



# Dakota County

## Board of Commissioners

### Minutes

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Tuesday, August 23, 2022

9:00 AM

Boardroom, Administration Center,  
Hastings, MN

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#### 1. Call To Order And Roll Call

Also in attendance were Matt Smith, County Manager; Kathryn M. Keena, County Attorney; Tom Donely, First Assistant County Attorney; and Jeni Reynolds, Sr. Administrative Coordinator to the Board.

**Present:** Commissioner Mike Slavik  
Commissioner Kathleen A. Gaylord  
Commissioner Laurie Halverson  
Commissioner Joe Atkins  
Commissioner Liz Workman  
Commissioner Mary Liz Holberg  
Commissioner Mary Hamann-Roland

#### 2. Pledge Of Allegiance

The meeting was called to order at 9:00 a.m. by Chair Kathleen A. Gaylord who welcomed everyone and opened the meeting with the Pledge of Allegiance.

#### 3. Audience

Chair Gaylord noted that all public comments can be sent to [CountyAdmin@co.dakota.mn.us](mailto:CountyAdmin@co.dakota.mn.us). Several people were in attendance and the following people came forward to address the Board:

Heidi Flodin, Burnsville (Elections) - submitted via email as well as verbal comments.  
Susan Ferrozzo, Castle Rock Township (Elections)

#### 4. Agenda

**4.1** Resolution No: 22-331  
Approval of Agenda (Additions/Corrections/Deletions)

Motion: Mary Hamann-Roland

Second: Mike Slavik

Ayes: 7

#### CONSENT AGENDA

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

**5. County Administration - Approval of Minutes**

- 5.1** Resolution No: 22-332  
Approval of Minutes of Meeting Held on August 9, 2022

Motion: Joe Atkins

Second: Mary Hamann-Roland

Ayes: 7

**6. Items Recommended By Board Committee\***

- 6.1** Resolution No: 22-333  
Authorization To Execute Joint Powers Agreement With City Of Burnsville For Household Hazardous Waste Drop-Off Day Event

Motion: Joe Atkins

Second: Mary Hamann-Roland

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

WHEREAS, the Master Plan supports the Dakota County Board of Commissioner's desire to remove household hazardous waste (HHW) from the solid waste stream because of health, safety, and environmental concerns; and

WHEREAS, the Master Plan includes a strategy for proper HHW management opportunities in communities located in the County; and

WHEREAS, each year, Dakota County requests feedback on community interest and ability to host a one-day HHW drop-off day event to promote ease of collection in each part of the County; and

WHEREAS, Dakota County has collaborated with cities for two to four HHW events each year since 1985 through approved joint powers agreements (JPA); and

WHEREAS, a HHW in 2022 has been requested by the City of Burnsville; and

WHEREAS, the City of Burnsville has identified the ability to provide the necessary facilities and resources to serve the vehicle participants.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Environmental Resources Director to execute a joint powers agreement with the City of Burnsville to conduct a household hazardous waste event in 2022, subject to the availability of adequate funds, subject to review by the County Risk Manager, and subject to approval by the County Attorney's Office as to form.

Ayes: 7

**6.2** Resolution No: 22-334

Authorization To Execute \$6,066,000 State Outdoor Heritage Fund Grant Agreement For Natural Resource Protection And Restoration And Amend 2022 Environmental Resources Capital Improvement Program And Environmental Legacy Fund Budgets

Motion: Joe Atkins

Second: Mary Hamann-Roland

WHEREAS, in 2008, Minnesota residents approved the Minnesota constitutional amendment to increase the State sales and use tax rate and to dedicate this revenue to protecting, improving, and enhancing natural land and water resources, providing increased hunting and fishing opportunities, improving park and trail opportunities and facilities, and benefiting arts and preserving cultural heritage; and

WHEREAS, the 2009 Minnesota Legislature provided direction on the administration and dispersal of the dedicated revenue through various agencies and grant programs, including the Lessard-Sams Outdoor Heritage Council (LSOHC); and

WHEREAS, the County has previously submitted funding proposals to the LSOHC and a total of \$13.57 million of Outdoor Heritage (OH) funds have been appropriated by the Minnesota Legislature (ML) to the County for acquisition and restoration between 2009 and 2021; and

WHEREAS, protection, restoration, and enhancement of environmentally sensitive and priority natural areas owned by the County, other public entities, and private landowners provide multiple public benefits and are a priority for the Dakota County Board of Commissioners, as demonstrated in the approved County Park and Greenway Master Plans and associated Natural Resource Management Plans, and the Land Conservation (LC) Plan for Dakota County; and

WHEREAS, the LSOHC requested OH funding proposals for State fiscal year 2023 for 2022 Minnesota Legislature (ML22) review and approval; and

WHEREAS, staff developed an \$8.1 million ML22 OH funding request matched by \$1,570,000 of County funds that emphasized: 1) restoration of County-owned lands, other publicly owned lands within Regional Greenway corridors and Conservation Focus Areas (CFA), and existing and new conservation easements (Easements) on private land; and 2) acquisition of Easement and/or fee title within Regional Greenways, CFAs, and other significant areas described in the LC Plan; and

WHEREAS, by Resolution No. 21-265 (May 18, 2021), the Dakota County Board of Commissioners authorized the submission of a ML22 OH grant request to the LSOHC; and

WHEREAS, the LSOHC reviewed the County's proposal and included

\$6,060,000 of funding for the County in its recommendations to the ML22; and

WHEREAS, the ML22 approved and appropriated \$6,066,000 of OH funds to the commissioner of natural resources [ML 2022, Ch. 77, Art. 1, Sec. 2, subd. 5(a) Habitat Protection in Dakota County, Phase VIII] for an agreement with the County for the acquisition of permanent easements fee title and enhancement and restoration of aquatic and associated upland habitat in Dakota County; and

WHEREAS, the LSOHC approved the “Dakota County Habitat Protection/Restoration Phase VIII” Accomplishment Plan at its June 22, 2022, meeting; and

WHEREAS, the ML22 OH grant agreement is administered by the Minnesota Department of Natural Resources (DNR) and requires a County Board resolution attesting that the County act as the grantee for the grant; has the financial capability to complete the projects by June 30, 2027, or five years after acquisition, whichever is later; will comply with all laws and regulations; and authorizes execution of the agreement; and

WHEREAS, the 2022 Environmental Resources (ER) Capital Improvement Program (CIP) budget was approved based on \$5.2 million of OH funds being requested and matched by \$1.4 million of County funds; and

WHEREAS, a 2022 ER CIP budget amendment is required based on the final ML22 appropriation and reduced County funding match.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute the ML22 OH Grant Agreement [ML 2022, Ch. 77, Art. 1, Sec. 2, subd.5(a) Habitat Protection in Dakota County, Phase VIII] with the Department of Natural Resources (DNR) for habitat protection and restoration/enhancement projects in Dakota County, subject to approval by the County Attorney’s Office as to form; and

BE IT FURTHER RESOLVED, That Dakota County hereby attests that it has the financial capability to ensure adequate completion of the habitat protection projects and certifies that it will comply with all applicable laws and regulations as stated in the ML22 OH Grant Agreement; and

