AGENDA

DAKOTA COUNTY
Physical Development Committee of the Whole

September 15, 2020

9:30 AM
View Live Broadcast:
https://www.co.dakota.mn.us/Government/BoardMeetings/PDCommittee/Pages/default.aspx

If you wish to speak to an agenda item or an item not on the agenda, please notify the Clerk to the Board via email at CountyAdmin@co.dakota.mn.us
Emails must be received by 7:30am Tuesday, September 15, 2020.
Instructions on how to participate will be sent to anyone interested.

1. Call To Order And Roll Call
Note: Any action taken by this Committee of the Whole constitutes a recommendation to the County Board.

2. Audience
Anyone wishing to address the County Board on an item not on the agenda or an item on the consent agenda may send comments to CountyAdmin@co.dakota.mn.us

3. Approval Of Agenda (Additions/Corrections/Deletions)

4. Consent Agenda

4.1 **Approval Of Minutes** Of Meeting Held On August 11, 2020

4.2 *Physical Development Administration* - Planning Commission Update

4.3 *Environmental Resources* - Authorization To Execute Amendment To Contract With Express Image, Inc., To Provide Print Services

4.4 *Parks, Facilities, And Fleet Management* - Approval Of Cooperative Agreement With Minnesota Department Of Natural Resources For Feasibility Study For Mill Towns State Trail

4.5 *Environmental Resources* - Authorization To Execute Joint Funding Agreement With U.S. Geological Survey For Analysis Of Groundwater Samples

4.6 *Parks, Facilities, And Fleet Management* - Authorization To Amend Joint Powers Agreement With City Of Hastings For Reconstruction And Jurisdictional Transfer Of Mississippi River Greenway - City Of Hastings Segments

4.7 *Transportation* - Approval Of Grant Application Submittals For Minnesota Highway Freight Program Funding

5. Regular Agenda

5.1 *Transportation* - Authorization To Adopt Intersection Traffic Control Change To A Roundabout And Authorization To Execute Joint Powers Agreement With Cities Of Apple Valley And Rosemount For County Project 33-15

5.2 *Transportation* - Update On 2020 Transportation Capital Improvement Construction Projects

5.3 *Environmental Resources* - Update And Discussion On Current Status Of Sanitary Landfills In Dakota County

6. Division Director Update

7. Adjournment

For more information, please call 952-891-7030
Committee of the Whole agendas are available online at
https://www.co.dakota.mn.us/Government/BoardMeetings/Pages/default.aspx
Public Comment can be sent to CountyAdmin@co.dakota.mn.us

DAKOTA COUNTY
PHYSICAL DEVELOPMENT COMMITTEE OF THE WHOLE

Meeting Minutes

August 11, 2020
Video Conferencing

Call To Order And Roll Call
Commissioner Mike Slavik
Commissioner Kathleen A. Gaylord
Commissioner Thomas A. Egan
Commissioner Joe Atkins
Commissioner Liz Workman
Commissioner Mary Liz Holberg
Commissioner Chris Gerlach

Also in attendance: Matt Smith, County Manager, Tom Donely, Assistant County Attorney, Steve Mielke, Physical Development Director, and Liz Hansen Administrative Coordinator.

The meeting was called to order at 9:00 a.m. by Chair Thomas A. Eagan. Commissioner Gerlach joined the meeting at 9:04 a.m.

Audience

Commissioner Egan asked if there was anyone in audience that wished to address the Physical Development Committee of the Whole on an item not on the agenda or an item on the consent agenda. Chair Egan noted that all public comments can be sent to CountyAdmin@co.dakota.mn.us. No one came forward.

Approval Of Agenda (Additions/Corrections/Deletions)

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

Consent Agenda

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

4.1 Approval Of Minutes Of Meeting Held On July 7, 2020

This item was on the agenda for informational purposes only.

4.2 Scheduling Of Public Hearing For Program Year 2019 Consolidated Annual Performance And Evaluation Report

WHEREAS, the Dakota County Community Development Agency (CDA) administers the Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), and Emergency Solutions Grant (ESG) Programs on behalf of Dakota County as the grantee; and

WHEREAS, the CDBG, HOME, and ESG Programs are guided by federal regulations, the Five-Year Consolidated Plan that outlines Dakota County's strategies and objectives, and the Annual Action Plan that

serves as the annual planning document allocating CDBG, HOME, and ESG funds to local governments and housing providers via approved activities; and

WHEREAS, the federal government requires submission of a year-end report, the Consolidated Annual Performance and Evaluation Report (CAPER), to be submitted to the U.S. Department of Housing and Urban Development (HUD) no later than 90 days after the end of the program year; and

WHEREAS, the CAPER is an evaluation of the prior program year, detailing financial expenditures, persons assisted, and activity outcomes; and

WHEREAS, the CAPER must be available for citizens to comment on before its submission to HUD; and

WHEREAS, the draft CAPER report will be made available to the public on the CDA and Dakota County websites, and the public may request written copies of the CAPER by contacting the CDA at its offices at 1228 Town Centre Drive, Eagan, Minnesota; and

WHEREAS, CDA, and County staff recommend scheduling a public hearing on September 22, 2020, regarding the Program Year 2019 CAPER.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby schedules a public hearing on September 22, 2020, at 9:00 a.m. in the Boardroom, Administration Center, 1590 Highway 55, Hastings, Minnesota, or via telephone or other electronic means if necessary due to the ongoing COVID-19 pandemic to receive comments on the Program Year 2019 Consolidated Annual Performance and Evaluation Report; and

BE IT FURTHER RESOLVED, That the staff of Dakota County is hereby authorized and directed to coordinate with Dakota County Community Development Agency staff to publish the public hearing notice in the Star Tribune and post said notice onthe Dakota County Community Development Agency website at www.dakotacda.org and the Dakota County website at www.co.dakota.mn.us

4.3 Authorization To Submit Clean Water Fund Grant Application For Spring Lake Park Reserve Ravine Stabilization Project And Authorization To Execute Grant Agreements

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

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

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

WHEREAS, staff developed preliminary project plans, estimated water quality benefits of the proposed projects, and cost estimates for a potential Clean Water Fund grant application to BWSR; and

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

WHEREAS, staff has drafted a Clean Water Fund application to BWSR in the amount of $452,250.00 for the purpose of implementing the ravine stabilization improvements; and

WHEREAS, the grant program requires a 25 percent match by Dakota County, in the amount of $113,062.50; and

WHEREAS, the proposed projects are estimated to reduce total phosphorus and total suspended solids pollution to the Mississippi River by 105 pounds and 525 tons annually; and

WHEREAS, there are sufficient funds in the 2020 Parks Capital Improvement Program budget to provide sufficient matching funds for the grant.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes staff to submit a Clean Water Fund grant application to the Minnesota Board of Water and Soil Resources for the Spring Lake Park Reserve Ravine Stabilization Project in the amount of $452,250.00 and, if awarded, authorizes the Physical Development Director to execute agreements with the Minnesota Board of Water and Soil Resources subject to approval of the grant agreements as to form by the County Attorney's Office.

4.4 Planning Commission Update

This item was on the agenda for informational purposes only.

4.5 Authorization To Execute Joint Powers Agreement With City Of Apple Valley For County Project 99-12, Cedar Avenue Pedestrian Bridge, In City Of Apple Valley

WHEREAS, to promote a safe and efficient transportation system throughout Dakota County, the County is the lead agency partnering with the City of Apple Valley (City) on County Project (CP) 99-12; and

WHEREAS, CP 99-12 will design and construct a pedestrian bridge over County State Aid Highway (CSAH) 23 at 140th Street in Apple Valley; and

WHEREAS, Dakota County is the lead agency for CP 99-12; and

WHEREAS, the City of Apple Valley is cooperating with the County on each stage of CP 99-12; and

WHEREAS, CP 99-12 will be shared 85 percent County funds and 15 percent City funds in accordance with adopted County Policy.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a joint powers agreement with the City of Apple Valley to identify costs and responsibilities for construction and operation of a pedestrian bridge, in accordance with County policy, for County Project 99-12, in the City of Apple Valley, subject to approval by the County Attorney's Office as to form.

4.6 Authorization To Submit Application To Minnesota Department Of Natural Resources For Conservation Partners Legacy Grant For Restoration Of Areas Within Spring Lake Park Reserve

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

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

WHEREAS, the Minnesota Department of Natural Resources (DNR) manages this program to provide grants from $5,000 to $400,000; and

WHEREAS, in 2021, $2,750,000 was dedicated to habitat projects located within the metro area; and

WHEREAS, a minimum 10 percent local match is required with any additional local match increasing the projects competitiveness; and

WHEREAS, the Conservation Partners Legacy Metro grant cycle is now open with submittals due by September 21, 2020; and

WHEREAS, the proposed grant project at Spring Lake Park Reserve (SLPR) is a high-priority and is supported by the approved Natural Resources System Plan, by the draft SLPR Natural Resources Management Plan, and by the draft SLPR Master Plan; and

WHEREAS, the project is also a highly visible site that can serve to educate park visitors; and

WHEREAS, staff has requested County Board consideration of this grant application:

- Project Title: Spring Lake Park Reserve Bluff Land Restoration Project
- Project Location: Spring Lake Park Reserve (Attachment A)
- Project Scope/Cost: This project will restore 26.5 acres of savanna, bluff prairie, and forested ravines in the Schaar's Bluff area of Spring Lake Park Reserve; the project will consist of removing invasive trees and shrubs that have taken over parts of this section of the park; staff will also be seeding parts of the project with native prairie/savanna seed and will be expanding two small remnant bluff prairies, a globally endangered plant community for a total project cost of $110,000
- Grant Request/Local Match: The grant request is $88,000 with a 25 percent local cash and in-kind match of $22,000

; and

WHEREAS, subject to DNR award, the County Board at a future meeting will consider acceptance of the grant funds and amendment of the Parks Capital Improvement Program (CIP) Adopted Budget; and

WHEREAS, local cash match funds are available from the Parks CIP adopted budget within the grant match line item.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to submit a Conservation Partners Legacy Grant application for the 2021 program year for Spring Lake Park Reserve restoration on approximately 26.5 acres with a total project cost (grant plus local match) of $110,000.

4.7 Update On CARES Act Allocations For Community Development Block Grant And Emergency Solutions Grant Programs

This item was on the agenda for informational purposes only.

Regular Agenda

5.1 Discussion On Veterans Advisory Group Role And Selection For Veterans Memorial Greenway Interpretive Plan

Mary Jackson, Senior Planner, presented this item and responded to questions. This item was on the agenda for informational purposes only. No staff direction was given by the Committee.

5.2 Review Of Spring Lake Park Reserve Master Plan And Natural Resources Management Plan Draft

Concept

Lil Leatham, Senior Planner, presented this item and responded to questions. This item was on the agenda for informational purposes only. Based on the discussion, commissioners requested that all future Spring Lake Park Reserve Master Plan documents include language that notes that the plan is still in draft form and contains the phrase "Possible Bison Range" vs. "Bison Range."

5.3 Approval Of Land Conservation Plan For Dakota County

Al Singer, Land Conservation Manager, presented the draft Land Conservation Plan and responded to questions. Commissioners expressed interest in having more discussion with Township Officers. After discussion, there was a motion by Commissioner Slavik and a second by Commissioner Atkins to delay action on the Land Conservation Plan to the October 13, 2020 meeting of the Physical Development Committee of the Whole.

Ayes: 7 Nays: 0

5.4 Authorization To Place $40 Million Bond Referendum On November 3, 2020 Ballot And Approval Of Ballot Language

Commissioner Joe Atkins presented this item and responded to questions. Will Abberger and Susan Schmidt from the Trust for Public Land were also in the audience and responded to questions.

On a motion by Commissioner Joe Atkins, seconded by Commissioner Chris Gerlach, the following resolution failed and was not recommended to the County Board.

WHEREAS, Dakota County is one of the most ecologically diverse counties in Minnesota and bounded by the Mississippi, Minnesota and Cannon rivers with the Vermillion River flowing through the central portion of the County; and

WHEREAS, conservation land protection and natural resource restoration and management provides many critical and valuable social, ecological and economic benefits; and

WHEREAS, Dakota County has a long history of natural resource protection through the establishment of federal lands such as the Minnesota Valley National Wildlife Refuge and the Mississippi River and Recreation Area; state lands such as Aquatic and Wildlife Management Areas, Scientific and Natural Areas and Fort Snelling State Park; County Parks, Regional Parks, Park Reserves, Regional Greenways, and County Park Conservation Areas; and City Parks; and

WHEREAS, the County has been successfully implementing the 2002 Farmland and Natural Areas Protection Plan with numerous partners since 2003, resulting in the protection of more than 11,600 acres including 120 permanent conservation easements on private properties outside of the County Park and Greenway system; and

WHEREAS, the 2008 County Park and Greenway System Plan, and updated, individual park and greenway master plans have identified prioritized land acquisition from willing sellers at fair market value and natural resource restoration needs in the approved 2020-2024 Parks Capital Improvement Program budget and the 2020 state bonding request totaling $36M over the next five years; and

WHEREAS, in 2017, the County Board approved the Natural Resource Management Systems Plan for prioritized and accelerated natural resource restoration of County and Regional Parks and Greenways and conservation easements and identified a $10M cost for County lands over ten years; and

WHEREAS, the County Board of Commissioners directed staff to begin updating the County's FNAP Plan in 2018

to provide contemporary guidance for the County's more comprehensive and integrated Land Conservation Program; and

WHEREAS, on July 7, 2020, the Physical Development Committee of the Whole received an overview of the draft Land Conservation Plan for Dakota County (LC Plan), reviewed the summary of public and agency comments submitted during a 90-day comment period, provided staff direction on LC Plan revisions, and discussed the financial study completed by the Trust for Public Land as an element of the LC Plan; and

WHEREAS, the LC Plan has identified an estimated acquisition of additional 200 acres of new lands within and adjacent to parks, greenways and other public conservation areas, and acquisition of new easements on 2,780 acres of private lands from willing sellers at fair market value, at an estimated cost of $34M over ten years; and restoration of 12,600 acres of existing and new public lands and protected private lands at an estimated cost of $11M over ten years, independent of possible non-County funding; and

WHEREAS, the County's draft Groundwater Plan, which is currently being developed to address existing and long-term drinking water quality and supply management issues, includes potential recommendations for conversion of current land uses which could also provide other conservation benefits; and

WHEREAS, the LC Plan included an independent financial analysis that included options for new revenue sources to implement the LC Plan, including the use of general obligation bonds; and

WHEREAS, a revised draft of the LC Plan was presented to the Dakota County Planning Commission during its July 23, 2020, meeting and Planning Commission members unanimously recommended that the County Board approve the LC Plan; and

WHEREAS, the final draft of the LC Plan was presented to the Physical Development Committee of the Whole for review and approval on August 11, 2020; and

WHEREAS, residents have consistently supported the protection and management of water, natural areas and parks and trails in residential surveys, and this support was recently validated in a privately funded, statistically valid survey conducted July 20-23, 2020, which also indicated support for a modest increase in property taxes (average residential homeowner would pay an additional $22.00 per year for a $40 million bond issuance) to help fund the protection and improvement of water, natural areas, parks, greenways, and other conservation lands; and

WHEREAS, funds raised by the County may be matched by funds from non-County public and private sources; and

WHEREAS, ballot language for a general obligation bond referendum has been reviewed and approved by the County Attorney's Office and bond counsel prior to it being submitted to the County Treasurer-Auditor for inclusion on the November 3, 2020, election ballot.

