



Dakota County

Board of Commissioners

Agenda

Tuesday, August 23, 2022

9:00 AM

Boardroom, Administration Center,
Hastings, MN

View Live Broadcast

<https://www.co.dakota.mn.us/Government/BoardMeetings/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 on the day of the meeting.
Instructions on how to participate will be sent to anyone interested.

1. **Call To Order And Roll Call**
2. **Pledge Of Allegiance**
3. **Audience**

Anyone wishing to address the County Board on an item not on the agenda, or an item on the consent agenda may notify the Clerk to the Board and instructions will be given to participate during the meeting. Comments can be sent to CountyAdmin@co.dakota.mn.us
Verbal Comments are limited to five minutes.

4. **Agenda**
 - 4.1 Approval of Agenda (Additions/Corrections/Deletions)

CONSENT AGENDA

5. **County Administration - Approval of Minutes**
 - 5.1 Approval of Minutes of Meeting Held on August 9, 2022
6. **Items Recommended By Board Committee***
 - 6.1 *Environmental Resources* - Authorization To Execute Joint Powers Agreement With City Of Burnsville For Household Hazardous Waste Drop-Off Day Event
 - 6.2 *Environmental Resources* - 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

- 6.3** *Environmental Resources* - Authorization To Execute Joint Powers Agreements With Cities And Dakota County Drug Task Force For Pharmaceutical Drug Collection Programs
- 6.4** *Environmental Resources* - Authorization To Execute Contract Amendment With American Cylinder, LLC For Compressed Gas Cylinder Disposal
- 6.5** *Environmental Resources* - 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
- 6.6** *Environmental Resources* - Authorization To Revise Access Easement On McCoy Property Adjacent To Miesville Ravine Park Reserve In Douglas Township
- 6.7** *Physical Development Administration* - Scheduling Of Public Hearing For Program Year 2021 Consolidated Annual Performance And Evaluation Report
- 6.8** *Transportation* - 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
- 6.9** *Transportation* - 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
- 6.10** *Parks, Facilities, and Fleet Management* - Scheduling Of Public Hearing To Receive Comments On Proposed Amendments To Ordinance 128: Water Surface Use Ordinance Regulating Lake Byllesby Reservoir
- 6.11** *Information Technology* - Authorization To Execute Contract With EarthSoft For Purchase And Implementation Of Environmental Quality Information System Software Application
- 6.12** *Library* - Authorization To Pilot Self-Service Hours And Amend 2022 Library Budget
- 6.13** *Library* - Authorization For Renewal Of Mobile Hotspot Agreement And Amend 2022 Library Budget
- 6.14** *Social Services* - 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

- 6.15 *Employment and Economic Assistance* - Authorization To Execute Subrecipient Agreement With Minnesota State Dakota County Technical College For Workforce Mobility Program
- 6.16 *Community Corrections* - Authorization To Execute Contract With General Security Services Corporation For Juvenile Transportation Services
- 6.17 *Community Corrections* - Acceptance Of Gift To Community Corrections From Anderson Family And Authorization To Amend 2022 Community Corrections Adopted Budget

7. **County Board/County Administration**

- 7.1 *County Board* - Appointment To Public Art Citizen Advisory Committee

8. **Enterprise Finance and Information Services**

- 8.1 *Finance* - Report On Invoices Paid In July 2022

9. **Physical Development**

- 9.1 *Environmental Resources* - Scheduling Of Public Hearing To Receive Comments On Proposed Amendments To Ordinance 50: Shoreland And Floodplain Management
- 9.2 *Transportation* - 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
- 9.3 *Transportation* - 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
- 9.4 *Transportation* - 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
- 9.5 *Transportation* - Approval Of Final Plats Recommended By Plat Commission

10. **Public Safety**

- 10.1 *Sheriff* - Authorization To Renew Joint Powers Agreement With Independent School District 196 For School Resource Officer Services
- 10.2 *Sheriff* - Authorization To Renew Joint Powers Agreement With Intermediate School District 917 For School Resource Officer Services

REGULAR AGENDA

11. Closed Executive Session

- 11.1 *Office Of The County Manager* - Closed Executive Session: Legal Strategy For Acquisition Of Property In City Of West St. Paul For County Project 6-06
- 11.2 *Office Of The County Manager* - Closed Executive Session: Discussion Of Legal Strategy In Tory Hart v. Dakota County et al.
- 11.3 *Employee Relations* - Closed Executive Session: Discuss Labor Negotiations Strategy

12. Interagency Announcements/Reports

Association of Minnesota Counties (AMC)
Dakota Broadband Board
Metropolitan Emergency Services Board
Minnesota Inter-County Association (MICA)
Metropolitan Mosquito Control District Commission
National Association of Counties (NACo)
Vermillion River Watershed Joint Powers Board
Workforce Development Board
Others

13. County Manager's Report

14. Information

- 14.1 Information
See Attachment for future Board meetings and other activities.

15. Adjournment

- 15.1 Adjournment

* Designates items discussed in Board Committee(s)

For more information, call 651-438-4417
Dakota County Board meeting 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



Board of Commissioners

Request for Board Action

Item Number: DC-1316

Agenda #: 4.1

Meeting Date: 8/23/2022

Approval of Agenda (Additions/Corrections/Deletions)



Board of Commissioners

Request for Board Action

Item Number: DC-1317

Agenda #: 5.1

Meeting Date: 8/23/2022

Approval of Minutes of Meeting Held on August 9, 2022



Dakota County

Board of Commissioners

Minutes

Tuesday, August 9, 2022

10:00 AM

Dakota County Fairgrounds
Entertainment Tent
4008 220th Street West, Farmington,
MN

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 10:00 a.m. by Chair Kathleen A. Gaylord who welcomed everyone and opened the meeting with the Pledge of Allegiance.

3. Agenda

3.1 Resolution No: 22-323
Approval of Agenda (Additions/Corrections/Deletions)

Motion: Mary Hamann-Roland

Second: Mike Slavik

Ayes: 7

4. Audience

Chair Gaylord noted that all public comments can be sent to CountyAdmin@co.dakota.mn.us

One person came forward to address the Board:

Jared Sachs, Farmington (County Roads)

CONSENT AGENDA

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

5. County Administration - Approval of Minutes

5.1 Resolution No: 22-324
Approval of Minutes of Meeting Held on July 19, 2022

Motion: Mary Hamann-Roland Second: Joe Atkins

Ayes: 7

6. Physical Development

6.1 Resolution No: 22-325
Approval Of Final Plats Recommended By Plat Commission

Motion: Mary Hamann-Roland Second: Joe Atkins

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:

BROOKSHIRE	Lakeville
AUTHENTIX LAKEVILLE	Lakeville
ECHELON AT AMBER FIELDS	Rosemount
AMBER FIELDS THIRD ADDITION	Rosemount

Ayes: 7

6.2 Resolution No: 22-326
Authorization To Submit Clean Water Fund Competitive Grant Application For Well Seal Grants And Authorization To Execute Grant Agreements

Motion: Mary Hamann-Roland Second: Joe Atkins

WHEREAS, the State Clean Water Fund (CWF) through the Minnesota Board of Water Resources (BWSR) was established for the purpose of protecting, enhancing and restoring water quality in lakes, river, and streams in addition to protecting groundwater and drinking water sources from degradation; and

WHEREAS, Dakota County is eligible to receive a CWF grant because of the approved and adopted 2020-2030 Dakota County Groundwater Plan; and

WHEREAS, staff proposes to apply for the CWF grant to help support the existing Dakota County Well Seal Grant Program; and

WHEREAS, grant funds will be used to support program management and administration costs and provide 50 percent cost-share funding to reimburse property owners for sealing unused wells; and

WHEREAS, unsealed water supply wells not in use pose a threat to health, safety and the environment by providing a potential conduit for contamination from the surface down to drinking water aquifers; and

WHEREAS, this grant request supports the Dakota County Groundwater Plan strategy 1C2 to “prevent groundwater contamination by getting unused, unsealed wells sealed”; and

WHEREAS, the required 25 percent non-state grant match will be offset by the landowner 50 percent cost-share match; and

WHEREAS, the grant application deadline is August 22, 2022, and the grant expiration date is December 31, 2025.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes staff to submit a CWF grant application to BWSR to support the Well Seal Grant Program for an amount up to \$110,000; and

BE IT FURTHER RESOLVED, That, if the grant is awarded, the Dakota County Board of Commissioners hereby authorizes the Environmental Resources Department Director to execute a CWF grant agreement with BWSR, subject to approval by the County Attorney’s Office as to form, and to amend the 2023 Environmental Resources Department Operations budget.

Ayes: 7

6.3 Resolution No: 22-327
Authorization To Execute Contract With Landbridge Ecological For Whitetail Woods Regional Park Vegetation Management

Motion: Mary Hamann-Roland

Second: Joe Atkins

WHEREAS, by Resolution (May 9, 2017), the County Board adopted the Dakota County Natural Resource Management System Plan (NRMSP); and

WHEREAS, the NRMSP identifies the need to maintain restored areas perpetually to protect the initial investment made to restore the area; and

WHEREAS, on July 8, 2022, the County issued a Request for Quotes (RFQ) for the Whitetail Woods Vegetation Management project; and

WHEREAS, Landbridge Ecological submitted the lowest responsive and responsible quote for base and alternative tasks; and

WHEREAS, the RFQ stipulated that the initial contract term would expire December 31, 2023; and

WHEREAS, the RFQ stipulated that the contract could be extended by one term through December 31, 2024; and

WHEREAS, the RFQ stipulated that the total contract amount would be set up as not to exceed \$175,000; and

WHEREAS, adequate funds are available within the 2022 Adopted Parks Natural Resources Base Fund Budget; and

WHEREAS, staff recommends executing the contract with Landbridge Ecological.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a contract with Landbridge Ecological for the Whitetail Woods Vegetation Management project to manage restored areas of Whitetail Woods Regional Park through December 31, 2023, with the option to extend the contract through December 31, 2024, in a total amount not to exceed \$175,000, subject to approval by the County Attorney's Office as to form.

Ayes: 7

6.4 Resolution No: 22-328
Authorization To Increase Project Budget For Mendota Youth Shelter Renovations And Amend 2022 Buildings Capital Improvement Program and Non-Departmental Budgets

Motion: Mary Hamann-Roland

Second: Joe Atkins

WHEREAS, by Resolution No. 22-105 (March 8, 2022), the County Board approved the purchase of a facility in Mendota Heights, now known as Aspen House, that will operate as temporary emergency housing for youth in crisis; and

WHEREAS, by Resolution No. 22-125 (March 22, 2022), the County Board approved a construction budget of \$1.3 million for the project; and

WHEREAS, because of the critical nature of the expedited construction

schedule, that resolution authorized Capital Projects Management to issue contracts up to this budget amount without returning to the Board; and

WHEREAS, during design, a complete commercial kitchen was found to be a requirement for state licensing of the facility; and

WHEREAS, the direct cost of the kitchen is \$375,000, of which only \$200,000 was included in the original project scope; and

WHEREAS, this creates a \$175,000 project budget deficit; and

WHEREAS, adequate ARP funds are available for the additional work needed at the facility.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the increase of the project budget for the Mendota Youth Shelter Renovation project by \$175,000, bringing the total budget for the project to \$2,325,000; and

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

Expense

Mendota Youth Shelter (B40001)	<u>\$175,000</u>
Total Expense	\$175,000

Revenue

Dakota County ARP Funding	<u>\$175,000</u>
Total Revenue	\$175,000

; and

BE IT FURTHER RESOLVED, That the 2022 Non-Departmental Budget is hereby amended as follows:

Expense

ARP Program Expense	<u>(\$175,000)</u>
Total Expense	(\$175,000)

Revenue

Dakota County ARP Funding	<u>(\$175,000)</u>
Total Revenue	(\$175,000)

Ayes: 7

REGULAR AGENDA

7. Public Services and Revenue

7.1 Resolution No: 22-329
Dakota County Public Art Citizen Advisory Committee Update And Proclamation
Of Public Art Appreciation Month In Dakota County

Motion: Joe Atkins Second: Mary Liz Holberg

Public Services and Revenue Deputy Director Teresa Mitchell briefed this item along with Public Art Citizen Advisory Committee members Cheryl O'Donnell and Bob Erickson.

WHEREAS, Dakota County has demonstrated a commitment to the arts and humanities in our communities; and

WHEREAS, by Resolution No. 06-138 (April 4, 2006), the County Board established the Public Art Citizen Advisory Committee; and

WHEREAS, the purpose of the Public Art Citizen Advisory Committee is to represent the citizens of Dakota County in enhancing Dakota County buildings and recommend art selections, performances, art activities, preservation of and access to art in Dakota County to the County Board; and

WHEREAS, the arts and humanities enhance and enrich the lives of our families, our communities, and our County; and

WHEREAS, the intent is to encourage citizens to explore new facets of the arts and humanities in their lives, and to initiate lifelong habits of regular participation in the arts and humanities in our community; and

WHEREAS, the Dakota County Fair is held in August; and

WHEREAS, the Dakota County Government Building theme is "Art All Around Us" at the Dakota County Fair; and

WHEREAS, the Dakota County Public Art Citizen Advisory Committee recommends the Dakota County Board of Commissioners proclaim August 2022 as Public Art Appreciation Month in Dakota County.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby proclaims August 2022 as Public Art Appreciation Month in Dakota County, and calls upon the citizens of Dakota County to celebrate and promote the arts in Dakota County and to encourage the greater participation by the citizens of Dakota County in taking action for the arts and humanities in our community.

Ayes: 7

8. County Board/County Administration**8.1 Introduction Of Dakota County Natural Resources Extension Educator**

Parks Director Niki Geisler introduced Sam Talbot. Sam gave a brief overview of his background and current position. This item was on the agenda for informational purposes only.

8.2 Recognition Of University Of Minnesota Extension Services 2022 Farm Family Of The Year

University of Minnesota Regional Director Tammy McCulloch and Extension Crops Educator David Nicolai introduced the McGovern Wills family. The McGovern Wills family are the 2022 Farm Family of the Year. Aaron Wills and Molly McGovern Wills run Little Berry Farm. This item was on the agenda for informational purposes only.

8.3 Recognition Of Minnesota Farm Bureau 2022 Century Farm

Jessie Bester on behalf of Minnesota Farm Bureau recognized the following three Dakota County farms:

- Rotty Farms is recognized as a 2022 Century Farm (in operation for 100 years).
- Terry Family Farm is recognized as a 2022 Sesquicentennial Farm (in operation for 150 years).
- Childs Family Farm is recognized as a 2022 Sesquicentennial Farm (in operation for 150 years).

This item was on the agenda for informational purposes only.

8.4 Dakota County 4-H Updates And Highlights

4-H Youth Development Extension Educators Rachel Rezac and Abby Wagner introduced the 4-H youth. The following youth presented projects:

- Katie Radman
- Ellen Radman
- William Sachs
- Gerald Sachs
- Clara Sachs

This item was on the agenda for informational purposes only.

9. Adjournment

On a motion by Commissioner Hamann-Roland, seconded by Commissioner Slavik, the meeting was adjourned at 10:50 a.m.

13.1 Resolution No: 22-330
Adjournment

Motion: Mary Hamann-Roland

Second: Mike Slavik

Ayes: 7

Kathleen A. Gaylord
Chair

ATTEST

Matt Smith
County Manager



Board of Commissioners

Request for Board Action

Item Number: DC-1213

Agenda #: 6.1

Meeting Date: 8/23/2022

DEPARTMENT: Environmental Resources

FILE TYPE: Consent Action

TITLE

Authorization To Execute Joint Powers Agreement With City Of Burnsville For Household Hazardous Waste Drop-Off Day Event

RESOLUTION

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.



Board of Commissioners

Request for Board Action

Item Number: DC-1273

Agenda #: 6.2

Meeting Date: 8/23/2022

DEPARTMENT: Environmental Resources

FILE TYPE: Consent Action

TITLE

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

RESOLUTION

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	<u>\$570,246</u>
Total Expense	<u>\$570,246</u>

Revenue

ML22 OH Grant Funds	\$830,000
County Match to ML22 OH Funds(ELF)	<u>(\$259,754)</u>

Total Revenue **\$570,246**

; and

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

Revenue

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



Board of Commissioners

Request for Board Action

Item Number: DC-1237

Agenda #: 6.3

Meeting Date: 8/23/2022

DEPARTMENT: Environmental Resources

FILE TYPE: Consent Action

TITLE

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

RESOLUTION

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.



Board of Commissioners

Request for Board Action

Item Number: DC-1238

Agenda #: 6.4

Meeting Date: 8/23/2022

DEPARTMENT: Environmental Resources

FILE TYPE: Consent Action

TITLE

Authorization To Execute Contract Amendment With American Cylinder, LLC For Compressed Gas Cylinder Disposal

RESOLUTION

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.



Board of Commissioners

Request for Board Action

Item Number: DC-1255

Agenda #: 6.5

Meeting Date: 8/23/2022

DEPARTMENT: Environmental Resources

FILE TYPE: Consent Action

TITLE

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

RESOLUTION

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 Progem (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>
Total Expense	\$0

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>
Total Revenue - Acquisition	\$0

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

; 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.



Board of Commissioners

Request for Board Action

Item Number: DC-1259

Agenda #: 6.6

Meeting Date: 8/23/2022

DEPARTMENT: Environmental Resources

FILE TYPE: Consent Action

TITLE

Authorization To Revise Access Easement On McCoy Property Adjacent To Miesville Ravine Park Reserve In Douglas Township

RESOLUTION

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 Mr. McCoy and the Sandesses 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.



Board of Commissioners

Request for Board Action

Item Number: DC-1263

Agenda #: 6.7

Meeting Date: 8/23/2022

DEPARTMENT: Physical Development Administration

FILE TYPE: Consent Action

TITLE

Scheduling Of Public Hearing For Program Year 2021 Consolidated Annual Performance And Evaluation Report

RESOLUTION

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, 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>> and the Dakota County website at www.co.dakota.mn.us <<http://www.co.dakota.mn.us>>.