BE IT FURTHER RESOLVED, That the County of Dakota shall act as the grantee for the ML22 OH Grant Agreement for habitat protection and restoration projects in Dakota County; and

BE IT FURTHER RESOLVED, That the 2022 Environmental Resources Capital Improvement Program is hereby amended as follows:

**Expense**

Land Acquisition and Restoration/Enhancement     \$570,246

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<b>Total Expense</b>	<b>\$570,246</b>
<b>Revenue</b>	
ML22 OH Grant Funds	\$830,000
County Match to ML22 OH Funds(ELF)	<u>(\$259,754)</u>
<b>Total Revenue</b>	<b>\$570,246</b>

; and

BE IT FURTHER RESOLVED, That the 2022 Environmental Legacy Fund is hereby amended as follows:

<b>Revenue</b>	
Reimburse Env. Resources CIP	\$259,754
Use of ELF Fund Balance	<u>(\$259,754)</u>
<b>Total Revenue</b>	<b>\$0</b>

Ayes: 7

**6.3** Resolution No: 22-335

Authorization To Execute Joint Powers Agreements With Cities And Dakota County Drug Task Force For Pharmaceutical Drug Collection Programs

Motion: Joe Atkins

Second: Mary Hamann-Roland

WHEREAS, the Dakota County Board of Commissioners supports public safety and protection of public health and the environment; and

WHEREAS, the nonmedical use and disposal of prescription drugs and over-the-counter medications (pharmaceuticals) are growing problems in the United States; and

WHEREAS, expired or unwanted pharmaceuticals from households have traditionally been disposed of by flushing them down the toilet or drain, which can cause pollution in wastewater and which has been demonstrated to cause adverse effects to fish and other aquatic life; and

WHEREAS, pharmaceuticals are highly susceptible to diversion, misuse, and abuse; and

WHEREAS, removing expired or unwanted pharmaceuticals from the possibility of potential abuse and keeping them out of the environment are important goals; and

WHEREAS, by Resolution No. 11-514 (October 18, 2011), the County Board authorized an interim collection program for unused, unwanted, or expired pharmaceuticals by installing drop-boxes in the cities of West St Paul and Burnsville and at the Dakota County Law Enforcement Center in Hastings; and

WHEREAS, by Resolution No. 13-042 (January 22, 2013), the County Board

authorized staff to implement a pharmaceutical drug collection program (Program) for the collection and proper disposal of pharmaceuticals, including controlled substances, by installing secure drop boxes at the cities of Apple Valley, Eagan, Farmington, Inver Grove Heights, Lakeville, Mendota Heights, Rosemount, and South St. Paul to expand on the Program already in place at the Dakota County Law Enforcement Center in Hastings and at the West St. Paul and Burnsville Police Departments; and

WHEREAS, by Resolution No. 18-324 (June 19, 2018), the County Board authorized staff to continue the Program; and

WHEREAS, the Program continues to be successful, growing from collecting 1,200 pounds in 2011 to 11,800 pounds of pharmaceuticals in 2021; and

WHEREAS, the joint powers agreements that were authorized in 2018 are expiring, and the cities of Apple Valley, Burnsville, Eagan, Farmington, Inver Grove Heights, Lakeville, Mendota Heights, Rosemount, South St. Paul, and West St. Paul have expressed interest in continuing Program participation; and

WHEREAS, the Drug Task Force has expressed interest in continuing its role in the Program.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Division Director to execute separate joint powers agreements with the cities of Apple Valley, Burnsville, Eagan, Farmington, Inver Grove Heights, Lakeville, Mendota Heights, Rosemount, South St. Paul, and West St. Paul and the Dakota County Drug Task Force to continue pharmaceutical collection programs for residents, as substantially presented to the Physical Development Committee of the Whole on August 16, 2022, subject to funding levels approved by the County Board as part of the annual budget, and subject to approval by the County Attorney's Office as to form.

Ayes: 7

**6.4** Resolution No: 22-336  
Authorization To Execute Contract Amendment With American Cylinder, LLC  
For Compressed Gas Cylinder Disposal

Motion: Joe Atkins

Second: Mary Hamann-Roland

WHEREAS, Minn. Stat. § 115A.96 requires counties to have a household hazardous waste (HHW) program to help keep hazardous waste out of the solid waste stream; and

WHEREAS, the Dakota County Board of Commissioners wishes to provide an HHW program to further the goals of protecting public health and the environment; and

WHEREAS, Dakota County has an existing three-year contract with American

Cylinder, LLC; and

WHEREAS, the current contract with American Cylinder, LLC, needs to be increased to \$130,000.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Division Director to amend the existing contract with American Cylinder, LLC, to a maximum payment of \$130,000, subject to approval by the County Attorney's Office as to form.

Ayes: 7

**6.5** Resolution No: 22-337

Acquisition Of Conservation Easement On Bauer Property Adjacent To Spring Lake Park Reserve In Nininger Township And Authorization To Amend 2022 Environmental Resources Capital Improvement Program Budget

Motion: Joe Atkins

Second: Mary Hamann-Roland

WHEREAS, Alfred and Julie Bauer and Gordon and Cynthia Bauer (collectively Bauer) own 56.34 acres adjacent to Spring Lake Park Reserve (SLPR); and

WHEREAS, the Bauer's cooperated with the County in completing two ravine stabilization projects, including removal of solid waste from both the Bauer and park properties in early 2022; and

WHEREAS, the 2020 Land Conservation Plan for Dakota County identified 24 Preliminary Conservation Focus Areas (CFA), including the Spring Lake CFA in Nininger Township, which includes a portion of the Bauer property; and

WHEREAS, County staff proposed protecting and restoring a portion of the Bauer property that would include the ravine stabilization project area, provide a vegetative buffer between cultivated farmland and the park and additional wildlife habitat, and allow County staff to more easily access portions of SLPR for natural resource restoration and maintenance; and

WHEREAS, County staff completed, reviewed, and approved an independent appraisal of a 5.61-acre permanent natural area conservation easement (Easement) on the Bauer property in April 2022; and

WHEREAS, the Bauer's have agreed to sell the Easement for the appraised \$52,315 and contribute an estimated \$1,250 of the estimated \$12,500 restoration costs; and

WHEREAS, the estimated closing costs are \$1,000; and

WHEREAS, acquisition of the Easement and restoration is eligible for state Outdoor Heritage (OH) funding appropriated to the County by the Minnesota Legislature in 2022 (ML22); and

WHEREAS, the 2022 Environmental Resources (ER) Capital Improvement Program (CIP) budget includes adequate fund balance from Minnesota ML22 OH funds and County grant match funds for this project; and

WHEREAS, expenditure of OH funds by the County requires the County Board Chair to sign and the County to record a Notice of Funding Restriction (NOFR) for the Easement on the Bauer property if funded with OH funds; and

WHEREAS, the Physical Development Director (PDD) is required to sign the purchase agreement (PA) to acquire the Easement on the Bauer property; and