NOW, THEREFORE, BE IT RESOLVED, that the Dakota County Board of Commissioners hereby approves ballot question language, subject to review and approval by the County Attorney's Office and bond counsel, as follows:

PROTECTION AND IMPROVEMENT OF WATER, NATURAL AREAS, PARKS AND GREENWAYS

Shall Dakota County be authorized to issue general obligation bonds in an amount up to $40 million maturing over a term not to exceed ten years, to acquire interests in and improve land for conservation and park purposes, including the preservation and protection of drinking water sources and groundwater supply; the water quality of lakes, streams, and rivers, including the Mississippi, Minnesota, Cannon, and Vermillion Rivers; protection of forests to improve air quality; protection of wildlife habitat; and protection, restoration and management of parks, greenways and other conservation lands, with full public disclosure

of how the funds are spent?

BY VOTING "YES" ON THIS BALLOT QUESTION, YOU ARE VOTING FOR A PROPERTY TAX INCREASE.

; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the placement of a $40 million general obligation bond referendum to fund the protection and improvement of water quality, natural areas, parks, greenways and other conservation lands in the County on the November 3, 2020 ballot with the approved ballot question; and

BE IT FURTHER RESOLVED, That referendum funds will be used strategically to leverage non-County public and private funds for protecting and improving high priority natural resources in the County; and

BE IT FURTHER RESOLVED, That the use of referendum funds will be fully accounted, and the outcomes of these expenditures will be periodically reported to the Dakota County Board of Commissioners, conservation partners and Dakota County residents.

Ayes: 3 Nays: 4 (Kathleen Gaylord, Liz Workman, Mike Slavik, and Mary Liz Holberg)

Division Director Update

Steve Mielke, Physical Development Division Director, and Erin Stwora, Deputy Director, provided the committee with a Division Update.

Adjournment

On a motion by Commissioner Mike Slavik, seconded by Commissioner Liz Workman, the meeting was adjourned at 11:20 a.m.

Respectfully submitted,

Liz Hansen

_____
Liz Hansen
Administrative Coordinator
Physical Development Division

DAKOTA COUNTY PHYSICAL DEVELOPMENT COMMITTEE

Planning Commission Update

Meeting Date: 9/15/2020
Item Type: Consent-Information
Division: Physical Development
Department: Physical Development Administration
Contact: Chatfield, Kurt
Contact Phone: (952) 891-7022
Prepared by: Chatfield, Kurt

Fiscal/FTE Impact:
☒ None ☐ Other
☐ Current budget ☐ Amendment requested
☐ New FTE(s) requested
Board Goal: Excellence in public service
Public Engagement Level: N/A

PURPOSE/ACTION REQUESTED
Receive an update on items addressed by the Planning Commission.

SUMMARY
The Dakota County Planning Commission meeting was held on August 27, 2020. The format of the meeting was remote to protect the health and safety of Planning Commissioners, the public, and staff during the COVID-19 pandemic. The meeting minutes are attached (Attachment A). The Planning Commission addressed the following topic:

Dakota County Groundwater Plan
The Planning Commission reviewed public comments on the Groundwater Plan. Staff presented proposed changes to the plan in response to public comments. The Planning Commission recommended that the County Board submit the Groundwater Plan for state agency review.

RECOMMENDATION
Information only, no action requested.

EXPLANATION OF FISCAL/FTE IMPACTS
None.

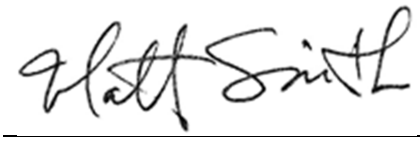
Supporting Documents:
Attachment A: Advisory Committee Minutes

Previous Board Action(s):

RESOLUTION
Information only; no action requested.

County Manager's Comments:

- ☐ Recommend Action
- ☐ Do Not Recommend Action
- ☐ Reviewed---No Recommendation
- ☒ Reviewed---Information Only
- ☐ Submitted at Commissioner Request



County Manager

Reviewed by (if required):

- ☒ County Attorney's Office
- ☒ Financial Services
- ☒ Risk Management
- ☐ Employee Relations
- ☐ Information Technology
- ☐ Facilities Management

Virtual Dakota County Planning Commission
Advisory Committee Meeting Minutes
Date: August 27, 2020
Time: 7:00 p.m. to 9:00 p.m.

Members Present				Staff Present		Others Present
Jerry Rich	☒	Barry Graham	☒	Kurt Chatfield	☒	
Timothy Tabor	☐	Ramraj Singh	☒	Aaron Sather	☒	
Lori Hansen	☒	Robert Timmerman	☒	Liz Hansen	☒	
Jill Smith	☐	Nate Reitz	☐	Valerie Grover	☒	
Greg Oxley	☒	Jim Guttmann	☒	Jill Trescott	☒	
Amy Hunting	☒	Tony Nelson	☒	Mary Jackson	☒	
		Donald Post	☒			

Meeting Called to Order
Time: 7:04 p.m.
By: Chair Hansen

Public Comment
There were no members of the public present.

Outline of Meeting Format
Chair Hansen stated the need to hold a remote meeting as a result of the COVID-19 Pandemic. Governor Walz declared a peacetime emergency (Emergency Executive Order 20-01) on March 13, 2020, and Extending the COVID-19 Peacetime Emergency (Emergency Executive Order 20-75) on June 12, 2020, and Extending the COVID-19 Peacetime Emergency Declared in Executive Order 20-01 (Emergency Executive Order 20-78) on July 12, 2020, and Continuing to Safely Reopen Minnesota's Economy and Ensure Safe Non-Work Activities during the COVID-19 Peacetime Emergency (Emergency Executive Order 20-74) on June 5, 2020, which prohibits gatherings of 10 or more people and strongly encourages remote governmental meetings whenever possible. Dakota County Board of Commissioners Chair, Mike Slavik, declared a local state of emergency in Dakota County on March 17, 2020, in response to COVID-19. All County Board Commissioners voted to maintain this order on March 20, 2020.

The Planning Commission met virtually as outlined under Minnesota Statutes section 13D.021.

Approval of agenda
Motion by: Commissioner Singh
Second by: Commissioner Oxley
Vote: Unanimously approved by roll call vote

Approval of minutes (from July 23, 2020 meeting)
Motion by: Commissioner Graham
Second by: Commissioner Rich
Vote: Unanimously approved by roll call vote with Commissioner Hunting abstaining.

DRAFT

Item #1: Dakota County Groundwater Plan **Action / Information**

Jill Trescott, Senior Environmental Specialist, presented the Draft Groundwater Plan Update to the Planning Commission and proposed Plan submittal to the state for final review and approval. Valerie Grover, Groundwater Protection Supervisor, and Mary Jackson, Senior Planner, were in the audience and responded to questions and comments. Staff covered the timetable, stakeholder acknowledgment, significant changes to the plan in response to comments, new efforts, and next steps.

Questions and comments by Commissioners along with responses from staff (italics):

There was a general discussion that most comments received on the plan were positive. A Commissioner remarked that the individual response to comments in the plan was well done.

A question was raised about whether the plan addresses the potential for a major oil pipeline leak and if it identifies the County's response. *Staff responded that the county is not the lead responder to emergency spills and it is the responsibility of state and federal agencies to coordinate major spill response efforts. Dakota County's emergency preparedness plans, including the Emergency Operations Plan and All-Hazard Mitigation Plan are documents that would address pipeline spills preparedness and response. County staff are typically consulted following a pipeline spill to help determine impacts to groundwater and help identify people that may be impacted as a result of a spill.*

There was discussion about the non-profit organization, Adopt A Drain, along with a question about whether they are addressed in the plan to keep the storm drains clear to reduce contamination. *Staff acknowledged the importance of their work but stated that their activities are primarily a surface/stormwater function and so they are not specifically mentioned in this plan.*

The Groundwater Plan was amended to include a strategy to gather demographic data from individuals that have water tested for the purposes of equity. A Commissioner asked how Dakota County would use that data and whether it would be protected? *Staff responded that Dakota County is sensitive to protecting people's privacy. The technical data gathered would be shared with other agencies for research and to protect and restore groundwater, but personal data would not be shared. This is a new initiative so the County will need to create a system that allows the sharing of technical data while protecting private data.*

A comment was made in support of offering free water testing, especially to protect the health and safety of rural residents and lower income households.

A concern was raised about the potential exportation of groundwater from Dakota County. *Staff responded that the Minnesota Department of Resources provide a preliminary review of the proposed water exportation proposal and determined that it was unlikely to be approved. The water exportation proposal is no longer active.*

Motion to recommend to County Board that the Dakota County Groundwater Plan be submitted to the Metropolitan Council, the state review agencies, and the Minnesota Board of Water and Soil Resources for Final Review by: Commissioner Rich
Second by: Commissioner Oxley
Vote: Unanimously approved by roll call vote.

Planning Manager Update and County Board Actions
Comments/Notes: Kurt Chatfield, Planning Manager, provided the Planning Commission with an update on the following County Board actions:

- Discussed remote vs. in-person meetings for County Board and Citizen Committees

  The Planning Commission discussed their current remote meeting format. Planning Commissioners arrived at consensus that the current remote meeting format is working well, despite some challenges for the chair to run the meetings. Several Commissioners stated that the remote meetings are needed to remain safe. While Commissioners expressed a desire to meet in person again the group as a whole believes that the remote meetings are the right format during this time. Several Planning Commissioners noted that when COVID concerns have passed, retaining some component of the remote meeting format may be desirable as an option for Commissioners that may be out of town or unable to join the meeting in person.

- Provided direction on use of Veterans' Advisory Group for Veterans Memorial Greenway
- Reviewed preferred concept for Spring Lake Park Reserve Master Plan
- Directed that the draft Land Conservation Plan be reviewed by Township Officers in September

Upcoming Public Meetings – Community Outreach

CSAH 30 Improvements near school	Virtual Open house – Sept 11-28 (link pending) In-person event on September 16 (attendees must RSVP)
Groundwater Plan	Public Hearing – Sept 1, 9:00am https://www.co.dakota.mn.us/Government/BoardMeetings/Board/Pages/default.aspx
CSAH 88 Improvements	Virtual open house – Sept TBD
CSAH 9 Improvements	Virtual open house – Live August 27th https://doddblvdcr9.com/
North Creek Greenway Tunnel under CSAH 42	Virtual open house – Sept 2, 5:30pm-7:30pm https://dakotacountymn.zoom.us/j/98299577825?pwd=N0xnYThXNlh3anFQM045OFVON0gwUT09 Meeting ID: 982 9957 7825 Passcode: 088674
Thompson County Park Improvements	Public comment received from Oct 28 – Nov 4 https://www.co.dakota.mn.us/parks/CurrentProjects/Construction/Pages/thompson-improvement.aspx

Planning Commissioner Announcements/Updates:

None.

Topics for Next Meeting Thursday, September 24, 2020.

- Whitetail Woods Regional Park NRMP
- River to River Greenway NRMP
- Bison study update

Adjourn: 8:06 p.m.

Motion by: Commissioner Timmerman
Second: Commissioner Hunting
Vote: Unanimously approved by roll call vote

Next Regular Meeting: Thursday, September 24, 2020, 7:00 p.m., meeting to be held remotely.

DAKOTA COUNTY PHYSICAL DEVELOPMENT COMMITTEE

Authorization To Execute Amendment To Contract With Express Image, Inc., To Provide Print Services

Meeting Date: 9/15/2020
Item Type: Consent-Action
Division: Physical Development
Department: Environmental Resources
Contact: Fischer, Georg
Contact Phone: (952) 891-7554
Prepared by: Frekot, Lori

Fiscal/FTE Impact:
☐ None ☐ Other
☒ Current budget ☐ Amendment requested
☐ New FTE(s) requested
Board Goal: A healthy environment with quality natural areas

Public Engagement Level: N/A

PURPOSE/ACTION REQUESTED
Authorize the Physical Development Director to execute a contract amendment with Express Image, Inc., for print services.

SUMMARY
By Resolution No. 18-493 (September 18, 2018), the Dakota County Board of Commissioners adopted the Dakota County Solid Waste Master Plan (Master Plan). The Master Plan includes strategies to provide resources (e.g., messages, images, labels) to partners to support recycling. By Resolution No. 20-040 (January 21, 2019), the County Board adopted amendments to Dakota County Ordinance 110, Solid Waste Management, which included requirements for trash, recycling, and organics container labels with standardized messaging.

Environmental Resources Department and Communications staff developed standardized labels for distribution at no charge to stakeholders to help achieve compliance with new Ordinance 110 requirements (Attachment A). Municipal, school and business stakeholders use labels for indoor and outdoor public space recycling containers. Haulers use labels for external carts, dumpsters, and compactors.

The ordinance requires phased implementation over two years to label all new and existing containers, through 2021. After that, support is offered for recycling grant program participants. Label requests from stakeholders have exceeded expectations. The ordinance requires haulers to label new containers upon purchase in 2020 and to label existing containers (those purchased prior to January 1, 2020) by January 1, 2022. However, some haulers are choosing to label at least some of their existing containers in 2020. In addition, three school districts requested label assistance. After 2021, labels will be offered only for new containers requested through the recycling programs. Hauler labels and any replacement labels to address normal wear-and-tear will not be provided.

On December 2, 2019, staff issued a Request for Quotes (RFQ) for Printing of Environmental Resources Container Labels (Attachment B). The RFQ was issued to comprehensively address label needs in all recycling program areas and to meet hauler needs for 2020. Rather than issuing separate RFQs, a single RFQ was issued to allow for ordering efficiency and to expedite delivery. Three vendors responded to the solicitation, and quotes were reviewed and rated by staff based on cost per label, adhesion to smooth and textured surfaces, ease of removability, image quality, and performance over a long period of time in outdoor conditions. Express Image, Inc., was selected based on the above criteria. See Attachment A for cost differentials.

RECOMMENDATION
Staff recommends that the Dakota County Board of Commissioners authorize a contract amendment with Express Image, Inc., for print services in an amount not to exceed $200,000 for the period of January 30, 2020, to December 31, 2020.

EXPLANATION OF FISCAL/FTE IMPACTS
In 2019, staff worked with stakeholders and estimated an $80,000 contract was needed in 2020 to meet label needs; however, demand in year one of this two-year effort is over double the original contract amount. A contract amendment is proposed for an additional $120,000, not to exceed $200,000. Funding is included in the 2020 Environmental Resources Department Adopted Budget for recycling programs.

Supporting Documents:
Attachment A: Standardized Label Examples
Attachment B: Vendor Response

Previous Board Action(s):

RESOLUTION

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

WHEREAS, the Master Plan includes strategies to provide resources (e.g., messages, images, labels) to partners to support recycling; and

WHEREAS, by Resolution No. 20-040 (January 21, 2019), the County Board adopted amendments to Dakota County Ordinance 110, Solid Waste Management; and

WHEREAS, Ordinance 110 includes requirements for trash, recycling, and organics container labels with standardized messaging; and

WHEREAS, Environmental Resources Department and Communications staff developed standardized labels for distribution at no charge to stakeholder to help achieve compliance with new Ordinance 110 requirements; and

WHEREAS, the ordinance requires phased implementation over two years, through 2021, with supplemental support annually for recycling program participants; and

WHEREAS, on December 2, 2019, staff issued a Request for Quotes for Printing of Environmental Resources Container Labels in 2020; and

WHEREAS, three vendors responded to the solicitation; and

WHEREAS, quotes were reviewed and rated by staff based on cost per label, adhesion to smooth and textured surfaces, ease of removability, image quality, and performance over a long period of time in outdoor conditions; and

WHEREAS, Express Image, Inc., was selected based on the review criteria; and

WHEREAS, stakeholder demand exceeds the current contract amount; and

WHEREAS, staff recommends that the Dakota County Board of Commissioners authorize a contract amendment with Express Image, Inc., for print services.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute an amendment to the contract with Express Image, Inc., not to exceed $200,000 to provide print services from January 30, 2020, to December 31, 2020, subject to approval by the County Attorney's Office as to form.