Board of Commissioners

Request for Board Action

Item Number: DC-1264

Agenda #: 6.8

Meeting Date: 8/23/2022

DEPARTMENT: Transportation

FILE TYPE: Consent Action

TITLE

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

RESOLUTION

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 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.



Board of Commissioners

Request for Board Action

Item Number: DC-1268

Agenda #: 6.9

Meeting Date: 8/23/2022

DEPARTMENT: Transportation

FILE TYPE: Consent Action

TITLE

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

RESOLUTION

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.



Board of Commissioners

Request for Board Action

Item Number: DC-1270

Agenda #: 6.10

Meeting Date: 8/23/2022

DEPARTMENT: Parks, Facilities, and Fleet Management

FILE TYPE: Consent Action

TITLE

Scheduling Of Public Hearing To Receive Comments On Proposed Amendments To Ordinance 128: Water Surface Use Ordinance Regulating Lake Byllesby Reservoir

RESOLUTION

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.



Board of Commissioners

Request for Board Action

Item Number: DC-1219

Agenda #: 6.11

Meeting Date: 8/23/2022

DEPARTMENT: Information Technology

FILE TYPE: Consent Action

TITLE

Authorization To Execute Contract With EarthSoft For Purchase And Implementation Of Environmental Quality Information System Software Application

RESOLUTION

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:

Expense

Countywide BIP	\$128,040
Environmental Resources Department Operations Budget	\$ 40,000
Total Expense	\$168,040



Board of Commissioners

Request for Board Action

Item Number: DC-1279

Agenda #: 6.12

Meeting Date: 8/23/2022

DEPARTMENT: Library

FILE TYPE: Consent Action

TITLE

Authorization To Pilot Self-Service Hours And Amend 2022 Library Budget

RESOLUTION

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**



Board of Commissioners

Request for Board Action

Item Number: DC-1280

Agenda #: 6.13

Meeting Date: 8/23/2022

DEPARTMENT: Library

FILE TYPE: Regular Action

TITLE

Authorization For Renewal Of Mobile Hotspot Agreement And Amend 2022 Library Budget

RESOLUTION

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



Board of Commissioners

Request for Board Action

Item Number: DC-1122

Agenda #: 6.14

Meeting Date: 8/23/2022

DEPARTMENT: Social Services

FILE TYPE: Consent Action

TITLE

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

RESOLUTION

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.



Board of Commissioners

Request for Board Action

Item Number: DC-1291

Agenda #: 6.15

Meeting Date: 8/23/2022

DEPARTMENT: Employment and Economic Assistance

FILE TYPE: Consent Action

TITLE

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

RESOLUTION

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.



Board of Commissioners

Request for Board Action

Item Number: DC-1292

Agenda #: 6.16

Meeting Date: 8/23/2022

DEPARTMENT: Community Corrections

FILE TYPE: Consent Action

TITLE

Authorization To Execute Contract With General Security Services Corporation For Juvenile Transportation Services

RESOLUTION

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.



Board of Commissioners

Request for Board Action

Item Number: DC-1301

Agenda #: 6.17

Meeting Date: 8/23/2022

DEPARTMENT: Community Corrections

FILE TYPE: Consent Action

TITLE

Acceptance Of Gift To Community Corrections From Anderson Family And Authorization To Amend 2022 Community Corrections Adopted Budget

RESOLUTION

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>
Total Expense	\$600

Revenue

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



Board of Commissioners

Request for Board Action

Item Number: DC-1340

Agenda #: 7.1

Meeting Date: 8/23/2022

DEPARTMENT: County Administration

FILE TYPE: Consent Action

TITLE

Appointment To Public Art Citizen Advisory Committee

PURPOSE/ACTION REQUESTED

Appoint individual to At Large Youth term.

SUMMARY

The Public Art Citizen Advisory Committee was established to recommend to the County Board art to be placed in County public buildings, within criteria and a process approved by the County Board.

Membership: 11 members; 1 representative/district, 2 At-large representatives, plus 2 At-large Youth

Meetings: Monthly

Location: Western Service Center, Apple Valley

Term: 2 years; At-large Youth 1 year

Term Limit: 3 consecutive terms

The 2022 membership appointed by the County Board is as follows:

District	First	Last Name	Expiration	Term
1	VACANT		12/31/23	0
2	VACANT		12/31/23	0
3	Helen	Leslie	12/31/22	1
4	Cheryl	O'Donnell	12/31/22	3
5	Colin	Turner	12/31/22	1
6	Robert	Erickson	12/31/23	1
7	JuliAnne	Jonker	12/31/22	1
At-large	Allen	Tsai	12/31/23	1
At-large	Michael	Todaro	12/31/23	1
At-large Youth	Hjulberg	Kelly	12/31/22	1
At-large Youth	VACANT		12/31/22	0

RECOMMENDATION

Staff recommends individual(s) be appointed to any vacant terms. Application(s) were distributed to the Board for review. Appointments to vacant terms can be filled at any time throughout the year.

EXPLANATION OF FISCAL/FTE IMPACTS

- None
- Current budget
- Other
- Amendment Requested
- New FTE(s) requested

RESOLUTION

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

PREVIOUS BOARD ACTION

None.

ATTACHMENTS

Attachment: Application(s) (distributed to Board only)

BOARD GOALS

- A Great Place to Live
- A Healthy Environment
- A Successful Place for Business and Jobs
- Excellence in Public Service

PUBLIC ENGAGEMENT LEVEL

- Inform and Listen
- Discuss
- Involve
- N/A

CONTACT

Department Head: Matt Smith
Author: Jeni Reynolds



Board of Commissioners

Request for Board Action

Item Number: DC-1330

Agenda #: 8.1

Meeting Date: 8/23/2022

DEPARTMENT: Finance

FILE TYPE: Consent Information

TITLE

Report On Invoices Paid In July 2022

PURPOSE/ACTION REQUESTED

Receive a report on invoices paid during July 2022.

SUMMARY

Minn. Stat. § 375.18 requires that all claims paid must be presented to the County Board for informational purposes.

A copy of the July 2022 Paid Invoice Report, excluding payroll and Community Services client and provider payments, is on file with the Clerk to the Board.

Payments for the month ending July 31, 2022, total \$147,706,448.

The following is a summary of the major payments for the month.

Major Categories	Amount	Explanation
Benefit deductions from employee payroll	\$1,938,188	Retirement accounts, PERA, health & dental
Payments to other governments	\$122,073,561	Pass through payments - taxes, fees
Materials & supplies	\$93,038	Highway, Parks, Buildings material/supplies
Overall support of departments	\$2,970,387	Insurance, maintenance agreements, office equip
Services to citizens & clients	\$2,466,074	Major client services contract
All other expenses	\$5,547,122	BIP, CEP, and misc.
Capital projects	\$12,618,078	Highway & building construction
	\$147,706,448	

RECOMMENDATION

Information only; no action requested.

EXPLANATION OF FISCAL/FTE IMPACTS

- None
- Current budget
- Other
- Amendment Requested
- New FTE(s) requested

RESOLUTION

Information only; no action requested.

PREVIOUS BOARD ACTION

None.

ATTACHMENTS

Attachment: None.

BOARD GOALS

- A Great Place to Live
- A Successful Place for Business and Jobs
- A Healthy Environment
- Excellence in Public Service

PUBLIC ENGAGEMENT LEVEL

- Inform and Listen
- Discuss
- Involve
- N/A

CONTACT

Department Head: Peter Skwira

Author: Jan Larson



Board of Commissioners

Request for Board Action

Item Number: DC-1223

Agenda #: 9.1

Meeting Date: 8/23/2022

DEPARTMENT: Environmental Resources

FILE TYPE: Consent Action

TITLE

Scheduling Of Public Hearing To Receive Comments On Proposed Amendments To Ordinance 50: Shoreland And Floodplain Management

PURPOSE/ACTION REQUESTED

Schedule a public hearing for 9:00 a.m. on September 6, 2022, to receive comments on the proposed amendments to Dakota County Ordinance 50: Shoreland and Floodplain Management.

SUMMARY

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

The proposed amendments were prompted by public drainage ditch maintenance activities proposed by private landowners. Dakota County is the Drainage Authority for two public ditch systems under Minnesota Statutes 103E. Portions of the public ditches are also regulated public waters by the Minnesota Department of Natural Resources (MNDNR). 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. The proposed ordinance amendments establish a permit program for work on the public drainage systems, creating efficiencies for landowner projects that would otherwise require a MNDNR public waters permit.

A summary of the proposed amendments is attached (see Attachment: Summary of Proposed Ordinance Changes). The full text of the proposed amendments is available here:

<https://www.co.dakota.mn.us/Environment/WaterResources/ShorelandFloodplain/Documents/Ordinance50Draft.pdf>

RECOMMENDATION

Staff recommends that the Dakota County Board of Commissioners schedule 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 Ordinance 50: Shoreland and Floodplain Management.

EXPLANATION OF FISCAL/FTE IMPACTS

None.

- None Current budget Other
 Amendment Requested New FTE(s) requested

RESOLUTION

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.

PREVIOUS BOARD ACTION

None.

ATTACHMENTS

Attachment: Summary of Proposed Ordinance Changes

BOARD GOALS

- A Great Place to Live A Healthy Environment
 A Successful Place for Business and Jobs Excellence in Public Service

PUBLIC ENGAGEMENT LEVEL

Inform and Listen

Discuss

Involve

N/A

CONTACT

Department Head: Georg Fischer

Author: Michael Behan



SUMMARY OF PROPOSED AMENDMENTS TO ORDINANCE 50

SECTION 1.00: APPLICABILITY

- Added statement clarifying buffer implementation jurisdiction

SECTION 2.00: PURPOSE, AUTHORITY, POLICY, COMPLIANCE

- Added purpose statements bullet point D 1-2 regarding Public Drainage Systems

SECTION 2.02: AUTHORITY

- Added bullet point D referencing Minn. Stat § 103E

SECTION 2.03: POLICY

- Added bullet point D establishing the policy for Public Drainage Systems permit and inspection program

SECTION 2.04: COMPLIANCE

- Added language to clarify bullet point C
- Added bullet point D 1-6 establishing compliance criteria for Public Drainage Systems permit and inspection program

SECTION 3.03: JURISDICTION

- Added new section 3.03 establishing Public Drainage Systems jurisdiction

SECTION 4: DEFINITIONS

- Added definition of As Constructed and Subsequently Improved Condition (ACSIC).
- Added definition of Public Drainage System Right-Of-Way

SECTION 6.01 PERMITS REQUIRED

- Added additional activity that would require a floodplain permit
- Added bullet point C 1-4 permits required for Public Drainage Systems

SECTION 15.04 LAND USE DISTRICT DESCRIPTIONS

- Inserted new Drainage Systems Map

SECTION 19.02: FLOODWAY DISTRICT

- Added sentence to bullet point B 3a permits required from the Drainage Authority



Board of Commissioners

Request for Board Action

Item Number: DC-1267

Agenda #: 9.2

Meeting Date: 8/23/2022

DEPARTMENT: Transportation

FILE TYPE: Consent Action

TITLE

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

PURPOSE/ACTION REQUESTED

- Schedule a special County Board meeting to be held at the City of Rosemount Council Chambers at 5:00 p.m. on September 19, 2022, to provide information and receive comments on the Flint Hills Resources, LLC, pipeline project.
- Appoint the County Engineer or their designee as the County Inspector for the project.

SUMMARY

To provide a safe and efficient transportation system, Dakota County is facilitating a public meeting and providing inspection services for a new pipeline project, consistent with state statutes. Flint Hills Resources, LLC, (Flint Hills) proposes to install 1.6 miles of pipeline to carry Anhydrous Ammonia within the city of Rosemount. The pipeline originates at Flint Hills at the Pine Bend Refinery in Rosemount and terminates at the CF Industries facility at 13040 Pine Bend Trail (Attachment: Map).

Minn. Stat. § 216G.05 requires the county board of the county in which a pipeline route is proposed to be located to hold a public meeting within 60 days of receiving notification of the project. The purpose of a public meeting is to provide information to the public concerning the proposed pipeline, including the route, pipeline size, types of commodities to be carried, construction plan, and operating characteristics (Attachment: Flint Hills Pipeline Information Book).

Notice of the County's public meeting on the project must be provided at least ten days but no earlier than 45 days before the meeting. The notice must be published in a legal newspaper within the county and in a newspaper of general circulation in the area where the public meeting will be held. Further, the County is required to provide written notice to the clerk of each town and incorporated municipality in the county. State agencies authorized to issue permits required for construction or operation of the pipeline shall participate in the public meeting. These agencies shall explain the procedures for issuing the permits and how the public may participate in those procedures.

The Dakota County Board of Commissioners is required by Minn. Stat § 216G.07 subd. 6, to designate an inspector to conduct on-site inspections as needed during project construction. This statute also requires the facility pay inspector fees to the County of \$500 for each mile or fraction of a mile that will be constructed within Dakota County. Based on the proposed route, the County will be paid \$1,000 for statutory inspection fees.

The inspector will determine whether the pipeline is constructed in compliance with the provisions of Minn. Stat. § 216G.07, ordinances, and resolutions. The inspector shall maintain a written log including all comments and complaints concerning the pipeline construction. The log will also note any complaints concerning failure to settle claims filed by the landowners.

RECOMMENDATION

Staff recommends that the County Board direct staff to hold a public meeting at the Rosemount City Council Chambers at 5:00 p.m. on September 19, 2022, to provide interested persons and the public with information on the proposed pipeline. Staff further recommends the County Board appoint a county inspector for this project.

EXPLANATION OF FISCAL/FTE IMPACTS

Fees required to be paid by Flint Hills will compensate the County for inspection time involved with the project.

- None Current budget Other
 Amendment Requested New FTE(s) requested

RESOLUTION

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.

PREVIOUS BOARD ACTION

None.

ATTACHMENTS

Attachment: Map

Attachment: Flint Hills Pipeline Information Book

BOARD GOALS

A Great Place to Live

A Healthy Environment

A Successful Place for Business and Jobs

Excellence in Public Service

PUBLIC ENGAGEMENT LEVEL

Inform and Listen

Discuss

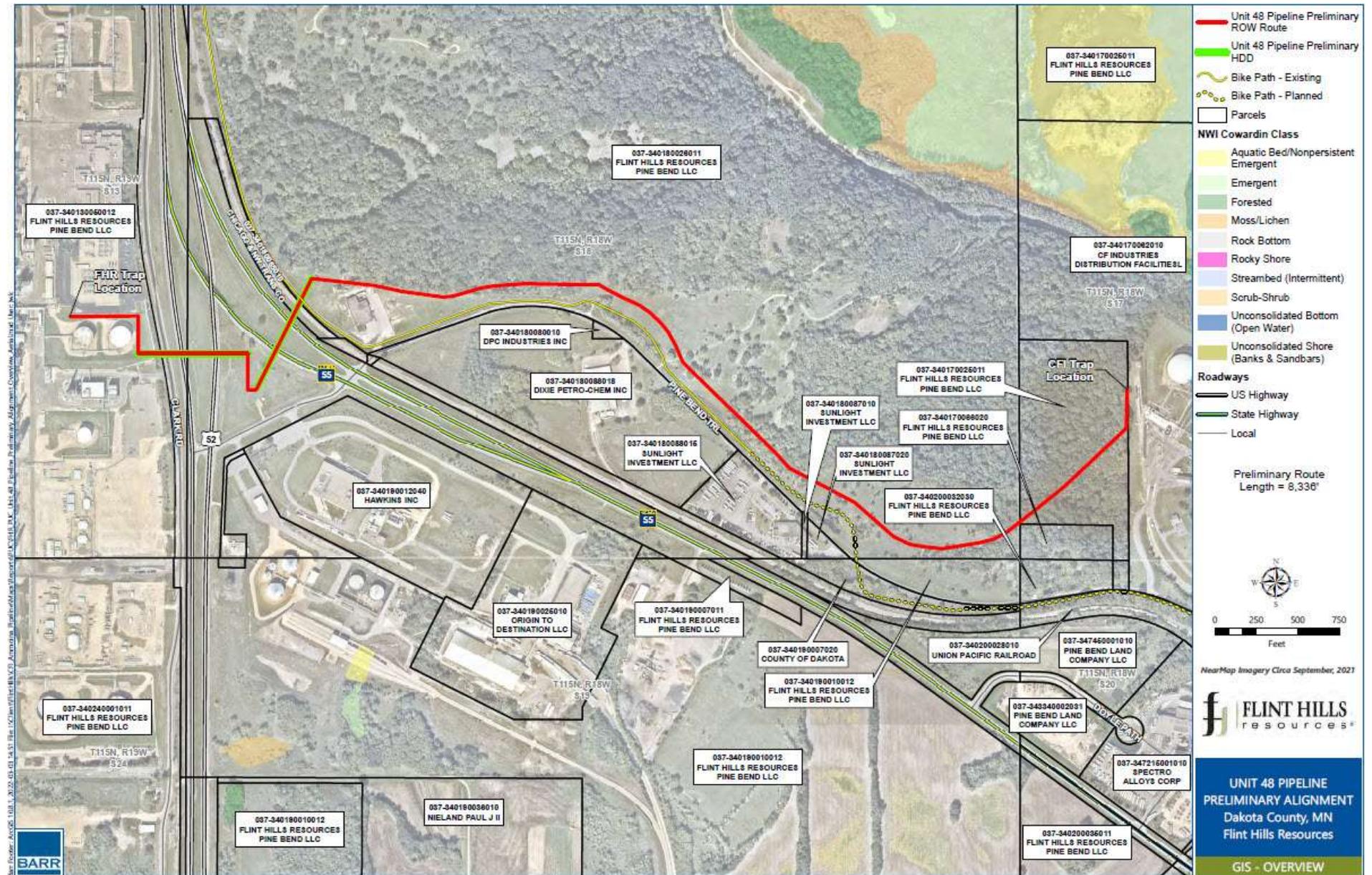
Involve

N/A

CONTACT

Department Head: Erin Laberee

Author: Kristi Sebastian



**Information Book for Owners and Tenants of Property along
the Unit 48 Pipeline Route
in Dakota County, Minnesota**

Public Utilities Commission Docket No.: IP2/PPL-21-747

An online version is available at: [eDockets / Public Utilities \(mn.gov\)](https://www.puc.state.mn.us/eDockets/PublicUtilities/mn.gov)