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

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the expenditure of up to \$65,815, including \$52,315 to acquire the 5.61-acre Easement on the Bauer property, an estimated \$1,000 in closing costs, and an estimated \$12,500 for restoration costs; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute the purchase agreement with the Bauer’s to acquire the 5.61-acre Easement, subject to approval by the County Attorney’s Office (CAO) as to form; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Board Chair to execute a Notice of Funding Restriction as required for use of OH funds for acquiring the Easement on the Bauer property, subject to approval by the CAO as to form; and

BE IT FURTHER RESOLVED, That the 2022 Environmental Resources (ER) Capital Improvement Program (CIP) budget is hereby amended as follows :

**Expense**

Acquisition of the Easement on Bauer property (LC10081)	\$53,315
Restoration of the Bauer Easement (LC30048)	\$11,250
ML 22 OH (LC00010)	<u>(\$64,565)</u>
<b>Total Expense</b>	<b>\$0</b>

**Revenue**

Acquisition :	
ML 22 OH Grant Funding - Bauer Acquisition (LC10081)	\$39,986
ML 22 OH County Grant Match - Bauer Acquisition (LC10081)	\$13,329
ML 22 OH Grant Funding (LC00010)	<u>(\$39,986)</u>
ML 22 OH County Grant Match (LC00010)	<u>(\$13,329)</u>
<b>Total Revenue - Acquisition</b>	<b>\$0</b>

Restoration:

ML 22 OH Grant Funding - Bauer Restoration (LC30048)	\$8,438
ML 22 OH County Grant Match - Bauer Restoration (LC30048)	\$2,812
ML 22 OH Grant Funding - Bauer Restoration (LC00010)	(\$8,438)
ML 22 OH County Grant Match (LC0010)	<u>(\$2,812)</u>
<b>Total Revenue - Restoration</b>	<b>\$0</b>

; and

BE IT FURTHER RESOLVED, That, following acquisition of the Easement on the Bauer property, staff will submit the necessary forms and documentation to the State of Minnesota (State) to receive approximately \$48,424 of reimbursement funds; and

BE IT FURTHER RESOLVED, That such reimbursement from the State will be returned to the 2022 ER CIP.

Ayes: 7

**6.6** Resolution No: 22-338  
 Authorization To Revise Access Easement On McCoy Property Adjacent To  
 Miesville Ravine Park Reserve In Douglas Township

Motion: Joe Atkins Second: Mary Hamann-Roland

WHEREAS, by Resolution No. 07-549 (November 27, 2007), the County Board of Commissioners authorized acquisition of a permanent agricultural conservation easement (Agricultural Easement) from the Trust; and

WHEREAS, as part of the negotiated agreement, the Trust granted and conveyed a 16-foot wide, permanent access railway easement (Access Easement) to the County on portions of the property within and outside of the Agricultural Easement area filed in the office of Dakota County Recorder as Document No. 2564115 on January 3, 2008; and

WHEREAS, this Access Easement was limited for use by County staff and their agents and maintenance vehicles for the purpose of natural resource management, construction, repair, and replacement within Miesville Ravine Park Reserve; and

WHEREAS, the Access Easement was not for use by the general public unless permission was granted by the Trust; and

WHEREAS, the Trust property was subsequently sold to Randall E. McCoy, who recently requested that the Access Easement be relocated to accommodate a planned parcel subdivision and sale of a portion of the property to Kimberly A. and Andrew C. Sandness and the planned construction of a new house outside of the Agricultural Easement; and

WHEREAS, County staff worked with Randall E. McCoy and Kimberly A. and Andrew C. Sandness to revise the terms and select a new location for the

Access Easement.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby accepts a revised Access Easement that preserves the intent and purpose and new location of the existing access easement from Randall E. McCoy, subject to approval by the County Attorney's Office as to form.

Ayes: 7

**6.7** Resolution No: 22-339  
Scheduling Of Public Hearing For Program Year 2021 Consolidated Annual Performance And Evaluation Report

Motion: Joe Atkins

Second: Mary Hamann-Roland

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 20, 2022, on or after 9:00 a.m. at the Dakota County Administration Center in Hastings regarding the Program Year 2021 CAPER.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby schedules a public hearing on September 20, 2022, at 9:00 a.m. in the Boardroom, Administration Center, 1590 Highway 55, Hastings,

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Minnesota, to receive comments on the Program Year 2021 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 on the Dakota County Community Development Agency website at [www.dakotacda.org](http://www.dakotacda.org) <<http://www.dakotacda.org>> and the Dakota County website at [www.co.dakota.mn.us](http://www.co.dakota.mn.us) <<http://www.co.dakota.mn.us>>.

Ayes: 7

**6.8** Resolution No: 22-340

Approval Of Grant Application Submittals To Safe Streets and Roads for All (SS4A) For Rural Intersection Improvements And Trail Gaps In Burnsville Center Village Redevelopment

Motion: Joe Atkins

Second: Mary Hamann-Roland

WHEREAS, U.S. Department of Transportation is requesting project submittals for federal funding under the Safe Streets and Roads for All Discretionary Grant Program through the Bipartisan Infrastructure Law; and

WHEREAS, these federal programs fund up to 80 percent of project construction costs; and

WHEREAS, federal funding of projects reduces the burden local taxpayers for regional improvements; and

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

WHEREAS, project submittals are due on September 15, 2022; and

WHEREAS, all proposed rural intersection projects are consistent with the rural road intersection assessment and adopted Dakota County 2040 Transportation Plan; and

WHEREAS, all County highway trail gaps included in the City of Burnsville's proposal are consistent with the Dakota County Pedestrian and Bicycle Study and adopted Dakota 2040 Transportation Plan; and

WHEREAS, subject to federal funding award, 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 authorizes the County to submit rural road intersections improvement for the Safe Streets and Roads for All Grant Program for federal funding and recommended infrastructure improvements; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby supports the City of Burnsville's Safe, Equitable, and Multimodal Access to

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the Burnsville Center Village Redevelopment submission to the Safe Streets and Roads for All Grant Program for federal funding for trail gaps around Burnsville Center Village redevelopment area including trails along County State Aid Highway (CSAH) 5 and CSAH 42.

