

June 22, 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, County Attorney; Tom Donely, First Assistant County Attorney; and Jeni Reynolds, Sr. Administrative Coordinator to the Board.

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.

Administration Of Oath Of Office To County Elected Officials

The Honorable Chief Judge Messerich, First Judicial District Judge, administered the oath of office to re-elected Commissioner Joe Atkins (District 4), re-elected Commissioner Liz Workman (District 5), newly elected Commissioner Laurie Halverson (District 3), newly elected Commissioner Mary Hamann-Roland (District 7), and newly elected County Attorney Kathryn M. Keena.

Audience

Chair Holberg noted that all public comments can be sent to CountyAdmin@co.dakota.mn.us
Public comment was received by the following individual that was in attendance:

- Chris Navrati (Business Owner in District 1) – American Rescue Plan Funds.

21-303

Approval Of Agenda (Additions/Corrections/Deletions)

Motion: Liz Workman

Second: Mike Slavik

On a motion by Commissioner Liz Workman, seconded by Commissioner Mike Slavik, the agenda was unanimously approved.

CONSENT AGENDA

Motion: Mary Hamann-Roland

Second: Mike Slavik

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

21-304

Approval Of Minutes Of Meeting Held On June 8, 2021

Items Recommended By Board Committee

21-305

Authorization To Execute Joint Powers Agreement With State Of Minnesota For Community Corrections Sentence To Service Program

WHEREAS, a joint powers agreement (JPA) with the Minnesota Department of Corrections (DOC) is required to

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obtain State funding for the Sentence to Service (STS) Program in Dakota County; and

WHEREAS, the DOC has notified Dakota County that \$191,982.96 has been awarded to the County for this program for the period of July 1, 2021 to June 30, 2023; and

WHEREAS, the DOC and Dakota County staff have negotiated a proposed JPA for the STS Program; and

WHEREAS, the parties agree on the scope and nature of the services to be provided.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to execute a joint powers agreement with the Minnesota Department of Corrections for the Sentence to Service Program, effective July 1, 2021, or upon the date of execution, whichever is later, through June 30, 2023, as substantially presented to the Community Services Committee of the Whole on June 15, 2021, subject to approval by the County Attorney's Office as to form; and

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

21-306

Authorization To Execute Grant Agreement For Workforce Innovation And Opportunity Act Adult Services And Dislocated Worker Services And Execute Related Contracts

WHEREAS, the Workforce Innovation and Opportunity Act (WIOA) requires each Workforce Development Area (WDA), including Dakota-Scott Workforce Services, to offer employment and training services to program eligible residents of Dakota and Scott Counties; and

WHEREAS, by Resolution No. 18-049 (January 23, 2018), the Dakota County Board of Commissioners authorized the execution of a restated and amended joint powers agreement between Dakota County and Scott County for delivery of employment services; and

WHEREAS, a Request for Proposal was issued on January 17, 2019, for adult and dislocated worker services, and a committee comprised of Dakota-Scott Workforce Development Board (WDB) members and County staff reviewed the proposal and recommended continuing to contract with DEED Job Service and HIRED, the current providers; and

WHEREAS, by Resolution No. 20-282 (June 16, 2020), the Dakota County Board of Commissioners authorized the execution of the grant agreement with DEED for employment and training programs in the Dakota-Scott WDA for the WIOA Adult and WIOA Dislocated Worker programs \$262,953 and \$549,214 respectively, and execution of contracts with DEED Job Services and HIRED for the period of July 1, 2020 through June 30, 2022; and

WHEREAS, the funding for WIOA Adult and WIOA Dislocated Worker services for the period of July 1, 2021 through June 30, 2022, is based on an allocation formula used by the Minnesota Department of Employment and Economic Development (DEED); and

WHEREAS, this year's allocations are \$518,187 for WIOA Adult (an increase of 97.06% from 2020 funding) and \$696,744 (an increase of 26.86% from 2020 funding) for WIOA Dislocated Worker; and

WHEREAS, on May 21, 2021, the WDB approved execution of the grant agreement with DEED, and execution of contracts with DEED Job Service and HIRED at the rates outlined in the Resolution for the period of July 1, 2021 through June 30, 2022.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to execute a grant agreement with the Minnesota Department of Employment and Economic Development for employment and training programs in the Dakota-Scott Workforce Development Area

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for Workforce Innovation and Opportunity Act Adult and for Workforce Innovation and Opportunity Act Dislocated Worker services in the amount of the grant awarded for the period of July 1, 2021 through June 30, 2022, 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 Community Services Director to execute contracts with HIRED and DEED Job Service at the following rates for the period of July 1, 2021 through June 30, 2022, subject to approval by the County Attorney's Office as to form; and

HIRED:

- \$1,000 per participant in the Workforce Innovation and Opportunity Act Dislocated Worker program for up to 70 participants. The full amount per participant will be paid at enrollment. \$6,000 for universal customer services, amount to be paid in monthly installments (\$500 per month).
- \$1,000 per participant in Workforce Innovation and Opportunity Act Adult for up to 50 participants; Dakota County reserves the right to allocate the balance of participants based on the contractor's performance in meeting quarterly enrollment goals. The full amount per participant will be paid at enrollment. \$6,000 for universal customer services, amount to be paid in monthly installments (\$500 per month).

DEED Job Service

- \$1,000 per participant in the Workforce Innovation and Opportunity Act Dislocated Worker program for up to 70 participants. The full amount per participant will be paid at enrollment. \$6,000 for universal customer services, amount to be paid in monthly installments (\$500 per month).
- \$1,000 per participant in Workforce Innovation and Opportunity Act Adult program for up to 50 participants; Dakota County reserves the right to allocate the balance of participants based on the contractor's performance in meeting quarterly enrollment goals. The full amount per participant will be paid at enrollment. \$6,000 for universal customer services, amount to be paid in monthly installments (\$500 per month).

; and

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

BE IT FURTHER RESOLVED, That the Community Services Director is hereby authorized to amend said contracts consistent with the approved work plans and within the amount budgeted, to alter the number of clients served, types of services provided, reporting requirements, unit rates, and contract term consistent with County contracting policies, subject to approval by the County Attorney's Office as to form; and

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

21-307

Authorization To Execute Grant Agreement With Minnesota Department Of Human Services For Fraud Prevention Investigation

WHEREAS, Dakota County Employment and Economic Assistance (E&EA) has partnered with the Minnesota Department of Human Services (DHS) for Fraud Prevention Investigation (FPI) for many years; and

WHEREAS, FPI is a public assistance fraud program that conducts timely fraud prevention investigations of

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program applicants and participants; and

WHEREAS, public assistance programs include the Minnesota Family Investment Program, Diversionary Work Program, Supplemental Nutrition Assistance Program, Emergency Programs, Child Care, General Assistance, Minnesota Supplemental Aid, and Health Care programs; and

WHEREAS, E&EA has been awarded a funding grant from DHS, applicable to FPI efforts for the period of July 1, 2021 through June 30, 2023, in the amount of \$110,000 per fiscal year; and

WHEREAS, this grant will continue to fund a 1.0 full-time equivalent Welfare Fraud Investigator in E&EA and bi-annual training opportunities.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to accept the grant funds and execute the grant agreement in the amount of \$110,000 per fiscal year for the period of July 1, 2021 through June 30, 2023, subject to approval by the County Attorney's Office as to form; and

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

21-308

Ratification Of Grant Application To Minnesota Department Of Employment And Economic Development For Minnesota Youth Program, And Authorization To Accept Minnesota Youth Program Funds, And Execute Grant Agreement And Related Contract

WHEREAS, the Federal Workforce Innovation and Opportunity Act (WIOA) of 2014, requires local service areas to provide services to low-income, at-risk youth in order to promote educational and employment success; and

WHEREAS, the Minnesota Department of Employment and Economic Development (DEED) fulfills this requirement through grants to local governments for the Minnesota Youth Program (MYP); and

WHEREAS, the MYP grant is allocated to Dakota County based on the DEED formula; and

WHEREAS, a Request for Proposal (RFP) is issued for MYP services every five years, the last being on November 30, 2020; and

WHEREAS, by Resolution No. 20-283 (June 16, 2020), the County Board authorized execution of a contract with Tree Trust to provide MYP services for the period of July 1, 2020 through June 30, 2021; and

WHEREAS, a committee recommended the current provider under contract with Dakota County, Tree Trust, to continue to provide services; and

WHEREAS, Dakota-Scott Workforce Services has not received official notice of funding levels for MYP state fiscal year (SFY) 2022, July 1, 2021 through June 30, 2022; however, the anticipated funding level for MYP is not anticipated to exceed \$300,000; and

WHEREAS, staff recommends the County Board authorize the ratification of the grant application submitted to DEED for the MYP; and

WHEREAS, staff recommends the County Board authorize the acceptance of funding in the amount awarded from DEED; and

WHEREAS, staff recommends the County Board authorize the execution of the MYP grant agreement with DEED

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in the amount of the grant awarded; and

WHEREAS, staff recommends the County Board authorize the execution of a contract with Tree Trust to provide MYP services in the amount not to exceed the grant award for the period of July 1, 2021 through June 30, 2022, less \$10,000 set aside for youth projects, with 10 percent of the overall MYP grant award retained by Dakota County for administrative expenses, for the period of July 1, 2021 through June 30, 2022; and

WHEREAS, the 2021 Employment and Economic Assistance Adopted Budget includes funding for these programs.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby ratifies the grant application submitted to the Minnesota Department of Employment and Economic Development for the Minnesota Youth Program state fiscal year July 1, 2021 through June 30, 2022; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to accept the Minnesota Youth program funds in the amount of the grant awarded, and execute the Minnesota Youth program grant agreement with the Minnesota Department of Employment and Economic Assistance, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the Community Services Director is hereby authorized to execute a contract with Tree Trust to provide Minnesota Youth Program services in the amount of the grant awarded with \$10,000 set aside for other youth projects, and with ten percent of the overall grant award retained by Dakota County for administrative expenses, for the period of July 1, 2021 through June 30, 2022, subject to approval by the County Attorney's Office as to form; and

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

BE IT FURTHER RESOLVED, That the Community Services Director is hereby authorized to amend said contract consistent with the approved plan year 2021 Minnesota Youth Program and Plan within the amount budgeted, to accept additional funding, alter the numbers and types of clients served, types of services provided, reporting requirements, contract amount and contract term, consistent with County contracting policies, subject to approval by the County Attorney's Office as to form; and

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

21-309

Authorization To Accept Minnesota Department Of Health Eliminating Health Disparities Grant Funds And Execute Grant Agreement

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

WHEREAS, the Dakota County Board of Commissioners has approved the Minnesota Department of Health (MDH) Eliminating Health Disparities (EHDI) grant since the onset of the EHDI program in Minnesota; and

WHEREAS, MDH is able to distribute legislative funds to local community health service agencies to eliminate health disparities in refugee and other non-U.S. born populations; and