County Manager's Comments:

- ☒ Recommend Action
- ☐ Do Not Recommend Action
- ☐ Reviewed---No Recommendation
- ☐ Reviewed---Information Only
- ☐ Submitted at Commissioner Request

County Manager

Reviewed by (if required):

- ☒ County Attorney's Office
- ☒ Financial Services
- ☒ Risk Management
- ☐ Employee Relations
- ☐ Information Technology
- ☐ Facilities Management

Standardized Label Examples

Dakota County Ordinance 110, Solid Waste Management, includes requirements for stakeholders to use standardized trash, recycling, and organics container labels. Standardized labels provide for consistent messaging across the county and will contribute to increased recyclables collected with decreased contamination. Environmental Resources Department and Communications staff developed labels with standardized terminology, images, and colors (blue for recycling, green for organics, gray or black for trash). Consistent images are used that best represent waste generated by a particular sector (e.g., schools, businesses, residential curbside, events). For example, school labels include an image of a small milk carton as commonly seen in lunchrooms; whereas, a brown bottle image is used on a label for outdoor events.

Standardized Residential Recycling Label

Standardized Residential Organics Label

Vendor Response
Request for Quotes for Printing of Environmental Resources Container Labels
December 2019

Vendors that submitted quotes:

- Express Image, Inc. (selected vendor)
- Graphic Design, Inc.
- Big Ink

Each quote included a Pricing Grid with all label sizes in varying quantities. The quantities of 500 and 200 were used to compare each vendor.

Order of 500 labels
Green shading = lowest price

Size	Current Contract	Express	GDI	Big Ink
3x3	0.4041	0.4024	0.5	0.75
5x6	0.7344	0.746	0.99	1.34
5x14	1.4477	1.4375	1.97	1.4
8.5x11	1.5197	1.5439	2.59	1.4
5.5x11	1.0196	1.0591	1.75	1.4
10x16	2.7201	2.8293	3.94	1.61
17x4	1.3147	1.3292	1.89	1.5

Order of 200 labels
Green shading = lowest price

Size	Current Contract	Express	GDI	Big Ink
3x3	0.6551	0.6538	0.65	3.98
5x6	0.9415	0.9498	1.13	4.67
5x14	1.6454	1.5311	2.13	4.73
8.5x11	1.7185	1.7485	2.74	4.73
5.5x11	1.2188	1.254	1.91	4.73
10x16	2.9348	3.0434	4.08	4.94
17x4	1.5085	1.525	2.04	4.83

DAKOTA COUNTY PHYSICAL DEVELOPMENT COMMITTEE

Approval Of Cooperative Agreement With Minnesota Department Of Natural Resources For Feasibility Study For Mill Towns State Trail

Meeting Date: 9/15/2020
Item Type: Consent-Action
Division: Physical Development
Department: Parks, Facilities, and Fleet Management
Contact: Hoopingarner, Taud
Contact Phone: (952) 891-7004, (651) 438-4416
Prepared by: Bransford, Jeff

Fiscal/FTE Impact:
☐ None ☐ Other
☒ Current budget ☐ Amendment requested
☐ New FTE(s) requested
Board Goal: A great place to live
Public Engagement Level: N/A

PURPOSE/ACTION REQUESTED
Authorize execution of a cooperative agreement with the Minnesota Department of Natural Resources (DNR) for completion of a feasibility study and preliminary design of the Mill Towns State Trail (MTST) on County properties between Waterford and Randolph Townships.

SUMMARY
The MTST will total approximately 25 miles in length when completed, connecting Faribault, Dundas, Northfield, Waterford, Randolph, and Cannon Falls. The trail will be an important link in the developing southeast Minnesota trail system, connecting the Sakatah Singing Hills State Trail in Faribault through Lake Byllesby Regional Park to the western end of the Cannon Valley Trail in Cannon Falls. Currently, a three-mile segment is in place between the west unit of Lake Byllesby Regional Park and the Cannon Valley Trail.

The DNR has requested Dakota County enter into a cooperative agreement (Attachment A) to conduct a study to determine the alignment of the MTST between the Waterford bridge at the Cannon River and Lake Byllesby Regional Park east of State Highway 56. The County owns, holds easements, or has administrative authority over underlying lands that comprise County State Aid Highway 47, County State Aid Highway 88, County Road 94, and parcels within the boundary of the west unit of Lake Byllesby Regional Park that represent potential alignments for the MTST (Attachment A).

The MTST benefits the County by providing public access within and local connections to the west unit of Lake Byllesby Regional Park. Implementation of the MTST is consistent with the Lake Byllesby Regional Park Master Plan adopted by the Dakota County Board of Commissioners by Resolution No. 18-056 (January 23, 2018).

The DNR will perform the feasibility study, conceptual corridor design, and preliminary engineering in partnership with the County. The proposed cooperative agreement identifies a County cost-share of $30,000, estimated to be half of the expense for the study, the balance of which would be the responsibility of the DNR. Outcomes of the study, including alignment selection, will be subject to review and approval by the Dakota County Board of Commissioners, anticipated to be presented in the summer of 2021.

Completion of final design and specifications for trail construction will be the sole responsibility of the DNR. Upon development of this segment of the MTST, the DNR will be responsible for operations and maintenance.

RECOMMENDATION
Staff recommends approval of the cooperative agreement.

EXPLANATION OF FISCAL/FTE IMPACTS
The adopted 2020 Parks Capital Improvement Program Planning Set-Aside includes sufficient revenues for the proposed $30,000 County cost-share.

Supporting Documents:
Attachment A: Draft Cooperative Agreement and Maps

Previous Board Action(s):
18-056; 01/23/18

RESOLUTION

WHEREAS, the Mill Towns State Trail (MTST) will total approximately 25 miles in length when completed, connecting Faribault, Dundas, Northfield, Waterford, Randolph, and Cannon Falls; and

WHEREAS, the MTST will be an important link in the developing southeast Minnesota trail system, connecting the Sakatah Singing Hills State Trail in Faribault through Lake Byllesby Regional Park to the western end of the Cannon Valley Trail in Cannon Falls; and

WHEREAS, the Minnesota Department of Natural Resources (DNR) has requested Dakota County enter into a cooperative agreement to conduct a study to determine the alignment of the MTST between Waterford and Randolph Townships; and

WHEREAS, Dakota County owns, holds easements, or has administrative authority over underlying lands that comprise County State Aid Highway 47, County State Aid Highway 88, County Road 94, and parcels within the boundary of the west unit of Lake Byllesby Regional Park that represent potential alignments for the MTST; and

WHEREAS, the MTST benefits Dakota County by providing public access within and local connections to the west unit of Lake Byllesby Regional Park, and implementation of the MTST is consistent with the adopted Lake Byllesby Regional Park Master Plan; and

WHEREAS, the DNR will perform the feasibility study, conceptual corridor design, and preliminary engineering in partnership with the County; and

WHEREAS, the proposed cooperative agreement identifies a County cost-share of $30,000, estimated to be half of the expense for the study, the balance of which would be the responsibility of the DNR; and

WHEREAS, outcomes of the study including alignment selection will be subject to review and approval by the Dakota County Board of Commissioners; and

WHEREAS, the Adopted 2020 Parks Capital Improvement Program Planning Set-Aside includes sufficient revenues for the proposed $30,000 County cost-share.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Parks, Facilities, and Fleet Management Director to execute a cooperative agreement with the Minnesota Department of Natural Resources for the purposes of conducting a feasibility study for the segment of the Mill Towns State Trail between Waterford and Randolph Townships at a County cost not to exceed $30,000, subject to approval by the County Attorney's Office as to form.

County Manager's Comments:

- ☒ Recommend Action
- ☐ Do Not Recommend Action
- ☐ Reviewed---No Recommendation
- ☐ Reviewed---Information Only
- ☐ Submitted at Commissioner Request

County Manager

Reviewed by (if required):

- ☒ County Attorney's Office
- ☒ Financial Services
- ☒ Risk Management
- ☐ Employee Relations
- ☐ Information Technology
- ☐ Facilities Management

MILL TOWNS STATE TRAIL
STATE TRAIL CORRIDOR SELECTION AND PRELIMINARY DESIGN
WATERFORD BRIDGE TO TRUNK HIGHWAY 56 TRAIL SEGMENT
COOPERATIVE AGREEMENT
BETWEEN
THE STATE OF MINNESOTA AND THE COUNTY OF DAKOTA

This Agreement, between the State of Minnesota, acting by and through the Commissioner of the Department of Natural Resources, hereinafter referred to as the "State" and the County of Dakota, hereinafter referred to as the "County".

WITNESSETH:

WHEREAS, the Commissioner of the Department of Natural Resources has the authority, duty and responsibility under Minnesota Statutes Section 85.015, Subd. 8a, to establish, develop, operate and maintain the Mill Towns State Trail; and

WHEREAS, the State and the County are authorized under Minnesota Statutes Section 471.59 to enter into agreements to jointly or cooperatively exercise common powers; and

WHEREAS, the State and the County have determined that the development of the Mill Towns State Trail between the communities of Waterford and Randolph, hereinafter referred to as "the Trail", as shown in the map attached and incorporated into this Agreement as **Exhibit A,** is of high priority; and

WHEREAS, the County owns, holds easements or has administrative authority over underlying lands that comprise County State Aid Highway 47, County State Aid Highway 88, County Road 94 and parcels within the park boundary of Lake Byllesby Regional Park West that represent potential alignments for the Trail, as shown on the map attached and incorporated into this Agreement as **Exhibit B**; and

WHEREAS, the State is prepared to complete the alignment selection, conceptual corridor design and preliminary engineering for the Trail as hereinafter set forth; and

WHEREAS, the alignment selection, conceptual corridor design and preliminary engineering for the Trail as developed by the State shall be subject to review and approval by the County; and

WHEREAS, the completion of final plans and specifications for the construction of the Trail shall be the sole responsibility of the State; and

WHEREAS, upon the development of the Trail, the State shall be solely responsible for the administration, operations and maintenance of the Trail or Trail Segment; and

WHEREAS, the County has appropriated and allocated a total of $30,000.00 for alignment selection, conceptual corridor design and preliminary engineering of the Trail to be performed by the State; and

WHEREAS, a resolution or copy of the County Board meeting minutes authorizing the County to enter into this Agreement is/are attached hereto as **Exhibit C**; and

NOW, THEREFORE, in consideration of the mutual benefit to be derived by the public bodies hereto and for the benefit of the general public, the parties agree as follows:

I. STATE'S DUTIES AND RESPONSIBILITIES

a. The State shall prepare the necessary surveys, alignment selection, conceptual corridor design and preliminary engineering plans and specifications for the Trail, as defined in **Exhibits A&B.** The design shall include a bituminous surfaced multi-use recreational trail and meet ADA requirements.

b. The State shall permit the County to review, comment and approve the concept and preliminary plans and specifications for the Trail as proposed by the State, which shall include a trail segment connecting recreational use areas in the County's Lake Byllesby Regional Park West.

c. The State shall permit the County to review, comment and approve any major alterations to the Trail design proposed by the State during the term of this Agreement.

d. Upon completion, the Trail administration, operations and maintenance shall be the sole responsibility of the State.

II. COUNTY'S DUTIES AND RESPONSIBILITIES

a. The County shall be permitted to review, comment and approve the alignment selection, conceptual corridor design and preliminary engineering plans for the Trail, as prepared by the State and referenced in **Exhibits A&B**. The proposed Trail shall be a bituminous surfaced multi-use recreational trail that meets ADA requirements.

b. The County shall review conceptual and preliminary plans and specifications as developed by the State and provide written comments to the State's designated Project Contact.

c. The County shall provide funding assistance, as specified in Article III below, to the State for alignment selection, conceptual corridor design and preliminary engineering plans for the Trail.

d. The County shall be permitted to review and approve any major alterations to the Trail design proposed by the State during the term of this Agreement.

III. FUNDING

The State shall provide funding for its responsibilities under Article I (a)(b)(c) above through the standard internal purchasing process including, but not limited to, a separate requisition in which funds will be encumbered. However, the total obligation of the State is limited to the amount of funds legislatively appropriated and administratively allocated to this project.

The County shall provide funding for its responsibilities under Article II (c) above in an amount not to exceed $30,000.00. Reimbursement will be due within thirty (30) days of the State's presentation of invoices for services performed.

IV. LIABILITY

Each party agrees that it will be responsible for its own acts and the results thereof to the extent authorized by the law and shall not be responsible for the acts of the other party and the results thereof. The State's liability shall be governed by the provisions of the Minnesota Tort Claims Act, Minnesota Statutes Section 3.736, and other applicable law. The County's liability shall be governed by and limited to the amount set forth in Minnesota Statutes, Sections 466.01-466.15, and other applicable law.

V. TERM

a. *Effective Date:* **October 1, 2020, or the State obtains all required signatures under Minnesota Statutes Section 16C.05, Subdivision 2, whichever is later.**

b. *Expiration Date:* **October 1, 2022**, for a period of two (2) years except as otherwise provided herein or agreed to in writing by both parties.

VI. AUDIT

Under Minnesota Statutes Section 16C.05, sub. 5, the books, records, documents and accounting procedures and practices of the County relevant to the agreement shall be subject to examination by the Commissioner of Natural Resources, the Legislative Auditor and the State Auditor for a minimum of six years from the end of this agreement.

VII. ANTITRUST

The County hereby assigns to the State any and all claims for overcharges as to goods and/or services provided in connection with this Agreement resulting from antitrust violations that arose under the antitrust laws of the United States and the antitrust laws of the State of Minnesota.

VIII. CANCELLATION

This Agreement may be cancelled by the State at any time with cause or as necessary as provided in Article III, upon thirty (30) days written notice to the County. This Agreement may also be cancelled by the State if it does not obtain funding from the Minnesota Legislature, or other funding sources, or if funding cannot be continued at a level sufficient to allow for the completion of the activities covered under this agreement. The State will notify the County by written or fax notice. The State will not be obligated to pay for services provided after the notice is given and the effective date of cancellation. The State will not be assessed any penalty if the agreement is cancelled because of a decision of the Minnesota Legislature, or other funding source, not to appropriate the necessary funds. The State shall provide the County notice of lack of funding within a reasonable time of the State's receiving that notice.

IX. GOVERNMENT DATA PRACTICES

The County and the State must comply with the Minnesota Data Practices Act, Minn. Stat. Ch. 13, as it applies to all data provided by the State under this agreement, and as it applies to all data created, collected, received, stored, used, maintained, or disseminated by the County under this Agreement. The civil remedies of Minn. Stat. 13.08 apply to the release of the data referred to in this clause by either the County or the State.

X. PUBLICITY AND ENDORSEMENT

Any publicity regarding the subject matter of this Agreement must identify the State as the sponsoring agency and must not be released without prior written approval from the State's Authorized Representative. For purposes of this provision, publicity includes notices, informational pamphlets, press releases, research, reports, signs, and similar public notices prepared by or for the County individually or jointly with others, or any subcontractors, with respect to the program and services provided from this Agreement.

XI. COMPLETE AGREEMENT

This Agreement, and amendments, constitutes the entire agreement between the parties. Any amendment to this Agreement must be in writing and will not be effective until it has been executed and approved by the same parties who executed and approved the original agreement, or their successors in office.