Ayes: 7

**6.9** Resolution No: 22-341

Authorization To Update School Zone Speed Limits Along County State Aid Highway 28 At Simley High School In Inver Grove Heights And County State Aid Highway 30 (Diffley Road) Adjacent To Eagan Area Schools

Motion: Joe Atkins

Second: Mary Hamann-Roland

WHEREAS, to provide a safe and efficient transportation system, Dakota County designs and operates traffic control devices in accordance with the Minnesota Manual on Uniform Traffic Control Devices (MMUTCD); and

WHEREAS, school zone speed limits can be effective in promoting pedestrian safety in school zones adjacent to County Highways; and

WHEREAS, Minn. Stat. § 169.14 Subd. 5a enables local authorities to establish speed limits within a school zone of a public or non-public school upon the basis of an engineering and traffic investigation as prescribed by the Commissioner of Transportation; and

WHEREAS, the placement of signage for a school zone speed limit must comply with the MMUTCD; and

WHEREAS, a school speed limit shall not be lower than 15 miles per hour and shall not be more than 30 miles per hour below the established speed limit on an affected street or highway based on results of the prescribed engineering investigation; and

WHEREAS, effective school zone speed limits consider the roadway design elements and area conditions to gain compliance with the established speed to maximize driver compliance and safety; and

WHEREAS, Roadway improvements were recently implemented along both County State Aid Highway (CSAH) 28 (80th Street) near Boyd Road adjacent to Simley High School in Inver Grove Heights and along County State Aid Highway (CSAH) 30 (Diffley Road) from west of Daniel Drive to east of Braddock Trail in Eagan; and

WHEREAS, implementation of an updated school zone speed limit based on the engineering and traffic investigations at both Simley High School and the Diffley Road School Area is desired as a tool to enhance safety; and

WHEREAS, Independent School District 199, the City of Inver Grove Heights, and Dakota County worked together to improve pedestrian safety, including

engaging in the development of a safe route to school study, development of a route plan, and implementation of safety enhancements and education for the crossing of CSAH 28 at Boyd Avenue adjacent to Simley High School; and

WHEREAS, the engineering investigation for the establishment of a legal school speed zone that maximizes safety was prepared and recommended for CSAH 28, 80th Street of 25 miles per hour in the vicinity of Boyd Avenue; and

WHEREAS, Independent School District 196, the City of Eagan, and Dakota County collaborated on a Safe Route to School study, following the roadway changes in the area and education effort plus school guards to improve school crossing; and

WHEREAS, an engineering investigation was conducted for each roadway based on the implemented improvements to establish an updated legal school speed zone that maximized safety; and

WHEREAS, the school zone speed limit, in conjunction with a sound school route plan, school zone hazard evaluation and correction, pedestrian education, and enforcement, can effectively promote pedestrian safety in school zones.

NOW, THEREFORE, BE IT RESOLVED, That the County Engineer is hereby authorized to establish and place signage creating a school zone speed limit of 25 miles per hour on County State Aid Highway 28 ( 80th street) focused around the crossing at Boyd Avenue, in the City of Inver Grove Heights in accordance with the Minnesota Manual On Uniform Traffic Control Devices based upon the School Route Plan for the area established by Independent School District 199, the findings of prescribed engineering investigation required per Minn. Stat. § 169.14 Subd. 5a, and recognizing implementation of roadway, school enhancements, and education that was put in place based on the Safe Route To School Report and School Area Travel Safety study completed in fall 2021, consistent with the investigation; and

BE IT FURTHER RESOLVED, That the County Engineer is hereby authorized to retain the school zone speed limit of 30 miles per hour on County State Aid Highway (CSAH) 30 (Diffley Road) between CSAH 43 (Lexington Avenue) and Dodd Road, in the City of Eagan in consideration of the project updated completed in fall 2021 and in accordance with the Minnesota Manual On Uniform Traffic Control Devices based upon the School Route Plan for the area established by Independent School District 196, the findings of prescribed engineering investigation required per Minn. Stat. § 169.14 Subd. 5a, and implementation of recommended corrective actions required by the investigation.

Ayes: 7

- 6.10** Resolution No: 22-342  
Scheduling Of Public Hearing To Receive Comments On Proposed  
Amendments To Ordinance 128: Water Surface Use Ordinance Regulating Lake  
Byllesby Reservoir

Motion: Joe Atkins

Second: Mary Hamann-Roland

WHEREAS, by Resolution No. 03-208 (April 22, 2003), the Dakota County Board of Commissioners adopted Dakota County Ordinance 128 to regulate the surface use of the waters of Lake Byllesby to promote the health, safety, and welfare of all persons using the lake, as well as to protect the lands surrounding the lake from damage during high water conditions; and

WHEREAS, Dakota County has designed and constructed a new recreational river access area below the Byllesby Dam, introducing new use to the site; and

WHEREAS, amendments to Ordinance 128 are required to prohibit surface water access to the Byllesby Dam in the interest of personal safety and homeland security; and

WHEREAS, the proposed amendments clarify the extent of surface water restrictions above and below the dam, and staff are also using this opportunity to make technical corrections and propose additional updates to improve formatting and clarity of the ordinance for ease of understanding, interpretation, and enforcement; and

WHEREAS, Minn. Stat. § 86B.205, subd. 2(b) states that if a body of water is located within more than one county, a water surface use ordinance is not effective until adopted by the county boards of all counties where the body of water lies, and because the waters of Lake Byllesby and the Cannon River are wholly located within the boundaries of both Dakota and Goodhue Counties, the two Counties must enact a single, uniform ordinance; and

WHEREAS, Goodhue County has reviewed the proposed amendments and is proceeding with public review and consideration by the Goodhue County Board of Commissioners on a similar timeframe as Dakota County; and

WHEREAS, Minnesota counties must comply with the Water Surface Management Standards found in Minnesota Statutes Chapter 86B and Minnesota Rules 6110.3700 when formulating any ordinance which may affect the use of watercraft on surface waters within the State of Minnesota; and

WHEREAS, the Minnesota Department of Natural Resources has reviewed the proposed amendments for compliance with State requirements.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby schedules a public hearing for 9:00 a.m. on September 6, 2022, in the Boardroom of the Dakota County Administration Center, 1590 Highway 55, Hastings, Minnesota, to receive comments on the proposed amendments to Dakota County Ordinance 128: Water Surface Use Ordinance Regulating Lake Byllesby Reservoir.

Ayes: 7

**6.11** Resolution No: 22-343  
 Authorization To Execute Contract With EarthSoft For Purchase And  
 Implementation Of Environmental Quality Information System Software  
 Application

Motion: Joe Atkins Second: Mary Hamann-Roland

WHEREAS, the Environmental Resources Department identified a need to better manage the well water and chemistry data collected over the years from wells located within Dakota County; and

WHEREAS, EarthSoft Environmental Quality Information System (EQUIS) was selected as the best solution through a formal request for proposal (RFP) solicitation process; and

WHEREAS, the State of Minnesota Pollution Control Agency staff also use EarthSoft; and

WHEREAS, funds are available in the Environmental Resources Department Operations Budget to invest in a new water quality data management system; and

WHEREAS, the Environmental Resources Department and the Information Technology Department jointly recommend the purchase of software and services from EarthSoft; and

WHEREAS, the total cost of the system is \$168,040 with annual operating costs in year two of \$18,600.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Dakota County Chief Information Officer to execute a contract with EarthSoft to implement software and services in an amount not to exceed \$168,040, subject to approval by the County Attorney’s Office as to form; and

BE IT FURTHER RESOLVED, That the 2022 Countywide Budget Incentive Program (BIP) budget is hereby amended as follows:

<b>Expense</b>		
Countywide BIP	\$128,040	
Environmental Resources Department Operations Budget		<u>\$ 40,000</u>
<b>Total Expense</b>	<b>\$168,040</b>	

Ayes: 7

**6.12** Resolution No: 22-344  
 Authorization To Pilot Self-Service Hours And Amend 2022 Library Budget

Motion: Joe Atkins Second: Mary Hamann-Roland

WHEREAS, the library wished to increase usage of the public spaces and

convenience in using the library; and

WHEREAS, the library seeks authorization to pilot a new service called, Self-service Hours, which offers access to the library building outside of regular staffed open hours; and

WHEREAS, the library can utilize the security systems already in place; and

WHEREAS, an Enterprise Risk Assessment has been done for this service working through potential issues and a treatment was developed for each such as adding additional security cameras; and

WHEREAS, the library can use Phase Funds from the Metropolitan Library Service Agency; and

WHEREAS, the library director will report on the status of the service following completion of the pilot.