WHEREAS, MDH has determined Dakota County's allocation of \$22,417 for EHDI (Refugee Health/Tuberculosis

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Component) for State Fiscal Year 2022; and

WHEREAS, the EHDl grant cycle for administering a local EHDl Program is for five years beginning July 1, 2021, and ending June 30, 2026; and

WHEREAS, staff recommends that the Dakota County Board of Commissioners authorizes the Public Health department to accept the MDH EHDl grant of \$22,417 for the period of July 1, 2021 through June 30, 2022, and funds as allocated for the remainder of the grant period of July 1, 2022 through June 30, 2026; and

WHEREAS, staff further recommends that the Dakota County Board of Commissioners authorizes the Community Services Director to execute the grant agreement, effective January 1, 2022 through December 31, 2026.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to accept the \$22,417 Minnesota Department of Health Eliminating Health Disparities grant funds for July 1, 2021 through June 30, 2026, and each allocation in the remainder of the grant period of July 1, 2022 through June 30, 2026, and execute the grant agreement, effective July 1, 2021 through June 30, 2026; and

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

21-310

Authorization To Execute Contract With Eagan Child And Family Clinic, dba Dakota Child And Family Clinic, For COVID-19 Testing

WHEREAS, in June 2020, Dakota County Public Health surveyed 48 medical clinics within Dakota County to determine criteria, capability, capacity and interest, and costs associated with COVID-19 testing; and

WHEREAS, by Resolution No. 20-344 (July 14, 2020), the County Board authorized executing a contract with Eagan Child and Family Clinic, dba Dakota Child and Family Clinic (DCFC) to conduct COVID-19 testing via a nasal swab in a not to exceed contract amount of \$150,000 for the period beginning upon execution of the contract through December 1, 2020; and

WHEREAS, by Resolution No. 20-453 (September 22, 2020), the County Board authorized executing a contract amendment with DCFC to cover costs of the rental, delivery set-up, and take-down in the amount of \$30,000; and

WHEREAS, by Resolution No. 21-036 (January 19, 2021), the County Board authorized executing a contract amendment with DCFC to conduct COVID-19 testing via a nasal swab in a not to exceed contract amount of \$200,000 for the period beginning upon execution of the contract through March 31, 2021; and

WHEREAS, in March 2021, the contract was amended to extend the term to May 31, 2021; and

WHEREAS, Since March 2021, the Inver Grove Heights (IGH) testing site performed 14,868 COVID tests; and

WHEREAS, Public Health was notified by the State Emergency Operations Center that the IGH testing location closed on June 5, 2021; and

WHEREAS, to fill this gap and continue a no barriers testing site, Public Health and DCFC agree that additional testing clinics will need to take place beyond May 2021; and

WHEREAS, DCFC has agreed to continue testing at their Burnsville location as well as at the Northern Service Center one day a week; and

WHEREAS, staff will be requesting Federal Emergency Management Agency (FEMA) funding to cover this

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emergency contract, should the event not qualify, staff will return to the County Board to request utilization of other departmental or County funds; and

WHEREAS, staff recommends execution of an emergency contract with DCFC in a not to exceed contract amount of \$100,000 for the period beginning upon execution of the contract through September 30, 2021.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to execute a contract with Eagan Child and Family Clinic, dba Dakota Child and Family Clinic, to conduct COVID-19 testing via a nasal swab, in a not to exceed contract amount of \$100,000, for the period beginning upon execution of the contract through September 30, 2021, subject to approval by the County Attorney's Office as to form; and

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

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

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

21-311

Authorization To Amend Emergency Hotel Shelter Contracts

WHEREAS, due to the COVID-19 public health emergency, Dakota County transitioned all singles shelter capacity from congregate settings to hotel settings and added capacity, expanding from 10 units of hotel shelter at the beginning of 2020 to 110 units at the beginning of 2021; and

WHEREAS, by Resolution No. 20-563 (November 17, 2020), shelter providers include Matrix Housing Services, Ally Supportive Services (Ally), The Link, and Community Action Partnership of Scott, Carver and Dakota Counties (CAP Agency); and

WHEREAS, five units of shelter authorized for Ally were a result of the Hastings encampment response in late 2020, utilizing the Encampment Emergency Response Plan and these hotel units were authorized through June 30, 2021; and

WHEREAS, the need for these hotel units continues and, therefore, staff recommends continuing the Encampment Hotel contract with Ally through December 31, 2021; and

WHEREAS, ten units of shelter authorized for the CAP Agency are for families and this contract was authorized through June 30, 2021, to supplement family shelter options; and

WHEREAS, while family shelter need is lower now than at the beginning of the 2021, the end of the Eviction Moratorium creates uncertainty about shelter needs through the remainder of the year and, therefore, staff recommends continuing the contract with the CAP Agency through December 31, 2021.

NOW, THEREFORE, BE IT RESOLVED, That the Community Services Director is authorized to amend the contract with Ally Supportive Services, increasing the contract not to exceed amount from \$67,225 to \$146,075 for encampment hotel shelter services and extending the contract end date from June 30, 2021 to December 31, 2021; and

BE IT FURTHER RESOLVED, That the Community Services Director is authorized to amend the contract with the Community Action Partnership of Scott, Carver and Dakota Counties, increasing the contract not to exceed

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amount from \$96,800 to \$212,768 for family hotel shelter services and extending the contract end date from June 30, 2021 to December 31, 2021; and

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

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

21-312

Authorization To Respond To Request For Assessment Of Need/Letter Of Support From Theresa's Home

WHEREAS, under Minnesota Rule 9520.0520, the need for additional or expanded Intensive Residential Treatment Services 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 9520.0520, when an applicant for licensure for Intensive Residential Treatment Services requests a written statement of support for a proposed Intensive Residential Treatment Services 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 April 20, 2021, Dakota County received a request from Dr. Vivian Ogumyemi, Owner of Theresa's Home, requesting a written statement that supports the need for the program; and

WHEREAS, local needs assessment information suggests a need for the type of Intensive Residential Treatment Services proposed; and

WHEREAS, Dakota County is not taking any positions about Theresa's Home's qualifications or ability to meet the identified needs; and

WHEREAS, the Minnesota Department of Human Services will process Theresa's Home's request for a license to provide Intensive Residential Treatment Services program in Dakota County.

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

21-313

Adoption Of Spring Lake Park Reserve Master Plan And Natural Resources Management Plan

WHEREAS, by Resolution No. 19-524 (May 21, 2019), the Dakota County Board of Commissioners (County Board) approved the consultant contract to update the 2003 Spring Lake Park

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

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

WHEREAS, the MP addresses community-identified needs and desires, including enhancing natural habitat,

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reintroducing bison, improving access to the Mississippi River, offering more hiking opportunities and interpretation; and

WHEREAS, the MP further recognizes Indigenous sacred places are located within the park and the need for future stewardship partnership with associated Indigenous nations; and

WHEREAS, the NRMP is a technical guide to restoration and management of the park's natural areas; and

WHEREAS, by Resolution No. 21-086 (February 16, 2021), the draft plans were released by the Dakota County Board for Public Review; and

WHEREAS, the plans were posted on the Dakota County website with the ability for the public to submit comments from February 17, 2021, to April 17, 2021, email notices were sent to project stakeholders, a virtual Open House was held on March 23, 2021, and a digital scavenger hunt was held March 12 to April 11, 2021; and

WHEREAS, the SLPR MP and NRMP have been revised to address staff, stakeholder, and public comments; and

WHEREAS, estimated Dakota County costs for the five-year plan are \$4.9 million dollars for recreation development, natural resource restoration, and bison reintroduction; and

WHEREAS, the County Board will determine implementation priorities and funding levels during the annual Parks Capital Improvement Program budget process; and

WHEREAS, on May 27, 2021, the Dakota County Planning Commission recommended adoption of the MP and the NRMP.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby adopts the Spring Lake Park Reserve Master Plan and the Spring Lake Park Reserve Natural Resources Plan and authorizes staff to submit the Master Plan to the Metropolitan Council as presented to the Physical Development Committee of the Whole on June 15, 2021.

21-314

Authorization To Amend Joint Powers Agreement With Waterford Township For Bridge Rehabilitation, Award Of Bid, Authorization To Execute Contract With Kraemer North America, LLC For County Project 97-208, And Amend 2021 Transportation Capital Improvement Fund Program Budget

WHEREAS, in January 2020, Waterford Township was awarded a Legacy grant for \$342,818 for Phase I rehabilitation of the historic Waterford Bridge over the Cannon River; and

WHEREAS, the Waterford Bridge is on the planned Dakota County Greenway System and represents the ideal crossing of the Cannon River by the Mill Towns State Trail (MTST) connecting the City of Faribault to the Cannon Valley Trail; and

WHEREAS, recognizing that the MTST will bring value to Dakota County by linking Lake Byllesby Regional Park (LBRP), Northfield, and Cannon Falls, Dakota County has supported the MTST since its inception; and

WHEREAS, MTST alignments are identified in the LBRP Master Plan and the Dakota County Park System Plan; and

WHEREAS, Dakota County supported the construction of the MTST connection from LBRP East to Cannon Falls, which opened in 2017; and

WHEREAS, the Minnesota Department of Natural Resources is currently coordinating with the City of Northfield,

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Waterford Township, and Dakota County to realize the MTST between Northfield and LBPR East; and

WHEREAS, the Waterford Bridge was constructed in 1909 and was entered into the National Register of Historic Places in 2010; and

WHEREAS, the bridge is an important community landmark, and Waterford Township has made significant efforts to preserve it, raising funds to repair the bridge in the 1980s and again in 2011 and 2014; and

WHEREAS, in 2018, the Township received a Legacy grant to prepare rehabilitation construction plans and in 2020 received a second Legacy grant for Phase 1 Rehabilitation; and

WHEREAS, the Township intends, eventually, to fully rehabilitate the bridge to ensure that future generations can appreciate the engineering significance while enjoying it as a Cannon River crossing; and

WHEREAS, by Resolution No. 20-159 (March 24, 2020), Dakota County entered into a Joint Powers Agreement with Waterford Township for Phase 1 Bridge rehabilitation with Dakota County providing construction administration and to advance fund the project (CP 97-208); and

WHEREAS, pursuant to advertisement, two bids were received for County Project 97-208 on May 11, 2021; and

WHEREAS, the bid of Kraemer North America, LLC, in the amount of \$464,317.50 is the lowest total responsive and responsible bid received; and

WHEREAS, a budget shortfall of \$91,499.50 is anticipated; and

WHEREAS, a contract amendment with Waterford Township and a budget amendment are requested to proceed with construction of the project; and

WHEREAS, the Township, the Minnesota Department of Natural Resources, the City of Northfield, and the Friends of the Mill Towns State Trail are supportive of the project.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners authorizes the Physical Development Director to amend the joint powers agreement between Dakota County and Waterford Township (C0033947) subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners authorizes the Physical Development Director to execute a contract with Kraemer North America, LLC, for construction of County Project 97-208 for a total contract amount of \$464,317.50 based on their low bid, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the 2021 Transportation Capital Improvement Fund Program Budget is hereby amended as follows:

