



Dakota County

Board of Commissioners

Minutes

Tuesday, September 24, 2024

9:00 AM

Boardroom, Administration Center,
Hastings, MN

1. Call To Order And Roll Call

Present: Commissioner Mike Slavik
Commissioner Joe Atkins
Commissioner Laurie Halverson
Commissioner William Droste
Commissioner Liz Workman
Commissioner Mary Liz Holberg
Commissioner Mary Hamann-Roland

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

2. Pledge Of Allegiance

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

3. Audience

Chair Atkins noted that all public comments can be sent to CountyAdmin@co.dakota.mn.us. No comments were received for this agenda.

4. Agenda

4.1 Resolution No: 24-449
Approval of Agenda (Additions/Corrections/Deletions)

Motion: Laurie Halverson

Second: Mike Slavik

The agenda was approved as amended to include Item 13.3 - Closed Executive Session: Discussion Of Legal Strategy In Tory Hart v. Dakota County et al.

Ayes: 7

5. Public Hearing

5.1 Resolution No: 24-450
Public Hearing To Receive Comments And Approve Dakota County Program Year 2023 Consolidated Annual Performance And Evaluation Report

Motion: Mary Hamann-Roland

Second: Mike Slavik

The time being 9:08 a.m. and pursuant to public notice, a public hearing was conducted to receive comments on the Dakota County Program Year 2021 Consolidated Annual Performance and Evaluation Report to the U.S. Department of Housing and Urban Development. Dakota County Community Development Agency, Community Development Coordinator Emily Anderson briefed this item and the public hearing was opened. No one came forward with comments and no comments were received via email. The Public Hearing was closed at 9:09 a.m.

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; and

WHEREAS, the CDBG, HOME, and ESG Programs are guided by federal regulations, the Five-Year Consolidated Plan that outlines the 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 regulations require a year-end report called the Consolidated Annual Performance and Evaluation Report (CAPER) be submitted to the U.S. Department of Housing and Urban Development 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 also details progress of the CDA, local governments, and housing providers in implementing the housing and community development strategies, projects, and activities identified in the Annual Action Plan; and

WHEREAS, public notice of the public comment period and public hearing for the Dakota County Program Year 2023 CAPER was placed in the *Star Tribune* on September 6, 2024, and on the CDA and Dakota County websites along with the draft CAPER document; and

WHEREAS, no public comments were received on the CAPER document.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby conducts a public hearing on September 24, 2024, at 9:00 a.m., in the Boardroom, Administration Center, 1590 Highway 55, Hastings, Minnesota, to receive comments on the Dakota County Program Year 2021 Consolidated Annual Performance and Evaluation Report to the U.S. Department of Housing and Urban Development; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby approves the submission of the Dakota County Program Year 2023 Consolidated Annual Performance and Evaluation report to the U.S. Department of Housing and Urban Development no later than September 28, 2024.

Ayes: 7

6. Presentation

6.1 Recognition Of Public Health Reaccreditation By Public Health Accreditation Board

Public Health Director Coral Ripplinger gave a brief history on accreditation, foundational public health services, the benefits of being accredited, plans and systems, and the reaccreditation framework and journey. Congratulations to all staff who worked on this achievement.

6.2 Recognition Of 2024 National Association Of Counties (NACo) Achievement Awards

The National Association of Counties (NACo) granted Dakota County with seven 2024 Achievement Awards for the following programs:

- Career Fairs
- Kaposia Library
- Housing Clinic at Eviction Court
- Mental Health Crisis Continuum
- Mothers and Babies Program
- Program and Service Inventory
- Thompson Oaks

Staff from several divisions were recognized and present to accept the awards.