**Unit 48 Pipeline for
Flint Hills Resources Pine Bend, LLC
Information Book for Owners and Tenants of Property**

Table of Contents

DEFINITIONS	3
INTRODUCTION	3
PROJECT OVERVIEW	4
Preface	4
Project Need.....	4
Project Description.....	4
Project Location.....	4
High Consequence Areas	5
Route Features and Impacts.....	5
Pipeline Construction Schedule and Sequence	6
Construction Schedule	6
Construction Sequence.....	7
Operation of Pipeline Facilities	7
EXPLANATION OF RIGHT-OF-WAY REQUIREMENTS, ACQUISITION PROCESS, AND RIGHTS AND ALTERNATIVES OF LANDOWNERS	7
Right-of-Way Requirements.....	7
Acquisition Process	8
Damages	8
Eminent Domain	8
PIPELINE CONSTRUCTION LEGAL REQUIREMENTS	8
Depth of Burial Requirements.....	8
Limited Liability of Landowners or Lessees.....	8
Permit Requirements	9
COUNTY PROCEDURES.....	9
Inspection Fee	9
County Inspector and Contacting the Inspector in the Event of Noncompliance with Legal Requirements	9
FLINT HILLS CONTACT INFORMATION	10
APPENDIX A: Project Location Maps.....	11
APPENDIX B: High Consequence Area Map	21
APPENDIX C: Typical Pipeline Construction Sequence	23
APPENDIX D: The Horizontal Directional Drilling (HDD) Process	25

Unit 48 Pipeline for Flint Hills Resources Pine Bend, LLC

DEFINITIONS

Anhydrous – Term applied to a chemical substance free of water

Barrel – 42 gallons

BPH – Barrels per hour

CFR – Code of Federal Regulations

- 49 CFR 195 – Transportation of Hazardous Liquids by Pipeline

Flint Hills – Flint Hills Resources Pine Bend, LLC

HCA – High Consequence Area

HDD – Horizontal Directional Drill

Internal Devices - A variety of tools that are inserted into a trap and launched into the pipeline for cleaning, batch separation, or internal inspection, such as scrapers, pigs, spheres, poly pigs, caliper tools, and smart pigs/tools.

PSIG – Pounds per square inch gauge (unit of pressure)

Trap - A fabricated assembly having a pipe or fitting inlet and outlet connections, body and closure used for launching and receiving internal devices into an operational line.

INTRODUCTION

This Information Book was prepared by Flint Hills Resources Pine Bend, LLC (“Flint Hills”) and approved by the Public Utilities Commission (Commission) for landowners who may be affected by the proposed Unit 48 Liquefied Anhydrous Ammonia¹ Pipeline Project to be constructed in Dakota County, Minnesota. This Information Book was developed pursuant to the requirements of Minnesota Statutes (Minn. Stat.), Chapter 216G et seq., to provide property owners and tenants with a clear understanding of the proposed Unit 48 Pipeline (Project). Information presented in this book includes a description of the Project and associated facilities including Project location, an explanation of right-of-way easement requirements and acquisition process, a description of construction activities, legal and procedural requirements associated with construction of a pipeline, and contact information for Flint Hills.

A public meeting will be scheduled to provide interested persons with Project information and to provide the public with an opportunity to comment on the proposed Project. Notice, including the date, time, and location of the meeting, will be published in a legal newspaper of Dakota County and a newspaper of general circulation in the Rosemount, Minnesota area. Landowners who will be affected by the Project will also receive notice of the public meeting by certified U.S. Mail. A Flint Hills right-of-way agent will contact individual landowners to discuss the Project and right-of-way easement requirements. Flint Hills will not execute easement agreements with landowners

¹ Anhydrous Ammonia – The compound formed by the chemical combination of the element’s nitrogen and hydrogen in the concentration proportion of one part nitrogen to three parts of hydrogen. This relationship is shown by the chemical formula, NH₃.

until 30 days after the public meeting is held, pursuant to statutory requirements.

PROJECT-OVERVIEW

Preface

In July 2020, Flint Hills constructed a permanent anhydrous ammonia system to eliminate a temporary system. This system included the installation of a 45,000-gallon tank, currently supplied by ~12 truck deliveries per week (3 trucks per day, approximately four days a week). Anhydrous ammonia is a necessary component to producing ammonium thiosulfate (ATS). Flint Hills Resources Pine Bend's distribution terminal, coupled with new technology allows the refinery to convert a traditional source of air pollution from motor fuels (sulfur) into a valuable fertilizer product that benefits farmers and the environment. Currently, one of the largest applications of ATS technology in the world, this system also helps the refinery produce ultra-low sulfur gasoline, which lowers vehicle emissions and is better for the environment.

Delivering and storing anhydrous ammonia on-site introduces the risk of an ammonia gas release that presents a hazard to employees and society. In line with industry practice and MN Dept. of Agriculture requirements, Flint Hills installed excess flow valves and emergency isolation valves to reduce the likelihood and mitigate the consequence of a release. Other risk mitigations include leak detection, ammonia detectors, tank vapor suppression deluge and remote level monitoring.

Project Need

This project will provide Flint Hills' Pine Bend refinery with a continuous supply of anhydrous ammonia while reducing truck traffic and reducing the potential of safety events driven by accidental releases of ammonia. This reduces the probability of an anhydrous ammonia gas release from truck loading operations and operator involvement/oversight.

The pipeline will start at the CF Industries Anhydrous Ammonia Terminal located at 13040 Pine Bend Trail, Rosemount, MN and terminates at the Flint Hills' Pine Bend refinery.

Project Location

Flint Hills proposes to install an anhydrous ammonia pipeline approximately 1.6-miles in length in Rosemount, Minnesota. The pipeline originates at the CF Industries anhydrous ammonia Terminal. The pipeline crosses through Sections 17, 18, and 19 in Township (T) 115 North (N), Range (R) 18 West (W) and Section 13 in Township (T) 115 North (N), Range (R) 19 West (W) in the city of Rosemount, Dakota County, Minnesota. The pipeline terminates at Flint Hills' Pine Bend refinery. Project maps are provided in Appendix A.

Project Description

This project includes installation of a four and a half-inch (4 ½") outside diameter, welded steel, fusion bond epoxy coated pipe with a wall thickness of 0.237 inches. The pipeline will have a maximum operating pressure² of 720 psig, with typical operating pressures ranging between 250 to 355 psig. The pipeline will flow in one direction, with an anticipated flowrate range of 15 to 245 bph when transporting anhydrous ammonia from the CF Industries Anhydrous Ammonia Terminal to Flint Hills Resources' Pine Bend refinery.

² Maximum Operating Pressure (MOP) – as defined within 49 CFR 195.2, the maximum pressure at which a pipeline or segment of a pipeline may be normally operated.

A permanent 40' easement/right-of way will be required and maintained for the pipeline, 20' on each side of the pipeline centerline. A temporary 60' wide workspace will be required during construction, 30' on each side on the outside edge of the 40-foot permanent pipeline right-of-way. Exceptions are the road and railroad crossings which are HDD bores, see Appendix D for explanation of that process.

Pipeline markers will be installed as required by regulation along the entire route of the pipeline.

The pipeline will be installed with a typical depth of cover of 4-1/2 feet (or 54 inches), including where the pipeline will cross a county, town or municipal street or highway, or where the pipeline will cross a drainage ditch.

A new liquid anhydrous ammonia transfer pump will be installed at the CF Industries Anhydrous Ammonia Terminal. The pipeline will begin at a point of demarcation at the CF Industries Anhydrous Ammonia Terminal at their property line. The pipeline will have traps at both ends of the pipeline, one at the east end downstream of the demarcation line at the CF Industries Anhydrous Ammonia Terminal and one at the west end inside the property line at the Flint Hills Resources Pine Bend refinery. Automated shut off valves will be located at each trap.

High Consequence Areas

The pipeline route crosses through an Other Populated Area³, defined as a high consequence area (HCA) in 49 CFR 195.450. Additional HCAs the pipeline will be in proximity to include: an Unusually Sensitive Area⁴ and a Commercially Navigable Waterway⁵. 49 CFR 195 requires a pipeline integrity management program. This pipeline will be a part of the established Flint Hills Resources Integrity Management Program. Project maps depicting the pipeline route and showing the HCAs is provided in Appendix B.

Route Features and Impacts

The Project will cross lands consisting primarily of industrial lands owned by Flint Hills' Pine Bend refinery and CF Industries Anhydrous Ammonia Terminal. The pipeline will cross three roads: US Highway 52/Clayton Ave E, MN State Highway 55/Courthouse Boulevard, and Clark Road. The pipeline will run parallel to and cross a bike path on Flint Hills' property within Dakota County's existing right-of-way. No agricultural lands will be crossed.

For the Project, Flint Hills retained Commonwealth Heritage Group (Commonwealth) to perform an archeological review of the Project area. For this study, Commonwealth reviewed site files maintained by the Minnesota Office of the State Archaeologist and Minnesota state Historic Preservation Office to locate any previously identified archeological sites. A field survey and shovel test survey were also performed along the route. Commonwealth's report summarized the findings as follows:

"The work effort resulted in the identification of no new archaeological sites and the revisit of one previously identified archaeological alpha site (21DKak) intersecting the construction limits during the survey. As is standard practice in Minnesota, the

³ Other Populated Area – as defined within 49 CFR 195.450; a place, as defined and delineated by the Census Bureau, that contains a concentrated population, such as an incorporated or unincorporated city, town, village, or other designated residential or commercial area.

⁴ Unusually Sensitive Area – as defined within 49 CFR 195.6; a drinking water or ecological resource area that is unusually sensitive to environmental damage from a hazardous liquid pipeline release.

⁵ Commercially Navigable Waterway – as defined within 49 CFR 195.450; a waterway where a substantial likelihood of commercial navigation exists

boundary of this site is shown to be the entire section it is in but in actuality the site itself, when formally documented, would likely be much smaller than what is currently represented. The alpha site has no site form but is instead described in a Pioneer Press newspaper article. The article describes the site as being located down along the shoreline adjacent to the river. Commonwealth performed an intensive survey for the alpha site within the construction limits of the Project and found no evidence of the prehistoric site. Commonwealth is left to conclude that if 21DKak does exist in this section, it is likely located down along the river shoreline and does not intersect this Project area. Commonwealth believes that the survey is adequate and complete, and recommends the Project proceed as designed and proposed. Commonwealth suggests this investigation results in a determination of “No Historic Properties Affected” and receive no further archaeological survey work.”

Right of Way	Length (miles)	% Ownership
CF Industries	0.01	1%
Flint Hills	1.31	82%
Chicago & North Western Transportation Company	0.01	1%
Minnesota Department of Transportation	0.26	16%
	1.59	

Crossing	Description	GPS Location
#1	Chicago & Norther Western Transportation Company (railroad)	44.76492, -93.03177
#2	MN State Highway 55/Courthouse Blvd	44. 76435°, -93. 03204°
#3	US Highway 52/Clayton Ave E	44.76407°, -93.03396°
#4	Clark Road	44. 76407°, -93. 03472°

Pipeline Construction Schedule and Sequence

Construction Schedule

Flint Hills anticipates pipeline construction will commence during the Fall of 2022; likely during the months of September/October and continue through the Spring/Summer of 2023. Construction activities under the highways and Clark Road are expected to take several weeks but will have minimal to no impact on the traffic flow. Flint Hills will contact landowners prior to the start of construction activities. Once construction begins, the contractor will proceed in a timely, professional manner to complete construction across each landowner’s property and reduce inconvenience to the landowner. Restoration and clean-up activities will occur on a continuing basis for the duration of the Project.

Construction Sequence

Standard pipeline construction includes surveying and staking of the right-of-way; clearing and grading; installation of erosion and sediment control measures; trenching; pipe stringing, bending, and welding; lowering the pipeline into the trench; backfilling the trench and final grade of the construction area; hydrostatic testing; final tie-ins; commissioning; and removal of temporary erosion and sediment controls and right-of-way cleanup. A typical pipeline construction sequence drawing is illustrated in Appendix C.

Installation of the pipeline at road and drainage ditch crossings will be conducted utilizing either a bore or horizontal directional drill (HDD) method. An HDD process illustration is provided in Appendix D. Damage, if any, to drainage tiles will be repaired. During construction, temporary gates and fences may be installed at specific locations. After the pipeline is installed, temporary gates and fences will be removed, and the affected area cleaned up and restored to its prior condition. Any existing fences or gates that are removed or damaged during Project activities will be repaired or replaced, if necessary, after completion of construction.

All reasonable efforts will be made to reduce soil compaction and mixing of topsoil and subsoil. Flint Hills will utilize standardized erosion control and restoration measures to minimize and mitigate potentially adverse environmental effects resulting from right-of-way preparation, construction, operation, and maintenance of the proposed pipeline. Typical erosion control measures will be properly maintained throughout construction and reinstalled as necessary until construction is complete.

Some noise pollution will occur during construction. The noise will be the typical sounds resulting from the use of heavy construction equipment that approximates the decibel level of heavy farm machinery. The construction contractor is anticipated to work a 10 hours per day, 7 a.m. to 5 p.m., 5 to 7 days a week normally. Some activities require longer hours, but this should be limited.

Operation of Pipeline Facilities

Operational activity associated with the pipeline and aboveground facilities typically includes maintenance of the right-of-way. Periodic aerial and ground inspections by company personnel or 3rd party contract labor will identify any soil erosion that may expose the pipe; changes in vegetation that may indicate line compromises; conditions of the vegetative cover and erosion control measures; unauthorized encroachment on the right-of-way, such as buildings or other substantial structures; and other conditions that could present a safety hazard or require preventative maintenance or repairs. Appropriate responses to conditions observed during inspection will be taken.

EXPLANATION OF RIGHT-OF-WAY REQUIREMENTS, ACQUISITION PROCESS, AND RIGHTS AND ALTERNATIVES OF LANDOWNERS

Right-of-Way Requirements

Flint Hills will require one easement along the pipeline route. This easement will be between Flint Hills and CF Industries for a control valve that will be placed on CF Industries' property.

Flint Hills owns all other land in which the pipeline will run, aside from the road and railroad crossings. For these crossings, Flint Hills will seek a permit or a license as required, (see page 6).

Flint Hills personnel will mow the pipeline right-of-way and keep it clear of shrubs and trees. Within the CF Industries' Anhydrous Ammonia Terminal, the easement area will be covered with

rock, and vegetation will be prevented. Marker posts will be placed along the pipeline route for identification of the buried pipeline consistent with regulatory requirements

Acquisition Process

A Flint Hills right-of-way agent will contact individual landowners to negotiate a right-of-way easement not sooner than 30 days after the public meeting regarding the Project pursuant to Minn. Stat. 216.G05. A right-of-way agent may contact landowners prior to that time to discuss the Project and obtain permission for a survey crew to enter the property to conduct civil and environmental surveys.

Damages

Flint Hills will compensate landowners and tenants for property damages (e.g. crops, timber, fences, and drainage tiles) directly caused by construction of the pipeline.

Eminent Domain

This is a private pipeline project and therefore Flint Hills will not be using eminent domain.

PIPELINE CONSTRUCTION LEGAL REQUIREMENTS

The United States Department of Transportation, Pipeline Hazardous Materials Administration (PHMSA) and the Minnesota Department of Public Safety acting through the Minnesota Office of Pipeline Safety (MNOPS) have jurisdiction over transportation of liquefied petroleum gas by pipeline. Federal safety regulations (Title 49 of the Code of Federal Regulations Part 195) have been adopted by the State of Minnesota as minimum safety standards for design requirements, construction, hydrostatic testing, and operation and maintenance. Flint Hills' construction specifications will meet or exceed these standards. The Minnesota Office of Pipeline Safety may monitor construction of the pipeline and has an ongoing responsibility for monitoring the pipeline for compliance with applicable safety regulations.

Depth of Burial Requirements

The pipeline will be installed according to Minn. Stat. 216.G07 with a typical depth of cover of 4-1/2 feet (or 54 inches) including where the pipeline will cross a state, county, or municipal street or highway; where the pipeline will cross cultivated agricultural land; or where the pipeline will cross a drainage ditch right-of-way.

Limited Liability of Landowners or Lessees

Any owner or lessee of any real property or any person acting with the authority of that owner or lessee who, in the ordinary conduct of agricultural operations upon that property, causes any injury to any underground pipeline, will not be liable for any of the direct or incidental costs of repairing, restoring or replacing the pipeline in the absence of a showing of gross negligence or willful or wanton misconduct. The term "ordinary conduct of agricultural operations" does not include well drilling or other types of extraction. "Ordinary conduct of agricultural operations" does include installation or repair of agricultural drainage tile only if that person gives verbal or written notice to the One-Call excavation notice system.

Permit Requirements

Flint Hills will obtain all required permits or consultations from the appropriate state, county or local authorities. The proposed pipeline is less than 6” in diameter and will carry anhydrous ammonia as a liquid product; therefore, a pipeline routing permit from the Minnesota Public Utilities Commission is not required. Pursuant to Minn. Stat. 216.G03, notice of the proposed pipeline construction has been provided to the Commission and the Dakota County Board of Commissioners. The following table identifies the permits and approvals Flint Hills has obtained or may obtain to complete the pipeline Project, as appropriate.