Expense	
County Project 97-208	<u>\$474,317.50</u>
Total Expense	\$474,317.50
Revenue	
County Project 97-208, Due from other Agencies	\$382,818.00
Parks CIP - Greenway Collaborative Fund	<u>\$ 91,499.50</u>
Total Revenue	\$474,317.50

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21-315

Authorization To Execute Joint Powers Agreement With City Of Farmington To Provide A Residential Organics Drop-Off Site

WHEREAS, Minn. Stat. § 471.59 authorizes local governmental units to jointly or cooperatively exercise any power common to the contracting parties; and

WHEREAS, Dakota County and the Municipality are governmental units as that term is defined in Minn. Stat. § 471.59; and

WHEREAS, Metropolitan counties are responsible for waste management policy and programs (Minn. Stat. §115A.551); and

WHEREAS, by Resolution No.18-493 (September 18, 2018), the Dakota County Board of Commissioners adopted the 2018–2036 Solid Waste Master Plan (Master Plan); and

WHEREAS, the Master Plan includes a strategy to expand opportunities for residential organics recovery; and

WHEREAS, the Master Plan includes a tactic to co-develop and provide assistance for residential organics drop-off sites with priority municipalities and/or partners until curbside organics collection is widely available; and

WHEREAS, the City of Farmington (City) and County desire to partner on providing a residential organics drop-off to be located at the City's Maintenance Campus; and

WHEREAS, Dakota County receives Select Committee on Recycling and the Environment (SCORE) funds from the state to implement landfill abatement programs; and

WHEREAS, Minn. Stat. § 115A.557 requires Dakota County to expend a portion of the state-allocated SCORE funds on organics programming; and

WHEREAS, allocated SCORE funds were used for residential organics drop-off sites at Thompson County Park (2016), Holland Lake (2017), Lakeville Water Treatment Facility (2019), The Mulch Store (2019), and the Hastings Transportation Shop (2020); and

WHEREAS, the City responsibilities include infrastructure installation (concrete pad, bag distribution boxes, signage); promotion and communications collaboration; compostable bag request, acceptance, and storage; site monitoring and maintenance (e.g., snow and ice removal; compostable bag replacement); and administration for invoicing and reimbursement; and

WHEREAS, County responsibilities include hauler service retention, payment, and management; maintaining a list of acceptable organic materials and guidelines; developing and providing promotion, communications materials, and resident training; compostable bag purchase and delivery to the City; administering participant recruitment, registration, and ongoing communication; data collection; and reimbursing the City for infrastructure installation; and

WHEREAS, staff recommends executing a joint powers agreement with the City to implement a residential organics drop-off site for Dakota County residents from construction start to December 31, 2027, or until curbside collection of residential organics is widely available.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Environmental Resources Director to execute a joint powers agreement with the City of Farmington to operate a residential organics drop-off site located at the Farmington's Maintenance Campus, 19650 Municipal Drive in the City of Farmington for the period from construction start to December 31, 2027, or until curbside residential organics collection is offered in the City of Farmington and not to exceed an estimated \$7,400 construction cost as substantially presented on April 13, 2021, to the Physical Development Committee of the Whole, subject to approval by the County Attorney's Office as to form.

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21-316

Authorization To Execute Joint Powers Agreement With City Of Burnsville To Operate Residential Organics Drop-Off Site

WHEREAS, Minn. Stat. § 471.59 authorizes local governmental units to jointly or cooperatively exercise any power common to the contracting parties; and

WHEREAS, Dakota County and the Municipality are governmental units as that term is defined in Minn. Stat. § 471.59; and

WHEREAS, Metropolitan counties are responsible for waste management policy and programs (Minn. Stat. §115A.551); and

WHEREAS, by Resolution No.18-493 (September 18, 2018), the Dakota County Board of Commissioners adopted the 2018–2036 Solid Waste Master Plan (Master Plan); and

WHEREAS, the Master Plan includes a strategy to expand opportunities for residential organics recovery; and

WHEREAS, the Master Plan includes a tactic to co-develop and provide assistance for residential organics drop-off sites with priority municipalities and/or partners until curbside organics collection is widely available; and

WHEREAS, the City of Burnsville (City), in partnership with the County, desires a residential organics drop-off site to be located at Civic Center Park, 300 Civic Center Parkway; and

WHEREAS, Dakota County receives Select Committee on Recycling and the Environment (SCORE) funds from the State to implement landfill abatement programs; and

WHEREAS, Minn. Stat. § 115A.557 requires Dakota County to expend a portion of the State-allocated SCORE funds on organics programming; and

WHEREAS, allocated SCORE funds were used for residential organics drop-off sites at Thompson County Park (2016), Holland Lake (2017), Lakeville Water Treatment Facility (2019), The Mulch Store (2019), and the Hastings Transportation Shop (2020); and

WHEREAS, City responsibilities include drop-off site construction and infrastructure installation for one drop-off location to collect organics from Dakota County residents; retaining licensed hauler services; collaborating with the County on promotion and communications; purchasing and storing compostable bags; monitoring daily and maintaining the site; and administering invoice and reimbursement submittals; and

WHEREAS, County responsibilities include maintaining a list of acceptable organic materials and guidelines; developing and providing promotion, communications materials, and training; reimbursing the Municipality for installation of fencing, bag distribution boxes, signage, and recurring operational expenses; and administering participant recruitment, registration, and ongoing communication; and

WHEREAS, staff recommends executing a joint powers agreement with the City to implement a residential organics drop-off site for Dakota County residents for the period of July 1, 2021, to December 31, 2027, or until curbside collection of residential organics is widely available.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Environmental Resources Director to execute a joint powers agreement with the City of Burnsville to operate a residential organics drop-off site located at Civic Center Park, 300 Civic Center Parkway in the City of Burnsville for the period of July 1, 2021, to December 31, 2027, or until curbside residential organics collection is offered in the City of Burnsville and to provide reimbursement funding not to exceed \$101,600 for the six-year term as substantially presented on June 15, 2021, to the Physical Development Committee of the Whole, subject to approval by the County Attorney's Office as to form.

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21-317

Approval Of Wood Waste Processing Facility License For Dakota Wood Grinding, Inc., In City Of Coates

WHEREAS, in accordance with Dakota County Ordinance 110, Solid Waste Management, Dakota Wood Grinding, Inc., submitted a license application to Dakota County for a wood waste processing facility to be operated in the City of Coates; and

WHEREAS, staff has reviewed the application from Dakota Wood Grinding, Inc., and has determined that all aspects of the wood waste processing facility conform to the requirements of Dakota County Ordinance 110, Solid Waste Management; and

WHEREAS, staff has determined that Dakota Wood Grinding, Inc. does not need financial assurance in accordance with Dakota County Ordinance 110, Solid Waste Management.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves issuance of a license pursuant to Dakota County Ordinance 110, Solid Waste Management, to Dakota Wood Grinding, Inc., for a waste processing facility in the City of Coates from May 18, 2021, to December 31, 2021, subject to compliance with all applicable federal, state, local, and County laws, rules, and ordinance requirements or special conditions; and

BE IT FURTHER RESOLVED, That Dakota Wood Grinding, Inc., shall operate the wood waste processing facility in accordance with the plans and information approved as part of its license application to Dakota County; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Environmental Resources Director to issue a waste processing facility license, as approved by the Dakota County Board of Commissioners, to Dakota Wood Grinding, Inc., subject to the payment of required fees and the satisfaction of all appropriate license conditions.

21-318

Authorization To Execute Joint Power Agreement With City Of Rosemount For Rosemount Regional Greenway: Flint Hills Park Trailhead

WHEREAS, by Resolution No. 12-361 (July 31, 2012), the County Board adopted the Rosemount Greenway Master Plan; and

WHEREAS, a trailhead is identified in the master plan at Flint Hills Athletic Complex; and

WHEREAS, the City of Rosemount has completed a concept design for a park building that will include trailhead amenities and trail connection to the regional trail; and

WHEREAS, the estimated cost of the facility is \$1,200,000; and

WHEREAS, Dakota County will provide up to \$300,000 towards construction costs; and

WHEREAS, the City will provide final design and construction services; and

WHEREAS, the City will fund the balance of construction costs estimated at \$900,000; and

WHEREAS, a future supplemental maintenance agreement will be developed to address ongoing maintenance responsibilities between the two agencies.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a joint powers agreement for an amount not to exceed \$300,000 with the City of Rosemount for the Rosemount Greenway: Flint Hills Athletic Complex Trailhead, subject to approval by the County Attorney's Office as to form.

June 22, 2021

21-319

Authorization To Acquire Property From Adelmann Farm LLC

WHEREAS, by Resolution No. 13-441 (August 27, 2013), the Dakota County Board of Commissioners approved the Lake Marion Greenway (Greenway) Master Plan; and

WHEREAS, the Greenway includes the South Creek tributary to the Vermillion River, a Minnesota Department of Natural Resources designated trout stream, as one of the key water resources within the Greenway; and

WHEREAS, the Adelmann Farm LLC (Adelmann) has 80.57 acres of natural area and agricultural land in the southwestern portion of Farmington that includes the confluence of 1,012 feet of South Creek and 3,939 feet of the Vermillion River; and

WHEREAS, Adelmann agreed to sell fee title to 42.62 acres, which includes the future greenway trail corridor; South Creek; the Vermillion River, floodplain and riparian habitat; three acres of currently cultivated land; and public access from 220th Street and Spruce Street as a new County Park-Conservation Area; and

WHEREAS, the appraised value of the 42.62-acre Adelmann property, including the public access corridor, is \$565,000, and Adelmann has agreed to sell the 42.62 acres for \$535,000; and

WHEREAS, the estimated closing costs are \$5,000 for a total estimated acquisition cost of \$540,200; and

WHEREAS, the County received Minnesota Law 2018 (ML18) Outdoor Heritage (OH) grant funds, and the 2021 Environmental resources (ER) Capital Improvement Program (CIP) budget has available grant funds and County grant-match funds to expend to acquire the natural area (NA) portion of the Adelmann property as an eligible project; and

WHEREAS, the Greenway corridor portion of the Adelmann property is eligible for Acquisition Opportunity Fund (AOF) funding from the Metropolitan Council (MC) to acquire the Greenway corridor portion of the Adelmann property; and

WHEREAS, there is available Greenway acquisition funding in the 2021 Parks CIP to acquire the Greenway corridor portion of the Adelmann property; and

WHEREAS, ML18 OH funding requires a Notice of Funding Restriction (NOFR) for the NA portion of the acquisition be executed by the County Board Chair and to record such restriction on the Adelmann property prior to funding reimbursement by the State of Minnesota; and