CONSENT AGENDA

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

7. County Administration - Approval of Minutes

7.1 Resolution No: 24-451
Approval of Minutes of Meeting Held on September 10, 2024

Motion: Mary Hamann-Roland Second: William Droste

Ayes: 7

8. Items Recommended By Board Committee*

8.1 Resolution No: 24-452
Approval Of Branding Employee Relations Department As Human Resources Department And Revision Of Policy No. 3020

Motion: Mary Hamann-Roland Second: William Droste

WHEREAS, the Dakota County Personnel Act, Minn. Stat. § 383D.21 through 383D.35 (1987), permitted the Dakota County Board to create a County

personnel administration system by a resolution creating an employee relations department; and

WHEREAS, Section 383D.22, Subd. 4 defines employee relations department to be the employee relations director (defined by Subd. 3) and the employees engaged in the administration of the employee relations department; and

WHEREAS, the Dakota County Board subsequently passed Resolution No. 88-207 (Feb. 23, 1988), which established the Dakota County Employee Relations Department to enact the provisions of Minn. Stat. § 383D.21 through 383D.35; and

WHEREAS, since Resolution No. 88-207 was passed, the term “Employee Relations” as a department title has become uncommon and does not capture the functions and responsibilities described in Minn. Stat. § 383D.21 through 383D.35; and

WHEREAS, the Employee Relations Director seeks to establish “Human Resources” as the identity for the Employee Relations Department and its work; and

WHEREAS, to accomplish this change, the County Board must establish that the Employee Relations Department will be known as the Human Resources Department, that the Employee Relations Director will be known as the Human Resources Director and references to employee relations in County policies and procedures will be replaced with reference to human resources; and

WHEREAS, staff proposes to amend Policy 3020 - Philosophy, Mission and Scope, to implement the branding of the Employee Relations Department as the Human Resources Department; and

WHEREAS, staff seeks to amend references of “employee relations” to “human resources” as administrative changes to all County policies and other relevant documents where appropriate.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby directs that the Employee Relations Department be known as the Human Resources Department, the Employee Relations Director be known as the Human Resources Director and references to employee relations in County policies, procedures and other documents be replaced with reference to human resources; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby adopts the proposed revisions to Policy 3020 - Philosophy, Mission and Scope to implement the reference to human resources; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Employee Relations Director to amend all references to “employee relations” to “human resources” administratively to existing County

policies and related documents where appropriate; and
BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby directs that nothing herein shall be construed as altering the County personnel administration system established by Minn. Stat. 383D.21 through .35 and Resolution No. 88-207 (Feb. 23, 1988), administered by the Employee Relations Department, now known as the Human Resources Department.

Ayes: 7

8.2 Resolution No: 24-453
Authorization To Approve Vendors And Rates For 2025 Group Short-Term Disability, Long-Term Disability, Life Insurance And Vision

Motion: Mary Hamann-Roland Second: William Droste

WHEREAS, The Standard administers the Counties Group Life Insurance and Long-Term disability benefits Offering a 2-year rate guarantee; and

WHEREAS, The Standard rate renewal for employee funded voluntary group life insurance increases to 22% for 2025 and 2026; and

WHEREAS, The Standard rate renewal for County funded employee basic and AD&D Life insurance benefit for all employee an \$50,000 policy will increase 80%; and

WHEREAS, The Standard rate renewal for employee funded voluntary Long-Term Disability benefit will increase for the 40 percent plan at 56% and the 60 percent plan at 58%; and

WHEREAS, VSP Vision Care provides the Counties employee funded voluntary benefit rates increase 7.5%; and

WHEREAS, the employee-paid Short-term Disability plan expenses projected for 2025 results in no rate change for all elimination period 8-day, 15-day, 30-day and 75-day option.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby accepts contracts for 2025 and 2026, Life Insurance, Short-Term and Long -Term Disability administration with The Standard; and VSP Vision Care; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby approves the 2025 and 206 Voluntary benefits: Vision, Group Life Insurance, Long and Short-Term Disability Benefits.