XII. OTHER TERMS AND CONDITIONS

NOTICES: Any notice, demand or communication under this Agreement by either party to the other shall be deemed to be sufficiently given or delivered if it is dispatched by registered or certified mail, postage prepaid to:

[THE BALANCE OF THIS PAGE LEFT INTENTIONALLY BLANK]

The State	The County
Minnesota Department of Natural Resources	County of Dakota
Parks and Trails Division Area (4D) Supervisor	County Administration
8485 Rose Street	1590 Highway 55
Owatonna, MN 55060	Hastings, MN 55033

IN WITNESS WHEREOF, the parties have caused the Agreement to be duly executed intending to be bound thereby.

DEPARTMENT OF NATURAL RESOURCES	COUNTY OF DAKOTA
By: _____	By: _____
Title: _____	Title: _____
Date: _____	Date: _____

DEPARTMENT OF ADMINISTRATION Delegated to Materials Management Division	COUNTY OF DAKOTA
By: _____	By: _____
Title: _____	Title: _____
Date: _____ (**Effective Date**)	Date: _____

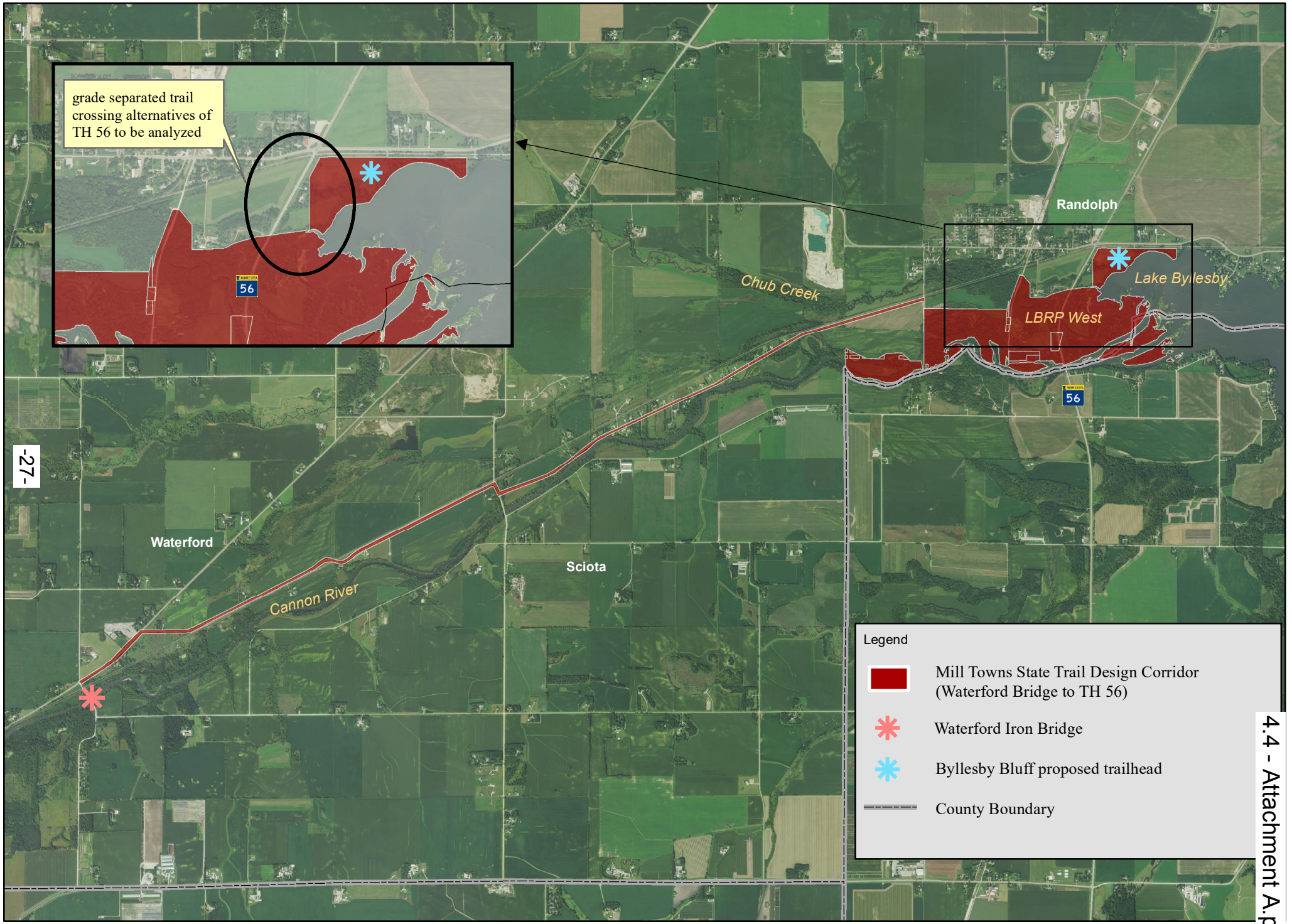
STATE ENCUMBERANCE VERIFICATION
Individual certifies that funds have been encumbered as req.
by Minn. Stat. 16A.15 and 16C.05.

Signed: _____

Date: _____

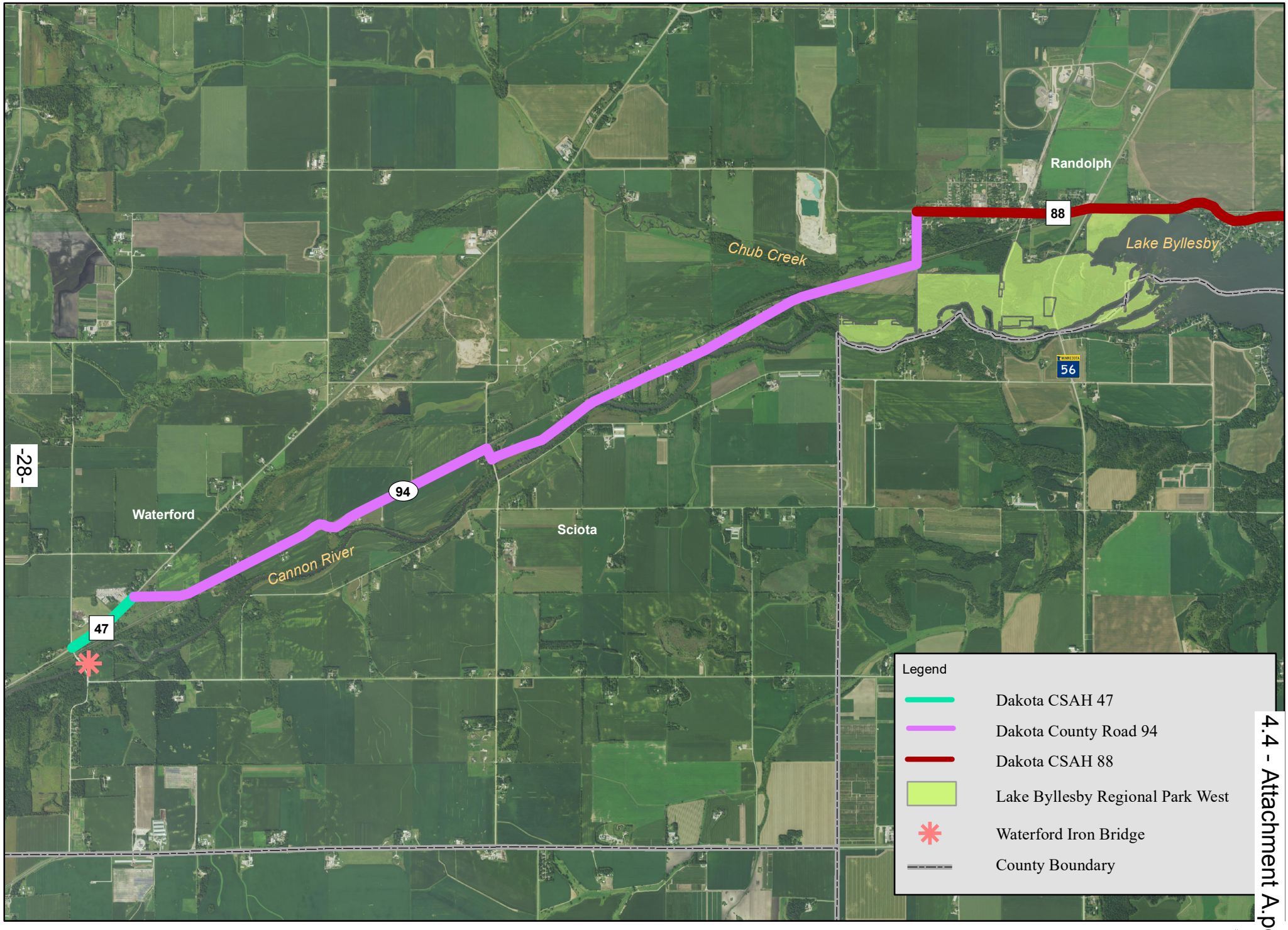
Contract: _____

Exhibit "A"



4.4 - Attachment A.pdf

Exhibit "B"



4.4 - Attachment A.pdf

DAKOTA COUNTY PHYSICAL DEVELOPMENT COMMITTEE

Authorization To Execute Joint Funding Agreement With U.S. Geological Survey For Analysis Of Groundwater Samples

Meeting Date: 9/15/2020
Item Type: Consent-Action
Division: Physical Development
Department: Environmental Resources
Contact: Grover, Valerie
Contact Phone: (952) 891-7019
Prepared by: Grover, Valerie

Fiscal/FTE Impact:
☒ None ☐ Other
☐ Current budget ☐ Amendment requested
☐ New FTE(s) requested
Board Goal: A healthy environment with quality natural areas

Public Engagement Level: N/A

PURPOSE/ACTION REQUESTED
Authorize execution of a Joint Funding Agreement with the United States Geological Survey (USGS) to complete analysis of groundwater samples.

SUMMARY
Over the past 20 years, Dakota County has conducted some of the most extensive groundwater research on private drinking water wells in the State. In recent years, the Ambient Groundwater Quality Study, Minnesota Department of Agriculture (MDA)/Dakota County Township Testing Nitrate Studies, and the Minnesota Department of Health (MDH)/Dakota County Wells and Increased Infant Sensitivity and Exposure (WIISE) study show the groundwater is contaminated by both naturally occurring and anthropogenic sources.

More than 90 percent of Dakota County residents rely on groundwater for their water supply, whether it comes from a public water supplier or from a private drinking water well. Therefore, continuing research of groundwater conditions, to include contaminants of emerging concern, is an important step toward identifying and reducing groundwater contamination and protecting public health in the county.

In 2020, the Environmental Resources Department proposes to sample approximately 25 private wells located near past biosolid applications sites. Biosolids are used as fertilizer and soil amendment on farmlands throughout Dakota County, mainly on corn and soybean fields. However, the impact of biosolids applications on groundwater in Dakota County is unknown. Recent studies have found per- and polyfluoroalkyl substances (PFAS) in biosolids. The purpose of the proposed sampling is to determine the impact of biosolid application sites on these nearby private wells. Sampling will include general chemistry, metals, PFAS, and wastewater compounds. This screening effort will determine if wastewater compounds, including PFAS are mobilized from wastewater treatment sludge and affect drinking water resources.

Dakota County has collaborated with the USGS in previous studies due to the fact that the USGS laboratories are the only lab capable of performing some analyses. The USGS has offered a Joint Funding Agreement (Attachment A) with Dakota County for the analysis of 74 wastewater indicator compounds. Samples will be sent to the USGS National Water-Quality Lab, where samples will be analyzed and results stored in the National Water Information System. The term of the Joint Funding Agreement is through December 31, 2021, with a Dakota County financial obligation of $26,764 and a USGS financial obligation of $4,024.

Samples will also be sent to Weck Laboratories, Inc., for analysis of PFAS compounds and to Minnesota Valley Testing Laboratories (MVTL) for analysis of general chemistry and metals.

RECOMMENDATION
Staff requests authorizing the Environmental Resources Director to execute the Joint Funding Agreement with the USGS to complete analysis of groundwater samples in an amount not to exceed $26,764 through December 31, 2021.

EXPLANATION OF FISCAL/FTE IMPACTS
All costs are covered within the 2020 Groundwater Protection Unit operating budget.

Supporting Documents:
Attachment A: Joint Funding Agreement

Previous Board Action(s):

RESOLUTION

WHEREAS, over the past 20 years, Dakota County has conducted some of the most extensive groundwater research on private drinking water wells in the State; and

WHEREAS, in recent years, multiple studies have shown that the County's groundwater is contaminated by both naturally occurring and anthropogenic sources; and

WHEREAS, more than 90 percent of Dakota County residents rely on groundwater for their water supply, whether it comes from a public water supplier or from a private drinking water well; and

WHEREAS, continuing research on groundwater conditions, to include contaminants of emerging concern, is an important step toward identifying and reducing groundwater contamination and protecting public health in the county; and

WHEREAS, in 2020, the Environmental Resources Department proposes to sample approximately 25 private wells located near past biosolid applications sites; and

WHEREAS, biosolids are used as fertilizer and soil amendment on farmlands throughout Dakota County; however, the impact of biosolids application on groundwater in Dakota County is unknown; and

WHEREAS, recent studies have found per- and polyfluoroalkyl substances (PFAS) in biosolids; and

WHEREAS, this screening effort will determine if wastewater compounds, including PFAS are mobilized from wastewater treatment sludge and affect drinking water resources; and

WHEREAS, the United States Geological Survey has offered a Joint Funding Agreement with Dakota County for the analysis of 74 wastewater indicator compounds; and

WHEREAS, samples will be sent to the USGS National Water-Quality Lab where samples will be analyzed, and results stored in the National Water Information System; and

WHEREAS, the term of the Joint Funding Agreement is through December 31, 2021, with a Dakota County financial obligation of $26,764 and a USGS financial obligation of $4,024.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Environmental Resources Director to execute the Joint Funding Agreement with the United States Geological Survey to complete analysis of groundwater samples in an amount not to exceed $26,764 through December 31, 2021, subject to approval by the County Attorney's Office as to form.

County Manager's Comments:

- ☐ Recommend Action
- ☐ Do Not Recommend Action
- ☐ Reviewed---No Recommendation
- ☐ Reviewed---Information Only
- ☐ Submitted at Commissioner Request

County Manager

Reviewed by (if required):

- ☒ County Attorney's Office
- ☒ Financial Services
- ☒ Risk Management
- ☐ Employee Relations
- ☐ Information Technology
- ☐ Facilities Management

Form 9-1366
(April 2015)

U.S. Department of the Interior
U.S. Geological Survey
Joint Funding Agreement
FOR
Water Resource Investigations

Agreement#: 29NKJFA215
Customer#: 6000001441
Project #: *NK00LZC, Task 11*
TIN #: 41-6005786
USGS DUNS #: 091721100

Fixed Cost Agreement YES[X] NO[ ]

THIS AGREEMENT is entered into as of the September 1, 2020, by the U.S. GEOLOGICAL SURVEY, UMid Water Science Center, UNITED STATES DEPARTMENT OF THE INTERIOR, party of the first part, and the Dakota County party of the second part.

1. The parties hereto agree that subject to the availability of appropriations and in accordance with their respective authorities there shall be maintained in cooperation our negotiations for the analyses of 25 groundwater samples for Sch. 4433 Waste Indicator Compounds, Unfiltered water, GCMS. USGS staff will log samples into the USGS NWIS data base using adequate data supplied in an electronic format by Dakota County staff, provide Dakota County staff with 25 sample bottles, and will quality assurance the 25 samples,h erein called the program. The USGS legal authority is 43 USC 36C; 43 USC 50, and 43 USC 50b.