WHEREAS, the final acquisition costs of the Adelmann property will be determined after the settlement statements are finalized.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the expenditure of up to \$540,200, including an estimated \$5,000 for closing costs, to acquire fee title to 42.62 acres of the Adelmann Farm LLC property in the City of Farmington as a new County Park Conservation Area; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Division Director to execute a purchase agreement with Adelmann Farm LLC to acquire 42.62 acres of property, 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 Chair to execute a Notice Of Funding Restriction as required for use of Minnesota Law 2018 Outdoor Heritage funds for acquiring the natural area portion of the Adelmann Farm LLC property, subject to approval by the County Attorney's Office as to form; and

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

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Expense

Acquisition of the Adelmann property (LC10062)	\$439,400
ML18 OH Grant (LC00008)	<u>(\$439,400)</u>
Total Expense	\$0

Revenue

Acquisition of the Adelmann property OH Grant (LC10062)	\$352,500
Acquisition of the Adelmann property County Match (LC10062)	\$ 86,900
ML18 OH Grant (LC00008)	<u>(\$352,500)</u>
ML18 OH County (LC00008)	<u>(\$ 86,900)</u>
Total Revenue	\$0

; and

BE IT FURTHER RESOLVED, That following final completion of the acquisition of the Adelmann Farm LLC property, staff will submit the necessary forms and documentation to the State of Minnesota to receive approximately \$352,500 in ML18 OH reimbursement funds; and

BE IT FURTHER RESOLVED, That such reimbursement from the State of Minnesota for acquisition of the Adelman property will be returned to the 2021 Environmental Resources Capital Improvement Program budget; and

BE IT FURTHER RESOLVED, That following final completion of the acquisition of the Adelmann Farm LLC property, staff will submit the necessary forms and documentation to the Metropolitan Council to receive approximately \$75,600 in Acquisition Opportunity Fund reimbursement funds; and

BE IT FURTHER RESOLVED, That such reimbursement from the Metropolitan Council for acquisition of the Adelmann Farm LLC property will be returned to the 2021 Parks Capital Improvement Program budget.

21-320

Authorization To Apply For And Execute State Fiscal Year 2022–2023 Parks And Trails Legacy Fund Grants

WHEREAS, the Clean Water, Land, and Legacy Amendment passed in 2008 funded by a three-eighths percent increase in State sales tax over a 25-year term to provide funding to parks and trails of statewide and regional significance; and

WHEREAS, the Parks and Trails Legacy funds are legislatively allocated to the Metropolitan Council, the Department of Natural Resources, and Greater Minnesota Regional Parks and Trails Board; and

WHEREAS, the Metropolitan Council's share of the Parks and Trails Fund (PTLF) is allocated to the ten regional parks implementing agencies through Parks and Trails Legacy grants based on Minn. Stat. § 85.53, subd. 3; and

WHEREAS, the 2011 Parks and Trails Legacy Plan specifies four strategic directions for the use of Parks and Trails Legacy funds: 1) connect people and the outdoors (e.g., programs, marketing), 2) acquire land, create opportunities (e.g., land acquisition and capital projects), 3) take care of what we have (e.g., maintenance), and 4) coordinate among partners (e.g., collaboration); and

WHEREAS, based on the historic 40 percent legislative appropriation to the Metropolitan Regional Park System, Dakota County is estimated to receive \$3,172,544 for the State Fiscal Year (SFY) 2022–2023 biennium; and

WHEREAS, the proposed grant applications are:

- Minnesota River Greenway: Fort Snelling Segment \$2,797,544
- Parks Outreach and Engagement Coordinator \$ 175,000
- Park and Greenway System Marketing \$ 200,000

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; and

WHEREAS, the proposed PTLF application for the Minnesota River Greenway: Fort Snelling Segment project is aligned with the Adopted 2021–2025 Parks Capital Improvement Program (CIP); and

WHEREAS, the proposed PTLF application would also extend the limited-term Outreach and Engagement Coordinator position as well as the Park and Greenway System Marketing campaign for an additional two years, and both of these requests are a continuation of the implementation of the Adopted 2017 Parks Visitor Services Plan and have been funded by PTLF since SFY 2018.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes staff to submit applications for SFY 2022–2023 PTLF grants and authorize the Physical Development Director to execute awarded grants subject to approval as to form by the Dakota County Attorney's Office.

21-321

Acknowledgement Of City Of South St. Paul's Library Proposal, New Library Site, And Authorization Of Designer Selection Process For A Potential New Library In City Of South St. Paul

WHEREAS, the City of South St. Paul (SSP) has operated its own library for nearly 100 years and in recent decades also shared programs and services with the Dakota County Library system; and

WHEREAS, in 2020, the City approached the County with the possibility of their library becoming a branch of the County library system with an offering of undeveloped City-owned land at the corner of Marie and 7th Avenues; and

WHEREAS, by Resolution No. 20-572 (November 17, 2020), the Dakota County Board of Commissioners requested County staff complete a Programming Study that would develop a program of spaces that would comprise a County-style library that meets the needs of the local community; and

WHEREAS, the Programming Study found that to provide a facility that meets the full Base Program in a cost-effective manner, a new building on the Marie and 7th Avenues site is most cost-effective; and

WHEREAS, a 16,000 gross square foot building could be built for a Project Budget of \$8,300,000; and

WHEREAS, the County presented the Programming Study to the City of South St. Paul and its Library Board on May 10, 2021; and

WHEREAS, the City of South St. Paul and its Library Board have provided resolutions in support of the Programming Study's outcomes; and

WHEREAS, authorization of the design and construction of a new SSP library will require a future investment by the County via the Capital Improvement Program (CIP) process for 2022 and 2023; and

WHEREAS, authorization of the design of a new SSP Library will require that design be reallocated from savings (fund balance) within the Adopted 2021 Building CIP Budget.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby acknowledges the proposal from the City of South St. Paul to join the County library system and the City's offer of a new library site at the intersection of Marie and Seventh Avenues, and direct County staff to begin negotiating necessary terms and agreements to accomplish the proposal, subject to County Board approval; and

BE IT FURTHER RESOLVED, That County staff is directed to proceed with the designer selection for a potential new library in South St. Paul and to return to the County Board for future additional authorizations as required by County policy.

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County Board/County Administration

21-322

Approval Of 2022 State Bonding Requests

WHEREAS, Minn. Stat. §16A.86 sets out the process by which local governments may request state appropriations for capital improvement projects as part of the Administration's development of capital budget recommendations to the Legislature; and

WHEREAS, Minnesota Management and Budget (MMB) has requested that local governments submit capital budget requests pursuant to Minn. Stat. §16A.86 by June 18, 2021; and

WHEREAS, it is in the interest of Dakota County and its residents that Dakota County government seek state appropriations for priority capital investment projects; and

WHEREAS, eight projects are proposed for inclusion in the County's request for consideration by the Administration and the Legislature for funding in 2022, as follows:

- County Road 46 Reconstruction - \$11,000,000 request.
- Mississippi River Greenway Pedestrian/Railroad Separation - \$6,500,000 request.
- Minnesota River Greenway Pedestrian/Railroad Separation - \$5,000,000 request.
- South St. Paul Library Construction - \$4,700,000 request.
- Trunk Highway 77 Preliminary Design - \$1,000,000 request.
- Trunk Highway 55 Preliminary Engineering \$1,000,000 request.
- Interstate 35 (I-35) and the Interchange at I-35 and County State Aid Highway (CSAH) 50 Preliminary Engineering - \$700,000 request.
- Trunk Highway 3 Preliminary Engineering - \$500,000 request.

; and

WHEREAS, if multiple requests are submitted for consideration, MMB requires that local governments include a priority ranking of requests; and

WHEREAS, on June 15, 2022, the Dakota County Physical Development Committee of the Whole provided direction to staff for the rank of priority to submit to MMB; and

WHEREAS, following the Dakota County Physical Development Committee of the Whole meeting on June 15, 2022, staff received updated cost estimates for the County Road 46 Reconstruction project suggesting an increased request of \$11,500,000.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby ratify staff's submission of the following state bonding requests to Minnesota Management and Budget in rank order of priority as directed by the Physical Development Committee of the Whole and at the dollar amounts listed below:

1. South St. Paul Library Construction - \$4,700,000
2. County Road 46 Reconstruction - \$11,500,000
3. Mississippi River Greenway Pedestrian/Railroad Separation - \$6,500,000
4. Minnesota River Greenway Pedestrian/Railroad Separation - \$5,000,000
5. Trunk Highway 77 Preliminary Design - \$1,000,000
6. Trunk Highway 55 Preliminary Engineering - \$1,000,000
7. Interstate 35 (I-35) and the Interchange at I-35 and County State Aid Highway (CSAH) 50 Preliminary Engineering - \$700,000
8. Trunk Highway 3 Preliminary Engineering - \$500,000

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21-323

Authorization To Execute 2021-2022 Labor Agreement With Dakota County Attorney Employees' Association

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the appropriate County officials to execute the Labor Agreement with the Attorney Employees' Association for the period January 1, 2021 – December 31, 2022, in accordance with the terms and conditions of the Agreement and those contract modifications submitted to the Dakota County Board of Commissioners dated June 22, 2021, and subject to approval by the County Attorney's Office as to form.

21-324

Appointments To Dakota-Scott Workforce Development Board

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby appoints/reappoints the following individuals to the Dakota-Scott Workforce Development Board for a two-year term ending June 30, 2023:

Representing	Name
Private	Pam Oeffler
Private	Vance Boelter
Private	Cody Wiltgen
Private	Melissa Lutz
Public-Education	Eric Lind
Public-Public Assistance	Barbara Dahl
Public-Public Employment	Michael Yanda

21-325

Recommendation For Appointment To Minnesota Zoological Board

WHEREAS, pursuant to Minn. Stat. § 85A.01, subd. 1, the Minnesota Zoological Garden is established under the supervision and control of the Minnesota Zoological Board; and

WHEREAS, pursuant to Minn. Stat. § 85A.01, subd. 1, one member of the Minnesota Zoological Board must be a resident of Dakota County and shall be appointed by the governor after consideration of the recommendation of the Dakota County Board of Commissioners.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby recommends Robert Freeman for appointment to the Minnesota Zoological Board; and

BE IT FURTHER RESOLVED, That this resolution shall be forwarded to Governor Tim Walz and Missy McGrath, Director of Board and Legislative Relations at the Minnesota Zoological Garden.

21-326

Designation Of Voting For 2021 National Association Of Counties Annual Business Meeting

WHEREAS, the annual National Association of Counties (NACo) conference is being held in Prince George's County, Maryland, July 9-12, 2021; and

WHEREAS, Dakota County has paid its membership dues and has at least one paid registrant for the conference and is, therefore, eligible to participate in the Associations' annual election of officers and policy adoption,

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according to NACo bylaws.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby designates the following individual(s) as voting delegates for the 2021 NACo annual conference:

Designated Delegate – Commissioner Mike Slavik

; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the President of the Association of Minnesota Counties to pick up Dakota County's ballot and cast votes in the event that the ballot is not picked up by the County's delegate or alternate.

