEREAS, County staff recommends amending the Bolton and Menk, Inc., contract in an amount not to exceed \$667,591 and amending the right of way acquisition and construction JPA to reflect the updated project costs.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a contract amendment with Bolton and Menk, Inc., in the amount not to exceed \$667,591 for design services for County Project 30-39, 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 Physical Development Director to execute an amendment to the joint powers agreement with the City of Eagan and Independent School District 196 to outline cost participation and responsibilities for the necessary right of way acquisition and construction for County Project 30-39, subject to approval by the County Attorney's Office as to form.

21-218

Approval Of Final Plats Recommended By Plat Commission

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

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

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

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

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

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

CARAMORE CROSSINGS 2ND ADDITION	Rosemount
CRYSTAL PARK	Lakeville

21-219

Approval Of Amendments To 2019 And 2020 HOME Investment Partnerships Programs

WHEREAS, three types of substantial amendments to the HOME Investment Partnerships (HOME) Program are permissible by the U.S. Department of Housing and Urban Development (HUD): the creation of a new activity or cancellation of an existing activity with no funds expended; the increase or decrease of an activity budget by \$100,000 at one time; and a change to the location and/or national objective or beneficiaries of an activity; and

WHEREAS, Twin Cities Habitat for Humanity, Inc., (Habitat) has requested \$200,000 of available Program Year 2019 and 2020 HOME funds to create new eligible activities; and

WHEREAS, the new eligible activities consist of the reconstruction and sale of four single-family homes to be located at 1065 Gorman Avenue, West St. Paul; 4940 204th Street, Farmington; and 401 Main Street, Farmington to eligible homebuyers; and

WHEREAS, the HOME Program requires a 30-day public comment period to receive comments on the proposed

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amendments; and

WHEREAS, public notice of the substantial amendments to the 2019 and 2020 HOME Programs was placed in the Star Tribune and Dakota Tribune on March 12, 2021, and on the websites of the City of West St. Paul, City of Farmington, the Dakota County Community Development Agency, and Dakota County, in accordance with the approved Dakota County Citizen Participation Plan; and

WHEREAS, no comments were received on the proposed amendments.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the substantial amendments to the 2019 and 2020 Action Plans to allocate \$200,000 of available HOME Investment Partnerships Program funds to Twin Cities Habitat for Humanity, Inc., for the purpose of reconstructing and selling four single-family homes to be located at 1065 Gorman Avenue, West St. Paul; 4940 204th Street, Farmington; and 401 Main St, Farmington to buyers meeting all eligibility criteria.

Public Services And Revenue

21-220

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 Friends of Heritage donated \$1,500 for Summer Discovery; and Friends of Wentworth donated \$5,000 for Summer Discovery; Friends of Farmington donated \$775 for Summer Discovery; Friends of Wescott donated \$7,000 for remodeling the children’s area and \$5,000 for Summer Discovery; and City of Hastings Doffing Fund donated \$4,000 for Summer Discovery; and Friends of Inver Glen donated \$6,000.00 for Summer Discovery; 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 from Friends of Heritage \$1,500 for Summer Discovery; from Friends of Wentworth \$5,000 for Summer Discovery; from Friends of Farmington \$775 for Summer Discovery; and from Friends of Wescott \$7,000 for remodeling the children’s area, and \$5,000 for Summer Discovery; and from City of Hastings Doffing fund \$4,000 for Summer Discovery; and from Friends of Inver Glen \$6,000.00 for Summer Discovery; and

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

Revenue	
Heritage Gifts	\$ 1,500
Wentworth Gifts	\$ 5,000
Farmington Gifts	\$ 775
Wescott Gifts	\$12,000
Pleasant Hill/Hastings Gifts	\$ 4,000
Inver Glen Gifts	<u>\$ 6,000</u>
Total Revenue	\$29,275

Expense	
Heritage Gifts	\$ 1,500
Wentworth Gifts	\$ 5,000
Farmington Gifts	\$ 775

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Wescott Gifts	\$12,000
Pleasant Hill/Hastings Gifts	\$ 4,000
Inver Glen Gifts	<u>\$ 6,000</u>
Total Expense	\$29,275

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.

Operations, Management And Budget

Update And Discussion On Recommendations For Next Phase In County's Workplace Planning

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. A subsequent update will be provided at the County Board meeting on May 4, 2021.

Public Services And Revenue

21-221

Approval Of Abatement Of Penalty For Late Property Taxes Until June 15, 2021

Director of Property Taxation & Records Amy Koethe briefed this item and responded to questions.

Motion: Mike Slavik

Second: Kathleen A. Gaylord

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

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

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

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

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

WHEREAS, by Resolution No. 20-213 (April 28, 2020) and Resolution No. 20-437 (September 15, 2020), the Board took action to provide property tax relief to taxpayers experiencing hardship as a result of COVID-19, and authorized penalty abatements in 2020; and

WHEREAS, the County Board may consider abating the penalty on first half 2021 property taxes through June 15, 2021, to provide certain taxpayers additional time to make payment; and

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

WHEREAS, taxpayers able to pay their taxes by the due date are encouraged to do so to help support the county, school, city and township services; and

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

NOW, THEREFORE, BE IT RESOLVED, That the penalty for late payment of property taxes, that would otherwise be imposed between May 18, 2021 and June 15, 2021 on first half taxes, be abated for taxpayers except the following: 1) taxpayers who escrow their property tax payment through a mortgage or escrow service, and 2) taxpayers with properties classified as utility, railroad, machinery and transmission line tax; and

BE IT FURTHER RESOLVED, That the statutory tax distributions to local taxing districts will include collections through the June 15, 2021 penalty abatement period.