2. The following amounts shall be contributed to cover all of the cost of the necessary field and analytical work directly related to this program. 2(b) include In-Kind-Services in the amount of $0.00

(a) $4,024 by the party of the first part during the period Sptember 1, 2020 to December 31, 2021

(b) $26,764 by the party of the second part during the period September 1, 2020 to December 31, 2021

(c) Contributions are provided by the party of the first part through other USGS regional or national programs, in the amount of :

Description of the USGS regional/national program:

(d) Additional or reduced amounts by each party during the above period or succeeding periods as may be determined by mutual agreement and set forth in an exchange of letters between the parties

(e) The performance period may be changed by mutual agreement and set forth in an exchange of letters between the parties.

3. The costs of this program may be paid by either party in conformity with the laws and regulations respectively governing each party.

4. The field and analytical work pertaining to this program shall be under the direction of or subject to periodic review by an authorized representative of the party of the first part.

5. The areas to be included in the program shall be determined by mutual agreement between the parties hereto or their authorized representatives. The methods employed in the field and office shall be those adopted by the party of the first part to insure the required standards of accuracy subject to modification by mutual agreement.

6. During the course of this program, all field and analytical work of either party pertaining to this program shall be open to the inspection of the other party, and if the work is not being carried on in a mutually satisfactory manner, either party may terminate this agreement upon 60 days written notice to the other party.

7. The original records resulting from this program will be deposited in the office of origin of those records. Upon request, copies of the original records will be provided to the office of the other party.

8. The maps, records or reports resulting from this program shall be made available to the public as promptly as possible. The maps, records or reports normally will be published by the party of the first part. However, the party of the second part reserves the right to publish the results of this program and, if already published by the party of the first part shall, upon request; be furnished by the party of the first part; at cost, impressions suitable for purposes of reproduction similar to that for which the original copy was prepared. The maps, records or reports published by either party shall contain a statement of the cooperative relations between the parties.

9. USGS will issue billings utilizing Department of the Interior Bill for Collection (form DI-1040). Billing documents are to be rendered quarterly. Payments of bills are due within 60 days after the billing date. If not paid by the due date, interest will be charged at the current Treasury rate for each 30 day period, or portion thereof, that the payment is delayed beyond the due date. (31 USC 3717; Comptroller General File B-212222, August 23, 1983.).

Form 9-1366
(April 2015)

U.S. Department of the Interior
U.S. Geological Survey
Joint Funding Agreement
FOR
Water Resource Investigations

Agreement#: 20NKJFA215
Customer#: 6000001441
Project #: NK00LZC, Task11
TIN #: 41-6005786
USGS DUNS #: 091721100

USGS Technical Point of Contact

Name: Tim Cowdery
Hydrologst
Address: 2280 Woodale Drive
Mounds View, MN 55112
Telephone: (763) 783-3273
Fax:
Email: jfwalker@usgs.gov

Customer Technical Point of Contact

Name: Valerie Grover

Address: 14995 Galaxie Avenue
Apple Valley, MN 55124
Telephone: (952) 891-7010
Fax:
Email: Valerie.grover@co.dakota.mn.us

USGS Billing Point of Contact

Name: Angela Hughes
Admin. Operations Asst.
Address: 2280 Woodale Drive
Mounds View, MN 55112
Telephone:
Fax:
Email: amhughes@usgs.gov

Customer Billing Point of Contact

Name: Valerie Grover

Address: 14995 Galaxie Avenue
Apple Valley, MN 55124
Telephone: (952) 891-7010
Fax:
Email: Valerie.grover@co.dakota.mn.us

U.S. Geological Survey
United States
Department of Interior

Signature

By_____ Date:
Name: John F. Walker
Title: Center Director

Dakota County

Signatures

By_____ Date: _____
Name:
Title:

By_____ Date: _____
Name:
Title:

By_____ Date: _____
Name:
Title:

DAKOTA COUNTY PHYSICAL DEVELOPMENT COMMITTEE

Authorization To Amend Joint Powers Agreement With City Of Hastings For Reconstruction And Jurisdictional Transfer Of Mississippi River Greenway - City of Hastings Segments

Meeting Date: 9/15/2020
Item Type: Consent-Action
Division: Physical Development
Department: Parks, Facilities, and Fleet Management
Contact: Hoopingarner, Taud
Contact Phone: (952) 891-7004
Prepared by: Mertens, John

Fiscal/FTE Impact:
☐ None ☐ Other
☒ Current budget ☐ Amendment requested
☐ New FTE(s) requested
Board Goal: A healthy environment with quality natural areas

Public Engagement Level: N/A

PURPOSE/ACTION REQUESTED
Authorize amendment to joint powers agreement (JPA) with the City of Hastings (City) to fund costs related to 3,300 feet of trail reconstruction and jurisdictional transfer of four miles of the Mississippi River Greenway (MRG) from the City of Hastings to Dakota County (Attachment A).

SUMMARY
By Resolution No.18-422 (August 21, 2018), the County Board authorized a JPA with the City for reconstruction and jurisdictional transfer of the MRG within the City.

The proposed amendment is based on actual project bid amounts. The widening of the trail to meet regional standards required relocation of existing lighting and more extensive subgrade correction, which was not accounted for in the City estimate. The original JPA was established at not to exceed $216,700; the amendment is to increase funding by $57,800 to account for higher project costs.

RECOMMENDATION
Staff recommends increasing financial contribution up to $274,500 for the reconstruction of 3,300 feet of the Mississippi River Regional Trail within Lake Rebecca Park.

EXPLANATION OF FISCAL/FTE IMPACTS
Adequate funding of $274,500, including 10 percent contingency for the reconstruction of the segments of the Hastings MRG segments, is available in the 2020 Greenway Collaborative fund within the Parks Capital Improvement Program budget. Funding for ongoing maintenance of the trail is available in the existing Facilities Management budget.

Supporting Documents:
Attachment A: Project Map

Previous Board Action(s):
99-526; 09/21/99
18-422; 08/21/18

RESOLUTION
WHEREAS, by Resolution No. 18-422 (August 21, 2018), a joint powers agreement (JPA) between the City of Hastings and Dakota County to fund reconstruction of 3300 feet of the Mississippi River Greenway was executed; and

WHEREAS, actual costs of the improvements exceeded the approved amount due to replacement of lighting and subgrade correction; and

WHEREAS, staff recommends amendment of JPA to increase the amount of funding from $216,000 to $274,500, including a 10 percent contingency.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute an amendment to the existing joint powers agreement with the City of Hastings to provide additional funding for trail improvements of the Mississippi River Regional Greenway, subject to approval by the County Attorney's Office as to form.

County Manager's Comments:
- ☒ Recommend Action
- ☐ Do Not Recommend Action
- ☐ Reviewed---No Recommendation
- ☐ Reviewed---Information Only
- ☐ Submitted at Commissioner Request

County Manager

Reviewed by (if required):
- ☒ County Attorney's Office
- ☒ Financial Services
- ☒ Risk Management
- ☐ Employee Relations
- ☐ Information Technology
- ☐ Facilities Management

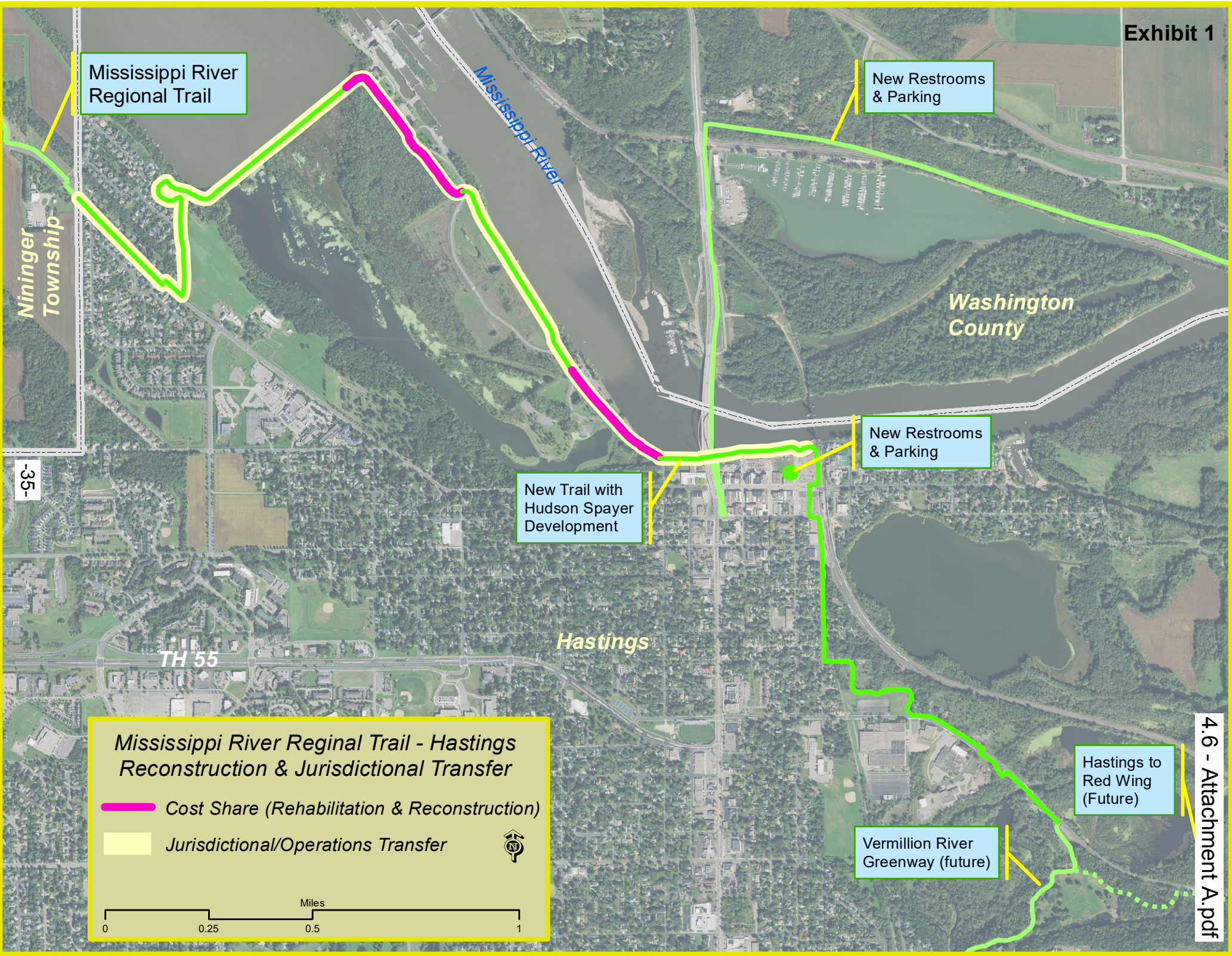


Exhibit 1
Mississippi River Regional Trail
Mississippi River
New Restrooms & Parking
Nininger Township
Washington County
New Restrooms & Parking
-35-
New Trail with Hudson Spayer Development
Hastings
TH 55
Hastings to Red Wing (Future)
Vermillion River Greenway (future)
4.6 - Attachment A.pdf
Mississippi River Reginal Trail - Hastings Reconstruction & Jurisdictional Transfer
Cost Share (Rehabilitation & Reconstruction)
Jurisdictional/Operations Transfer
Miles
0
0.25
0.5
1

DAKOTA COUNTY PHYSICAL DEVELOPMENT COMMITTEE

Approval Of Grant Application Submittals For Minnesota Highway Freight Program Funding

Meeting Date: 9/15/2020
Item Type: Consent-Action
Division: Physical Development
Department: Transportation
Contact: Krebsbach, Mark
Contact Phone: (952) 891-7102
Prepared by: Sharma, Pranav

Fiscal/FTE Impact:
☒ None ☐ Other
☐ Current budget ☐ Amendment requested
☐ New FTE(s) requested
Board Goal: A great place to live
Public Engagement Level: N/A

PURPOSE/ACTION REQUESTED
Approve projects to be submitted to the Minnesota Department of Transportation (MnDOT) for Minnesota Highway Freight Program (Freight Program) Federal Funding.

SUMMARY
MnDOT is soliciting project submittals for the Freight Program. The Freight Program is a federal grant program designed to improve safety, mobility, and meet the needs of the state's freight transportation system on a local level. Freight Program funding provides up to 80 percent of the project construction cost. All public roads, including county and city roads, are eligible for this money. Agencies applying for funding must commit to providing local funds to match the federal funds and maintaining the constructed facilities for their useful life. Projects are being considered for federal fiscal years 2023, 2024, and 2025, with a total of $57 million available. Projects are submitted and evaluated based on truck volume, safety, mobility, facility access, cost-effectiveness, and project readiness. Project submittals are due September 28, 2020.

Staff is proposing to submit three applications by County and to support one City led application through this process.

The proposed County applications are for:
1. County State Aid Highway (CSAH) 86 (280th Street) from the west Dakota County line to CSAH 23 (Galaxie Avenue) in Eureka and Greenvale Townships (Attachment A).
2. County State Aid Highway (CSAH) 86 (280th Street) and TH 3 intersection improvements in Castle Rock Township (Attachment B).

The City-led application is for:
3. "New" County Road 32 (Cliff/117th St) from CSAH 32/CSAH 71 (Rich Valley Boulevard) to Trunk Highway 52 in Inver Grove Heights – Lead Agency: City of Inver Grove Heights (Attachment C).

The County-led project applications were selected because they have the best opportunity to score well through criteria established for the selection process. All of the highway segments included in the proposed submittals have been identified as a Tier 1, 2, or 3 freight corridor through the Metropolitan Council's Regional Truck Highway Corridor Study. Staff will prepare applications in partnership with MnDOT, Cities, and Townships as applicable. The proposed applications are consistent with the adopted Dakota County Comprehensive Plan and Draft 2040 Transportation Plan. Project numbers 1 and 3 are in the currently adopted Capital Improvement Program (CIP). Project number 2 will be proposed for inclusion in the 2021-2025 CIP.

RECOMMENDATION
Staff recommends submittal of two project applications for Federal Funding through the Minnesota Highway Freight Program Freight Funding and recommends support for one application to be submitted by the City of Inver Grove Heights.

EXPLANATION OF FISCAL/FTE IMPACTS
Local match is at least 20 percent. The match for selected projects will be considered for funding from the Transportation CIP Budgets consistent with County cost participation policies.