Operations, Management And Budget

21-327

Authorization To Renew Commercial Automobile Insurance Contract With Travelers Insurance

WHEREAS, Dakota County purchases insurance for automobile physical damage and liability coverage; and

WHEREAS, the current policy on automobile insurance will expire on July 1, 2021; and

WHEREAS, an evaluation of the marketplace for competitive pricing was completed; and

WHEREAS, based on the evaluation of the marketplace, staff is recommending renewal of the automobile insurance coverage with Travelers Insurance.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Operations, Management and Budget Director to purchase the following insurance to be paid at current rates from the Office of Risk Management insurance budget:

Automobile Insurance

Travelers Insurance July 1, 2021 – July 1, 2022 Premium \$249,537

21-328

Authorization To Renew Commercial Property Insurance Contract With Affiliated FM Insurance

WHEREAS, Dakota County purchases insurance for property losses; and

WHEREAS, the current policy on commercial property insurance will expire on July 1, 2021; and

WHEREAS, an evaluation of the marketplace for competitive pricing was completed; and

WHEREAS, based on the evaluation of the marketplace, staff is recommending renewal of the commercial property insurance coverage with Affiliated FM Insurance Company.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Operations, Management, and Budget Director to purchase the following insurance to be paid at current rates from the Office of Risk Management insurance budget:

Property Insurance

Affiliated FM Insurance July 1, 2021 through July 1, 2022 Premium \$282,673

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Report On Invoices Paid In May 2021

This item was on the agenda for informational purposes only.

Physical Development

21-329

Authorization To Execute Contract Amendment With HDR, Inc., For Final Design Services On Mississippi River Greenway - Rosemount East In City Of Rosemount (P00109)

WHEREAS, the Mississippi River Greenway (MRG) - Rosemount East segment, is the last remaining segment of regional trail to be secured, designed, and constructed in order to connect the national Mississippi River Greenway (MRG) from Hastings to South St. Paul; and

WHEREAS, the MRG - Rosemount East includes construction of 2.4 miles of trail from its connection with MRG West to Spring Lake Park Reserve; and

WHEREAS, by Resolution No. 20-164 (March 24, 2019), the Dakota County Board of Commissioners adopted Alternative #3, Two-way Pine Bend Trail Road, as the preferred alignment to advance to final design for Mississippi River Greenway (MRG) - Rosemount East; and

WHEREAS, by Resolution No. 18-115 (February 27, 2018), the County Board authorized execution of a contract with HDR, Inc., for \$347,692 for preliminary engineering design services for MRG – Rosemount East; and

WHEREAS, by Resolution No. 18-562 (November 6, 2018), the County Board authorized execution of a contract amendment with HDR, Inc. for additional preliminary engineering alternative analysis, in the amount of \$124,734 for a new contract value not to exceed \$472,425; and

WHEREAS, by Resolution No. 20-205 (April 21, 2020), the County Board authorized execution of a contract amendment with HDR, Inc. for final design engineering services to advance the adopted alternative, in the amount of \$362,875 for a new contract value not to exceed \$835,300; and

WHEREAS, staff received official notice from Union Pacific Railroad on May 26, 2021, approving the final design of the two at-grade railroad crossings signifying the advancement of the project to their real estate group and the start to the construction and maintenance agreements; and

WHEREAS, an amendment to the current professional engineering services contract with HDR, Inc., is necessary to complete final design engineering and maintain schedule for federal funding; and

WHEREAS, the 2021 Parks Capital Improvement Program Budget includes sufficient funds for the Project; and

WHEREAS, the County Engineer recommends execution of a contract amendment with HDR, Inc., for final design engineering services for MRG – Rosemount East in an amount of \$177,467 for a new total cost not to exceed \$1,012,767 including reimbursable items.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to amend the contract with HDR, Inc., to perform additional engineering services for CP 98-006 MRG – Rosemount East in the amount of \$177,467, resulting in an amended total contract amount of \$1,012,767, including reimbursable items, subject to approval by the County Attorney's Office as to form.

21-330

Award Of Bid And Authorization To Execute Contract With Donlar Construction Company For South St. Paul Stockyards Interpretive Node Project

WHEREAS, the Mississippi River Greenway (MRG) Stockyards Interpretive Node project is included in the 2021–

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2025 Parks Capital Improvement Program (CIP) Adopted Budget; and

WHEREAS, the County Board adopted the Mississippi River Trail Interpretive Plan, developing the conceptual vision for interpreting the cultural and natural history of the Mississippi River along the trail length in Dakota County; and

WHEREAS, the County Board authorized acceptance of a Minnesota Historical and Cultural Heritage Grant to fund the interpretive design of the South St. Paul Stockyards Interpretive Node along the Mississippi River Greenway; and

WHEREAS, the County Board authorized acceptance of a Minnesota Historical and Cultural Heritage Grant to fund the fabrication and installation of the South St. Paul Stockyards Interpretive Node in the amount of \$125,000 with a \$50,000 contribution included in the 2021 Capital Improvement Program budget, for a project total of \$175,000; and

WHEREAS, bid document and specifications were prepared by County staff and WSB Associates; and

WHEREAS, five competitive bids were received on June 8, 2021; and

WHEREAS, Donlar Construction Company has submitted the low bid of \$150,000; and

WHEREAS, staff has reviewed the qualifications of the bidder and recommends award to Donlar Construction Company as the lowest responsive and responsible bidder in an amount not to exceed \$150,000 for the Mississippi River Greenway Stockyards Interpretive Node project; and

WHEREAS, sufficient funds are available within the Adopted 2021 Parks 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 Mississippi River Greenway Stockyards Interpretive Node project to Donlar Construction Company, 550 Shoreview Park Road, Shoreview, MN 55126, in an amount not to exceed \$150,000, subject to approval by the County Attorney's office as to form.

21-331

Authorization To Execute Joint Powers Agreement For Turn Lane Improvements On County State Aid Highway 47 (Vermillion Road) With City Of Hastings For County Project 47-46

WHEREAS, to provide a safe and efficient transportation system, Dakota County is partnering with the City of Hastings on construction of turn lane improvements on County State Aid Highway (CSAH) 47 (Vermillion Road); and

WHEREAS, the City of Hastings is leading a project that includes widening the shoulders and striping for the installation of left-turn lanes at Village Trail and 31st Street on CSAH 47 in conjunction with the Hastings Senior Living complex turn lane construction at Riverwood Drive and CSAH 47; and

WHEREAS, Transportation has proposed to cost share in the construction cost of the additional turn lanes at Village Trail and 31st Street since they do not benefit the development; and

WHEREAS, a joint powers agreement with the City of Hastings is required to reimburse the City for the construction costs of the additional turn lane work; and

WHEREAS, the cost participation for left-turn lanes will be in accordance with the adopted Cost Share Policy F.1 Roadway – Replacement and Modernization, 2 to 3 lane; and

WHEREAS, the County's cost-share is 85 percent or \$118,600 of the left-turn lanes.; and

WHEREAS, the 2021–2025 Transportation Capital Improvement Program Adopted Budget includes \$1,500,000 in

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County set-aside funds for safety and management projects, and it is estimated that the total County cost will be \$118,600; and

WHEREAS, an administrative amendment is requested to move the funding from the set-aside to project 47-46; and

WHEREAS, staff recommends entering into a joint powers agreement (JPA) with the City of Hastings for costs associated with the construction of turn lanes.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to enter into a joint powers agreement with the City of Hastings for County Project 47-46, for construction of turn lanes at Village Trail and 31st Street in accordance with Dakota County's adopted cost-share policy, subject to approval by the County Attorney's Office as to form.

21-332

Authorization To Execute Utility Reimbursement And Relocation Agreement With Northern States Power Company, Reimbursement And Vacation Agreements With Mobil Pipe Line Company, And Encroachment Agreement With Magellan Pipeline Company, L.P. On County Projects 26-47 And 63-27

WHEREAS, to provide a safe and efficient transportation system, Dakota County and the Cities of Inver Grove Heights and Eagan are proceeding with County Projects (CP) 26-54 and CP 63-27; and

WHEREAS, Dakota County is the lead agency for CP 26-54 and CP 63-27 with construction scheduled to begin in Fall 2021; and

WHEREAS, County Projects 26-54 consists of expanding County State Aid Highway (CSAH) 26 to a four-lane divided highway with turn lanes, pedestrian accommodations, sufficient shoulders, newly constructed roundabout, and access management; and

WHEREAS, CP 63-27 consists of realigning and expanding CSAH 63 to a two-lane divided highway with turn lanes, pedestrian accommodations, sufficient shoulders, and access spacing consistent with the guidelines for a principal arterial; and

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

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

WHEREAS, CP 63-27 includes construction that requires relocation of Northern States Power Company dba Xcel Energy (Xcel Energy) electric transmission line; and

WHEREAS, Xcel Energy transmission line and poles are located within their transmission line easement between CSAH 63 new alignment and old Argenta Trail on the west; and

WHEREAS, Xcel Energy has the right of occupancy in its existing location because it holds an easement interest, the taking of which is included in the Uniform Relocation Assistance and Real Property Acquisition Policies Act for federally assisted programs; and

WHEREAS, Xcel Energy estimates that the cost of relocating its facilities, including engineering, materials, and construction, is \$1,265,000; and

WHEREAS, to proceed with the project, Xcel Energy is requesting that Dakota County execute a relocation agreement to reimburse Xcel Energy \$1,265,000 for actual costs incurred for the cost of the relocation; and

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WHEREAS, payments must be made to displaced utility facilities at the time they are needed to relocate to acquire their real property rights; and

WHEREAS, Xcel Energy relocation agreement provides for prepayment of contractual obligations for displaced utility facilities with easement rights; and

WHEREAS, Mobil Pipe Line Company has the right of occupancy in its existing location because it holds an easement interest, along a portion of CSAH 26; and

WHEREAS, the reconstruction of CSAH 26 will necessitate Mobil Pipe Line Company to participate in removing and disposing of approximately 350 feet of six-inch pipeline; and

WHEREAS, Mobil Pipe Line Company intends to abandon their easement interest after the pipeline is removed; and

WHEREAS, Mobil Pipe Line Company will vacate and partially release 350 feet plus or minus the portion of Mobil's easement interest where the six-inch pipeline is removed; and

WHEREAS, by Resolution No. 18-282 (May 22, 2018) and 16-271 (May 17, 2016), Dakota County Board of Commissioners authorized execution of separated reimbursement and encroachment agreements with Magellan Pipeline Company, L.P., for CP 26-47 and 63-25 respectively that accommodate the upcoming construction of CP 26-54 and 63-27; and

WHEREAS, Magellan Pipeline Company, L.P., requires an encroachment agreement to define any use of the land within Magellan Pipeline Company, L.P., easement interest tract; and

WHEREAS, CP 26-54 and 63-27 are included in the 2021 Transportation Capital Improvement Program (CIP) adopted budget for CP 26-54, which includes \$11,846,974, and for CP 63-27, which includes \$8,180,700, for a total budget carried over from previous years of \$45,467,674; and

WHEREAS, staff recommends execution of a reimbursement of relocation agreement with Xcel Energy for the transmission line along CSAH 63 associated with the encroachment of CP 63-27 on the Xcel Energy easement to proceed in an estimated amount of \$1,265,000; and

WHEREAS, staff recommends execution of a reimbursement of removal agreement with Mobil Pipe Line Company for removing and disposing of approximately 350 feet of six-inch pipeline along CSAH 26 to proceed in an estimated amount of \$64,437.74; and

WHEREAS, staff recommends execution of a vacation of easement agreement with Mobil Pipe Line Company for approximately 350 feet of easement interest, along a portion of CSAH 26; and

WHEREAS, staff recommends execution of an encroachment agreement with Magellan Pipeline Company, L.P., for associated encroachment on the pipeline easement to proceed with CP 26-47 and 63-27.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a reimbursement of relocation agreement with Northern States Power Company dba Xcel Energy for reimbursement in the amount of the actual costs currently estimated at \$1,265,000, a reimbursement of removal agreement and vacation of easement interest agreement with Mobil Pipe Line Company in the amount of the actual costs currently estimated at \$64,437.74, and an encroachment agreement with Magellan Pipeline Company, L.P.