Agency	Permit or Approval
U.S. Fish and Wildlife Services	Endangered Species Act Compliance
U.S. Fish and Wildlife Services	Migratory Bird Act Compliance
U.S. Fish and Wildlife Services	Bald and Golden Eagle Protection Act
State Historic Preservation Office	National Historic Preservation Act Compliance
Department of Natural Resources – National Heritage Information System	MN Endangered Species Law
Department of Natural Resources - Water	Water Appropriation Permit
Minnesota Pollution Control Agency	Construction Stormwater Permit Notice of Intent (NOI) & Storm Water Pollution Prevention Plan (SWPPP)
Union Pacific Railroad	Crossing License
State of Minnesota Department of Transportation	Utility Crossing Permit
City of Rosemount	Transmission and Utility, Grading, and Tree Clearing

COUNTY PROCEDURES

Inspection Fee

Minn. Stat 216.G07, subdivision 6, provides that before beginning construction Flint Hills must pay the county inspection fee to the County Treasurer of Dakota County of \$500 for each mile or fraction of a mile that will be constructed in Dakota County. The sum to be paid to Dakota County under this formula will be \$1,000.

County Inspector and Contacting the Inspector in the Event of Noncompliance with Legal Requirements

The Dakota County Board will designate an inspector to conduct on-site inspections as needed during Project construction. The county inspector will determine whether the pipeline is constructed in compliance with the provisions of Minnesota Statutes section 216.G07 and ordinances or resolutions adopted by the County. If Flint Hills or its contractors fail or refuse to comply with the Minn. Stat. 216.G07 or ordinances or resolutions, the inspector will report to the County Board that specific failure or refusal and the inspector will issue a written notice to Flint Hills and/or its contractors specifying the violation and the action to be taken. The inspector shall maintain a written log including all comments and complaints concerning the pipeline construction. The log will also note any complaints concerning failure to settle claims filed by the landowners.

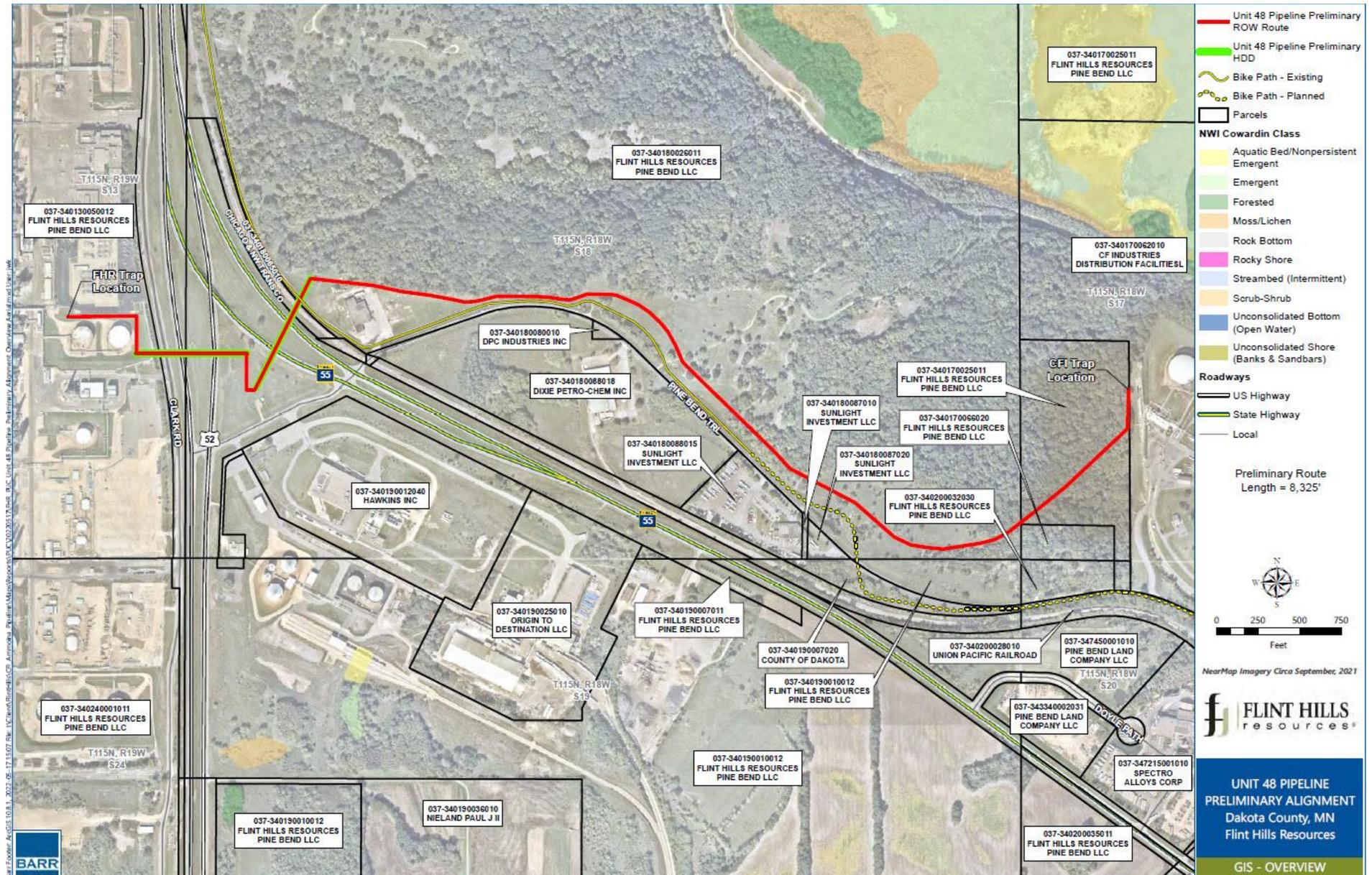
FLINT HILLS CONTACT INFORMATION

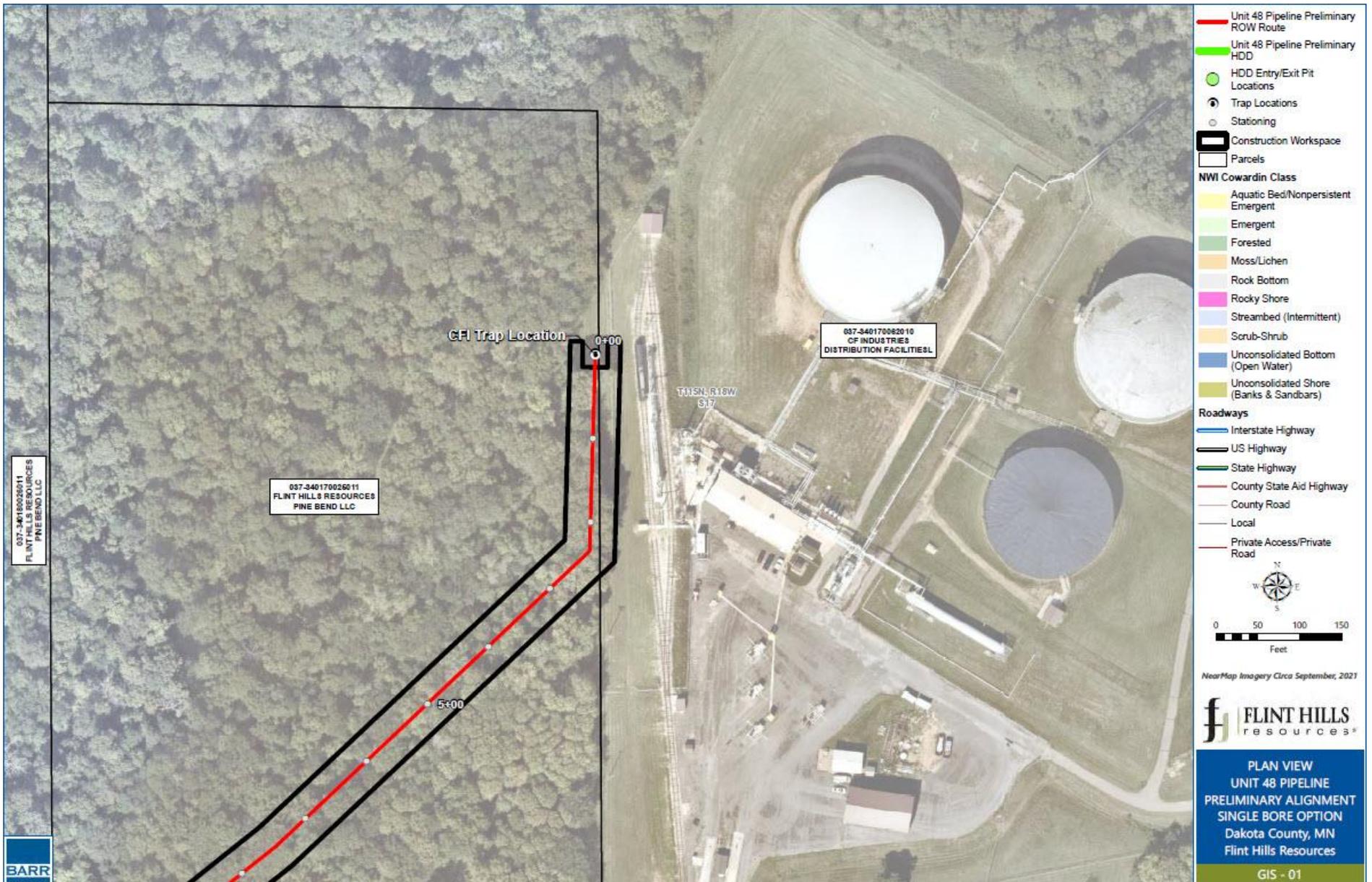
A Flint Hills right-of-way agent will be available throughout the duration of the pipeline Project to answer questions or discuss any concerns landowners and tenants may have. The agent's contact information will be provided to each landowner and tenant affected by the Project. Additionally, to obtain information or discuss concerns regarding property and right-of-way easement acquisition, landowners and tenants are encouraged to contact Holli VanOverbeke of Flint Hills at:

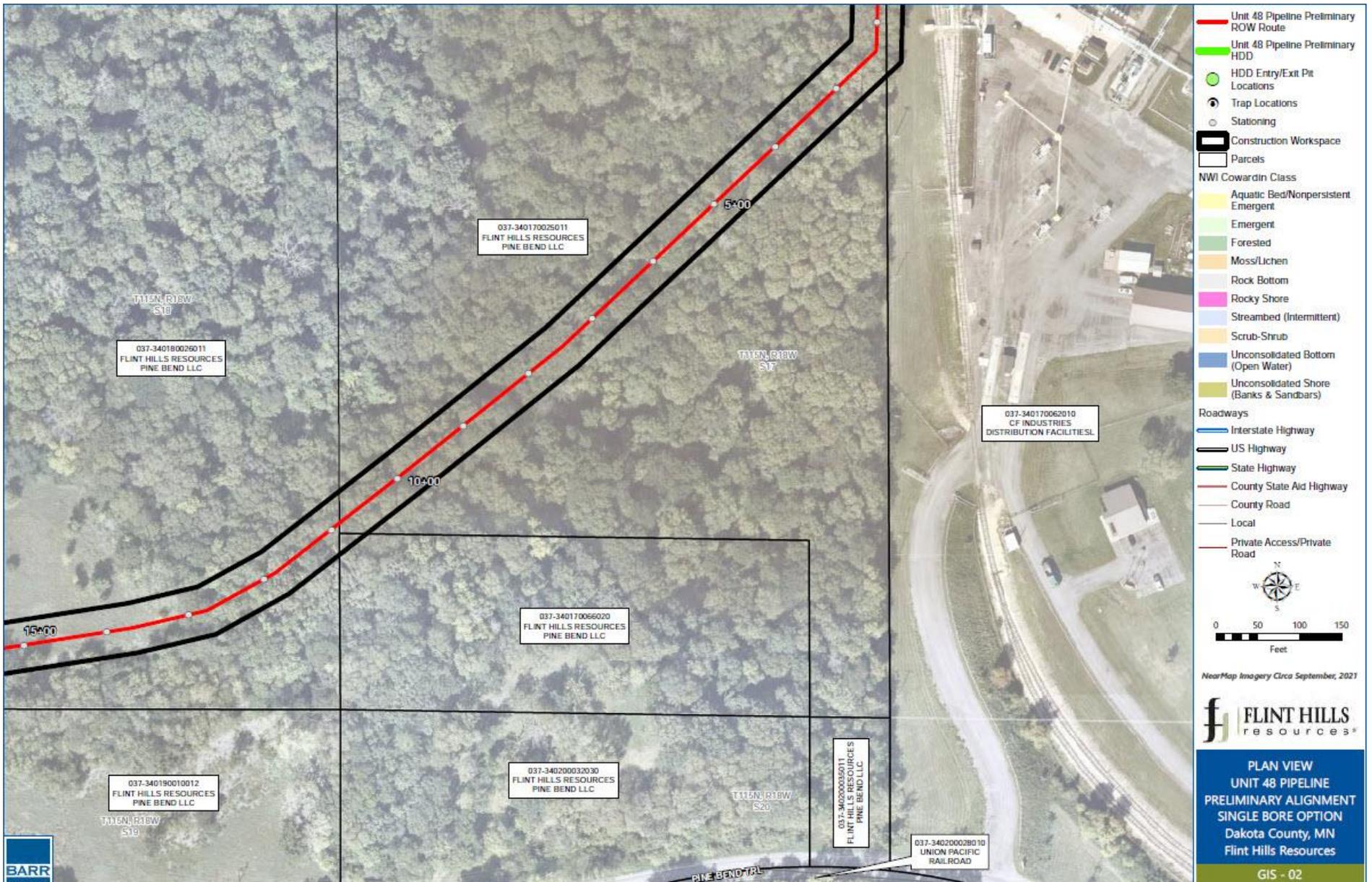
Flint Hills Resources
P.O. Box 64596
Saint Paul, Minnesota 55164
Direct Line: 651-438-5669
Email: Holli.VanOverbeke1@fhr.com

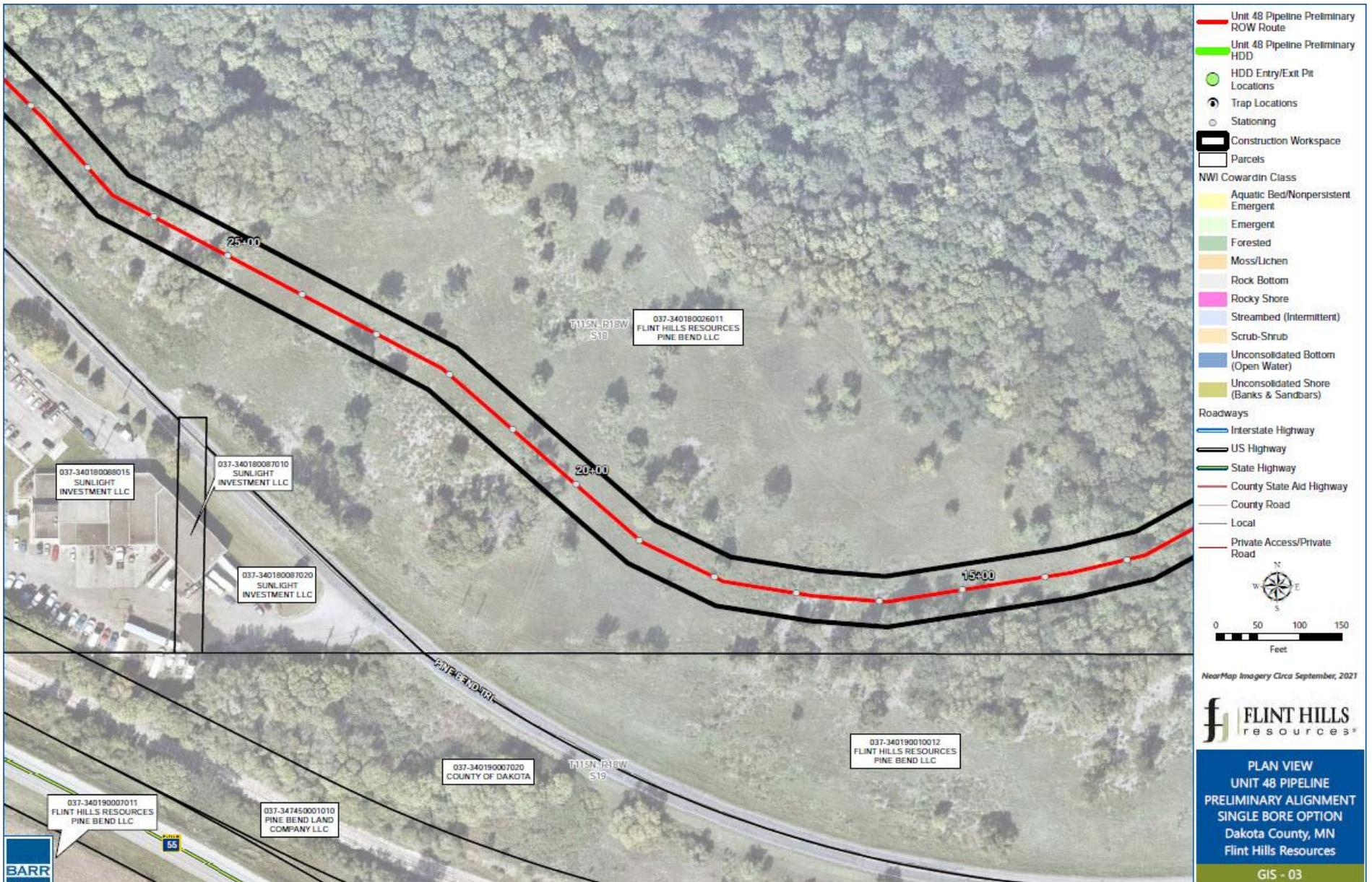
**Information Book for Owners and Tenants of Property along
the Unit 48 Pipeline Route
in Dakota County, Minnesota**