Ayes: 7

8.3 Resolution No: 24-454
Approval Of 2025 Medical Plans And Premium Rates

Motion: Mary Hamann-Roland Second: William Droste

WHEREAS, the County’s self-funded medical plan administered by Blue Cross Blue Shield of MN starting January 1, 2025; and

WHEREAS, due to 2025 IRS limit changes in minimum deductibles for High Deductible Health Plans, the Dakota Health Savings Account (HSA) plan will have an increase in deductible \$1650 for single and \$3300 for family; and

WHEREAS, this change will increase the County annual HSA contribution to \$825 for single and \$1650 for family enrollment; and

WHEREAS, proposed premium rates for 2025 have been identified taking into account utilization and claims experience of the three Plans, medical trend, Affordable Care Act fees, and administrative expenses; and

WHEREAS, self-funded medical plan expenses projected for 2025 result in a rate increase of 8.6 percent increase in all three medical plans.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the rate increase of 8.6 percent for the Dakota Advantage Plan, the Dakota Select Plan, and the Dakota Health Savings Account Plan.

Ayes: 7

8.4 Resolution No: 24-455
Approval Of Contract Renewal For 2025 Dental Plan

Motion: Mary Hamann-Roland Second: William Droste

WHEREAS, the County’s fully funded Dental Plan has been administered by HealthPartners since January 1, 2022; and

WHEREAS, proposed premium rates for 2025 have considered utilization and claims experience of the Counties two dental plans; and

WHEREAS, renewal results in a rate increase of 7.9 percent for both the Comprehensive and Preventive Dental plans.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Employee Relations Director to approve renewal with HealthPartners to continue to provide Dakota County’s 2025 dental plan and related rates, subject to approval by the County Attorney’s office as to form.

Ayes: 7

8.5 Resolution No: 24-456
Establish New Official Name For Mendota-Lebanon Hills Greenway

Motion: Mary Hamann-Roland Second: William Droste

WHEREAS, the Mendota-Lebanon Hills Greenway was created as the name for the trail when it was established in northern Dakota County, and the master plan was adopted in 2013; and

WHEREAS, the County Board is authorized to establish and name County parks pursuant to Minn. Stat. §389.32; and

WHEREAS, the County Board directed Communications staff to establish recommendations for a new official name for the regional trail; and

WHEREAS, Communications staff followed best practices for naming parks, such as dominant physical characteristics, historic features or events, and appropriate individuals or groups after whom to name the trail, and

WHEREAS, the three name options have broad appeal, are descriptive of the trail, are memorable, work well with the other park system names and the Park's brand identity; and

WHEREAS, based on best practices and research, Communications and Parks Department staff recommend adopting one of the three proposed names.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby adopts Lebanon Hills Greenway as the official name for the Mendota-Lebanon Greenway located in northern Dakota County, as discussed at the General Government and Policy Committee of the Whole on September 17, 2024.

Ayes: 7

8.6 Resolution No: 24-457
Authorization To Amend Joint Powers Agreement With City of Mendota Heights To Operate Residential Organics Drop-Off Site

Motion: Mary Hamann-Roland

Second: William Droste

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

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

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

WHEREAS, by Resolution No. 18-493 (September 18, 2018), the Dakota County Board of Commissioners adopted the 2018-2038 Solid Waste Master Plan (County Waste Plan); and

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

WHEREAS, the County Waste Plan includes a tactic to co-develop and provide assistance for residential organics drop-off sites with municipalities; and

WHEREAS, by Resolution No. 21-264 (May 18, 2021), Dakota County and the City of Mendota Heights executed a joint powers agreement (JPA) to operate a residential organics drop-off site until December 31, 2027; and

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

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

WHEREAS, allocated SCORE funds are used for residential organics drop-off sites at 11 locations throughout the County; and

WHEREAS, due to several factors, including increased costs for compostable bags and organics hauling, a JPA amendment is necessary to account for increased costs over the JPA term; and

WHEREAS, the original JPA with the City of Mendota Heights was signed for \$28,500; and

WHEREAS, the proposed amendment to the JPA in the amount of \$29,000 requires County Board approval and will bring the JPA maximum to a total of \$57,500 over the six-year term; and

WHEREAS, staff recommends executing an amendment to the existing JPA with the City of Mendota Heights for continued operations at the residential organics drop-off site through December 31, 2027, for a maximum amount of \$57,500; and

WHEREAS, the 2024 Environmental Resources Operating Budget includes sufficient funding to provide the County's organics drop-off program, which is funded by SCORE.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Environmental Resources Department Director to execute an amendment to the joint powers agreement with the City of Mendota Heights for residential organics drop-site operations through December 31, 2027, in an amount not to exceed \$57,500 for the total joint powers agreement, subject to the approval of the County Attorney's Office to form.