21-333

Approval Of Final Plats Recommended By Plat Commission

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

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Ordinance No. 108; and

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

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

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

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

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

MCNAMARA THIRD ADDITION	Rosemount
THE CROSSINGS AT INVER WOOD SECOND	Inver Grove Heights

21-334

Authorization To Purchase Salt Through 2021–2022 State Road Salt Contract

WHEREAS, in order to provide a safe and efficient transportation system and secure the lowest prices for road salt, the County purchases road salt from the vendor selected pursuant to the State Road Salt Contract (SRSC) process; and

WHEREAS, the SRSC for the 2021–2022 snow and ice season was issued in May 2021; and

WHEREAS, the County may participate in the solicitation by committing to an estimated quantity of road salt to purchase to assist with winter snow and ice control on County highways; and

WHEREAS, the County proposed salt use was reduced from 13,000 tons to 10,000 tons in 2018; and

WHEREAS, the estimated cost of 10,000 tons for the County's use is \$850,000 with an estimated unit price of \$85.00 per ton through the SRSC; and

WHEREAS, it is estimated that other units of government that the County has cooperative purchasing agreements with for salt will purchase 3,000 tons of salt from the County totaling \$255,000, which will be paid for by those agencies; and

WHEREAS, staff recommends authorization of participation in the 2021–2022 SRSC process to purchase 10,000 tons of road salt for County use at an estimated cost of \$850,000 and 3,000 tons of salt for other agencies use at an estimated cost of \$255,000.

NOW, THEREFORE BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to purchase 13,000 tons of road salt from June 2021 to May 2022, in the amount of \$1,105,000 through the State Road Salt Contract.

21-335

Authorization To Execute Amendment To Joint Powers Agreement With Minnesota Department Of Transportation And City Of Burnsville For County Project 97-201 And Amend 2021 Transportation Capital Improvement Program Budget

WHEREAS, Dakota County, the City of Burnsville (City), and the Minnesota Department of Transportation (MnDOT) partnered on County Project (CP) 5-41, which was the construction of an interchange at the intersection

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of Trunk Highway 13 and County State Aid Highway 5 and related work along city streets and frontage roads; and

WHEREAS, the project was completed in 2015 and included the reconstruction of the frontage road and area drainage systems; and

WHEREAS, by Resolution No. 17-014 (January 3, 2017), the County Board authorized a joint powers agreement (JPA) with MnDOT for the acquisition of a property located at 1418 Woodhill Road to address an ongoing drainage problem resulting from CP 5-41; and

WHEREAS, upon further analysis by MnDOT, it was determined that additional drainage improvements were necessary to mitigate ongoing flooding problems; and

WHEREAS, a JPA with MnDOT and the City was executed, Resolution No. 19-797 (October 29, 2019), to outline cost participation and responsibilities for the drainage project; and

WHEREAS, total final costs increased from the estimated amount of \$799,898.48 to \$846,791.10; and

WHEREAS, staff recommends execution of amendment to the JPA with MnDOT and the City for CP 97-201 to account for the increased costs.

NOW, THEREFORE, BE IT 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 Minnesota Department of Transportation and the City of Burnsville for County Project 97-201, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the 2021 Transportation Capital Improvement Program Adopted Budget is hereby amended as follows:

Expense	
County Project 97-201	<u>\$22,297</u>
Total Expense	\$22,297
Revenue	
Transportation Fund Balance	<u>\$22,297</u>
Total Revenue	\$22,297

21-336

Authorization To Amend 2021 Transportation Capital Improvement Program Budget For County Project 8-21 In City Of West St. Paul

WHEREAS, Dakota County and the City of West St. Paul are partnering on County Project (CP) 8-21 to reconstruct County State Aid Highway (CSAH) 8 in West St. Paul; and

WHEREAS, Dakota County is the lead agency for the project; and

WHEREAS, construction of the project was essentially complete by spring 2020; and

WHEREAS, Dakota County is currently in litigation with S.M. Hentges & Sons, Inc., over claims from the construction contract; and

WHEREAS, all project funds have been depleted and additional funds are needed to pay the remaining contract costs and ongoing litigation expenses; and

WHEREAS, a budget amendment in the amount of \$150,000 is requested to account for the additional costs; and

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WHEREAS, costs will be shared in accordance with County policy; and

WHEREAS, staff recommends amending the 2021 Transportation Capital Improvement Program Adopted Budget for CP 8-21 to account for additional costs.

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

Expense	
County Project 8-21	<u>\$150,000</u>
Total Expense	\$150,000
Revenue	
Transportation Fund Balance	\$112,500
City West St. Paul	<u>\$ 37,500</u>
Total Revenue	\$150,000

Public Safety

21-337

Authorization To Accept Donation Of Two Electric Bikes From Dakota Electric

WHEREAS, Dakota Electric applied for a grant to obtain electric bikes; and

WHEREAS, Dakota Electric was not awarded the grant however Dakota Electric chose to donate two electric bikes to the Sheriff's Office; and

WHEREAS, on May 24, 2021 representatives from Dakota Electric Association delivered two TREK Allant+7S electric bikes valued at \$3,900 each; and

WHEREAS, these electric bikes will be utilized by Sheriff's Deputies and Park Rangers to enhance safety and security on County trials and in the community.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Sheriff is authorized to accept the donation of two electric bikes valued at \$3,900 each from the Dakota Electric to be utilized by Sheriff's Deputies and Park Rangers to enhance safety and security on County trials and in the community.

21-338

Authorization To Accept Donation Of \$2,500 From The Moments Of Lakeville

WHEREAS, on April 14, 2021, the Sheriff's Office received a \$2,500 donation from The Moments Of Lakeville Senior Living; and

WHEREAS, the Sheriff's Office intends to use the donation to host an officer wellness event for Dakota County agencies and officer families.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Sheriff is authorized to accept the donation of \$2,500 from The Moments of Lakeville; and

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

Revenue	
Moments of Lakeville Gifts	<u>\$2,500</u>
Total Revenue	\$2,500
Expense	

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Moments of Lakeville Gifts	<u>\$2,500</u>
Total Expense	\$2,500

Public Services And Revenue

21-339

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 Valerie Klotz donated \$5,000 to enhance Teen Services at Farmington; and Eagan Lions Club donated \$2,000 for materials for seeing impaired people; and

WHEREAS, this donation 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 from Valerie Klotz \$5,000 to enhance Teen Services at Farmington; and from Eagan Lions Club \$2,000 for materials for seeing impaired people; and

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

Revenue	
Farmington Gifts	<u>\$5,000</u>
Total Revenue	\$5,000

Expense	
Farmington Gifts	<u>\$5,000</u>
Total Expense	\$5,000

Revenue	
Wescott Gifts	<u>\$2,000</u>
Total Revenue	\$2,000

Expense	
Wescott Gifts	<u>\$2,000</u>
Total Expense	\$2,000

21-340

Approval Of Application For Off-Site Gambling For Farmington Youth Hockey

WHEREAS, off-site gambling permits are issued by the Minnesota Gambling Control Board; and

WHEREAS, the Minnesota Gambling Control Board requires County approval of an application when the gambling premises are located in a township; and

WHEREAS, Castle Rock Township approved the application on May 18, 2021; and

WHEREAS, an application to conduct off-site gambling at Dakota County Fairgrounds in Castle Rock Township from August 12-14, 2021 has been submitted by Farmington Youth Hockey Association; and

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WHEREAS, the Dakota County Board of Commissioners is the local governing body having jurisdiction over the proposed gambling activity.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the application from Farmington Youth Hockey Association to conduct off-site gambling activities at Dakota County Fairgrounds in Castle Rock Township from August 12-14, 2021.

21-341

Approval Of Application For 1 To 4 Day Temporary Intoxicating On-Sale Liquor License For Dakota City Heritage Village Inc.

WHEREAS, an application was received from Dakota City Heritage Village Inc. for a 1 to 4 day temporary on-sale intoxicating liquor license; and

WHEREAS, Castle Rock Township approved the application on June 9, 2021; and

WHEREAS, the Minnesota Department of Public Safety, Alcohol and Gambling Enforcement Division will not issue a 1 to 4 day temporary on-sale intoxicating liquor license without prior approval by the County Board.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the application from Dakota City Heritage Village Inc. for a 1 to 4 day temporary on-sale intoxicating liquor license issued by Minnesota Department of Public Safety, Alcohol and Gambling Enforcement Division for August 9-11, 2021; and

BE IT FURTHER RESOLVED, That the County Public Service and Revenue Division is authorized to approve the application and submit to the Minnesota Department of Public Safety, Alcohol and Gambling Enforcement Division upon payment of the proper fees.

21-342

Approval Of Application For 1 To 4 Day Temporary Intoxicating On-Sale Liquor License For Dakota County Agricultural Society, Inc.

WHEREAS, an application was received from Dakota County Agricultural Society, Inc. for a 1 to 4 day temporary on-sale intoxicating liquor license; and

WHEREAS, Castle Rock Township approved the application on June 9, 2021; and

WHEREAS, the Minnesota Department of Public Safety, Alcohol and Gambling Enforcement Division will not issue a 1 to 4 day temporary on-sale intoxicating liquor license without prior approval by the County Board.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the application from Dakota County Agricultural Society, Inc. for a 1 to 4 day temporary on-sale intoxicating liquor license issued by Minnesota Department of Public Safety, Alcohol and Gambling Enforcement Division for August 12-15, 2021; and

BE IT FURTHER RESOLVED, That the County Public Service and Revenue Division is authorized to approve the application and submit to the Minnesota Department of Public Safety, Alcohol and Gambling Enforcement Division upon payment of the proper fees.

REGULAR AGENDA

County Board/County Administration

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

Director of Public Health Gina Adasiewicz, 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.