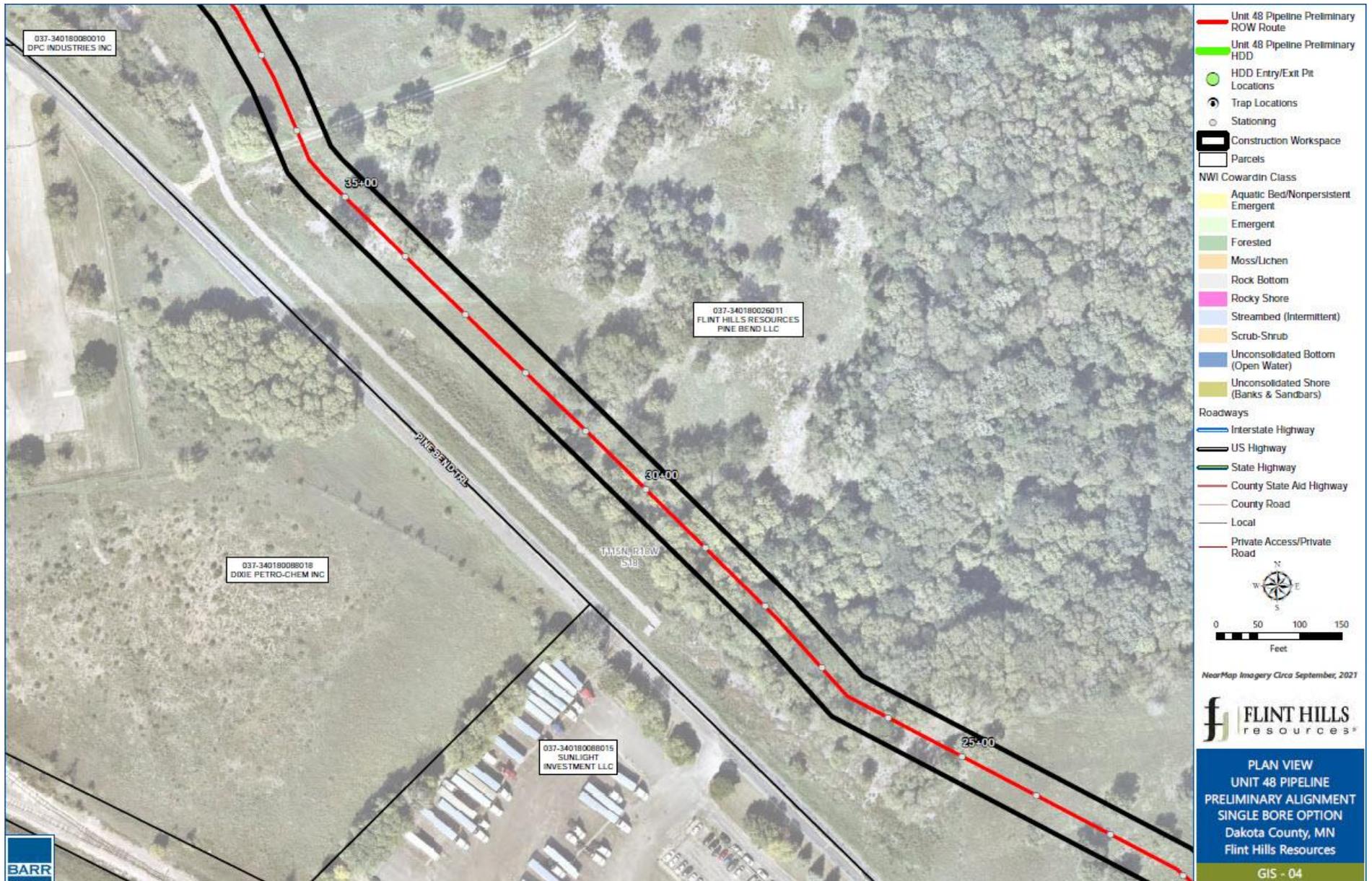
APPENDIX A: Project Location Maps

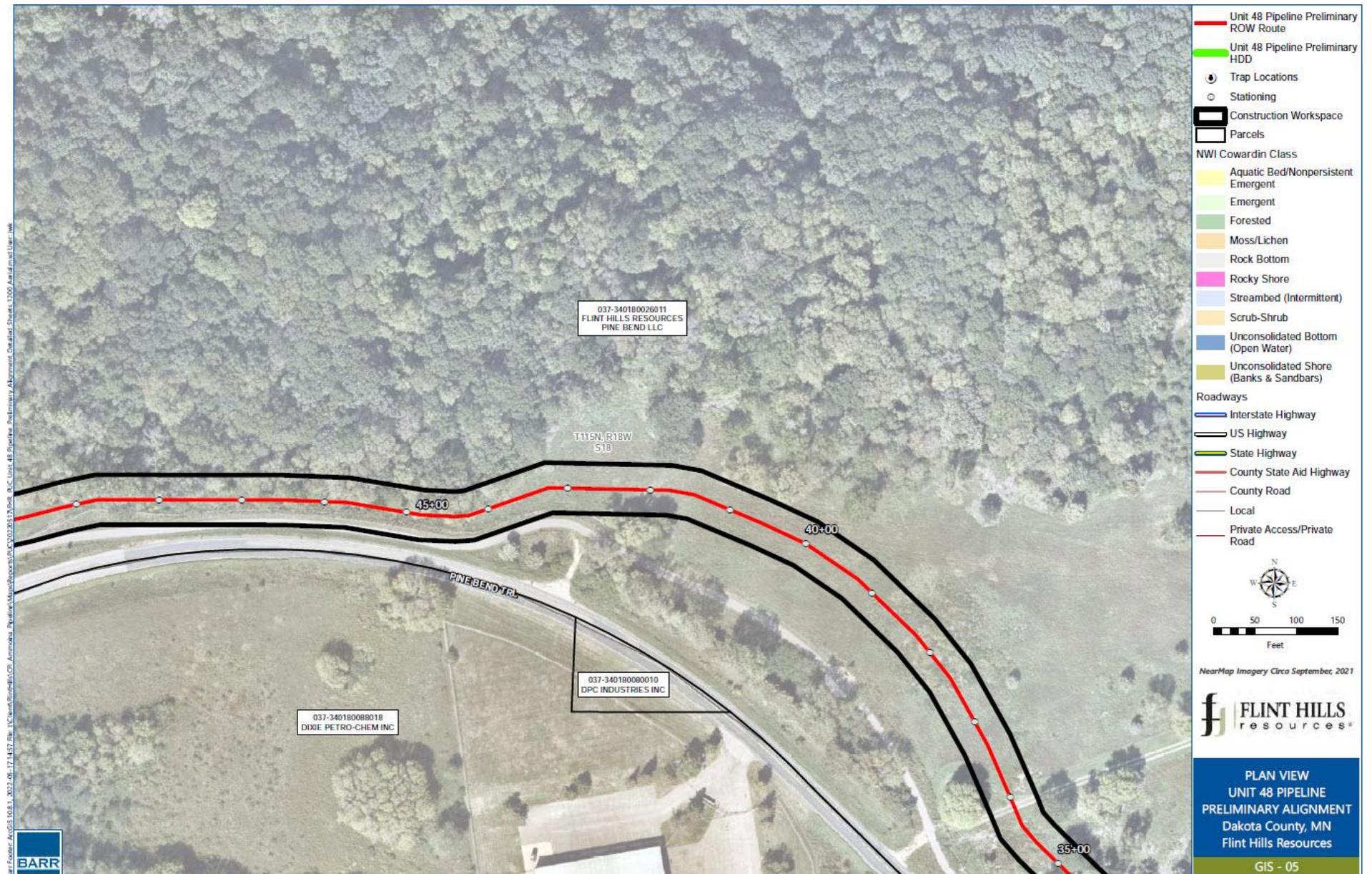




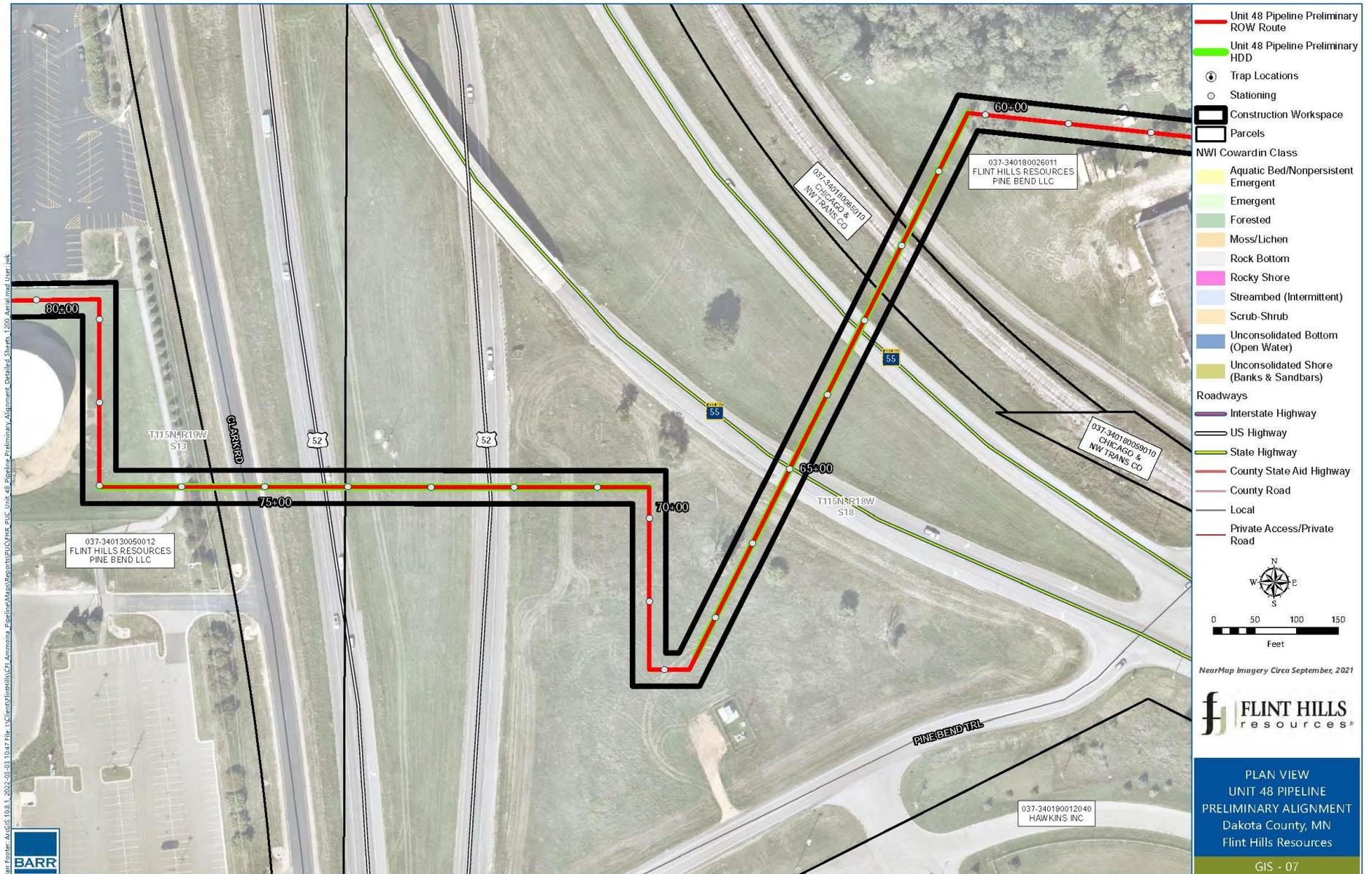


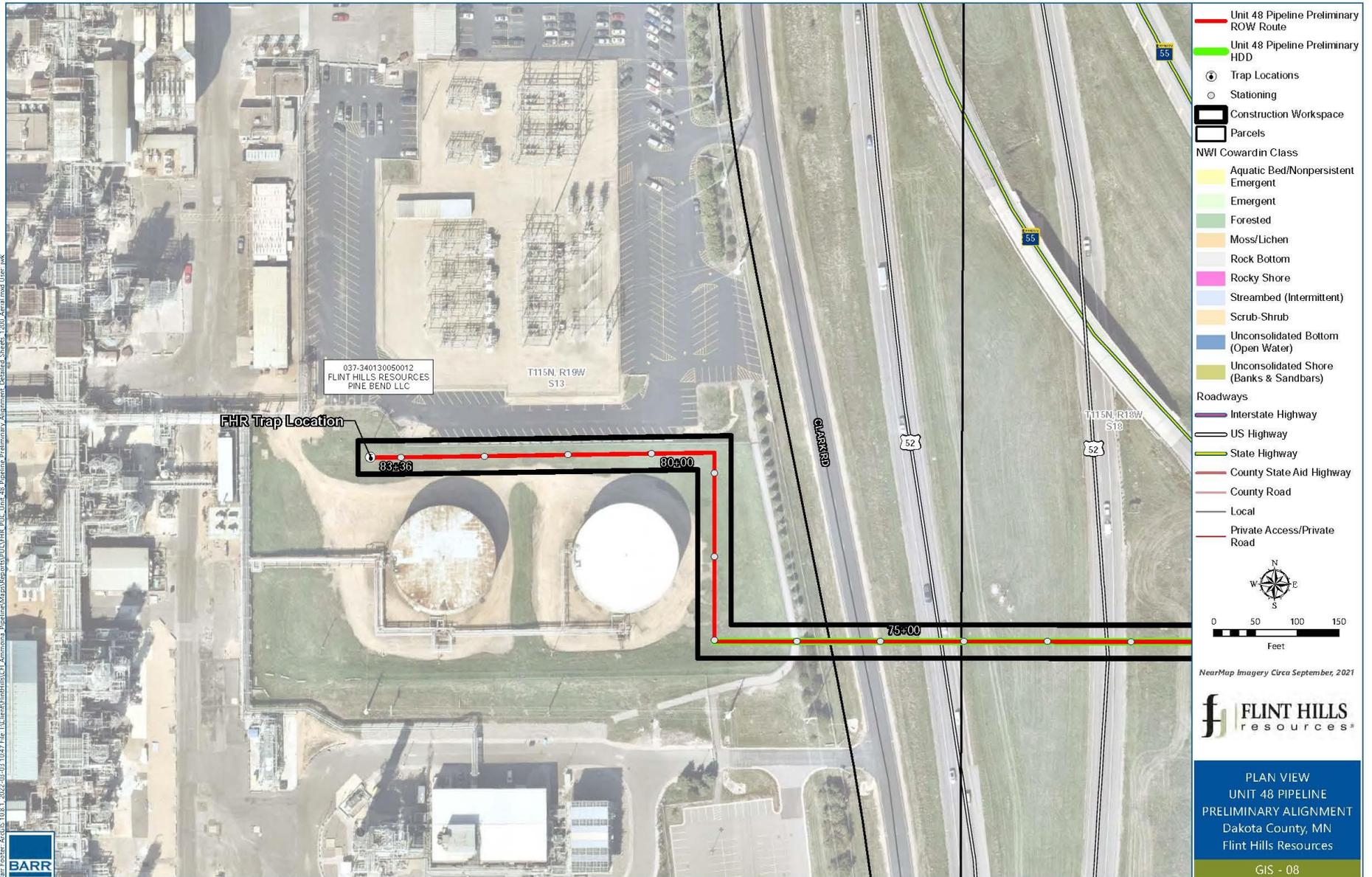






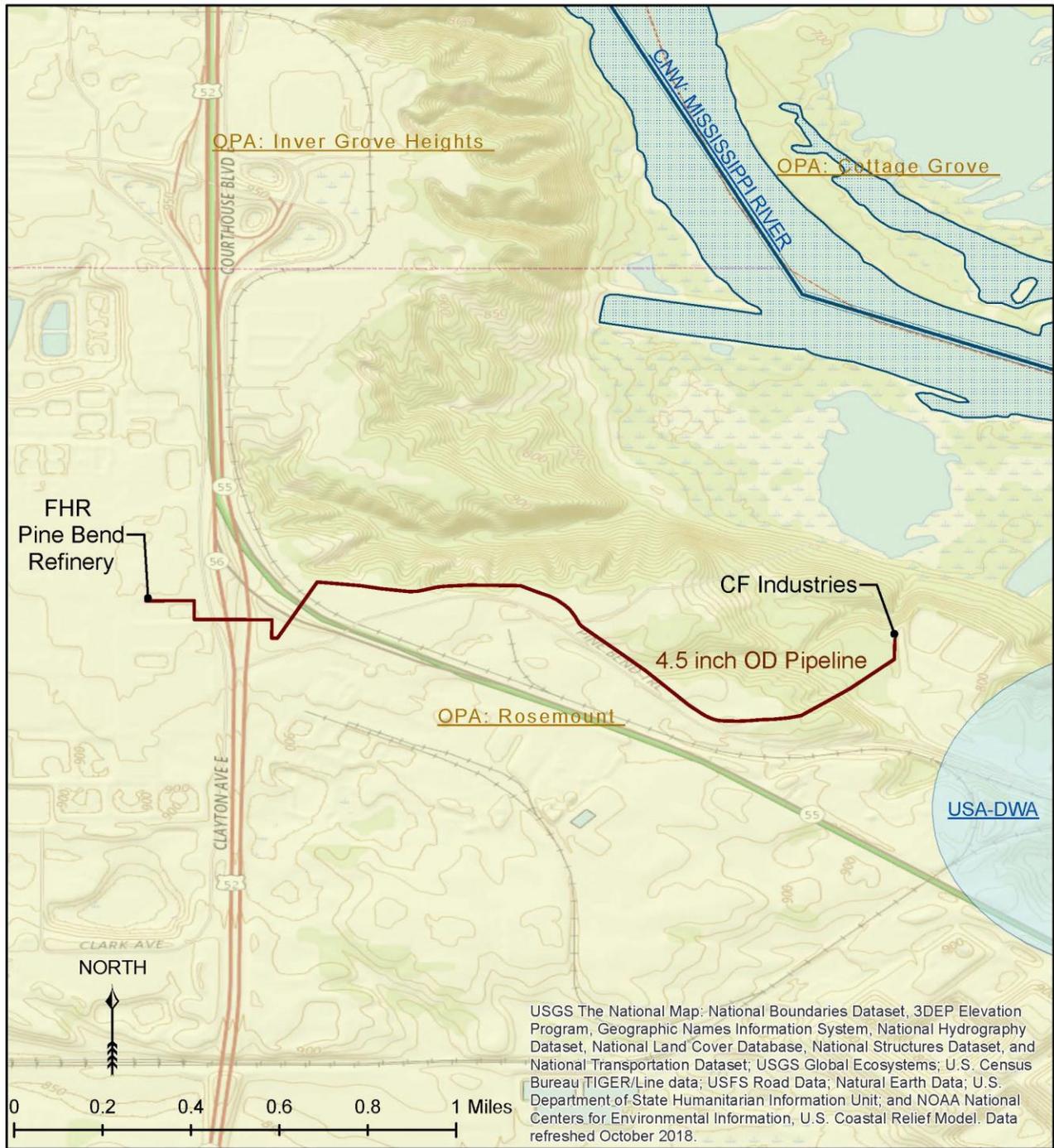






**Information Book for Owners and Tenants of Property along
the Unit 48 Pipeline Route
in Dakota County, Minnesota**

APPENDIX B: High Consequence Area Map



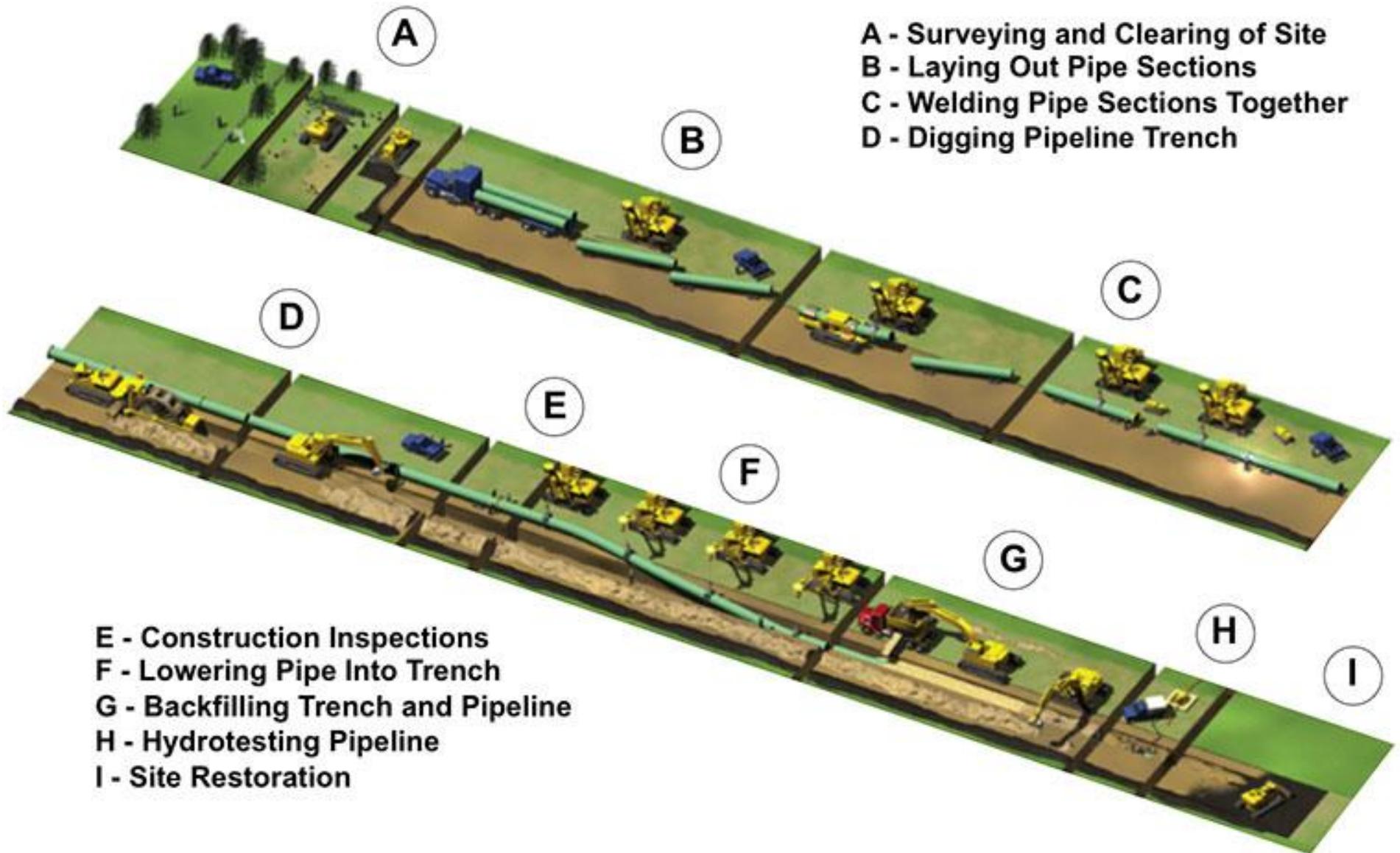
- Pipeline
- Other Population Area
- Commercially Nav. Waterway
- Unusually Sensitive Area (USA) - Drinking Water

**High Consequence Area Map Proposed
Route of 4.5 inch OD Pipeline
CF Industries to FHR Pine Bend Refinery**

Note: Unusually Sensitive Area (USA) Ecological features in the vicinity of the proposed pipeline route are not displayed due to contractual obligations. The proposed pipeline route does not traverse through any USA.

**Information Book for Owners and Tenants of Property along
the Unit 48 Pipeline Route
in Dakota County, Minnesota**

APPENDIX C: Typical Pipeline Construction Sequence



A - Surveying and Clearing of Site
B - Laying Out Pipe Sections
C - Welding Pipe Sections Together
D - Digging Pipeline Trench

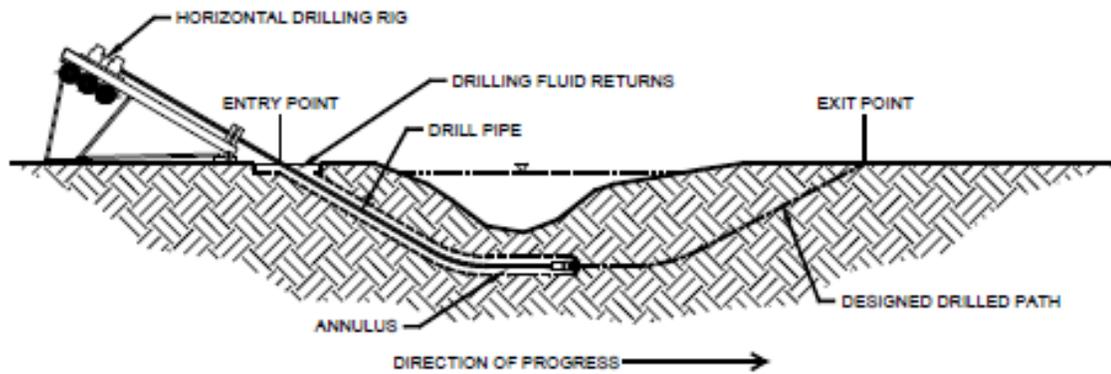
E - Construction Inspections
F - Lowering Pipe Into Trench
G - Backfilling Trench and Pipeline
H - Hydrotesting Pipeline
I - Site Restoration

- "Pipeline Construction Steps." AOPL, <https://aopl.org/page/pipeline-construction>

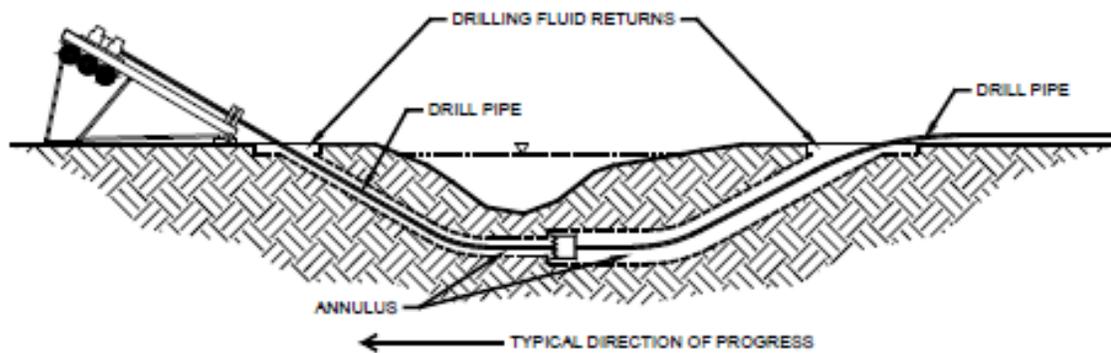
**Information Book for Owners and Tenants of Property along
the Unit 48 Pipeline Route
in Dakota County, Minnesota**

APPENDIX D: The Horizontal Directional Drilling (HDD) Process

PILOT HOLE



PREREAMING



PULLBACK

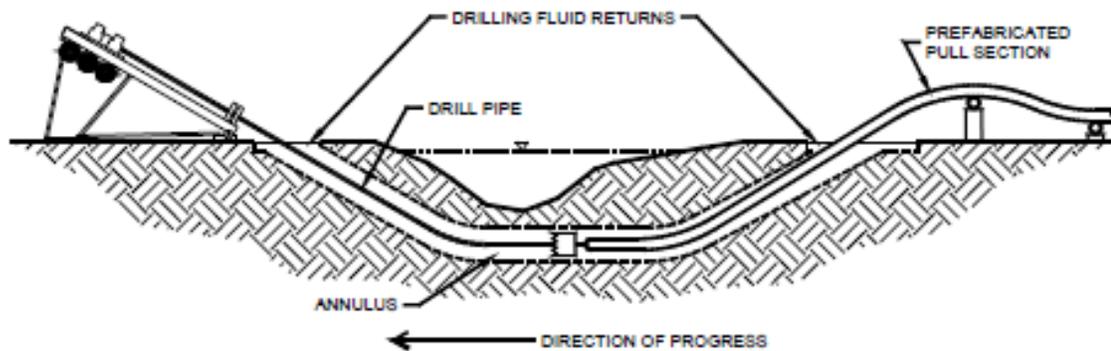


Figure 1
The HDD Process

"The Horizontal Directional Drilling Process." *The Horizontal Directional Drilling Process*, 1 Jan. 1970, penelitpipe.blogspot.com/2014/01/the-horizontal-directional-drilling.html.



Board of Commissioners

Request for Board Action

Item Number: DC-1249

Agenda #: 9.3

Meeting Date: 8/23/2022

DEPARTMENT: Transportation

FILE TYPE: Consent Action

TITLE

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

PURPOSE/ACTION REQUESTED

Authorize execution of agreement amendment No. 1032906A02 with Minnesota Department of Transportation (MnDOT) and City of Eagan for County Project (CP) 26-56 Advanced Traffic Management System in Eagan.

Authorize amendment to the 2022 Transportation Capital Improvement Program Budget.

SUMMARY

To provide a safe and efficient transportation system, Dakota County, is partnering with the MnDOT and City of Eagan on County Project (CP) 26-56.

County Project 26-56 is an Advanced Traffic Management System (ATMS) that includes traffic signal equipment upgrades and fiber optic cable installation 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. The project also includes the removal and replacement of five MnDOT traffic signal systems at the I-35E ramps at CSAH 26, CSAH 28, and CSAH 31 (see Attachment: Project Location).