NOW, THEREFORE, BE IT RESOVED, that the Dakota County Board of Commissioners hereby authorizes the Library to offer a pilot of Self-service Hours at the Farmington Library; and

BE IT FUTHER RESOLVED, That the Dakota County Board of Commissioners authorizes acceptance of Metropolitan Library Service Agency Phase Funds and hereby amends the 2022 Library budget as follows:

**Revenue**

MELSA Phase funds \$45,000

**Total Revenue \$45,000**

**Expense**

Program Expense \$45,000

**Total Expense \$45,000**

Ayes: 7

**6.13** Resolution No: 22-345  
Authorization For Renewal Of Mobile Hotspot Agreement And Amend 2022 Library Budget

Motion: Joe Atkins

Second: Mary Hamann-Roland

WHEREAS, up to 15 percent of County residents lack reliable access to the internet; and

WHEREAS, the coronavirus pandemic has reconfirmed how critical internet access is; and

WHEREAS, hot spot and Chromebook hardware was purchased in 2020 with CARES Act funding; and

WHEREAS, over the past two years, the library, community corrections and social services have been circulating these hotspots to residents without convenient internet access; and

WHEREAS, the devices have long waiting lists and are checked out of the library 90% of the time; and

WHEREAS, the current T-Mobile service agreement is through the state purchasing plan and expires in October 2022; and

WHEREAS, staff recommend approving the new agreement to continue the important service; and

WHEREAS, the funding for the cost of the hotspots for the rest of 2022 will be paid for using Phase Funds from the Metropolitan Library Service Agency; and

WHEREAS, the funding for future service agreements will be considered as part of the 2023 budget.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the extension of the service agreement with T-Mobile through December 31, 2022; and

BE IT FUTHER RESOLVED, That the Dakota County Board of Commissioners hereby amends the 2022 Library budget as follows:

**Revenue**

MELSA Phase funds \$49,510.46

**Total Revenue \$49,510.46**

**Expense**

Program Expense \$49,510.46

**Total Expense \$49,510.46**

Ayes: 7

**6.14** Resolution No: 22-346

Ratification Of Minnesota Department Of Human Services Adult Mental Health Initiative And Community Support Program Grant Application, And Authorization To Accept Grant Funds And Execute Grant Agreement

Motion: Joe Atkins

Second: Mary Hamann-Roland

WHEREAS, Minn. Stat. § 245.465 states the County Board shall use its share of mental health funds allocated by the Minnesota Department of Human Services (DHS) according to the mental health plan approved by the Commissioner of DHS; and

WHEREAS, Adult Mental Health Initiative (AMHI) and Community Support

Program (CSP) grants provide funding to support Dakota County residents with mental illness to live healthy, thriving lives in community settings; and

WHEREAS, according to Minn. Stat. § 245.466, each local plan for an AMHI must be developed under the direction of the County Board as the local mental health authority; and

WHEREAS, the planning for each AMHI shall include, but not be limited to, people with lived experience, families, advocates, local mental providers, and other system partners; and

WHEREAS, staff works closely with Dakota County's Adult Mental Health Local Advisory Council (LAC) on an ongoing basis to identify unmet needs and priority issues; and

WHEREAS, DHS required that counties submit an application for calendar year 2023 and 2024 to receive Adult Mental Health grant allocations; and

WHEREAS, staff prepared and submitted grant applications to meet DHS submission requirements.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby ratifies the Adult Mental Health Initiative and Community Support Program grant application to the Minnesota Department of Human Services for calendar year (CY) 2023 and CY 2024 for a total grant amount of \$1,294,284; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to accept the grant funds, and execute the Adult Mental Health Initiative and Community Support Program grant agreement for CY 2023 and CY 2024, subject to approval by the County Attorney's Office as to form; and

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

BE IT FURTHER RESOLVED, That the Community Services Director is hereby authorized to execute the Adult Mental Health Initiative and Community Support Program grant renewal contract for CY 2023 and CY 2024 in the amount of the grant awarded, subject to approval by the County Attorney's Office as to form.

Ayes: 7

**6.15** Resolution No: 22-347

Authorization To Execute Subrecipient Agreement With Minnesota State Dakota County Technical College For Workforce Mobility Program

Motion: Joe Atkins

Second: Mary Hamann-Roland

WHEREAS, by Resolution No. 22-215 (May 24, 2022), the Dakota County Board of Commissioners authorized an amendment to the 2022 Employment and Economic Assistance (E&EA) Budget and an amendment to the 2022 Non-Departmental Budget in the amount of \$250,000 in American Rescue Plan State and Local Fiscal Recovering Funds to finance the Workforce Mobility Program; and

WHEREAS, the Minnesota State Dakota County Technical College (DCTC) and Inver Hills Community College (Inver Hills) are planning to collaborate with E&EA and area CareerForce Centers to draw more people into the workforce through a contract between the County of Dakota and Minnesota State DCTC; and

WHEREAS, the program will provide free tuition in credit or non-credit training for Dakota County residents in key identified in-demand industry sectors, support incumbent workers looking to upskill or shift to high-wage industries, and allow training to workers that will lead directly to viable jobs; and

WHEREAS, where applicable, the program will also offer participants a pathway for further education that may open up additional career opportunities; and

WHEREAS, the American Rescue Plan Act Agreement includes information that the program will be marketed throughout the County for optimal visibility, including postcards from the colleges as well as press releases, and the Colleges will develop the marketing materials with review by E&EA staff; and

WHEREAS, the Dakota-Scott Workforce Development Board and Dakota County Communications will help promote the Workforce Mobility Program through their channels; and

WHEREAS, the free tuition program will be for Dakota County residents age 18 and older with prioritization to those residents who are 1) also enrolled in other county programs such as social services, the Supplemental Nutrition Assistance Program, etc., and/or are in Dakota County Community Development Agency housing, or 2) who are not enrolled in programs who have annual family incomes under the 250 percent of poverty guidelines, which will be based on self-attestation.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to execute the subrecipient agreement with Minnesota State Dakota County Technical

College to implement the Workforce Mobility Project in a not to exceed agreement amount of \$250,000 from the date of execution through completion of the outcomes set forth in Section 2.1 of the agreement; and

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

Ayes: 7

**6.16** Resolution No: 22-348  
Authorization To Execute Contract With General Security Services Corporation  
For Juvenile Transportation Services