Closed Executive Session

21-343

Authorization To Approve Settlement With E Wesley Wille – Parcel 72 Map 471, County Project 26-54 And County Project 63-27

This item did not go into closed session.

Motion: Kathleen A. Gaylord

Second: Joe Atkins

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

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

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

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

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

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

WHEREAS, to construct the recommended improvements, Dakota County must acquire a permanent highway easement of 10,220 square feet from E. Wesley Wille("Landowner"), identified in Dakota County Right of Way Map 471 as Parcel 72; and

WHEREAS, staff recommends the County Board of Commissioners amend the legal descriptions of the temporary construction easement and cross access easement authorized in County Board Resolutions 20-425 and 20-399 to conform to those provided in this resolution,

WHEREAS, to construct the recommended improvements, Dakota County must acquire property from Landowner, including a temporary construction easement of 18,524 square feet, the amended legal description as:

A temporary easement for highway purposes over that part of the Southwest Quarter of the Northwest Quarter of Section 6, Township 27 North, Range 22 West, Dakota County, Minnesota lying westerly of the westerly boundary of Parcel 72 and Parcel 72B as shown on Dakota County Road Right of Way Map No. 471, according to the recorded map thereof, and easterly of the following described line:

Commencing at the southwesterly corner of said Parcel 72B; thence South 75 degrees 36 minutes 13 seconds West a distance of 128.64 feet to the point of beginning of the line to be described; thence North 18 degrees 07 minutes 59 seconds West a distance of 100.23 feet; thence North 27 degrees 12 minutes 20 seconds East a distance of 107.81 feet to a westerly line of said Parcel 72 and said line there terminating.

Together with a temporary easement for highway purposes over that part of the Southwest Quarter of the Northwest Quarter of Section 6, Township 27 North, Range 22 West, Dakota County, Minnesota

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described as follows:

Beginning at the most westerly corner of said Parcel 72; thence South 45 degrees 22 minutes 36 seconds West a distance of 25.00 feet; thence South 45 degrees 17 minutes 23 seconds East a distance of 20.00 feet; thence North 44 degrees 42 minutes 37 seconds East a distance of 20.00 feet; thence South 45 degrees 17 minutes 23 seconds East a distance of 208.99 feet; thence North 44 degrees 42 minutes 37 seconds East a distance of 5.00 feet to a westerly line of said Parcel 72; thence North 45 degrees 17 minutes 23 seconds West along said westerly line a distance of 226.05 feet to the point of beginning.

Said Temporary Easement Areas contain approximately 18,524 square feet
; and

WHEREAS, to construct the recommended improvements, Dakota County must acquire property a nonexclusive cross-access easement totaling 3,400 square feet from Landowner, amended legal described as:

A 20.00-foot-wide perpetual easement for driveway and access purposes over part of the Southwest Quarter of the Northwest Quarter of Section 6, Township 27 North, Range 22 West, Dakota County, Minnesota, the centerline of said easement is described as follows:

Commencing at the southeast corner of Parcel 72 as shown on Dakota County Road Right of Way Map No. 471, according to the recorded map thereof; thence North 44 degrees 25 minutes 42 seconds West, assumed bearing along a westerly line of said Parcel 72 a distance of 50.08 feet to the point of beginning of the centerline to be described; thence south distance of 88.46 feet along a non-tangential curve concave to the east having a radius of 100.00 feet, a central angle of 50 degrees 41 minutes 05 seconds, and a chord that bears South 14 degrees 02 minutes 27 seconds West; thence South 11 degrees 18 minutes 05 seconds East, tangent to said curve, a distance of 43.92 feet; thence southerly a distance of 48.46 feet along a tangential curve concave to the west, having a radius of 51.54 feet, and a central angle of 53 degrees 52 minutes 37 seconds to the north line of a non-exclusive driveway and access easement per Doc. No. 1502301 and said centerline there terminating. The sidelines of said easement are to terminate at said north line.

Said Access Easement Containing approximately 3,400 square feet over the Wille Property and approximately 234 square feet over the Cole Property
; and

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

WHEREAS, the acquisition of right of way is recommended to move forward with County Project 26-54 and County Project 63-27; and

WHEREAS, the County made an offer, to the Landowner based on the appraised value for the acquisition in the amount of \$20,500 for Parcel No. 72 Map 471; and

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

WHEREAS, the parties in this action have agreed to settle all damages caused by the taking whereby the County will pay the Landowner \$48,500, subject to approval by the County Board; and

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

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the acquisition of property from E. Wesley Wille, legally described above in the amount of \$48,500 as being in the best interest of the County, and authorizes the County Attorney to arrange for final payment of the acquisition amount and to effectuate final settlement of the acquisition between the parties.

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Ayes: 7

Nays: 0

21-344

Authorization To Approve Settlement With Cole Enterprises, Inc., - Parcel 71 Map 471, County Project 26-54 And County Project 63-27

This item did not go into closed session.

Motion: Kathleen A. Gaylord

Second: Joe Atkins

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

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

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

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

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

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

WHEREAS, to construct the recommended improvements, Dakota County must acquire permanent highway easement of 10,220 square feet property from Cole Enterprises Inc. – (“Landowner”), identified in Dakota County Right of Way Map 471 as Parcel 71; and

WHEREAS, staff recommends the County Board of Commissioners amend the legal descriptions of the drainage and utility easement, temporary construction easement, and cross access easement authorized in County Board Resolutions 20-425 and 20-399 to conform to those provided in this resolution; and

WHEREAS, to construct the recommended improvements, Dakota County must acquire a drainage and utility easement of 45,827 square feet property from Landowner legally described as:

An easement for drainage and utility purposes over that part of the Southwest Quarter of the Northwest Quarter of Section 6, Township 27 North, Range 22 West, Dakota County, Minnesota lying westerly of Parcel 71C as shown on Dakota County Road Right of Way Map No. 471, according to the recorded map thereof, and easterly of the following described line:

Commencing at the most southerly corner of Parcel 71C as shown on Dakota County Road Right of Way Map No. 471; thence North 15 degrees 29 minutes 03 seconds West, assumed bearing along the westerly line of said Parcel 71C a distance of 187.86 feet to the point of beginning of the line to be described; thence North 43 degrees 13 minutes 16 seconds West a distance of 248.31 feet; thence North 14 degrees 27 minutes 37 seconds West a distance of 130.57 feet; thence North 75 degrees 36 minutes 13 seconds East a distance of 106.79 feet to the west line of said Parcel 71C and said line there terminating.

Together with an easement for drainage and utility purposes over that part of DU 71 as shown on said Dakota County Road Right of Way Map No. 471, lying easterly of Parcel 71C, in said Southwest Quarter of the Northwest Quarter of Section 6, Township 27 North, Range 22 West.

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Together with an easement for drainage and utility purposes over that part of the Southwest Quarter of the Northwest Quarter of Section 6, Township 27 North, Range 22 West described as follows:

Beginning at the northwest corner of Parcel 71A as shown on said Dakota County Road Right of Way Map No. 471; thence South 15 degrees 29 minutes 03 seconds East, assumed bearing along the west line of said Parcel 71A a distance of 18.69 feet; thence South 74 degrees 30 minutes 57 seconds West a distance of 24.00 feet; thence North 15 degrees 29 minutes 03 seconds West a distance of 129.71 feet; thence North 74 degrees 30 minutes 57 seconds East a distance of 24.00 feet to the west line of said Parcel 71C; thence South 15 degrees 29 minutes 03 seconds East along said west line a distance of 111.02 feet to said northwest corner of Parcel 71A and the point of beginning.

Said Drainage and Utility Easement Areas contain approximately 45,827 square feet

And the said GRANTOR(S) hereby convey(s) to the said County of Dakota all structures, trees, shrubs, grass, aggregate, herbage or other materials now existing on or under said lands or that may be hereafter planted, grown or deposited thereon.

; and

WHEREAS, to construct the recommended improvements, Dakota County must acquire a temporary construction easement of 38,422 square feet from Landowner legally described as:

A temporary easement for highway purposes over that part of the Southwest Quarter of the Northwest Quarter of Section 6, Township 27 North, Range 22 West, Dakota County, Minnesota lying westerly of the westerly boundary of Parcel 71 as shown on Dakota County Road Right of Way Map No. 471 according to the recorded map thereof, described as follows:

Commencing at the most westerly corner of said Parcel 71; thence South 45 degrees 17 minutes 23 seconds East, assumed bearing along the westerly line of said Parcel 71 a distance of 23.16 feet to the point of beginning of the easement to be described; thence continuing South 45 degrees 17 minutes 23 seconds East along said southeasterly line a distance of 20.00 feet; thence South 45 degrees 22 minutes 36 seconds West a distance of 25.00 feet; thence North 45 degrees 17 minutes 23 seconds West a distance of 20.00 feet; thence North 45 degrees 22 minutes 36 seconds East a distance of 25.00 feet to the point of beginning.

Together with a temporary easement for highway purposes over that part of the Southwest Quarter of the Northwest Quarter of Section 6, Township 27 North, Range 22 West, Dakota County, Minnesota described as follows:

Commencing at the northeast corner of said Southwest Quarter of the Northwest Quarter of Section 6; thence South 01 degree 12 minutes 00 seconds East, assumed bearing along the east line of said Southwest Quarter of the Northwest Quarter a distance of 675.97 feet to the point of beginning of the easement to be described; thence North 44 degrees 25 minutes 42 seconds West a distance of 89.53 feet; thence South 45 degrees 34 minutes 18 seconds West a distance of 5.00 feet; thence North 44 degrees 25 minutes 42 seconds West a distance of 176.43 feet; thence South 45 degrees 34 minutes 18 seconds West a distance of 5.00 feet; thence North 44 degrees 25 minutes 42 seconds West a distance of 23.66 feet; thence North 45 degrees 34 minutes 18 seconds East a distance of 17.00 feet; thence North 44 degrees 25 minutes 42 seconds West a distance of 118.30 feet; thence South 46 degrees 34 minutes 18 seconds West a distance of 17.00 feet; thence North 44 degrees 25 minutes 42 seconds West a distance of 84.09 feet; thence North 46 degrees 36 minutes 25 seconds East a distance of 13.87 feet; thence North 45 degrees 17 minutes 31 seconds West a distance of 198.60 feet; thence North 71 degrees 33 minutes 02 seconds East a distance of 94.55 feet to the northeasterly line of Parcel 7D as shown on Minnesota Department of Transportation Right of Way Plat No. 19-70; thence South along said northeasterly line a distance of 29.00 feet to Corner B29 shown on said Right of Way Plat No. 19-70 and the northerly most corner of said Parcel 71; thence continuing South 45 degrees 17 minutes 23 seconds East along the easterly line of said Parcel 71 a distance of 351.87 feet; thence North 44 degrees 42 minutes 29 seconds East along a northwesterly line of said Parcel 71 a distance of 6.50 feet; thence South 44 degrees 25 minutes 42 seconds East along an easterly line of said Parcel 71 a distance of 425.66 feet to said east line of the Southwest Quarter of the Northwest Quarter; thence North 01 degree 12 minutes 00 seconds West along said east line a distance of 43.80 feet to the point of beginning.