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 the replacement of five MnDOT traffic signal systems along I-35E at CSAHs 26, 28 and 31.

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.

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.

The original agreement No. 1032906 applied a Federal-Aid cost share to the State Furnished Materials (SFM) for CP 26-56. The Federal Aid cost-share, however, cannot be applied to the SFM.

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. The County's additional cost-share for SFM is \$65,231.81.

RECOMMENDATION

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.

EXPLANATION OF FISCAL/FTE IMPACTS

The 2022 Transportation Capital Improvement Program (CIP) Adopted Budget contains a total budget of \$4,763,790 for CP 26-56 (see Attachment: Funding Summary). The County's portion of the State Furnished Materials will be funded with CSAH. A budget amendment is needed to account for the additional costs.

- None Current budget Other
 Amendment Requested New FTE(s) requested

RESOLUTION

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.

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

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

Revenue	
MnDOT (47409)	\$ 52,515
CSAH (47384)	\$ <u>65,232</u>
Total Revenue	\$117,747

PREVIOUS BOARD ACTION

- 19-525; 05/21/19
- 21-478; 10/05/21
- 21-566; 12/05/21

ATTACHMENTS

- Attachment: Project Location
- Attachment: Financial Summary

BOARD GOALS

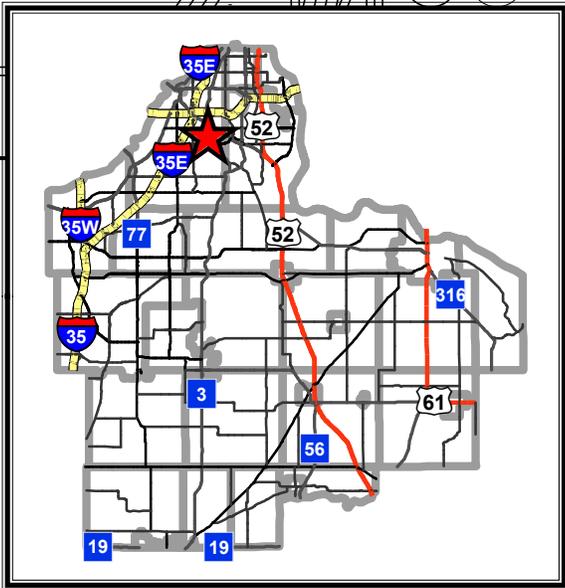
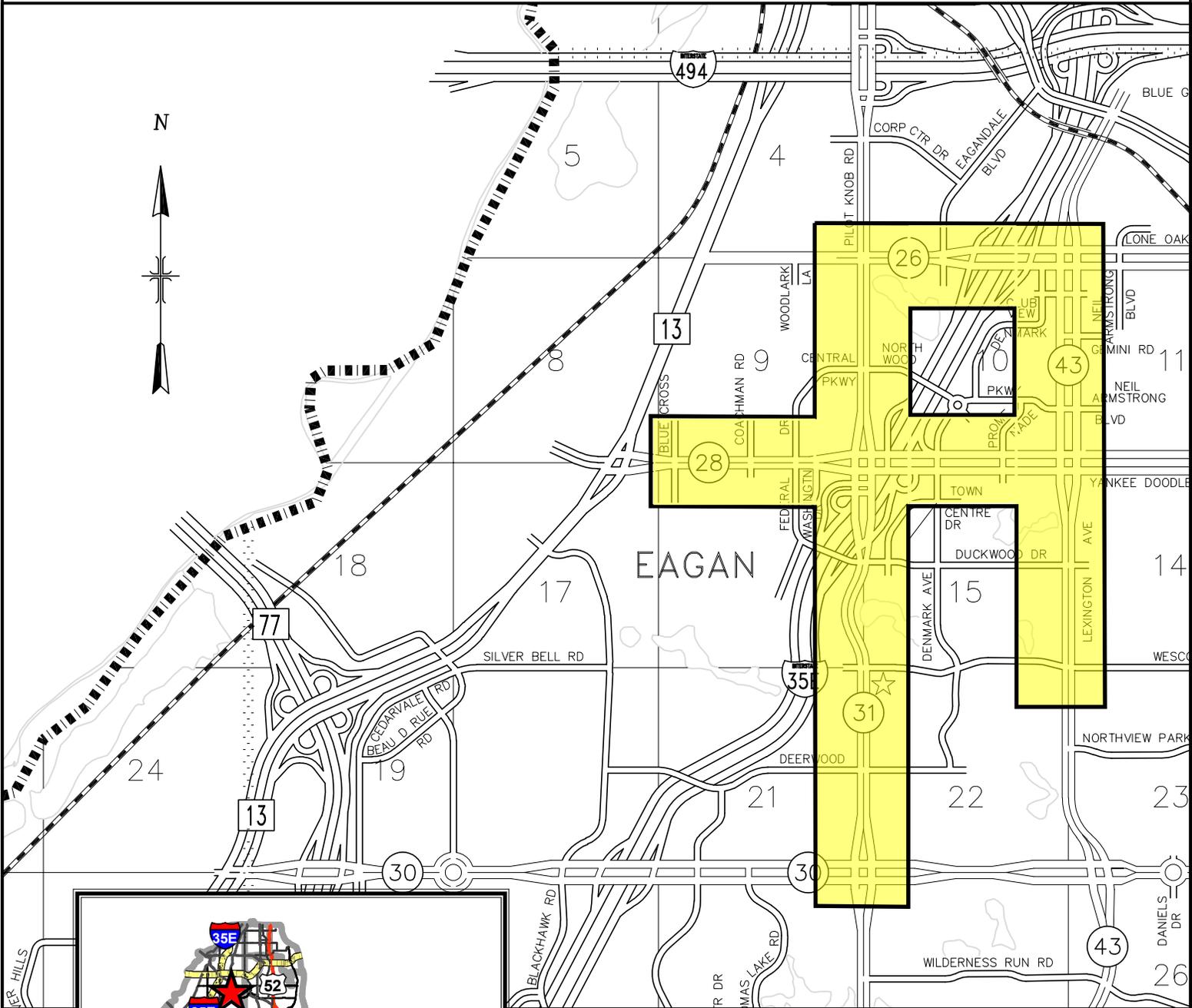
- A Great Place to Live
- A Healthy Environment
- A Successful Place for Business and Jobs
- Excellence in Public Service

PUBLIC ENGAGEMENT LEVEL

- Inform and Listen
- Discuss
- Involve
- N/A

CONTACT

Department Head: Erin Laberee
Author: Tom Bowlin



County Project: 26-56

Project T26056 - Signal Coordination

Year	Expense Budget			Funding Sources Budget						
	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 2022	4,763,790		4,763,790	2,102,576		2,102,576	2,661,184	-	2,661,184	4,763,760
2022 Budget		117,747	117,747	65,232		65,232	52,515	-	52,515	117,747
2023 Plan			-			-		-	-	-
2024 Plan			-			-		-	-	-
2025 Plan	-		-			-		-	-	-
2026 Plan	-		-			-		-	-	-
<i>Current CIP Total</i>	-	117,747	117,747	65,232	-	65,232	2,713,699	-	52,515	117,747
Costs Beyond Current CIP	-		-			-			-	-
Total	4,763,790	117,747	4,881,537	2,167,808	-	2,167,808	2,713,699	-	2,713,699	4,881,507



Board of Commissioners

Request for Board Action

Item Number: DC-1269

Agenda #: 9.4

Meeting Date: 8/23/2022

DEPARTMENT: Transportation

FILE TYPE: Consent Action

TITLE

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

PURPOSE/ACTION REQUESTED

Authorize execution of a contract with SRF for consulting services for County Project (CP) 56-14, the Concord Boulevard Pedestrian and Bicycle Safety Improvements, in the Cities of South St. Paul and Inver Grove Heights (Attachment: Project Location Map). Amend the 2022 Transportation Budget by \$60,000 to fund the cost of the contract.