Motion: Joe Atkins Second: Mary Hamann-Roland

WHEREAS, Community Corrections supervises adults and juveniles placed on probation by the courts; and

WHEREAS, probation staff focuses on community safety and reducing recidivism in their supervision of these individuals; and

WHEREAS, supervision, services and court ordered programs are provided through direct care delivery and purchased services, and a variety of services are in place to meet the varied needs of these individuals; and

WHEREAS, by Resolution No. 19-868 (December 17, 2019), the Dakota County Board of Commissioners authorized contracts for Community Corrections, including a contract with General Security Services Corporation (GSSC) for Juvenile On-Call Transportation Services, for the period of January 1, 2020 through December 31, 2021; and

WHEREAS, juvenile On-Call Transportation Services were placed on hold for a portion of 2020 through 2021 due to the pandemic and court appointments moving to a virtual platform; and

WHEREAS, as court appointments move back to an in-person model effective October 15, 2022, the need for juvenile transportation and in-custody supervision of youth awaiting court once again becomes necessary; and

WHEREAS, the new contract with GSSC will include a full-time transport officer housed at the Juvenile Services Center (JSC), and will no longer include on-call services as the individual will be on-site to provide immediate response to transportation needs (both secure and non-secure) and other miscellaneous services, such as supervising and facilitating visiting opportunities for JSC residents; and

WHEREAS, staff recommends authorization to execute a contract with GSSC to

provide Juvenile Transportation Services in a not to exceed contract amount of \$156,000 for the period of October 1, 2022 through December 31, 2023.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to execute a contract with General Security Services Corporation in a not to exceed contract amount of \$156,000 for the period of October 1, 2022 through December 31, 2023, subject to approval by the County Attorney's Office as to form; and

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

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

BE IT FURTHER RESOLVED, That the service rate for the contract authorized for the period of October 1, 2022 through December 31, 2023, shall reflect the inflation rate authorized by the State of Minnesota inflation rates, or the Dakota County Board of Commissioners, effective January 1, 2023, as applicable.

Ayes: 7

**6.17** Resolution No: 22-349  
Acceptance Of Gift To Community Corrections From Anderson Family And  
Authorization To Amend 2022 Community Corrections Adopted Budget

Motion: Joe Atkins

Second: Mary Hamann-Roland

WHEREAS, by Resolution No. 09-246 (May 19, 2009), it is required that gifts of real or personal property exceeding \$500 in value must be accepted by resolution of the County Board; and

WHEREAS, in July 2022 the Anderson family donated a gift of \$600 to the Community Corrections Department in support of juveniles served by Community Corrections in the New Chance program; and

WHEREAS, Community Corrections staff recommends acceptance of this gift.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby accepts the gift from the Anderson family and expresses its appreciation for this generous gift; and

BE IT FURTHER RESOLVED, That the 2022 Community Corrections Adopted Budget is amended as follows:

**Expense**

New Chance Gifts & Contributions	\$ <u>600</u>
<b>Total Expense</b>	<b>\$600</b>

**Revenue**

New Chance Gifts & Contributions	\$ <u>600</u>
<b>Total Revenue</b>	<b>\$600</b>

Ayes: 7

**7. County Board/County Administration**

- 7.1** Resolution No: 22-350  
Appointment To Public Art Citizen Advisory Committee

Motion: Joe Atkins Second: Mary Hamann-Roland

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby appoints the following individual to the Public Art Citizen Advisory Committee for an At-large Youth term ending December 31, 2022:

At-large Youth, Savanna Jensen

Ayes: 7

**8. Enterprise Finance and Information Services**

- 8.1** Report On Invoices Paid In July 2022  
Information only; no action requested.

**9. Physical Development**

- 9.1** Resolution No: 22-351  
Scheduling Of Public Hearing To Receive Comments On Proposed Amendments To Ordinance 50: Shoreland And Floodplain Management

Motion: Joe Atkins Second: Mary Hamann-Roland

WHEREAS, Dakota County Ordinance 50 regulates the use and orderly development of designated shoreland and floodplain zones within the unincorporated areas of Dakota County; and

WHEREAS, the purpose of the ordinance is to promote public health, safety, and welfare; protect, preserve, and enhance natural resources; and reduce the private and public economic loss caused by flooding; and

WHEREAS, the proposed amendments were prompted by public drainage ditch maintenance activities proposed by private landowners; and

WHEREAS, Dakota County is the Drainage Authority for two public ditch systems under Minnesota Statutes 103E; and

WHEREAS, portions of the public ditches are also regulated public waters by the Minnesota Department of Natural Resources (MNDNR); and

WHEREAS, in order for public ditch maintenance and repair to be exempt from MNDNR public waters permits, the work must be sponsored by the Drainage Authority and consistent with the original ditch establishment plans and records; and

WHEREAS, the proposed ordinance amendments establish a permit program for work within public drainage systems, creating efficiencies for landowner projects that would otherwise require a MNDNR public waters permit; and

WHEREAS, staff is also using this opportunity to propose additional updates to improve the formatting and clarity of some existing ordinance requirements; and

WHEREAS, a public hearing is requested for August 23, 2022, at 9:00 a.m., to receive comments on the proposed amendments to Ordinance 50: Shoreland and Floodplain Management.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby schedules a public hearing for September 6, 2022, at 9:00 a.m., in the Boardroom, Administration Center, 1590 Highway 55, Hastings, MN.

Ayes: 7

- 9.2** Resolution No: 22-352  
Scheduling Of Special County Board Meeting To Provide Information On Flint Hills Resources, LLC, Pipeline Project In City Of Rosemount, Minnesota, And Appointment Of County Inspector

Motion: Joe Atkins

Second: Mary Hamann-Roland

WHEREAS, Flint Hills Resources, LLC, (Flint Hills) proposes to install 1.6 miles of pipeline to carry Anhydrous Ammonia in the city of Rosemount; and

WHEREAS, the pipeline originates at Flint Hills Resources Pine Bend Refinery in Rosemount and terminates at the CF Industries facility at 13040 Pine Bend Trail; and

WHEREAS, Minn. Stat. § 216G.05 requires the county board in which a pipeline route is proposed to be located to hold a public meeting within 60 days of receiving notification of the project; and

WHEREAS, the purpose of a public meeting is to provide information to the public concerning the pipeline proposed for construction, including the proposed

route, the size of the pipeline, types of commodities to be carried, construction plan, and operating characteristics; and

WHEREAS, the Dakota County Board of Commissioners is required to appoint an inspector to conduct inspections regarding the installation of said pipeline pursuant to Minn. Stat. § 216G.07; and

WHEREAS, Minn Stat. § 216G.05 requires the facility owner to pay county inspector fees to the County Treasurer in the amount of \$500 for each mile or fraction of a mile that will be constructed within the county; and

WHEREAS, based on the project plan, the sum to be paid to Dakota County under this formula will be \$1,000.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners authorizes the scheduling, providing notice, and holding a public meeting on September 19, 2022, at the City of Rosemount Council Chambers at 5:00 p.m. to inform the public of the proposed pipeline project; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby appoints the County Engineer or their designee as the County Inspector pursuant with Minn. Stat § 216G.07; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners requests payment from Flints Hills Resources, LLC of \$1,000 for statutory inspection fees; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners directs staff to publish notice of the special County Board meeting in a legal newspaper within the County and a newspaper of general circulation in the area of the meeting at least ten days but no more than 45 days before the meeting and also provide written notice to the clerk of each town and incorporated municipality in the County as required by Minn. Stat. § 216G.07.