Ayes: 7

8.7 Resolution No: 24-458
Authorization To Execute Household Hazardous Waste Inter-County Reciprocal Use Agreement

Motion: Mary Hamann-Roland

Second: William Droste

WHEREAS, by Resolution No. 18-493 (September 18, 2018), the Dakota County Board of Commissioners approved the 2018-2038 Regional/Dakota County Solid Waste Master Plan (Master Plan); and

WHEREAS, as part of the Master Plan, the Dakota County Board of Commissioners encourages residents and businesses to properly manage hazardous wastes and recyclables to protect public health, surface water, and groundwater; and

WHEREAS, Dakota, Anoka, Carver, Hennepin, Ramsey, Scott, and Washington Counties each provide a household hazardous waste (HHW) management program for their residents; and

WHEREAS, the Dakota County Board of Commissioners desires to maintain a significant public service whereby County residents may use HHW management facilities in any of the metro counties; and

WHEREAS, the Dakota County Board of Commissioners wishes to recover the cost of collection and disposal of HHW to the extent possible; and

WHEREAS, the metro-county negotiated terms for an HHW metropolitan inter-county reciprocal use agreement (Agreement); and

WHEREAS, the Agreement authorizes monetary transfers between counties to compensate each county for residents delivering HHW to sites in other counties; and

WHEREAS, the Agreement terms include a five-year term, from January 1, 2025, through December 31, 2029; a flat annual per-vehicle service fee each year of the Agreement; encouraging product reuse at no cost to residents; and continuing to require a 180-day notice from a county that wishes to withdraw.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the County Board Chair to execute the Household Hazardous Waste Metropolitan Inter-County Reciprocal Use Agreement with each metro county to allow residents to use facilities, as substantially presented to the Physical Development Committee of the Whole on September 17, 2024, subject to approval by the County Attorney's Office as to form.

Ayes: 7

- 8.8** Resolution No: 24-459
Authorization To Execute A Joint Powers Agreement With City Of Lakeville And Vermillion River Watershed Joint Powers Organization For Launch Park Wetland Restoration Preliminary Engineering Design And Permitting Coordination
- Motion: Mary Hamann-Roland Second: William Droste
- WHEREAS, South Creek is included in the Environmental Protection Agency's 303d Impaired Waters List for Total Suspended Solids (TSS); and
- WHEREAS, the City of Lakeville acquired land previously in agricultural production with the intent of converting it to wetland to reduce TSS loading in the South Creek Subwatershed in accordance with the City's Water and Natural Resources Management Plan; and
- WHEREAS, Dakota County must annually report on pollutant reductions achieved by the implementation of best management practices (BMPs) in accordance with their Municipal Separate Storm Sewer System General Permit; and
- WHEREAS, implementation of the Launch Park Wetland Restoration project will result in stormwater volume attenuation as well as total phosphorus and total suspended solids pollutant reductions; and
- WHEREAS, the Vermillion River Watershed Management Plan includes: implementing sediment reduction and/or volume reduction BMPs within publicly owned lands in the South Creek subwatershed near South Creek Waterbody ID 527 (Goal A), working with partners to protect and restore wetlands through revegetations for flood protection and pollutant filtration (Goal F); and implementing sediment-reducing BMPs within the highest sediment-yielding subwatersheds (Goal G); and
- WHEREAS, prior to implementation, preliminary engineering design and permitting coordination in support of the Launch Park Wetland Restoration must be completed; and
- WHEREAS, the Vermillion River Watershed Joint Powers Organization, County, and City have agreed to cooperatively participate in the Project and have funding available in their respective budgets to jointly participate in the costs.
- NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners authorizes its Chair to execute a joint powers agreement with the Vermillion River Watershed Joint Powers Organization and the City of Lakeville for the Launch Park Wetland Restoration project preliminary engineering design and permitting coordination.