SUMMARY

To provide a safe and efficient transportation system for all users, Dakota County (County) is proceeding with CP 56-14, the Concord Boulevard Bicycle and Pedestrian Improvements project in South St. Paul and Inver Grove Heights. County Project 56-14 will include evaluation to identify crossing improvement locations along County State Aid Highway (CSAH) 56 (Concord Boulevard) between Trunk Highway 55 and I-494, selection of enhancements at each location, and design of the selected improvements. This segment of Concord Boulevard also includes a portion of the Mississippi River Greenway (MRG) from Cahill Avenue to 66th Street East in Inver Grove Heights. The improvements designed in this project will be constructed in conjunction with a 2023 Dakota County Pavement Preservation mill and overlay project on Concord Boulevard.

Scope of Work and Issues to be Addressed The scope of work for County Project 56-14 final design includes public involvement and agency coordination, corridor evaluation, data collection, permits, approvals, surveys, and detailed design of the trail, pavement, pedestrian crossing enhancements, and lighting.

There are currently no stop-controlled locations for vehicle traffic along the 4.5 miles of Concord Boulevard from Cahill Avenue in Inver Grove Heights to Richmond Street East/Dale Place in South Saint Paul, and Concord Boulevard is a high-speed multi-lane roadway in the project area. These factors present a barrier and a safety concern for cyclists and pedestrians looking to cross Concord Boulevard to access the MRG and other destinations including parks, businesses, schools, and housing on both sides of Concord Boulevard.

The presence of the MRG adjacent to Concord Boulevard in the project area leads to a higher volume of people who walk, bike, and roll in the area-an estimated 200,000 users per year currently use the MRG, and users are expected to rise to over 500,000 per year once the Greenway is

complete. There are user comfort, accessibility, and safety concerns with the present configuration of intersections where the Greenway crosses local streets intersecting with Concord Boulevard. Additionally, there is a history of crashes along this corridor, with eight pedestrian and bicycle-involved crashes, including one fatality, between 2012 and 2021.

Crossing location selection and the design of improvements will follow the guidelines implemented as part of the Dakota County Pedestrian Crossing Safety Assessment (update presented at Physical Development Committee of the Whole on April 12, 2022), as well as the most recent Minnesota Department of Transportation bicycle and pedestrian guidelines. The 2018 Connecting People to the Mississippi River Study (update presented at the Physical Development Committee of the Whole on January 15, 2019), will also be referenced in the process of locating crossing improvements in the project area.

Consultant Selection and Roles Dakota County issued a Request for Proposal (RFP) for the above-noted services on July 12, 2022. The County's cost-share in the contract is 100 percent. Three proposals were received and evaluated by staff representing the County and Cities. SRF was selected as the preferred professional engineering consultant based on the following criteria: project understanding, project approach, public involvement, team expertise, quality control, performance on similar projects, and best-value cost. The consultants submitted cost proposals as follows:

<u>Consultant</u>	<u>Amount</u>	<u>Hours</u>	<u>Cost/Hour</u>
Bolton & Menk	\$ 97,281.00	670	\$145.20
SEH	\$194,502.00	1,395	\$139.43
SRF	\$139,281.00	1,033	\$134.83

The proposals were evaluated to determine whether the work plan, hours, and rate structure were sufficient and reasonable to successfully complete the final design and related work. The proposal from SRF provided the most responsive and complete work plan, including the hours needed to successfully complete work. The SRF costs proposed were considered the most realistic among the three proposals, and the total contract cost was within the range anticipated by staff. More documentation of the proposal process, review team, evaluation criteria and results, and best-value cost evaluation is included (Attachment: Consultant Evaluation Summary).

RECOMMENDATION

Staff recommends execution of a contract with SRF for professional design services for CP 56-14 for actual costs not to exceed \$139,281.00.

EXPLANATION OF FISCAL/FTE IMPACTS

The 2022 Adopted Transportation Capital Improvement Program (CIP) Budget includes \$100,000 for CP 56-14 for consulting services. The CIP originally assumed a 15 percent local cost share; however it was later determined that the proposed improvements fall under the safety category which is 100 percent County. A transfer of \$60,000 from the 2022 Transportation Safety and Management Setaside fund balance will cover the additional contract cost. (Attachment: Financial Summary). Construction of the designed improvements will be included in the 2023 Dakota County Transportation Pavement Preservation project. Sufficient funds are available for this contract and additional work if needed.

- None
- Current budget
- Other
- Amendment Requested
- New FTE(s) requested

RESOLUTION

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:

Expense

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

Revenue

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

PREVIOUS BOARD ACTION

None.

ATTACHMENTS

Attachment: Project Location Map

Attachment: Financial Summary

Attachment: Consultant Evaluation Summary

BOARD GOALS

A Great Place to Live

A Healthy Environment

A Successful Place for Business and Jobs

Excellence in Public Service

PUBLIC ENGAGEMENT LEVEL

Inform and Listen

Discuss

Involve

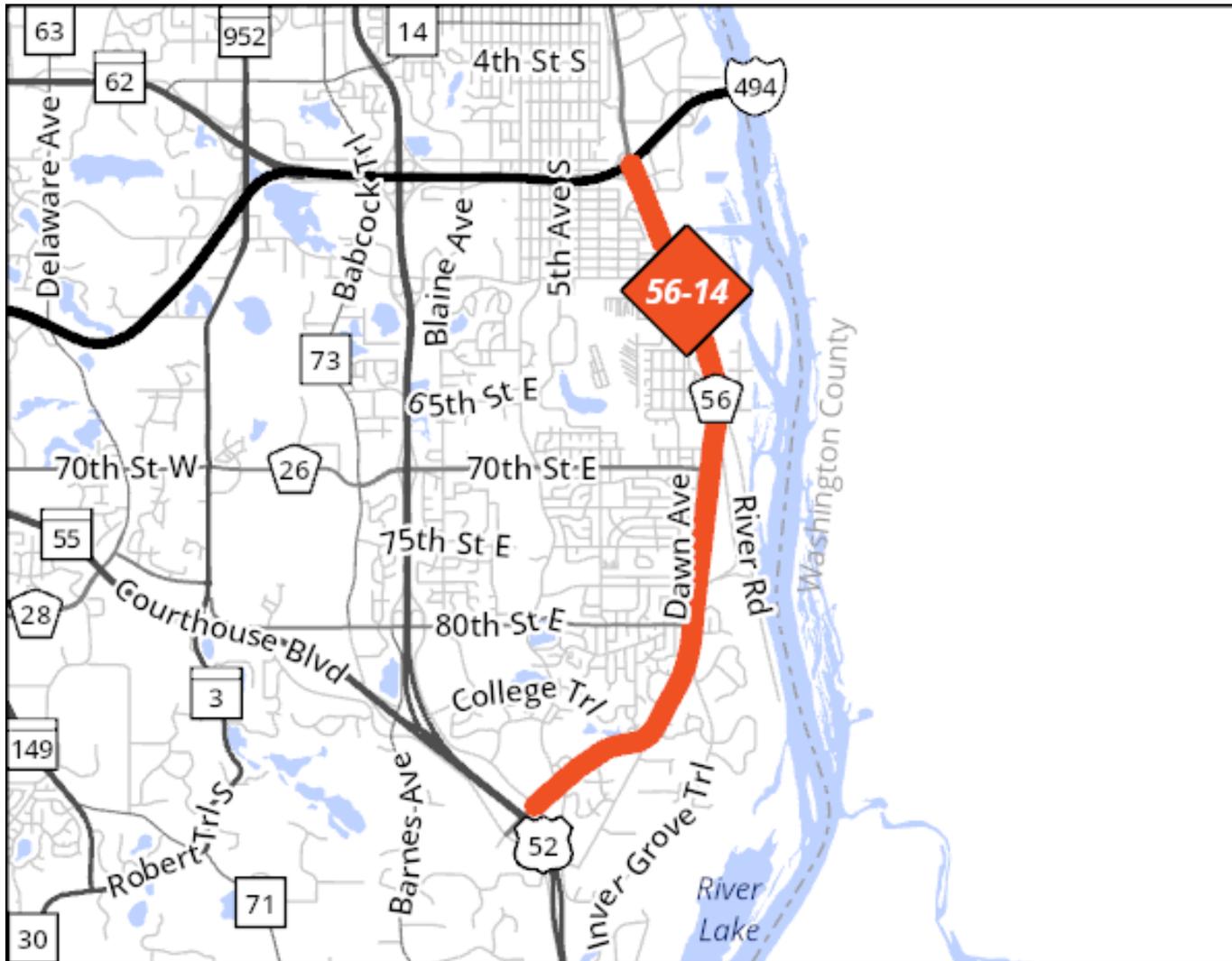
N/A

CONTACT

Department Head: Erin Laberee

Author: Bryce LeBrun

County Project 56-14: Concord Boulevard (CSAH 56) Bicycle and Pedestrian Improvements Project Location Map



Consultant Evaluation Summary For County Project CP 56-14

Consulting Services Information

Consultant Services Description:

County Project CP 56-14 is the County State Aid Highway (CSAH) 56 (Concord Boulevard) Bicycle and Pedestrian Safety Improvements Project in South Saint Paul and Inver Grove Heights. The consultant contract will include data collection, public outreach, survey, final engineering design, and design coordination with Dakota County staff. Dakota County is the lead agency.

Scope of Consultant Services:

The scope of work for County Project 56-14 includes public engagement, data collection and field review, evaluation and development of crossing location recommendations and crossing treatments, survey, development of plans for crossing locations, and support for inclusion of crossing designs in a Dakota County mill and overlay plan set and bid package. The design project will involve several crossing locations (to be determined as part of the project), including crossing enhancements along the Mississippi River Greenway and crossing enhancements across Concord Boulevard between Trunk Highway 55 and Interstate 494 (4.6 miles).

Deliverables:

The contract's technical deliverables include a data collection summary, an evaluation and recommendation plan for crossing locations, survey data, and preliminary and final design materials and estimates. The contract deliverables will also include project management services and public/agency engagement as outlined below.

Public and Agency Engagement:

This study will include efforts to engage with the general public and with agencies, including representatives of the Cities (South Saint Paul and Inver Grove Heights), and the general public in the project area. Dakota County and the consultant will implement public outreach using direct mailings, flyers, signage, social media, scheduled public meetings, and other communications.

Schedule:

The contract schedule is planned from August 2022 through at least February 2023 for construction to begin in 2023 in conjunction with a planned Dakota County mill and overlay project along CSAH 56.

Consultant Selection Summary:

The Request for Proposals (RFP) for the required consultant services was released on July 12th, 2022 and was sent to the following three (3) consultant firms: Bolton & Menk, SEH, and SRF. These three firms were invited to submit proposals because of proven expertise and ability to complete trail gap and bicycle & Pedestrian safety projects. Three (3) proposals were submitted to the County by the due date of August 4th, 2022.

Review Team and Process:

The three (3) proposals were reviewed by staff from Dakota County, including staff representing expertise in multi-modal planning, engineering design, traffic engineering, and bicycle and pedestrian safety. Proposals were reviewed and ranked independently by review team members. The review team members met on August 11th, 2022, to discuss the proposals, share information regarding individual member evaluations, and reach consensus on a recommended consultant. The consensus reached by the proposal reviewers supported negotiating the contract with SRF.

Evaluation Criteria:

The proposals were evaluated and ranked based on the following criteria:

1. Project Understanding and Approach (20%) – conceptual and technical approach to design and general approach (for example, delivery priorities and proposed tools or techniques to provide good value).
2. Scope of Work, Deliverables, and Schedule (30%) – completeness of the proposal and a clear understanding of the project scope, complexities, focus areas, deliverables, project decisions/approvals, and inclusion of a complete schedule with key milestones and deliverables plus relationships of tasks.
3. Public and Agency Involvement (25%) – approach to overall public/agency involvement in order to facilitate acceptance within the project schedule.
4. Project Team and Key Staff (20%) – qualifications and experience of the Project Manager and key staff proposed to work on the project, experience on previous similar projects, and availability of the key staff members.
5. Quality Control (5%) – ensure the delivery of quality products by proactively identifying and managing risks and balancing quality management with scope, schedule, and budget.
6. Fee Estimate – fee estimate in relation to the other criteria above, including understanding and explanation of budget priorities and relationships between tasks, special approaches, options for negotiation/amendment, value vs. cost to be provided, and presentation of the fee estimate/breakdown

Evaluation Results:

Dakota County staff selected SRF based on the detailed work plan provided in the firm’s proposal, which presented a strong understanding of the project and an integrated approach to delivering all tasks by a qualified team with recent relevant experience on similar projects. All proposals were evaluated based on this objective and others, to determine whether the work plan, hours, and rate structure were sufficient and reasonable to successfully complete the required work. The proposal from SRF provided the most complete work plan, including the hours needed to complete all work. The selection team highly valued the SRF team’s robust schedule, detailed data collection and recommendation plan, and complete design costs. SRF’s quoted costs per hour are in line with the submitted proposals. The detailed task descriptions, project understanding, and costs align well with the expedited schedule and technical requirements of the project.

Summary of Proposed costs:

<u>Consultant</u>	<u>Amount</u>	<u>Hours</u>	<u>Cost/Hour</u>
Bolton & Menk	\$97,281.00	670	\$145.20
SEH	\$194,502.00	1,395	\$139.43
SRF	\$139,281.00	1,033	\$134.83

Recommendation:

Staff recommends the consulting engineering firm SRF be awarded a contract for County Project 56-14, the final engineering design for the Concord Boulevard Bicycle and Pedestrian Safety Improvements. Given the scope of the needed work and issues to be addressed, the SRF proposal, project team, and contract negotiations offered the best combination of a complete approach, detailed work plan, previous project experience, and balanced cost-to-value from among the three (3) submitted proposals.

County Project 56-14 Concord Pedestrian Improvement Study

Year	Expense Budget			Funding Sources Budget						
	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 2022	-	-	-	-	-	-	-	-	-	-
2022 Budget	100,000	45,000	145,000	85,000	60,000	145,000	15,000	(15,000)	-	145,000
2023 Plan	-	-	-	-	-	-	-	-	-	-
2024 Plan	-	-	-	-	-	-	-	-	-	-
2025 Plan	-	-	-	-	-	-	-	-	-	-
2026 Plan	-	-	-	-	-	-	-	-	-	-
<i>Current CIP Total</i>	<i>100,000</i>	<i>45,000</i>	<i>145,000</i>	<i>85,000</i>	<i>60,000</i>	<i>145,000</i>	<i>15,000</i>	<i>(15,000)</i>	-	<i>145,000</i>
Costs Beyond Current CIP	-	-	-	-	-	-	-	-	-	-
Total	100,000	45,000	145,000	85,000	60,000	145,000	15,000	(15,000)	-	145,000



Board of Commissioners

Request for Board Action

Item Number: DC-1328

Agenda #: 9.5

Meeting Date: 8/23/2022

DEPARTMENT: Transportation

FILE TYPE: Consent Action

TITLE

Approval Of Final Plats Recommended By Plat Commission

PURPOSE/ACTION REQUESTED

Approve final plats contiguous to County Roads as recommended by the Plat Commission.

SUMMARY

To provide for the orderly development of property in Dakota County, new subdivisions adjoining County highways are reviewed under the Dakota County Contiguous Plat Ordinance No. 108. The Ordinance requires new subdivisions adjoining County highways to comply with the County’s access spacing and right of way guidelines in order that existing and future highway corridors are preserved to accommodate existing and forecasted traffic volumes safely and efficiently.

The Plat Commission examines plats prior to the time they are submitted for County Board approval. The Plat Commission has reviewed and recommends approval of the final plats by the County Board. The final plat approval by the County Board is subject to the conditions established by the Plat Commission review (Attachments: Meeting Notes and Location Maps).

RECOMMENDATION

Staff recommends approval of the final plats by the County Board as recommended by the Plat Commission.

EXPLANATION OF FISCAL/FTE IMPACTS

- None
- Current budget
- Other
- Amendment Requested
- New FTE(s) requested

RESOLUTION

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

PREVIOUS BOARD ACTION

None.