Ayes: 7

- 9.3** Resolution No: 22-353  
Authorization To Execute Agreement Amendment No. 1032906A02 With MnDOT And City Of Eagan For CP 26-56 Advanced Traffic Management System And Amend 2022 Transportation CIP Budget

Motion: Joe Atkins

Second: Mary Hamann-Roland

WHEREAS, to provide a safe and efficient transportation system, Dakota County (County) is partnering with the Minnesota Department of Transportation (MnDOT) and City of Eagan (City) on County Project (CP) 26-56; and

WHEREAS, CP 26-56 is an Advanced Traffic Management System (ATMS) and aging signal replacement project along County State Aid Highway (CSAH) 26 (Lone Oak Road), CSAH 28 (Yankee Doodle Road), CSAH 31 (Pilot Knob

Road), and CSAH 43 (Lexington Avenue) in the City of Eagan; and

WHEREAS, CP 26-56 includes the replacement of five MnDOT traffic signal systems at the I-35E ramps at CSAH 26, CSAH 28, and CSAH 31; and

WHEREAS, by Resolution No. 19-525 (May 21, 2019), the County Board authorized execution of cooperative construction agreement No. 1032906 with MnDOT and the City to define costs and responsibilities for the work associated with replacement of the five MnDOT traffic signal systems; and

WHEREAS, by Resolution No. 21-478 (October 5, 2021), the County Board authorized award and execution of a contract with Collins Electrical Construction Co. for construction of CP 26-56; and

WHEREAS, by Resolution No. 21-566 (December 5, 2021), the County Board authorized execution of agreement amendment No. 1032906A01 providing for an increase in the MnDOT cost-share resulting from the lowest responsible bid received; and

WHEREAS, original agreement No. 1032906 applied a Federal-Aid cost share to the State Furnished Materials (SFM) for CP 26-56; and

WHEREAS, the Federal-Aid cost-share for CP 26-56 cannot be applied to the State Furnished Materials; and

WHEREAS, an amendment to the cooperative construction agreement is needed to replace the Federal-Aid funds that were originally planned for use on the SFM and to provide an additional \$52,515.14 in MnDOT cost share; and

WHEREAS, staff recommends authorizing agreement amendment No. 1032906A02 with MnDOT and City for CP 26-56, providing for an additional \$52,515.14 in the MnDOT share of the cost of State Furnished Materials.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute agreement amendment No. 1032906A02 with Minnesota Department of Transportation and City of Eagan for County Project 26-56, subject to approval by the County Attorney’s Office as to form; and

BE IT FURTHER RESOLVED, That the 2022 Transportation Capital Improvement Program is hereby amended as follows:

<b>Expense</b>	
CP 26-56	<u>\$117,747</u>
<b>Total Expense</b>	<b>\$117,747</b>

<b>Revenue</b>	
MnDOT (47409)	\$ 52,515

CSAH (47384)	\$ <u>65,232</u>
<b>Total Revenue</b>	<b>\$117,747</b>

Ayes: 7

**9.4** Resolution No: 22-354  
 Authorization To Execute Contract With SRF, Design Services For County Project 56-14, Concord Boulevard Pedestrian And Bicycle Safety Improvements And Amend 2022 Transportation Capital Improvement Program Budget

Motion: Joe Atkins Second: Mary Hamann-Roland

WHEREAS, Dakota County is proceeding with County Project 56-14, the County State Aid Highway 56 (Concord Boulevard) Pedestrian and Bicycle Safety Improvements in South St. Paul and Inver Grove Heights; and

WHEREAS, County staff sent a Request for Proposal to three qualified professional consultants; and

WHEREAS, the proposals received were evaluated by County staff; and

WHEREAS, the proposal from SRF has the best value costs for the Project and provides all the services needed; and

WHEREAS, the 2022 Adopted Transportation Capital Improvement Program includes \$100,000 for County Project 56-14 engineering consulting services; and

WHEREAS, the 2022 Transportation Safety and Management Setaside includes sufficient funds to cover additional costs for County Project 56-14; and

WHEREAS, the County's cost share is 100 percent of the consultant contract according the County's adopted cost share policy for Transportation safety projects.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a contract with SRF to perform final engineering design consulting services for County Project 56-14 in an amount not to exceed \$139,281.00, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby amends the 2022 Transportation Budget as follows:

<b>Expense</b>	
CP 56-14	\$60,000
Safety and Management	(\$60,000)
City Portion CP 56-14	<u>(\$15,000)</u>
<b>Total Expense</b>	<b>(\$15,000)</b>

**Revenue**

County Funding (CP 56-14)	\$60,000
Safety & Mgmt - County Funding	(\$60,000)
City Revenue	<u>(\$15,000)</u>
<b>Total Revenue</b>	<b>(\$15,000)</b>

Ayes: 7

**9.5** Resolution No: 22-355  
Approval Of Final Plats Recommended By Plat Commission

Motion: Joe Atkins Second: Mary Hamann-Roland

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

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

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

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

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

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

THOMPSON SQUARE West St. Paul

Ayes: 7

**10. Public Safety**

**10.1** Resolution No: 22-356  
Authorization To Renew Joint Powers Agreement With Independent School District 196 For School Resource Officer Services

Motion: Joe Atkins Second: Mary Hamann-Roland

WHEREAS, Independent School District 196 has requested the School Resource Officer Services continue to be provided by the Dakota County Sheriff's Office for the school years of 2022-2024, and the Sheriff desires to provide that service; and

WHEREAS, Independent School District 196 has historically paid 75 percent of the annual cost of salary and benefits, with the remaining 25 percent paid by the County; and

WHEREAS, during the summer months, the position is assigned to areas of

need within the Sheriff's Office; and

WHEREAS, the joint powers agreement provides that the school district will reimburse the County up to \$82,242 for vehicle costs and liaison officer salary and benefit costs for the 2022-2023 school year and up to \$86,354 for the 2023-2024 school year.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Dakota County Sheriff to execute the joint powers agreement with Independent School District 196 for providing school resource officer services and a Sheriff's vehicle for the period of September 1, 2020 through August 31, 2024, subject to approval by the County Attorney's Office as to form.