Ayes: 7

- 8.9** Resolution No: 24-460
Authorization To Execute Third Contract Amendment With Ebert, Inc. dba Ebert Companies For Law Enforcement Center Integrative Health Unit Addition

Motion: Mary Hamann-Roland

Second: William Droste

WHEREAS, the 2023 Capital Improvement Program (CIP) Adopted Budget as amended for the Law Enforcement Center (LEC) Integrative Health Unit (IHU) Addition project is a total of \$14,400,000; and

WHEREAS, by Resolution No. 23-379 (August 29, 2023), the County Board approved the original contract in the sum of \$10,573,800 with an award to Ebert, Inc., dba Ebert Companies; and

WHEREAS, a first (no cost) contract amendment was formally executed by way of that authorization to establish a construction completion deadline of late-February 2025; and

WHEREAS, with the original contract authorization, staff was also authorized to execute up to \$250,000 worth of post-award changes; and

WHEREAS, \$247,756.03 in a second contract amendment has already been formally executed by way of that authorization; and

WHEREAS, an additional \$262,392.91 worth of post-award changes are requested for authorization to complete a third contract amendment to the contract with Ebert Companies; and

WHEREAS, these project cost increases to the construction contract will be paid for with uncommitted funds available within the CIP budget for this project; and

WHEREAS, the total authorized contract amendments to this contract would then be \$510,148.94 for reimbursement of all construction change orders on the project; and

WHEREAS, sufficient funds within the CIP budget for the project (1001292) are available for this amendment.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Facilities Management Director to execute a contract amendment with Ebert, Inc., dba Ebert Companies, 23350 County Road 10, Corcoran, MN 55357 in an amount not to exceed \$262,392.91 for a maximum contract total not to exceed \$11,083,948.94, subject to approval by the County Attorney's office as to form.

Ayes: 7

- 8.10** Resolution No: 24-461
Approval Of Schematic Design For Wentworth Library Renovation

Motion: Mary Hamann-Roland

Second: William Droste

WHEREAS, the 2024-2028 Facilities Capital Improvement Program (CIP) Adopted Budget includes a project to renovate the Wentworth Library as part of the next cycle of library renovation work; and

WHEREAS, the scope of work includes professional design services; and

WHEREAS, Leo A Daly was selected as the consultant firm to lead the design efforts for the project by Resolution No. 24-105 (February 27, 2024); and

WHEREAS, Leo A Daly worked with a Core Planning Group to confirm the programmatic needs and develop the project through the schematic design phase; and

WHEREAS, public input was solicited through an open house event, sharing materials at the library and on the project webpage; and

WHEREAS, over 150 public comments were submitted and shared with the design team for consideration; and

WHEREAS, the cost estimates prepared for the schematic design developed to date are slightly higher than the estimated project budget. The construction funding will be included in the 2025 Building CIP.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the recommended schematic design for the Wentworth Library Renovation as presented.

Ayes: 7

8.11 Resolution No: 24-462

Approval Of Schematic Design For Law Enforcement Center Boiler And Chiller Replacement Project

Motion: Mary Hamann-Roland

Second: William Droste

WHEREAS, the 2024 Building Capital Improvement Program (CIP) Adopted Budget authorized the Law Enforcement Center (LEC) Boiler and Chiller Replacement project; and

WHEREAS, the design team, led by CMTA, met with the Core Planning Group five times to develop the schematic design for the LEC Boiler and Chiller Replacement project; and

WHEREAS, two steam boilers will be replaced with two hot water boilers; and

WHEREAS, two chillers will be replaced, but the existing cooling tower will be re-used; and

WHEREAS, 13 air handling units and steam piping will be converted to hot water; and

WHEREAS, staff recommends that the County Board approve the schematic design based on Option 2 of the Central Plant Study from June 2023, as presented by County staff to the Physical Development Committee of the Whole on September 17, 2024.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the recommended schematic design for the Law Enforcement Center Boiler and Chiller Replacement as presented to the Physical Development Committee of the Whole on September 17, 2024.