Ayes: 6

Nays: 0

Absent: 1 Liz Workman

Legislative Update

Paul Cassidy with Stinson LLP gave a brief update on the State legislature and responded to questions. Mike Erlandson with Downs Government Affairs gave a brief update at the Federal level. This item was on the agenda for informational purposes only. No direction was given.

Interagency Announcements/Reports

Interagency announcements and reports were then presented.

County Manager's Report

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

- Noted item on the consent agenda of large gifts given to the Library from various organizations/givers.
- A Special County Board meeting has been scheduled for May 4, 2021, at noon, to hold County Attorney finalists interviews.
- Thank you to all Public Health staff for all that was done to organize the Pleasant Hills Library Vaccination Clinic.

Closed Executive Session

21-222

Closed Executive Session: Acquisition Of Property From Magellan Pipeline Company, L.P. In City Of Apple Valley For County Project 99-14

Motion: Mike Slavik

Second: Kathleen A. Gaylord

WHEREAS, Dakota County (County) is proceeding with County Project (CP) 99-14 to design and construct a segment of multiuse trail along County State Aid Highway (CSAH 42) in Apple Valley, including a pedestrian tunnel underneath CSAH 42; and

WHEREAS, to construct the recommended improvements, Dakota County must acquire certain property rights from Magellan Pipeline Company, L.P. from property legally described as:

That part of Lot 1, Block 1, Magellan Addition, according to the recorded plat thereof, Dakota County, Minnesota described as follows:

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Beginning at the southeast corner of said Lot 1; thence on an assumed bearing of South 89 degrees 51 minutes 19 seconds West, along the south line of said Lot 1 a distance of 175.00 feet; thence North 00 degrees 02 minutes 52 seconds West, a distance of 128.89 feet; thence North 17 degrees 28 minutes 08 seconds East a distance of 498.36 feet; thence North 00 degrees 02 minutes 52 seconds West a distance of 1082.90 feet to the north line said Lot 1; thence North 73 degrees 30 minutes 00 seconds East along said north line of Lot 1 a distance of 26.07 feet to the northeast corner of said Lot 1; thence South 00 degrees 02 minutes 52 seconds East along the east line of said Lot 1 a distance of 1694.13 feet to the point of beginning.

; and

WHEREAS, the Dakota County Board of Commissioners seeks legal advice from the County Attorney with respect to the strategy of accomplishing the acquisition of the property rights for CP 99-14, the public disclosure of which would benefit the landowners to the detriment of Dakota County's position in this matter; and

WHEREAS, pursuant to Minn. Stat. § 13D.05, subd. 3(b), the County Board by resolution may close a meeting as permitted by the attorney-client privilege.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby closes the County Board meeting on April 20, 2021, and recesses to a confidential conference call to discuss with the County Attorney the legal strategy of accomplishing Dakota County's acquisition of certain property rights from Magellan Pipeline Company, L.P. for County Project 99-14.

Ayes: 6

Nays: 0

Absent: 1 Liz Workman

The time being 10:30 a.m. and pursuant to public notice, the County Board joined via a confidential telephone conference conducted in accordance with Minnesota Statutes sections 13D.021 and 13D.03. to hold a Closed Executive Session to discuss the legal strategy of accomplishing Dakota County's acquisition of certain property rights from Magellan Pipeline Company, L.P. for County Project 99-14.

The following were present:

Commissioner Mike Slavik, District 1
Commissioner Kathleen A. Gaylord, District 2
Commissioner Laurie Halverson, District 3
Commissioner Joe Atkins, District 4
Commissioner Mary Liz Holberg, District 6
Commissioner Mary Hamann-Roland, District 7
Matt Smith, County Manager
Tom Donely, First Assistant County Attorney
Kathryn M. Keena, (Acting) County Attorney
Jennifer Wolf (Assistant County Attorney)
Jeni Reynolds, Sr. Administrative Coordinator to the Board
Steve Mielke (Physical Development Director)
Mark Krebsbach (Transportation Director, County Engineer)
Joe Morneau (Sr. Transit Specialist)
Al Singer (Farmland Natural, Program Manager)
Gina Mitteco (Regional and Multi-Modal Transportation Manager)
John Mertens (Principal Planner)
Steve Sullivan (Parks Director)

Absent Commissioner Liz Workman, District 5

The Closed Executive Session continued until 10:59 a.m., at which time the Board convened to adjourn the meeting.

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Information

See Attachment A - Future Board Meetings And Other Board Activities

21-223

Adjournment

Motion: Mike Slavik

Second: Kathleen A. Gaylord

On a motion by Commissioner Mike Slavik, seconded by Commissioner Kathleen A. Gaylord, the meeting was adjourned at 11:00 a.m.

Mary Liz Holberg
Chair

ATTEST

Matt Smith
County Manager