Supporting Documents:
Attachment A: County Project 1 Location Map
Attachment B: County Project 2 Location Map
Attachment C: City Project Location Map

Previous Board Action(s):

RESOLUTION
WHEREAS, the Minnesota Department of Transportation (MnDOT) is soliciting project submittals for federal funding through the Minnesota Highway Freight Program (Freight Program); and

WHEREAS, federal Freight Program funds can be used for up to 80 percent of project construction costs; and

WHEREAS, non-federal funds must be at least 20 percent of the project costs; and

WHEREAS, the proposed project applications were selected because they have the best opportunity to score well through criteria established for the selection process; and

WHEREAS, all of the highway segments included in the proposed submittals have been identified as a Tier 1, 2, or 3 freight corridor through the Metropolitan Council's Regional Truck Highway Corridor Study; and

WHEREAS, all projects proposed are consistent with the adopted Dakota County Comprehensive Plan and Draft 2040 Transportation Plan; and

WHEREAS, project submittals are due on September 28, 2020; and

WHEREAS, subject to award of funds, the Dakota County Board of Commissioners would be asked to consider authorization to execute a grant agreement at a future meeting.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the following County-led project for submittal to the Minnesota Department of Transportation for federal Minnesota Highway Freight Program funds:

- County State Aid Highway (CSAH) 86 (280th Street) from the west Dakota County line to CSAH 23 (Galaxie Avenue) in Eureka and Greenvale Townships.
- County State Aid Highway (CSAH) 86 (280th Street) and TH 3 intersection improvements in Castle Rock Township

; and

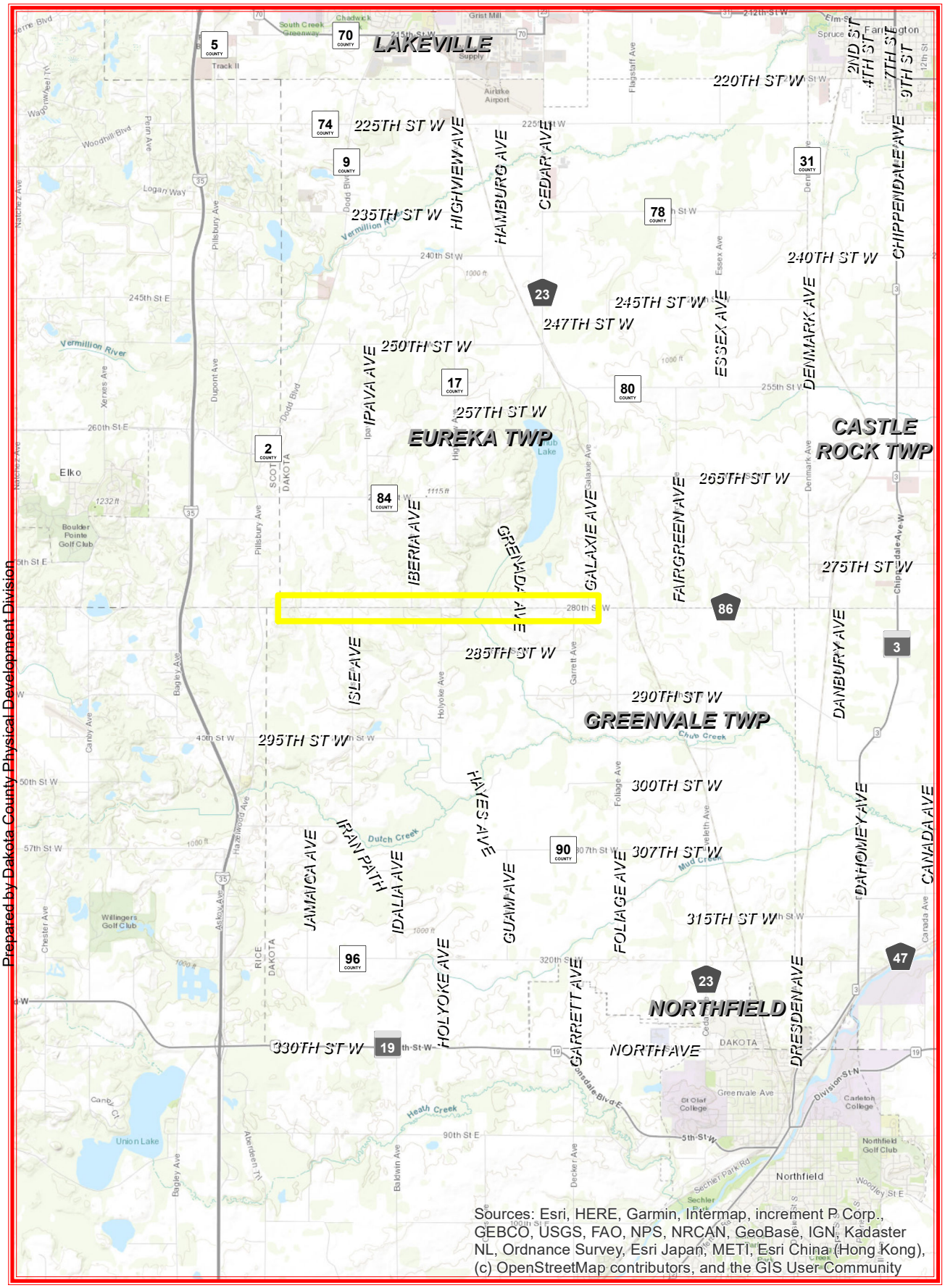
BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby supports the following submittals by the City of Inver Grove Heights:

- "New" County Road 32 (Cliff/117th St) from CSAH 32/CSAH 71 (Rich Valley Boulevard) to Trunk Highway 52 in Inver Grove Heights – Lead Agency: City of Inver Grove Heights.

County Manager's Comments:
- ☒ Recommend Action
- ☐ Do Not Recommend Action
- ☐ Reviewed---No Recommendation
- ☐ Reviewed---Information Only
- ☐ Submitted at Commissioner Request

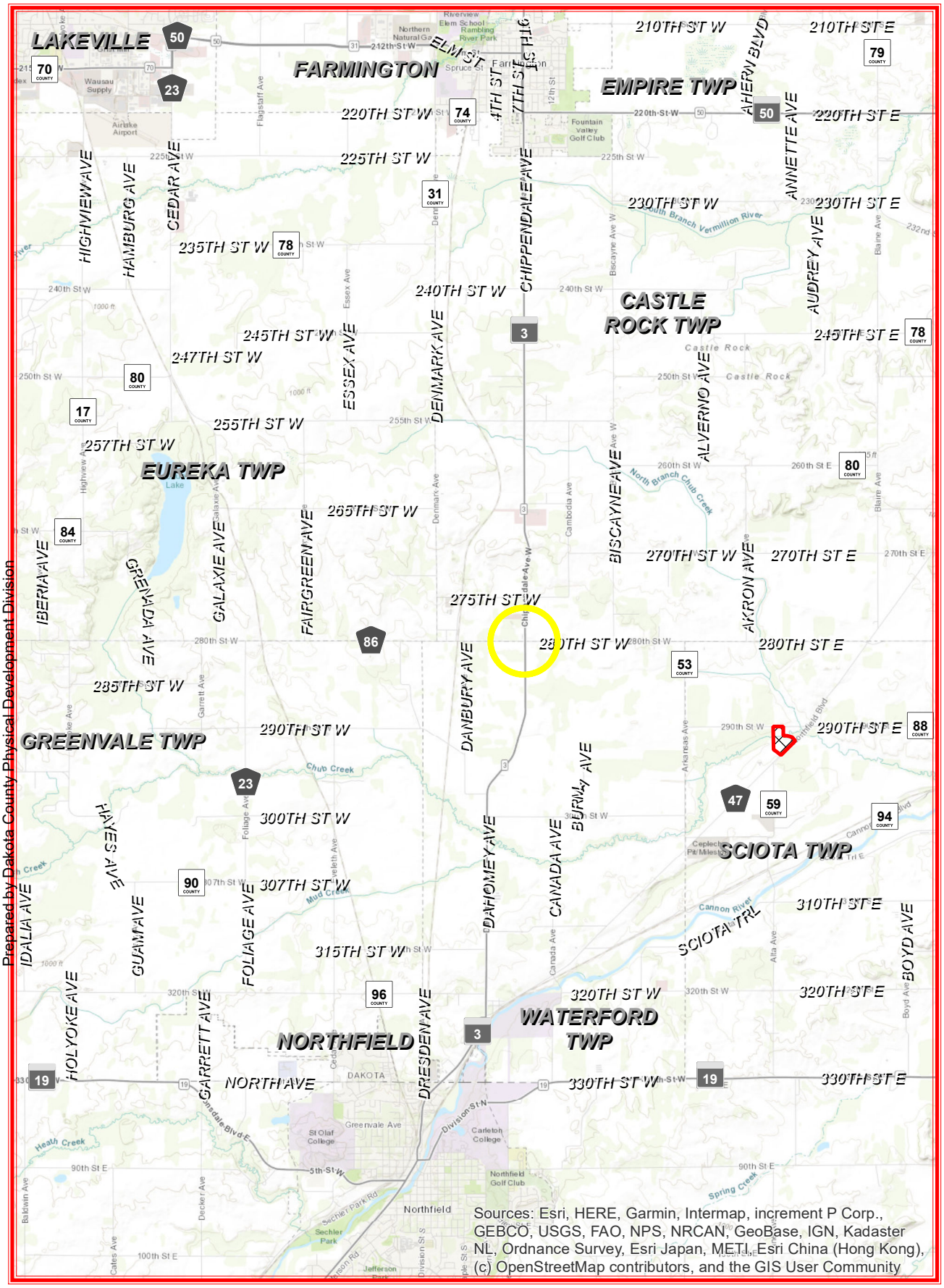
County Manager

Reviewed by (if required):
- ☒ County Attorney's Office
- ☒ Financial Services
- ☒ Risk Management
- ☐ Employee Relations
- ☐ Information Technology
- ☐ Facilities Management



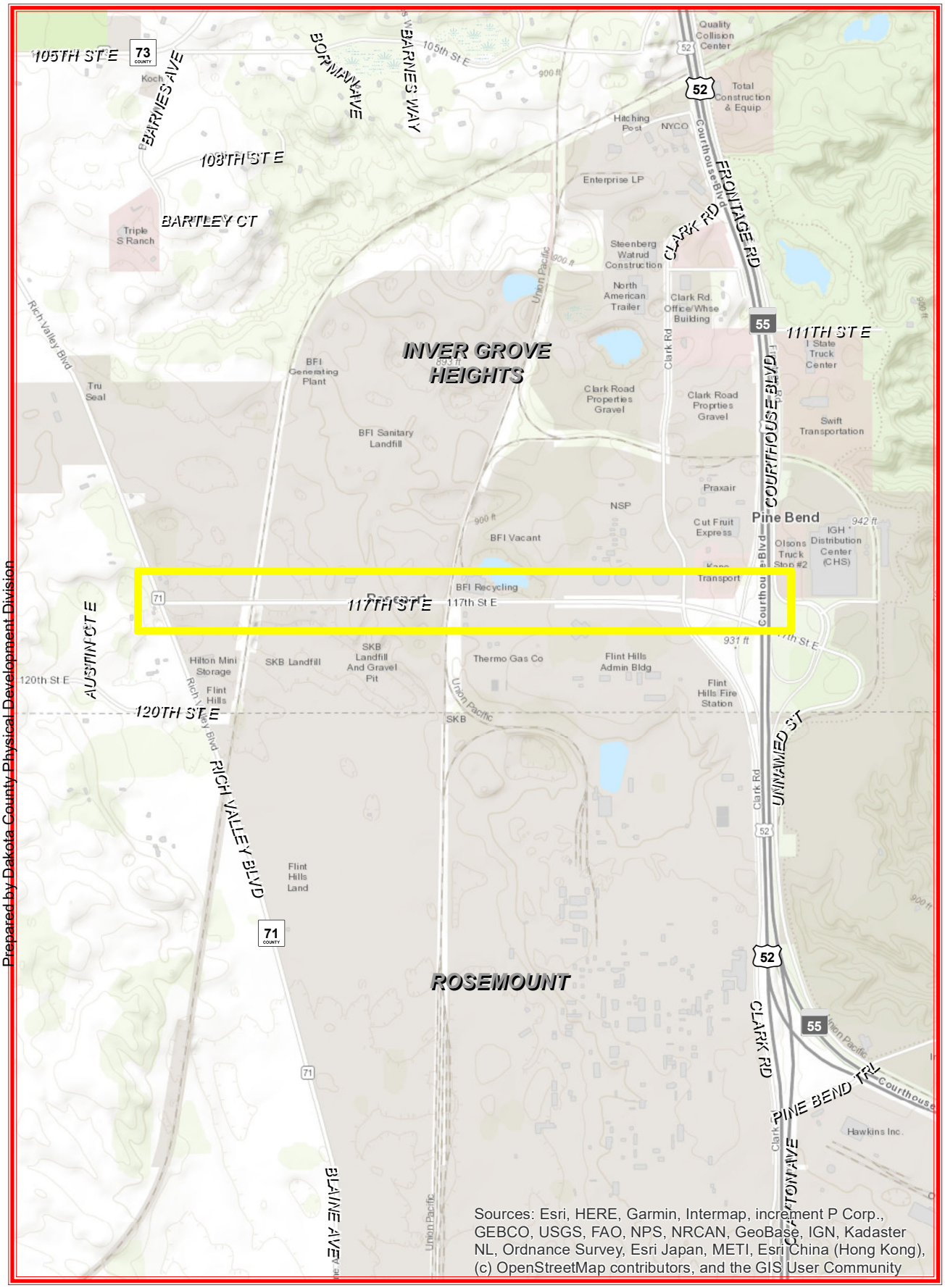
Prepared by Dakota County Physical Development Division

CSAH 86 (280th Street) from the west Dakota County line to CSAH 23 (Galaxie Avenue).



Prepared by Dakota County Physical Development Division

CSAH 86 (280th Street) and TH 3 intersection improvements in Castle Rock Township.



Prepared by Dakota County Physical Development Division

"New" County Road 32 (Cliff/117th St) from CSAH 32/CSAH 71 (Rich Valley Boulevard) to Tru... Highway 52

DAKOTA COUNTY PHYSICAL DEVELOPMENT COMMITTEE

Authorization To Adopt Intersection Traffic Control Change To A Roundabout And Authorization To Execute Joint Powers Agreement With Cities Of Apple Valley And Rosemount For County Project 33-15

Meeting Date: 9/15/2020
Item Type: Regular-Action
Division: Physical Development
Department: Transportation
Contact: Krebsbach, Mark
Contact Phone: (952) 891-7102
Prepared by: Abere, Doug

Fiscal/FTE Impact:
☐ None ☐ Other
☒ Current budget ☐ Amendment requested
☐ New FTE(s) requested
Board Goal: A great place to live
Public Engagement Level: Level 3 - Involve

PURPOSE/ACTION REQUESTED
Authorize the adoption of Feasibility Study recommendation for intersection traffic control change to a roundabout and authorize staff to execute a joint powers agreement (JPA) with the Cities of Apple Valley and Rosemount for County Project (CP) 33-15, the intersection of County State Aid Highway (CSAH) 33 and 140th Street/Connemara Trail.

SUMMARY
To provide a safe and efficient transportation system, Dakota County, with the Cities of Apple Valley and Rosemount, commenced work in November 2019 on a Feasibility Study for CP 33-15 to address safety issues and traffic at the intersection of CSAH 33 (Diamond Path) and 140th Street/Connemara Trail. The Feasibility Study (Study) addressed the proposal to replace the existing four-way stop intersection with a roundabout. The work included efforts to analyze traffic and safety issues at the intersection, develop preliminary design concepts, and engage with the public to share information about the proposed project and obtain feedback.

The Study concluded that changing the traffic control from a four-way stop intersection to a single-lane roundabout would provide the best long-term intersection design to improve safety and traffic operations. The project intersection has multiple lanes entering and exiting on all four approaches and has a high number of angle crashes. These types of crashes are the most severe with the highest risk of injuries or fatalities. Crashes at this intersection occur at a rate roughly double the statewide average rate for similar four-way-stop intersections. Traffic signals have proven to be ineffective in reducing angle crashes as compared to roundabouts. Signals also allow for higher speeds through intersections, increasing the risk of severe crashes.

The Study's analysis showed that entering traffic volumes are similar in all four legs of the intersection. A single-lane roundabout will slow all drivers equally as they approach, and yet cause minimal traffic delay. The proposed roundabout will also greatly reduce conflict points and improve safety for pedestrians and bicyclists. Staff concurs with the Study's findings, which confirmed that the proposed roundabout project is now justified, and the change in traffic control is the appropriate action to improve safety at the intersection.

The Study included an in-person public open house on February 6, 2020, and use of online tools and remote conversations to receive additional public input thought May 31, 2020. Most of the public comments received to date have stated support for the proposed roundabout.

CSAH 33 (Diamond Path) is the boundary between the cities of Apple Valley and Rosemount at the project location, and a Joint Powers Agreement (JPA) to define responsibilities and cost-sharing is required to proceed with CP 33-15. The JPA specifies that Dakota County will fund 55 percent of the project costs, and each of the two cities will fund 22.5 percent, accounting for the remaining 45 percent, in accordance with adopted County policy.