Ayes: 7

8.12 Resolution No: 24-463
Authorization To Submit Bridge Priority List To Minnesota Department Of Transportation

Motion: Mary Hamann-Roland

Second: William Droste

WHEREAS, Dakota County has determined that the following substandard bridges on the county State aid highway, county road, and township systems are a high priority and require replacement, rehabilitation, or removal within the next five years:

| Construction Year | Agency | Road | Bridge Number |
|--------------------------|---------------------------|--------------|----------------------|
| 2025 | Dakota County | CSAH 85 | 19504 |
| 2025 | Marshan Township | 205th St. | L-3249 |
| 2025 | Hampton/Douglas Townships | Inga Ave. | L-3285 |
| 2026 | Dakota County | CSAH 31 | 19512 |
| 2026 | Castle Rock Township | 230th St. | L-3253 |
| 2027 | Dakota County | CSAH | 542951 |
| 2027 | Castle Rock Township | 230th St. | L-3254 |
| 2027 | Sciota Township | Boyd Ave. | 19524 |
| 2027 | Castle Rock Township | Audry Ave. | 19505 |
| 2027 | Greenvale Township | Eveleth Ave. | 19509 |

; and

WHEREAS, local roads play an essential role in the overall state transportation network, and local bridges are a critical component of the local road systems; and

WHEREAS, State support for the replacement, rehabilitation, or removal of local bridges continues to be crucial to maintaining the integrity of the local road systems and is necessary for the County and the townships to proceed with the bridge projects described above; and

WHEREAS, Dakota County intends to proceed with the replacement, rehabilitation, or removal of these bridges as soon as possible when State transportation bond funds and town bridge account funds are available.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby requests authorization from the Minnesota Department of Transportation (MnDOT) to replace, rehabilitate, or remove high-priority substandard bridges and requests financial assistance, including eligible approach grading and engineering as provided by law; and

BE IT FURTHER RESOLVED, That Dakota County hereby commits that it will proceed with the design and contract documents for said bridges immediately after notification by MnDOT that funds are available in order to permit construction to take place within one year of notification; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the County Engineer to submit this resolution to MnDOT along with the Dakota County Bridge Priority Replacement List as presented to the County Board on September 24, 2024.

Ayes: 7

- 8.13** Resolution No: 24-464
Authorization To Execute Detour Agreement No. 1057489 With Minnesota Department Of Transportation For Trunk Highway 316

Motion: Mary Hamann-Roland

Second: William Droste

WHEREAS, to provide a safe and efficient transportation system, Dakota County is partnering with the Minnesota Department of Transportation (MnDOT) on State Project (SP) No. 1926-23; and

WHEREAS, construction work will begin in 2025 on Trunk Highway (TH) 316 to grade, resurface, and improve drainage on TH 316 between Tuttle Drive and the south junction of TH 61; and

WHEREAS, detours will divert TH 316 traffic onto County State Aid Highway (CSAH) 54 (Ravenna Trail), CSAH 62 (190th Street East), CSAH 68 (200th Street East), and CSAH 91 (Nicolai Avenue) during construction; and

WHEREAS, Minn. Stat. § 161.25 authorizes the Commissioner of Transportation to designate any public street or highway as a temporary TH detour when it is determined that such detour is necessary for the construction or maintenance of any TH; and

WHEREAS, MnDOT Agreement No. 1057489 allows the State to reimburse the County approximately \$21,000 for the road life consumed by the detour based on the income determined by the "Gas Tax Method" in accordance with the Detour Management Study Final Report; and