ATTACHMENTS

Attachment: Meeting Notes

Attachment: Location Map

BOARD GOALS

A Great Place to Live

A Healthy Environment

A Successful Place for Business and Jobs

Excellence in Public Service

PUBLIC ENGAGEMENT LEVEL

Inform and Listen

Discuss

Involve

N/A

CONTACT

Department Head: Erin Laberee

Author: Todd Tollefson

**DAKOTA COUNTY PLAT COMMISSION
MEETING SUMMARY**

August 3, 2022

The Plat Commission meeting began at 1:30 p.m. via Zoom. Members present included: Todd Tollefson, Scott Peters, Jake Chapek, and John Mertens. Others present: Butch McConnell

Plat Name:	THOMPSON SQUARE
PID:	420200011010, 428374000010
City:	West St. Paul
County Road:	CSAH 6 (Thompson Ave.); CSAH 73 (Oakdale Ave.); CSAH 8 (Wentworth Ave.)
Current ADT (2017):	9,400; 7,500; 9,800
Projected ADT (2040):	11,400; 7,600; 11,600
Current Type:	2-lane; 2-lane; 3-lane
Proposed Type:	3-lane; 3-lane; 3-lane
R/W Guideline:	60ft ½ R/W; 60ft ½ R/W; 60ft ½ R/W
Spacing Guideline:	1/8 mile full; 1/8 mile full; 1/8 mile full
Posted Speed Limit:	35 mph; 30 mph; 35 mph
Proposed Use:	Residential
Status:	Preliminary
Location:	NE ¼, Sec 20-28-22
In attendance (06/08/22):	Melissa Houtsma (city); Nick Polta (Pioneer Eng); Emily Becker (MI Homes)
In attendance (08/03/22):	Melissa Houtsma (city)

REVIEW 06/08/22:

The proposed site is a replat that includes 58 townhomes. There are two private accesses for this development. Both are shown along CSAH 73 (Oakdale Avenue); one across from Schletty Lane (shown as driveway 4) and one on the southern portion of the plat (shown as driveway 1). Both accesses do not meet the 1/8-mile access spacing guidelines. As discussed, the driveway 4 access opening will be allowed and the southern access (driveway 1) will not be allowed due to the existing access spacing and the potential future redevelopment of the property immediately to the south, which would access CSAH 73 with a potential higher use of the property like townhomes. Turn lanes will be required for the driveway 4 access. As discussed, the driveway 4 access needs an intersection design review to determine if there are conflicts with overlapping left turns for Schletty Lane and driveway 4. As noted, the City will be discussing with the fire department if there is a need for a second access to site, which could be constructed as an emergency access only at driveway 1. Restricted access should be shown along all of CSAH 6 and CSAH 8 and CSAH 73 except for one access opening at driveway 4. A secondary access to the site was discussed along CSAH 6 (Thompson Avenue) but there are challenges due to the existing soils and wetlands. Restricted access should be shown along all of CSAH 73, CSAH 6, and CSAH 8 except one opening for driveway 4 along CSAH 73. A quit claim deed to Dakota County for restricted access is required with the recording of the plat mylars. Restricted access is shown along all of CSAH 6 (Thompson Ave) per the underlying plat and recorded as doc. 34723833.

The right-of-way needs for CSAH 6 and CSAH 73 have been met from the underlying plat. The right-of-way needs for CSAH 8 are 60 feet of half right of way. However, due to the existing conditions and structures in the area, the Plat Commission recommends only 50 feet of half right of way to be dedicated along CSAH 8.

RECOMMENDATION 06/08/22:

The Plat Commission has approved the preliminary plat provided that the described conditions are met. The Ordinance requires submittal of a final plat for review by the Plat Commission before a recommendation is made to the County Board of Commissioners.

REVIEW 08/03/22:

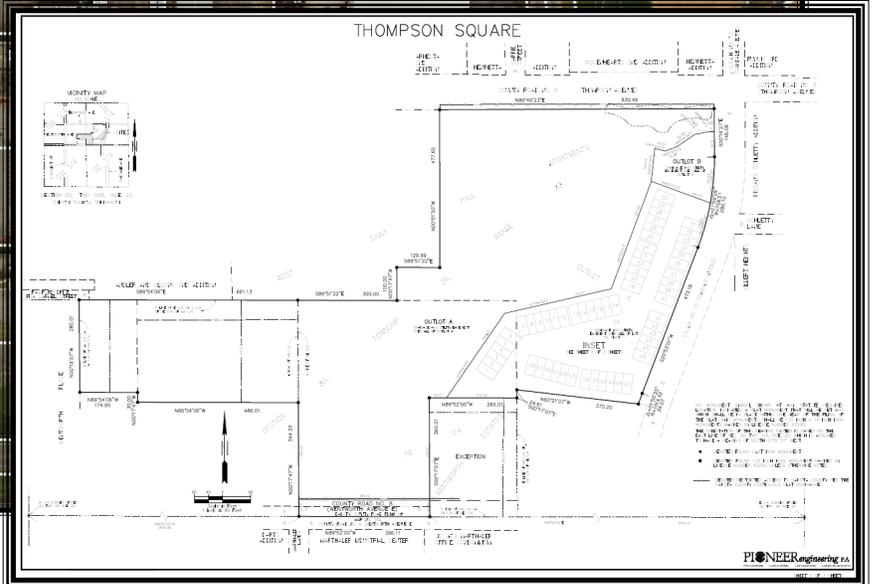
The proposed site includes 58 townhomes. The right-of-way needs for CSAH 6 and CSAH 73 have been met from the underlying plat. The right-of-way needs for CSAH 8 are 60 feet of half right of way. However, due to the existing conditions and structures in the area, the Plat Commission recommended only 50 feet of half right of way to be dedicated along CSAH 8, which is shown on the plat. Restricted access should be shown along all of CSAH 6, CSAH 8, and CSAH 73 except for the opening across from Schletty Lane. A quit claim deed to Dakota County for restricted access is required with the recording of the plat mylars along CSAH 8 and CSAH 73. A quit claim deed is already recorded along CSAH 6 (Thompson Ave) per the underlying plat as doc. 34723833.

RECOMMENDATION 08/03/22:

The Plat Commission has approved the final plat provided that the described conditions are met and will recommend approval to the County Board of Commissioners.

THOMPSON SQUARE

Prepared by Dakota County Physical Development Division





Board of Commissioners

Request for Board Action

Item Number: DC-1326

Agenda #: 10.1

Meeting Date: 8/23/2022

DEPARTMENT: Sheriff

FILE TYPE: Consent Action

TITLE

Authorization To Renew Joint Powers Agreement With Independent School District 196 For School Resource Officer Services

PURPOSE/ACTION REQUESTED

Authorize to renew joint powers agreement (JPA) with Independent School District 196 for school resource officer services.

SUMMARY

Since 1996, the Dakota County Board of Commissioners has authorized the Dakota County Sheriff to contract with Independent School District 196 to provide school resource officer services to their academic program. The current two-year contract will expire August 31, 2022 and the school district and the Sheriff's staff desire to continue the school resource officer partnership during the period September 1, 2022, through August 31, 2024.

Independent School District 196 has historically paid 75 percent of the cost of annual salary, benefits and a vehicle for a Special Duty Deputy who is assigned to the school for nine months, with the remaining 25 percent paid by the County. During the summer months, this position is assigned to areas of need within the Sheriff's Office. Independent School District 196 has agreed to compensate Dakota County up to the sum of \$82,242 for liaison services and vehicle costs during the 2021-2023 school year, and \$86,354 for liaison services and vehicle costs for the 2023-2024 school year.

RECOMMENDATION

Authorize the Sheriff to renew the JPA with Independent School District 196 for school resource officer services for the 2022-2023 and 2023-2024 school years.

EXPLANATION OF FISCAL/FTE IMPACTS

The Sheriff's budget includes necessary funding and reimbursement from Independent School District 196 to support this position in 2022 and will be included in the County Manager's recommended budget for 2023 and 2024.

- None
- Current budget
- Other
- Amendment Requested
- New FTE(s) requested

RESOLUTION

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.

PREVIOUS BOARD ACTION

20-337; 07/14/20

ATTACHMENTS

None.

BOARD GOALS

- A Great Place to Live
- A Successful Place for Business and Jobs
- A Healthy Environment
- Excellence in Public Service

PUBLIC ENGAGEMENT LEVEL

- Inform and Listen
- Discuss
- Involve
- N/A

CONTACT

Department Head: Joe Leko
Author: Joe Leko



Board of Commissioners

Request for Board Action

Item Number: DC-1327

Agenda #: 10.2

Meeting Date: 8/23/2022

DEPARTMENT: Sheriff

FILE TYPE: Consent Action

TITLE

Authorization To Renew Joint Powers Agreement With Intermediate School District 917 For School Resource Officer Services

PURPOSE/ACTION REQUESTED

Authorize to renew the joint powers agreement (JPA) with Intermediate School District for school resource officer services.

SUMMARY

Historically, the Dakota County Board of Commissioners has authorized the Dakota County Sheriff to contract with Intermediate School District 917 to provide school resource officer services to their academic program. Alliance Education Center has been in partnership with the Sheriff's Office for over 20 years and Lebanon Education Center was added in 2019-2020. The existing contract expires on August 31, 2022, and the school district and the Sheriff's staff desire to continue the school resource officer partnership during the period September 1, 2022, through August 31, 2024.

Intermediate School District 917 has historically paid 75 percent of the cost of annual salary, benefits, and vehicle for one Special Duty Deputy and vehicle assigned to each school for nine months, with the remaining 25 percent paid by the County. During the summer months, these positions are assigned to areas of need within the Sheriff's Office. Intermediate School District 917 has agreed to compensate Dakota County up to \$164,484 for two school resource officers and vehicle costs for the 2022-2023 school year, and up to \$172,708 the 2023-2024 school year.

RECOMMENDATION

Authorize the Sheriff to renew the JPA with Intermediate School District 917 for school resource officer services for the 2020-2021 and 2021-2022 school years and provide one General Duty Deputy at Alliance Education Center and one General Duty Deputy at Lebanon Education Center.

EXPLANATION OF FISCAL/FTE IMPACTS

The Sheriff's budget includes necessary funding and reimbursement Intermediate School District 917 to support this position in 2022 and will be included in the County Manager's recommended budgets for 2023 and 2024.

- None
- Current budget
- Other
- Amendment Requested
- New FTE(s) requested

RESOLUTION

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.

PREVIOUS BOARD ACTION

20-338; 07/14/20

ATTACHMENTS

None.

BOARD GOALS

- | | |
|---|--|
| <input type="checkbox"/> A Great Place to Live | <input type="checkbox"/> A Healthy Environment |
| <input type="checkbox"/> A Successful Place for Business and Jobs | <input checked="" type="checkbox"/> Excellence in Public Service |

PUBLIC ENGAGEMENT LEVEL

- | | | | |
|--|----------------------------------|----------------------------------|---|
| <input type="checkbox"/> Inform and Listen | <input type="checkbox"/> Discuss | <input type="checkbox"/> Involve | <input checked="" type="checkbox"/> N/A |
|--|----------------------------------|----------------------------------|---|

CONTACT

Department Head: Joe Leko

Author: Joe Leko



Board of Commissioners

Request for Board Action

Item Number: DC-1339

Agenda #: 11.1

Meeting Date: 8/23/2022

DEPARTMENT: Office of the County Manager

FILE TYPE: Regular Action

TITLE

Closed Executive Session: Legal Strategy For Acquisition Of Property In City Of West St. Paul For County Project 6-06

PURPOSE/ACTION REQUESTED

Hold a closed executive session.

SUMMARY

The Dakota County Attorney has advised that prior to closing a County Board meeting, pursuant to the Open Meeting Law, Minn. Stat. Ch. 13D, the County Board must resolve by majority vote to close the meeting.

RECOMMENDATION

The County Manager has recommended that a closed executive session be held pursuant to attorney-client privilege during the Dakota County Board meeting of August 23, 2022, to discuss the following:

- the legal strategy of accomplishing Dakota County’s acquisition of the property rights from Joseph Coury (Parcel 1) for County Project 6-06.

EXPLANATION OF FISCAL/FTE IMPACTS

Fiscal impact will be discussed in closed session.

- None
 Current budget
 Other
 Amendment Requested
 New FTE(s) requested

RESOLUTION

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.

PREVIOUS BOARD ACTION

None.

ATTACHMENTS

Attachment: None.

BOARD GOALS

- A Great Place to Live
- A Successful Place for Business and Jobs
- A Healthy Environment
- Excellence in Public Service

PUBLIC ENGAGEMENT LEVEL

- Inform and Listen
- Discuss
- Involve
- N/A

CONTACT

Department Head: Matt Smith
Author: Jeni Reynolds



Board of Commissioners

Request for Board Action

Item Number: DC-1299

Agenda #: 11.2

Meeting Date: 8/23/2022

DEPARTMENT: Office of the County Manager

FILE TYPE: Regular Action

TITLE

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

PURPOSE/ACTION REQUESTED

Hold a closed executive session.

SUMMARY

The Dakota County Attorney has advised that prior to closing a County Board meeting, pursuant to the Open Meeting Law, Minn. Stat. Ch. 13D, the County Board must resolve by majority vote to close the meeting.

RECOMMENDATION

The County Manager has recommended that a closed executive session be held pursuant to attorney-client privilege during the Dakota County Board meeting of August 23, 2022, to discuss the following:

- the legal strategy of defending against Tory Hart’s lawsuit.

EXPLANATION OF FISCAL/FTE IMPACTS

Fiscal impact will be discussed in closed session.

- None
 Current budget
 Other
 Amendment Requested
 New FTE(s) requested

RESOLUTION

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.

PREVIOUS BOARD ACTION

None.

ATTACHMENTS

Attachment: None.

BOARD GOALS

- A Great Place to Live
- A Successful Place for Business and Jobs
- A Healthy Environment
- Excellence in Public Service

PUBLIC ENGAGEMENT LEVEL

- Inform and Listen
- Discuss
- Involve
- N/A

CONTACT

Department Head: Matt Smith

Author: Jeni Reynolds



Board of Commissioners

Request for Board Action

Item Number: DC-1309

Agenda #: 11.3

Meeting Date: 8/23/2022

DEPARTMENT: Employee Relations

FILE TYPE: Regular Action

TITLE

Closed Executive Session: Discuss Labor Negotiations Strategy

PURPOSE/ACTION REQUESTED

Hold a closed executive session.

SUMMARY

The Dakota County Attorney has advised that prior to closing a County Board meeting, pursuant to the Open Meeting Law, Minn. Stat. § 13D, the County Board must resolve by majority vote to close the meeting.

RECOMMENDATION

The County Manager has recommended that a closed executive session be held during the Dakota County Board meeting on August 23, 2022, to discuss Labor Negotiations Strategy.

EXPLANATION OF FISCAL/FTE IMPACTS

Fiscal impact will be addressed in the closed session.

- | | | |
|--|---|---|
| <input type="checkbox"/> None | <input type="checkbox"/> Current budget | <input checked="" type="checkbox"/> Other |
| <input type="checkbox"/> Amendment Requested | | <input type="checkbox"/> New FTE(s) requested |

RESOLUTION

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.

PREVIOUS BOARD ACTION

None.

ATTACHMENTS

Attachment: None.

BOARD GOALS

- A Great Place to Live
- A Successful Place for Business and Jobs
- A Healthy Environment
- Excellence in Public Service

PUBLIC ENGAGEMENT LEVEL

- Inform and Listen
- Discuss
- Involve
- N/A

CONTACT

Department Head: Andy Benish

Author: Andy Benish



Board of Commissioners

Request for Board Action

Item Number: DC-1318

Agenda #: 14.1

Meeting Date: 8/23/2022

Information

See Attachment for future Board meetings and other activities.

August 22, 2022

Monday

11:30 AM - 11:30 AM

Metro Alliance for Healthy Families Governing Board Quarterly Meeting (CANCELED)

August 23, 2022

Tuesday

9:00 AM - 9:00 AM

Dakota County Board of Commissioners Meeting -- Administration Center, 1590 Highway 55, Boardroom, Hastings or View Live Broadcast
<https://www.co.dakota.mn.us/Government/BoardMeetings/Pages/default.aspx>

9:30 AM - 9:30 AM

Dakota County Regional Railroad Authority (or following CB) -- Administration Center, 1590 Highway 55, Boardroom, Hastings

10:30 AM - 10:30 AM

Budget Workshop (or following RRA) -- Administration Center, 1590 Highway 55, Conference Room 3A, Hastings

3:30 PM - 3:30 PM

Dakota County Community Development Agency Board Regular Meeting -- Dakota County CDA, 1228 Town Centre Drive, Eagan

August 24, 2022

Wednesday

9:15 AM - 9:15 AM

Metropolitan Mosquito Control District Commission Meeting -- Online
(<https://www.gotomeet.me/MMCD-MN>)

August 25, 2022

Thursday

1:00 PM - 1:00 PM

Vermillion River Watershed Joint Powers Board Meeting -- Extension and Conservation Center, 4100 220th Street West, Conference Room A, Farmington

7:00 PM - 7:00 PM

Dakota County Planning Commission Meeting -- Western Service Center, 14955 Galaxie Ave, Conference Room 106, Apple Valley

August 31, 2022

Wednesday

11:00 AM - 11:00 AM

Association of Minnesota Counties Extension Committee/Minnesota Extension Citizens Advisory Committee Joint Meeting -- Crowne Plaza Saint Paul Riverfront, 11 East Kellogg Boulevard, Governors Rooms 2 & 3, St. Paul

September 5, 2022

Monday

8:00 AM - 8:00 AM

County Offices Closed - Labor Day Holiday

September 6, 2022

Tuesday

9:00 AM - 9:00 AM

**Dakota County Board of Commissioners Meeting -- Administration Center, 1590 Highway 55, Boardroom, Hastings or View Live Broadcast
<https://www.co.dakota.mn.us/Government/BoardMeetings/Pages/default.aspx>**

9:30 AM - 9:30 AM

Dakota County General Government and Policy Committee Meeting (or following CB) -- Administration Center, 1590 Highway 55, Conference Room 3A, Hastings



Board of Commissioners

Request for Board Action

Item Number: DC-1319

Agenda #: 15.1

Meeting Date: 8/23/2022

Adjournment