RECOMMENDATION
Staff recommends proceeding with 2021 design and 2022 construction of the new roundabout project and entering into a JPA with the Cities to define roles and cost-share responsibilities for CP 33-15.

EXPLANATION OF FISCAL/FTE IMPACTS
The County's Transportation Capital Improvement Program (CIP) includes a total project estimate of $2,600,000, including $300,000 for studies and engineering design in the adopted 2020 Transportation CIP budget with $350,000 for right-of-way in 2021, and $1,950,000 for construction in 2022. The completed Feasibility Study had a maximum consultant contract value of $87,977. The Cities will each contribute 22.5 percent for a total city share of 45 percent in accordance with adopted County policy for the roundabout project.

Supporting Documents:
Attachment A: Project area map
Attachment B: Financial summary

Previous Board Action(s):

RESOLUTION

WHEREAS, to promote a safe and efficient transportation system throughout Dakota County, the County is the lead agency partnering with the Cities of Apple Valley and Rosemount (Cities) on County Project (CP) 33-15; and

WHEREAS, a Feasibility Study (Study) has been completed to compile relevant data and to address project design concepts, future traffic operations, project benefits, and potential impacts at the intersection of County State Aid Highway (CSAH) 33 and 140th Street/Connemara Trail in Apple Valley and Rosemount; and

WHEREAS, staff concur with the Study's findings, which confirmed that the proposed roundabout is now justified and the change in traffic control is the appropriate action to improve safety at the project intersection; and

WHEREAS, the Study has confirmed CP 33-15 will include design and construction of a roundabout; and

WHEREAS, Dakota County is the lead agency for CP 33-15; and

WHEREAS, the Cities of Apple Valley and Rosemount are cooperating with the County on each stage of CP 33-15; and

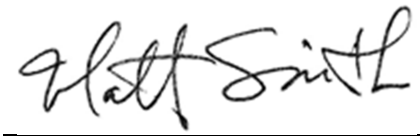
WHEREAS, CP 33-15 will be shared 55 percent County funds and 45 percent City funds, or 22.5 percent for each City, in accordance with adopted County Policy.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby adopts the Feasibility Study findings and the staff recommendation to proceed with 2021 design and 2022 construction of the new roundabout project; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a joint powers agreement with the Cities of Apple Valley and Rosemount to identify costs and responsibilities for design of a new roundabout in accordance with County policy, for County Project 33-15, in the Cities of Apple Valley and Rosemount, subject to approval by the County Attorney's Office as to form.

County Manager's Comments:

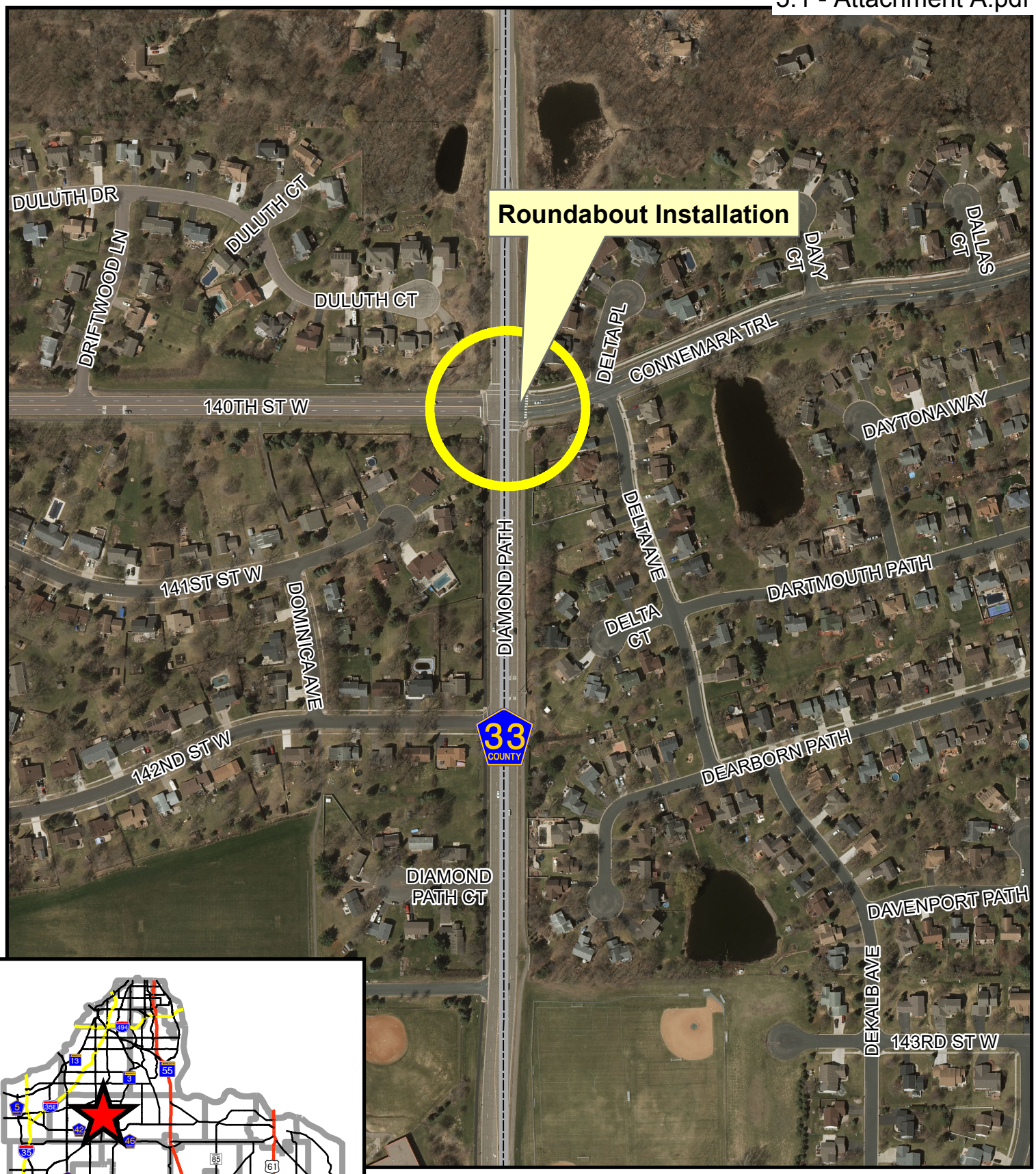
- ☒ Recommend Action
- ☐ Do Not Recommend Action
- ☐ Reviewed---No Recommendation
- ☐ Reviewed---Information Only
- ☐ Submitted at Commissioner Request

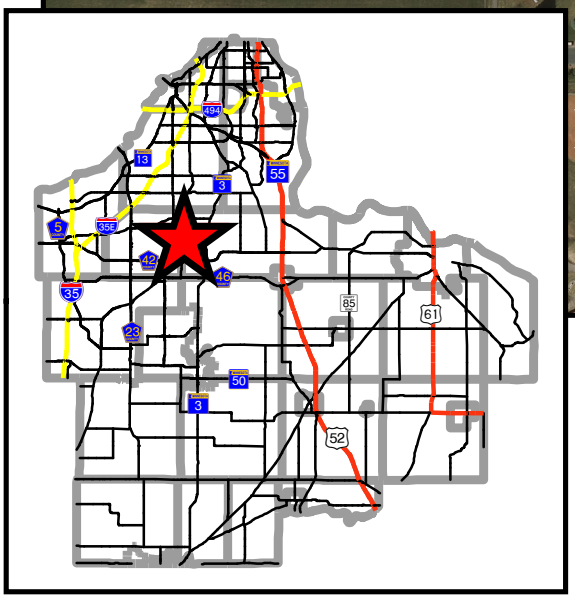


County Manager

Reviewed by (if required):

- ☒ County Attorney's Office
- ☒ Financial Services
- ☒ Risk Management
- ☐ Employee Relations
- ☐ Information Technology
- ☐ Facilities Management





Prepared by the Dakota County Transportation Department

County Project 33-15

Project 33-15

	Expense Budget			Funding Sources Budget						
Year	Budget	Proposed RBA	Revised Budget	Current County's Share	Proposed RBA	Revised County's Share	Current Non-County Funding	Proposed RBA	Revised Non-County Funding	**Total Revised Project Funding**
Prior to 2020	300,000	-	300,000	165,000	-	165,000	135,000	-	135,000	**300,000**
2020 Budget	200,000	-	200,000	110,000	-	110,000	90,000	-	90,000	**200,000**
2021 Plan	350,000		350,000	192,500	-	192,500	157,500	-	157,500	**350,000**
2022 Plan	1,950,000		1,950,000	1,072,500	-	1,072,500	877,500	-	877,500	**1,950,000**
2023 Plan	-		-	-	-	-	-	-	-	**-**
2024 Plan	-		-	-	-	-	-	-	-	**-**
Current CIP Total	*2,500,000*	-	*2,500,000*	*1,375,000*	-	*1,375,000*	*1,125,000*	-	*1,125,000*	***2,500,000***
Costs Beyond Current CIP	-		-	-		-	-		-	**-**
Total	***2,800,000***	***-***	***2,800,000***	***1,540,000***	***-***	***1,540,000***	***1,260,000***	***-***	***1,260,000***	***2,800,000***

5.1 - Attachment B.pdf

DAKOTA COUNTY PHYSICAL DEVELOPMENT COMMITTEE

Update On 2020 Transportation Capital Improvement Construction Projects

Meeting Date: 9/15/2020
Item Type: Regular-Information
Division: Physical Development
Department: Transportation
Contact: Krebsbach, Mark
Contact Phone: (952) 891-7102
Prepared by: Briol, Jeannine

Fiscal/FTE Impact:
☒ None ☐ Other
☐ Current budget ☐ Amendment requested
☐ New FTE(s) requested
Board Goal: A great place to live
Public Engagement Level: N/A

PURPOSE/ACTION REQUESTED
Receive an update on the 2020 Transportation Capital Improvement Program (CIP) construction projects.

SUMMARY
To provide a safe and efficient transportation system, Dakota County annually invests in the County transportation system through various construction projects. Some construction projects identified in the adopted 2020–2024 Transportation CIP started in April and May and are underway or finished. Staff will provide the Board with an overview of all transportation construction projects in 2020 (Attachment A) at the September 15, 2020, Dakota County Board meeting.

Since the advent of the Coronavirus pandemic, some facets of construction have changed. Staff will talk about these changes as well.

RECOMMENDATION
None.

EXPLANATION OF FISCAL/FTE IMPACTS
The 2020 construction projects are funded through the approved Transportation and Transportation Sales and Use Tax CIP budgets.

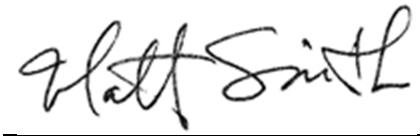
Supporting Documents:
Attachment A: Project Location Map

Previous Board Action(s):

RESOLUTION
Information only; no action requested

County Manager's Comments:

- ☐ Recommend Action
- ☐ Do Not Recommend Action
- ☐ Reviewed---No Recommendation
- ☒ Reviewed---Information Only
- ☐ Submitted at Commissioner Request

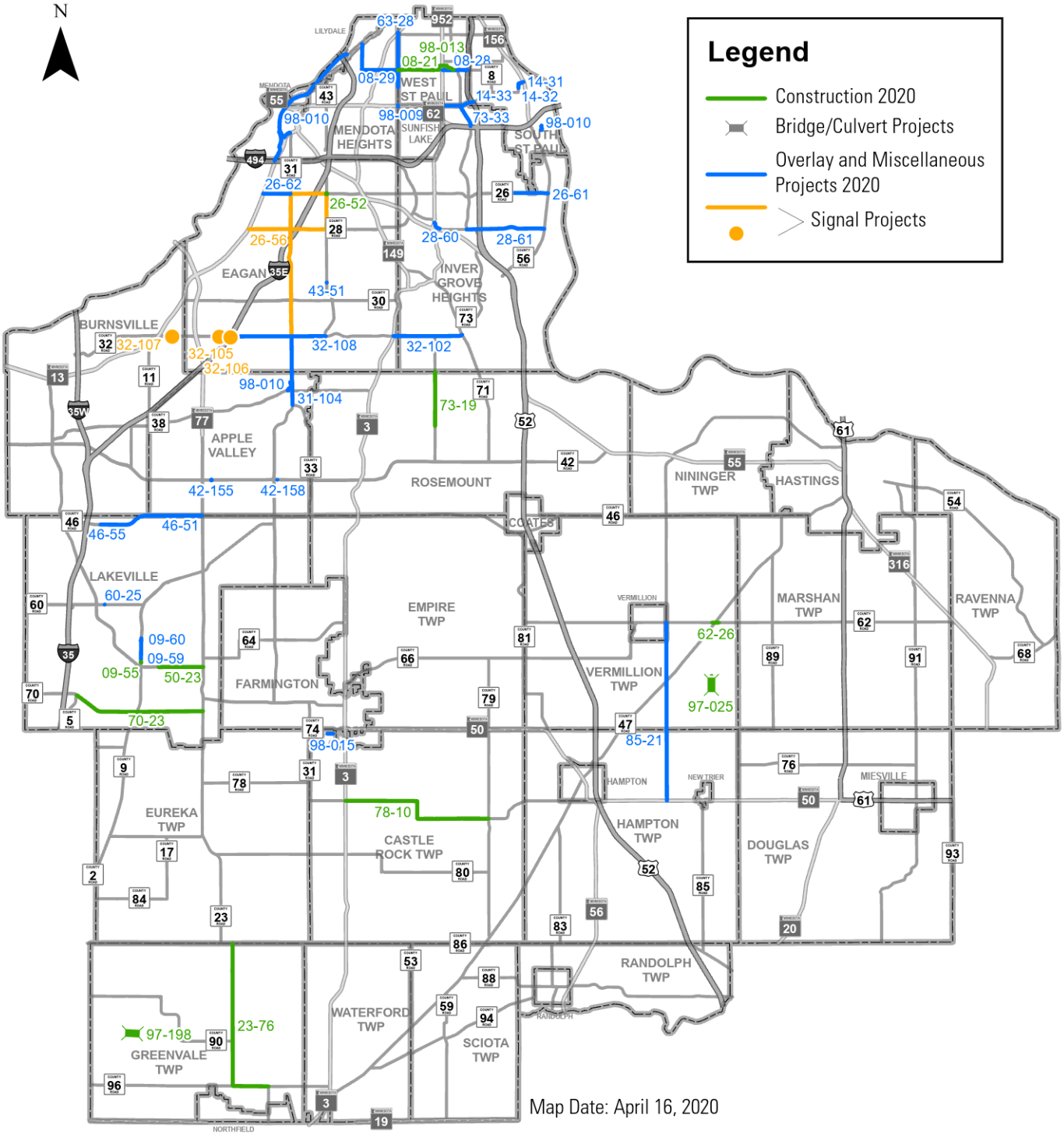


County Manager

Reviewed by (if required):

- ☒ County Attorney's Office
- ☒ Financial Services
- ☒ Risk Management
- ☐ Employee Relations
- ☐ Information Technology
- ☐ Facilities Management

2020 Dakota County Construction Projects



Map Date: April 16, 2020

Dakota County transportation we get you there

Copyright 2020, Dakota County
This drawing is neither a legally recorded map nor a survey and is not intended to be used as one. This drawing is a compilation of records, information, and data located in various city, county, and state other sources, affecting the area shown, and is to be used for reference purposes only. Dakota County is not responsible for any inaccuracies herein discrepancies are found, please contact this office.