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Together with a temporary easement for highway purposes over that part of the Southwest Quarter of the Northwest Quarter of Section 6, Township 27 North, Range 22 West, Dakota County, Minnesota described as follows:

Commencing at the most southerly corner of Parcel 71C as shown on Dakota County Road Right of Way Map No. 471; thence North 15 degrees 29 minutes 03 seconds West, assumed bearing along the westerly line of said Parcel 71C a distance of 187.86 feet to the point of beginning of the easement to be described; thence North 43 degrees 13 minutes 16 seconds West a distance of 248.31 feet; thence North 14 degrees 27 minutes 37 seconds West a distance of 130.57 feet; thence South 75 degrees 36 minutes 13 seconds West a distance of 65.00 feet; thence South 14 degrees 27 minutes 37 seconds East a distance of 35.00 feet; thence North 75 degrees 36 minutes 13 seconds East a distance of 60.10 feet; thence South 14 degrees 23 minutes 47 seconds East a distance of 98.31 feet; thence South 46 degrees 46 minutes 44 seconds West a distance of 4.29 feet; thence South 43 degrees 13 minutes 16 seconds East a distance of 267.35 feet to said westerly line of Parcel 71C; thence North 15 degrees 29 minutes 03 seconds West along said westerly line a distance of 21.49 feet to the point of beginning.

Together with a temporary easement for highway purposes over that part of the Southwest Quarter of the Northwest Quarter of Section 6, Township 27 North, Range 22 West, Dakota County, Minnesota described as follows:

Commencing at the southeast corner of said Southwest Quarter of the Northwest Quarter; thence North 01 degree 12 minutes 00 seconds West a distance of 283.63 feet to the point of beginning of the easement to be described; thence continuing North 01 degree 12 minutes 00 seconds West a distance of 50.04 feet; thence southerly a distance of 200.04 feet along a non-tangential curve concave to the east having a radius of 267.00 feet, a central angle of 42 degrees 55 minutes 40 seconds, and a chord that bears South 12 degrees 04 minutes 58 seconds West; thence North 80 degrees 37 minutes 08 seconds East, non-tangential to said curve, a distance of 25.00 feet; thence northerly a distance of 140.00 feet along a non-tangential curve concave to the east having a radius of 242.00 feet, a central angle of 33 minutes 08 minutes 47 seconds, and a chord that bears North 07 degrees 11 minutes 32 seconds East to the point of beginning.

Together with a temporary easement for highway purposes over that part of the Southwest Quarter of the Northwest Quarter of Section 6, Township 27 North, Range 22 West, Dakota County, Minnesota described as follows:

Commencing at the northwest corner of Parcel 71A as shown on said Dakota County Road Right of Way Map No. 471; thence South 15 degrees 29 minutes 03 seconds East, assumed bearing along the west line of said Parcel 71A a distance of 18.69 feet to the point of beginning of the easement to be described; thence South 74 degrees 30 minutes 57 seconds West a distance of 24.00 feet; thence North 15 degrees 29 minutes 03 seconds West a distance of 129.71 feet; thence North 74 degrees 30 minutes 57 seconds East a distance of 24.00 feet to the west line of Parcel 71C of said Right of Way Map; thence North 15 degrees 29 minutes 03 seconds West along said west line of Parcel 71C a distance of 22.24 feet; thence South 41 degrees 30 minutes 31 seconds West a distance of 54.12 feet; thence South 15 degrees 39 minutes 13 seconds East a distance of 130.00 feet; thence North 74 degrees 30 minutes 57 seconds East a distance of 45.00 feet to said west line of Parcel 71A; thence North 15 degrees 29 minutes 03 seconds West along said west line a distance of 7.54 feet to the point of beginning.

Said Temporary Easement Areas contain approximately 38,422 square feet

The temporary easement conveyed herein includes the right of the GRANTEE, its contractors, agents, employees, successors and assigns, to enter upon the described easement areas at all reasonable times for the purposes of construction, grading, sloping and restoration, and all purposes ancillary thereto; to remove trees, shrubs or other vegetation in the easement area; to deposit or remove grasses and earthen materials and re-grade the surface of the land; to alter or remove existing improvements; to replace grasses and earthen materials with like kind materials; to move, store, and remove equipment and supplies within the easement area as necessary and incident to the safe construction of the project improvements.

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This easement shall be effective from May 4, 2021 to June 4, 2024.

; and

WHEREAS, to construct the recommended improvements, Dakota County must acquire a nonexclusive cross-access easement totaling 234 square feet from Landowner, legally described as:

A 20.00-foot-wide perpetual easement for driveway and access purposes over part of the Southwest Quarter of the Northwest Quarter of Section 6, Township 27 North, Range 22 West, Dakota County, Minnesota, the centerline of said easement is described as follows:

Commencing at the southeast corner of Parcel 72 as shown on Dakota County Road Right of Way Map No. 471, according to the recorded map thereof; thence North 44 degrees 25 minutes 42 seconds West, assumed bearing along a westerly line of said Parcel 72 a distance of 50.08 feet to the point of beginning of the centerline to be described; thence south distance of 88.46 feet along a non-tangential curve concave to the east having a radius of 100.00 feet, a central angle of 50 degrees 41 minutes 05 seconds, and a chord that bears South 14 degrees 02 minutes 27 seconds West; thence South 11 degrees 18 minutes 05 seconds East, tangent to said curve, a distance of 43.92 feet; thence southerly a distance of 48.46 feet along a tangential curve concave to the west, having a radius of 51.54 feet, and a central angle of 53 degrees 52 minutes 37 seconds to the north line of a non-exclusive driveway and access easement per Doc. No. 1502301 and said centerline there terminating. The sidelines of said easement are to terminate at said north line.

Said Access Easement Containing approximately 3,400 square feet over the Wille Property and approximately 234 square feet over the Cole Property

; and

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

WHEREAS, the acquisition of right of way is recommended to move forward with County Project 26-54 and County Project 63-27; and

WHEREAS, the County made an offer to Landowner based on the appraised value for the acquisitions in the amount of \$189,200 for Parcel No. 71 Map 471; and

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

WHEREAS, based on negotiation the permanent drainage and utility easement was revised to 45,827 square feet, temporary construction easement was revised to 38,422 square feet, and cross access easement was revised to 234 square feet: and

WHEREAS, the parties in this action have agreed to settle all damages caused by the taking whereby the County will pay the Landowner \$300,000, subject to approval by the County Board; and

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

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the acquisition of property from Cole Enterprises Inc, legally described above in the amount of \$300,000 as being in the best interest of the County, and authorizes the County Attorney to arrange for final payment of the acquisition amount and to effectuate final settlement of the acquisition between the parties.

Ayes: 7

Nays: 0

21-345

Settlement Authority For Acquisition Of Certain Property Rights Necessary For County Project 32-87

June 22, 2021

This item did not go into closed session.

Motion: Joe Atkins

Second: Mary Hamann-Roland

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

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

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

WHEREAS, by Resolution No. 21-099, the Dakota County Board of Commissioners authorized the acquisition of certain parcels identified in the resolution and initiation of quick-take eminent domain pursuant to Minn. Stat. §117.042, if necessary, to construct the recommended improvements; and

WHEREAS, to construct the recommended improvements, Dakota County must acquire property from Paul S. Overby aka Paula S. Overby ("Landowner") identified in Resolution No. 21-099 as Parcel 31; and

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

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

WHEREAS, the parties in this action have agreed to settle all damages caused by the taking whereby the County will pay Landowner \$31,105; and

WHEREAS, the settlement requires the acquisition of a permanent easement on Parcel 31 with legal description of:

A permanent easement for highway purposes over the north 17.00 feet of the south 50.00 feet of the following described subject property:

The South Three hundred ten (310) feet of the West Two hundred (200) feet of the East Six hundred (600) feet of the South one half (S1/2) of the Southeast quarter (SE1/4) of Section Twenty six (26) Township Twenty Seven (27), Range Twenty three (23) according to the Government survey thereof.

Permanent Easement Area contains approximately 3,400 square feet.

; and

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

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the acquisition of property from Paul S. Overby aka Paula S. Overby, identified in Resolution No. 21-099 as Parcel 31 with the addition of a permanent easement as legally described above, for \$31,105 as being in the best interest of the County, and authorizes the County Attorney to arrange for final payment of the acquisition amount and to effectuate final settlement of the acquisition.

Ayes: 7

Nays: 0

21-346

Settlement Authority For Acquisition Of Certain Property Rights Necessary For County Project 96-07

This item did not go into closed session.

June 22, 2021

Motion: Mike Slavik

Second: Kathleen A. Gaylord

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, by Resolution No. 21-215, the County Board of Commissioners authorized the acquisition of certain properties identified in the resolution and initiation of quick-take eminent domain pursuant to Minn. Stat. § 117.042, if necessary, to construct the recommended improvements; and

WHEREAS, on June 18, 2021, the Dakota County Attorney's Office provided a confidential memorandum to the Dakota County Board of Commissioners explaining the legal strategy accomplishing Dakota County's acquisition of the property rights identified in Resolution No. 21-215 for DCP 96-07; and

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

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the County Attorney's Office to proceed with settlement negotiations on the acquisition of property rights for DCP 96-07 consistent with the settlement authority requested in the confidential memorandum to the County Board.

Ayes: 7

Nays: 0

Legislative Update

Jeremy Estenson 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 by the Board.

Interagency Announcements/Reports

Interagency announcements and reports were then presented.

County Manager's Report

County Manager Matt Smith gave a brief update on American Rescue Plan Funds.

21-347

Closed Executive Session: County Manager's Mid-Year Review

Motion: Mike Slavik

Second: Mary Hamann-Roland

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

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

June 22, 2021

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby closes the County Board Meeting on June 22, 2021, and recesses to a confidential conference call to discuss the performance of the County Manager.

Ayes: 7

Nays: 0

The time being 9:57 a.m. the Board recessed the County Board meeting to hold the Budget Workshop. Following the workshop at 11:50 am the Board reconvened the County Board meeting and pursuant to public notice, the County Board met in conference room 3A, Administration Center, Hastings, and conducted in accordance with Minnesota Statutes sections 13D.021 and 13D.03. a Closed Executive Session to discuss the County Manager's mid-year review.

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 Liz Workman, District 5
Commissioner Mary Liz Holberg, District 6
Commissioner Mary Hamann-Roland, District 7
Matt Smith, County Manager

The Closed Executive Session continued until 12:45 p.m., at which time the Board convened to adjourn the meeting.

Information

See Attachment A - Future Board Meetings And Other Board Activities

21-348

Adjournment

Motion: Mike Slavik

Second: Mary Hamann-Roland

On a motion by Commissioner Mike Slavik, seconded by Commissioner Mary Hamann-Roland, the meeting was adjourned at 12:47 p.m.

Mary Liz Holberg
Chair

ATTEST

Matt Smith
County Manager