Ayes: 7

**10.2** Resolution No: 22-357  
Authorization To Renew Joint Powers Agreement With Intermediate School District 917 For School Resource Officer Services

Motion: Joe Atkins

Second: Mary Hamann-Roland

WHEREAS, Intermediate School District 917 has requested the School Resource Officer Services continue to be provided by the Dakota County Sheriff's Office for the 2022-2023 and 2023-2024 school years at the Alliance and Lebanon Education Centers, and the Sheriff desires to provide that service; and

WHEREAS, Intermediate School District 917 has historically paid 75 percent of the annual cost of salary and benefits, with the remaining 25 percent paid by the County; and

WHEREAS, during the summer months, these positions are assigned to areas of need within the Sheriff's Office; and

WHEREAS, the joint powers agreement provides that Intermediate School District 917 will reimburse the County up to \$164,484 for salary, benefit and vehicle costs for the 2022-2023 school year and up to \$172,708 for the 2023-2024 school year.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Dakota County Sheriff to execute the joint powers agreement with Intermediate School District 917 to provide two Special Duty Deputies for school resource officer services at Alliance and Lebanon Education Centers for the period of the school years September 1, 2022 through August 31, 2024, subject to approval by the County Attorney's Office as to form.

Ayes: 7

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**REGULAR AGENDA****11. Closed Executive Session****11.1 Resolution No: 22-358**

Approval Of Legal Strategy And Authority For Acquisition Of Right Of Way On County Project 6-06 In City Of West St. Paul

Motion: Joe Atkins

Second: Mary Liz Holberg

This item did not go into closed session.

WHEREAS, to provide a safe and efficient transportation system, Dakota County and the City of West St. Paul (City) are proceeding with County Project (CP) 6-06 (the Project); and

WHEREAS, CP 6-06 is a joint project between Dakota County and the City of West St. Paul which consists of installing a roundabout at the intersection of County Road (CR) 6 (Thompson Ave) and County State Aid Highway (CSAH) 73 (Oakdale Ave). Also included with CP 6-06 are mill and overlays of CR 6 (Thompson Ave) from TH 3 to TH 52 and CSAH 73 from CR 4 (Butler Ave) to CSAH 8 (Wentworth Ave). Construction is scheduled for 2023.

WHEREAS, the purpose and need for CP 6-06 is to improve the safety, efficiency, and capacity of the roadways and supporting infrastructure within the Project area; and

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

WHEREAS, to construct the recommended improvements, Dakota County must acquire the property rights from Joseph Coury (Parcel 1) and may need to initiate a "quick take" eminent domain proceeding pursuant to Minn. Stat. §117.042 to allow a Spring 2023 start date; and

WHEREAS, the Dakota County Board of Commissioners seeks legal advice from the County Attorney with respect to the strategy of accomplishing the acquisition of the property rights for CP 6-06 the public disclosure of which would benefit the landowners to the detriment of Dakota County's position in this matter; and

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

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby closes the County Board meeting on August 23, 2022 and recesses to Conference Room 3A, Administration Center, Hastings, Minnesota, to discuss with the County Attorney the legal strategy the legal strategy of accomplishing Dakota County's acquisition of the property rights from Joseph Coury (Parcel 1) for County Project 6-06.

Ayes: 7

**11.2** Resolution No: 22-359

Closed Executive Session: Discussion Of Legal Strategy In Tory Hart v. Dakota County et al.

Motion: Liz Workman

Second: Joe Atkins

A closed executive session was held after a short recess to hold the Regional Railroad Authority meeting. The time being 10:09 a.m. and pursuant to public notice, the County Board recessed to Conference Room 3A, Administration Center, Hastings, to discuss the legal strategy in Tory Hart v. Dakota County et al.

The following were present:

Commissioner Mike Slavik, District 1

Commissioner Kathleen A. Gaylord, District 2

Commissioner Laurie Halverson, District 3

Commissioner Joe Atkins, District 4

Commissioner Liz Workman, District 5

Commissioner Mary Liz Holberg, District 6

Commissioner Mary Hamann-Roland, District 7

Matt Smith, County Manager

Tom Donely, First Assistant County Attorney

Will Topka, Attorney

Jennifer Wolf, Attorney - Civil Division Head

Kathy Keena, County Attorney

BJ Battig, Risk Homeland Security Manager

Sarah Fenske, Risk Management Coordinator

Marti Fischbach, Community Services Director

Evan Henspeter, Social Services Director

Jeni Reynolds, Sr. Administrative Coordinator to the Board

The Closed Executive Session continued until 10:35 a.m.

WHEREAS, Tory Hart, trustee for the heirs and next-of-kin of Eli Hart, commenced a lawsuit against Dakota County; and

WHEREAS, the County Board seeks legal advice from the County Attorney with respect to litigation strategy, the public disclosure of which would be detrimental to the County's defense of this matter; and

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

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby closes the County Board meeting on August 23, 2022 and recesses to Conference Room 3A, Administration Center, Hastings, Minnesota, to discuss with the County Attorney the legal strategy.

Ayes: 7

**11.3** Resolution No: 22-360  
Closed Executive Session: Discuss Labor Negotiations Strategy

Motion: Laurie Halverson

Second: Mary Hamann-Roland

A closed executive session was held after a short recess to hold the Regional Railroad Authority meeting. The time being 10:37 a.m. and pursuant to public notice, the County Board recessed to Conference Room 3A, Administration Center, Hastings, to discuss Labor Negotiations Strategy.

The following were present:

Commissioner Mike Slavik, District 1

Commissioner Kathleen A. Gaylord, District 2

Commissioner Laurie Halverson, District 3

Commissioner Joe Atkins, District 4

Commissioner Liz Workman, District 5

Commissioner Mary Liz Holberg, District 6

Commissioner Mary Hamann-Roland, District 7

Matt Smith, County Manager

Tom Donely, First Assistant County Attorney

Kathy Keena, County Attorney

Andrew Benish, Employee Relations Director

Nathan Hanson, Intergovernmental Analyst

Jeni Reynolds, Sr. Administrative Coordinator to the Board

The Closed Executive Session continued until 11:40 a.m.

WHEREAS, upon adoption of a resolution by majority vote, the Dakota County Board is authorized, pursuant to Minn. Stat. § 13D.03, to hold a closed executive session to discuss labor negotiations strategy; and

WHEREAS, the Dakota County Board of Commissioners desires to meet to discuss labor negotiations strategy.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby closes the County Board meeting on August 23, 2022, and recesses to Conference Room 3A, Administration Center, Hastings, Minnesota, in order to discuss labor negotiations strategy.

Ayes: 7

**12. Interagency Announcements/Reports**

Interagency announcements and reports were then presented.

**13. County Manager's Report**

County Manager Matt Smith commented on the following:

- Dakota Broadband Board (DBB) Update

- Chair and County Manager will be giving an update on the Residential Survey Results at the

Dakota County Regional Chamber on August 30, 2022.

**14. Information**

**14.1 Information**

See Attachment for future Board meetings and other activities.

This item was on the agenda for informational purposes only.

**15. Adjournment**

**15.1 Resolution No: 22-361**

Adjournment

Motion: Joe Atkins

Second: Mary Hamann-Roland

On a motion by Commissioner Atkins, seconded by Commissioner Hamann-Roland, the meeting was adjourned at 11:41 a.m.

Ayes: 7

Kathleen A. Gaylord  
Chair

ATTEST

Matt Smith  
County Manager