DAKOTA COUNTY PHYSICAL DEVELOPMENT COMMITTEE

Update And Discussion On Current Status Of Sanitary Landfills In Dakota County

Meeting Date: 9/15/2020
Item Type: Regular-Information
Division: Physical Development
Department: Environmental Resources
Contact: Fischer, Georg
Contact Phone: (952) 891-7554
Prepared by: Magnuson, Dave

Fiscal/FTE Impact:
☒ None ☐ Other
☐ Current budget ☐ Amendment requested
☐ New FTE(s) requested
Board Goal: A healthy environment with quality natural areas

Public Engagement Level: N/A

PURPOSE/ACTION REQUESTED
Receive an update on the current status of the sanitary landfills located within Dakota County.

SUMMARY
Two sanitary landfills are located within Dakota County: The Pine Bend Landfill in Inver Grove Heights and the Burnsville Sanitary Landfill in Burnsville. These landfills provide an important component of the overall Twin Cities Metropolitan Area Solid Waste Management System, which includes transfer stations, recycling facilities, landfills, resource recovery facilities, and composting facilities.

Both of these sanitary landfills are nearing their current Minnesota Pollution Control Agency (MPCA) authorized capacity. Before these facilities can add volume or expand landfill acreage, they will be required to obtain a Certificate of Need (CON) through the MPCA. The MPCA opened the CON process on July 22, 2020 (Attachment A), and both of these facilities intend to apply. Eligibility for CON is dependent on mixed municipal solid waste resource recovery facilities in the metro area functioning at full capacity. MPCA has stated that the CON process will be suspended if this requirement does not continue to be met.

County Host Fee revenues from these two landfills in 2019 totaled $6,269,592.

Mixed Municipal Solid Waste from Dakota County is currently needed to ensure that the resource recovery facility in Red Wing continues to operate at full capacity. The cities of Hastings and Farmington currently contribute approximately 13,100 tons of waste to the Red Wing Facility annually. This contribution costs the cities approximately $49 more per ton than landfilling. In February 2020, the City of Hastings requested a $30 per ton incentive from the County to continue its' current solid waste practices (Attachment B). This request, if approved for both Hastings and Farmington, would total approximately $393,000 in 2021. Dakota County has offered processing incentives in the past. A $12 per ton hauler subsidy was in place from 1997 to 2010, with an annual cap of between $800,000 and $1.3M. This County subsidy was in addition to a state subsidy of $5 per ton. A decision on whether or not to provide this type of incentive in 2021 will be discussed as part of the County's 2021 budget process, and any incentives provided would be subject to review for renewal at least annually.

Staff will provide an update on the status of the two sanitary landfills located in Dakota County (Attachment C), pending expansion requests, the Certificate of Need process, potential impacts of landfill closure, and potential options for ensuring that resource recovery facility capacity continues to be met.

RECOMMENDATION
Information only; no action requested.

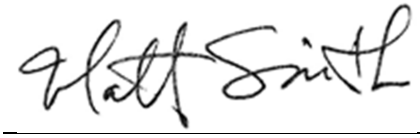
EXPLANATION OF FISCAL/FTE IMPACTS
None.

Supporting Documents:
Attachment A: Minnesota Pollution Control Agency Notice of Intent to Accept CON Requests
Attachment B: City of Hastings Request for County Incentives for Solid Waste
Attachment C: Active Sanitary Landfill Capacity in Dakota County

Previous Board Action(s):

RESOLUTION
Information only; no action requested.

County Manager's Comments:
- ☐ Recommend Action
- ☐ Do Not Recommend Action
- ☐ Reviewed---No Recommendation
- ☒ Reviewed---Information Only
- ☐ Submitted at Commissioner Request



County Manager

Reviewed by (if required):
- ☒ County Attorney's Office
- ☒ Financial Services
- ☒ Risk Management
- ☐ Employee Relations
- ☐ Information Technology
- ☐ Facilities Management

Active Sanitary Landfill Capacity In Dakota County

Landfill	Type	Current Permitted Capacity (cy)	Remaining Operating Life (CON)	Current Expansion Requests/ Discussions
Pine Bend	Municipal Solid Waste	33,937,400	2.5 years	Yes (CON)
Burnsville Sanitary Landfill	Municipal Solid Waste	18,692,145	2.7 years	Yes

MINNESOTA POLLUTION CONTROL AGENCY

520 Lafayette Road North | St. Paul, Minnesota 55155-4194 | 651-296-6300

800-657-3864 | Use your preferred relay service | info.pca@state.mn.us | Equal Opportunity Employer

Notice of Intent to Accept Certificate of Need Requests (Notice) – Issued July 22, 2020

The purpose of this Notice is to inform landfills located in the metropolitan area that the Minnesota Pollution Control Agency (MPCA) will accept Certificate of Need (CON) requests. MPCA is able to issue this notice because resource recovery facilities operated at full capacity in the first quarter of 2020 and the seven metro counties certified disposed waste as unprocessable. These two prerequisites were necessary to issue this notice.

Landfills wishing to obtain additional mixed municipal solid waste (MMSW) disposal capacity must submit requests to MPCA within 180 days following the date of this Notice. MPCA will not accept a CON request submitted outside of the 180-day period. MPCA will evaluate each CON request as it comes in to expedite review as much as possible, but all requests that are received within the 180-day period will be reviewed. Once all applications are received and reviewed, CON determinations for all applicant facilities will be made at the same time.

Information contained in the Metropolitan Solid Waste Management Policy Plan – 2016-2036 (Metro Plan) is contained in this Notice:

- The state law requiring CON for landfills located in the Twin Cities Metropolitan Area (TCMA) is contained in the "background" section.
- Procedures for obtaining CON, including the timing, timing and contents of CON requests are contained in the "procedures" section.

Criteria that MPCA will use to review CON requests, determine whether or not to issue CON, and calculate the amount of CON to be issued to landfills are found in the "standards" section. MPCA would like to emphasize the following statement from the CON criteria:

- Restriction on Disposal - MPCA will not accept or review any request for additional land disposal capacity for a landfill located in the Metropolitan Area unless MMSW resource recovery facilities serving the metro area are functioning at full capacity and waste has been certified as unprocessable by metro counties.
- If the criteria relating to restriction on disposal is no longer met after the date of this Notice, MPCA will suspend the CON process until the criteria is met.

Please contact either Peder Sandhei (peder.sandhei@state.mn.us) or Melissa Peck (melissa.peck@state.mn.us) for more information or to obtain assistance from the MPCA in preparing a request for new MMSW landfill capacity.

CON Requests may be submitted electronically to:

David Benke, Division Director, Resource Management & Assistance Division, david.j.benke@state.mn.us

Background

The Metropolitan Landfill Abatement Act, Minn. Stat. § 473.823, subd. 6, states that no new land disposal capacity for MSW shall be permitted in the TCMA without a Certificate of Need (CON) issued by the MPCA indicating that the additional disposal capacity is needed. The MPCA must certify need only to the extent that there are no feasible and prudent alternatives to land disposal. Alternatives that are speculative or conjectural cannot be deemed to be feasible and prudent. Economic considerations alone cannot justify the CON or the rejection of alternatives. Minn. Stat. § 473.823, subd. 6 requires the MPCA to include (in the Plan) the standards and procedures for certifying need. The standards and procedures must be based on the metropolitan disposal abatement plan and the solid waste disposal facilities development schedule, both included in the Metropolitan System Plan (Part 3), and with approved master plans that are consistent with the abatement plan and development schedule.

Minn. Stat. § 473.823, subd. 6 is reproduced below:

Certification of need. No new mixed municipal solid waste disposal facility or capacity shall be permitted in the metropolitan area without a certificate of need issued by the commissioner indicating a determination that the additional disposal capacity planned for the facility is needed in the metropolitan area. The commissioner shall amend the policy plan, adopted pursuant to section 473.149, to include standards and procedures for certifying need that conform to the certification standards stated in this subdivision. The standards and procedures shall be based on the metropolitan disposal abatement plan adopted pursuant to section 473.149, subdivision 2d, the solid waste disposal facilities development schedule adopted under section 473.149, subdivision 2e, and the provisions of any master plans of counties that have been approved under section 473.803, subdivision 2, and that are consistent with the abatement plan and development schedule. The commissioner shall certify need only to the extent that there are no feasible and prudent alternatives to the disposal facility, including waste reduction, source separation and resource recovery, which would minimize adverse impact upon natural resources.

Alternatives that are speculative or conjectural shall not be deemed to be feasible and prudent. Economic considerations alone shall not justify the certification of need or the rejection of alternatives.

Procedures

Scope: MPCA will apply these standards to requests for additional MMSW capacity for MMSW landfills located in the Metropolitan Area.

Timing of CON application: MPCA will notify MMSW landfills located in the Metropolitan Area of MPCA's intent to accept CON requests for additional MMSW land disposal capacity after the adoption of the Plan and after MPCA approval of all county master plans.

Submittal of CON requests: CON requests from MMSW landfills located in the Metropolitan Area must be submitted within a period of 180 days after MPCA's CON notification.

A CON request must include the following:

- Annual solid waste estimates[1]. The CON request shall include estimates of the amount (in tons) and type of solid waste to be managed annually at the facility during its design life.

- Origin of waste. The CON request shall include identification of the origin of the solid waste including estimates of the amount of solid waste to be received annually from each county or district of origin. Information about quantities of solid waste from counties or districts outside the metropolitan area shall be based on information in approved county solid waste management plans. Information about quantities of solid waste from counties or districts within the metropolitan area shall be based on information in the Plan and approved master plans. If an approved master plan does not state that solid waste from a county or district will be managed at the proposed facility, the request shall include a letter from the county or district board of the county or district generating the solid waste indicating that in the county's or district's best estimate the amount of solid waste in question is available for management at the proposed facility. The letter must be consistent with the approved greater Minnesota comprehensive solid waste management plan, the master plan and any applicable plan amendments.

- Alternatives[2]. The CON request shall include an analysis of alternatives to the new or expanded disposal capacity if the new capacity has not been included in the approved county solid waste management plan, the Plan, or master plan.

- Estimate errors. If the amount of new capacity needed is greater than the amount identified in the approved master plan or the Plan due to assumptions concerning the amount of solid waste generated, the application must document the basis for calculating the amount of capacity.

Public informational meeting on CON request: The MPCA may hold a public informational meeting on its preliminary determination to approve or deny the request for a CON if the commissioner determines that a public informational meeting would help to clarify and resolve issues regarding the CON request.

Standards

No new MMSW disposal facility or capacity shall be permitted in the Metropolitan Area without a CON issued by the commissioner indicating a determination that the additional disposal capacity planned for the facility is needed in the Metropolitan Area. MPCA will approve CON requests only if MPCA determines that no feasible and prudent available alternative MMSW management facilities, including existing permitted land disposal capacity, can substitute for the proposed capacity.

The MPCA will apply the following criteria to determine whether CON can be granted:

- Restriction on disposal[3]: MPCA will not accept or review any request for additional land disposal capacity for a landfill located in the Metropolitan Area unless MMSW resource recovery facilities serving

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[1] Solid waste estimates should include methods and assumptions and all waste types.

[2] Minn. Stat. 473.823 Subd. 6 outlines criteria for alternatives

[3] If the criteria relating to restriction on disposal is no longer met after the date of this Notice, MPCA will suspend the CON process until the criteria is met.

the metro area are functioning at full capacity and waste has been certified as unprocessable by metro counties.

- Orderly and deliberate development of facilities: Pursuant to Minn. Stat. § 115A.02, the MPCA must ensure the orderly and deliberate development of facilities, including landfills. To avoid a situation where the metro area is dependent on the services of a single disposal facility, MPCA will not grant all CON to one landfill.

- Tonnage as basis of CON: MPCA will grant CON in tons to a landfill instead of cubic yards or other volume units.

- Alternatives: MPCA will consider existing permitted capacity in the service area of the facility seeking the CON. The fact that a permit for a facility may expire during the expected service life of the facility seeking CON shall not be deemed to extinguish permitted capacity assuming that the existing permitted facility is likely to be re-permitted.

- Plan consistency: MPCA will not grant a CON unless the new landfill capacity is consistent with the Plan, with applicable master plans, applicable greater Minnesota comprehensive solid waste management plans, and applicable information from other solid waste management jurisdictions outside of the state of Minnesota.

- Forecasting tons: If the amount of new capacity needed is greater than the amount identified in the Plan, approved master plan or greater Minnesota comprehensive solid waste management plan due to errors in forecasting MMSW generated, the application must document the basis for calculating the amount of capacity needed and provide an analysis of alternatives.

- Least cost alternative: MPCA will not approve a CON request based solely on a determination that it is the least-cost alternative.

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DAKOTA COUNTY
ADMINISTRATION

February 21, 2020

Commissioner Mike Slavik
Dakota County Administration Center
1590 Highway 55
Hastings, MN 55033-2343

RE: Request for County incentives for Hastings solid waste collection practices

Dear Commissioner Slavik:

The City of Hastings Utilities Committee of the Council met on December 17, 2019. During this meeting, the members agreed that they would like to discuss with Dakota County possible incentives for the City of Hastings to continue its organized residential solid waste collection.

As you know, Hastings and Farmington are the only two municipalities in the entire county to employ organized collection. Under the Waste Management Act (Minnesota Statutes, Chapter 115A), residential solid waste collected under an organized collection program is defined as municipal solid waste (MSW) which is required to be processed at a resource recovery facility if one has capacity.

Currently, the Red Wing Solid Waste Material Recover Facility (MRF) processes Hastings MSW. The tipping fees at Red Wing MRF are $40 to $50 per ton higher than if the solid waste were to go directly to a landfill.

In 2019, the City generated over 5,300 tons of MSW that was delivered by Tennis Sanitation to the Red Wing MRF. By bringing MSW to Red Wing, Hastings and Farmington are helping Dakota County meet its objective of lowering its landfill disposal rates which is reported as 46% in 2016 with the goal of reducing it to 1% by 2036. Furthermore, citizens of these communities are contributing the least amounts of waste to local landfills but are equally liable for future cleanup costs as those who do minimal landfill abatement.

The City of Hastings requests to negotiate a $30 per ton credit from Dakota County for bringing its MSW to the Red Wing MRF. Providing an incentive to the City to maintain its current practice of utilizing a resource recovery site and landfill abatement program qualifies as a strategy that could be employed within the Dakota County Solid Waste Master Plan for 2018-2038, in particular within the following two sections:

- Section 3, "Collection Best Practices Strategies" of the Master Plan identifies that the County shall use "Additional Strategies" as outlined in item #3 to "institute generator fee schedules and funding incentives to prevent and divert waste from disposal."
- Section 11, Landfill Abatement, item #8 states, the County shall "Provide performance-based grant funding and resources to municipalities to implement landfill abatement programs within their operations and in the community."

With the completion of facility enhancements, Red Wing's resource recovery processing capacity has been expanded in 2020. It is in the overall best interest of Dakota County for Hastings to continue bringing its annual 5,300 tons of MSW to the Red Wing MRF to ensure that its processing capacity is full. It is my understanding that without the Red Wing MRF operating at its processing capacity, the Pine Bend and Burnsville landfills that are owned by Republic Services will be unable to obtain permits from the Minnesota Pollution Control Agency to expand their capacities in the near future.

It is imperative for Dakota County to incentive Hastings to maintain its current organized collection practices. The Utilities Committee of the Hastings City Council requests an opportunity to explore incentive negotiations. For a robust discussion, it may be best to have a group meeting also including representatives of Farmington.

Thank you for your work on the behalf of our jurisdiction, and I look forward to hearing back from you.

Sincerely,

Dan Wietecha
City Administrator

Cc: Matt Smith, Dakota County Manager
Georg Fischer, Environmental Resources Director
Hastings City Council
David McKnight, Farmington City Administrator