WHEREAS, executing this agreement is necessary for the State to reimburse the County for road consumption from the detour and for the project to continue; and

WHEREAS, the \$21,000 will be deposited in the Transportation Capital Improvement Program fund; and

WHEREAS, staff recommends executing Agreement No. 1057489 with MnDOT to accept reimbursement for SP 1926-23 TH 316 detour on CSAHs 54, 62, 68, and 91.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute Agreement No. 1057489 with the Commissioner of Transportation of the State of Minnesota for the County to receive the State's reimbursement of \$21,000 for the road life consumed by the Trunk Highway 316 detour through State Project 1926-23, subject to approval by the County Attorney's Office as to form.

Ayes: 7

8.14 Resolution No: 24-465

Authorization To Execute Joint Powers Agreement With City Of Empire For Statewide Health Improvement Partnership Funding For A Pedestrian And Bicycle Plan

Motion: Mary Hamann-Roland

Second: William Droste

WHEREAS, by Resolution No. 20-382 (August 18, 2020), the Dakota County Board of Commissioners authorized the Community Services Director to execute a grant agreement with the Minnesota Department of Health (MDH) for the Statewide Health Improvement Partnership (SHIP) and accept future funding for the period of November 1, 2020, through October 31, 2025; and

WHEREAS, the SHIP 2024-25 work plan includes funding for work in active living; and

WHEREAS, one of Dakota County's strategies in the SHIP proposal is to implement permanent and sustainable changes that create healthy and active communities by increasing (a) opportunities for non-motorized transportation (walking and biking), (b) healthy eating/access to healthy foods, and (c) health equity; and

WHEREAS, SHIP 2024-2025 funding (\$35,000) was allocated to provide awards to cities and the County to facilitate progress toward these goals; and

WHEREAS, Dakota County departments and cities were invited to submit applications for sub-grant funding for pedestrian and bicycle plans; and

WHEREAS, applications were distributed on March 19, 2023, with responses

due on June 4, 2024; and

WHEREAS, an application was submitted by the City of Empire for \$35,000 for a pedestrian and bicycle plan, and the application included the required 10 percent local match; and

WHEREAS, the application was scored on the following criteria: project alignment with SHIP goals, equity, community engagement, benefit to SHIP priority populations, and enduring value; and

WHEREAS, a review committee with representatives from the County (Planning, Public Health, Transportation), cities, and MDH met on June 11, 2024, to evaluate the proposal; and

WHEREAS, the application exhibited a strong opportunity for increased active living opportunities city-wide that can be implemented with future development, and the committee recommends approval of the project; and

WHEREAS, staff recommends authorization to execute a joint powers agreement with the City of Empire for \$35,000 for a pedestrian and bicycle plan; and

WHEREAS, there is \$35,000 in SHIP funding available for the project.

NOW, THEREFORE, BE IT RESOLVED, That the Physical Development Director is hereby authorized to execute a joint powers agreement in an amount not to exceed \$35,000 with the City of Empire, subject to approval by the County Attorney's Office as to form; and

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

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

Ayes: 7

8.15 Resolution No: 24-466
Authorization To Submit Comments On Imagine 2050 Policy Plans To
Metropolitan Council

Motion: Mary Hamann-Roland

Second: William Droste

WHEREAS, the Metropolitan Council released for public review and comment

Imagine 2050, a series of updated policy plans for the seven-county Metropolitan Region; and

WHEREAS, the plans establish the vision and goals for the region related to housing, transportation, water, land use, and parks; and

WHEREAS, staff has reviewed the plans and prepared a draft comment letter for County Board consideration.

NOW, THEREFORE BE IT RESOLVED, That the Dakota County Board of Commissioners authorizes the County Board Chair to submit the letter to the Metropolitan Council.

Ayes: 7

8.16 Resolution No: 24-467

Authorization To Accept Minnesota Department Of Health Eliminating Health Disparities Additional Grant Funds And Amend 2024 Public Health Budget

Motion: Mary Hamann-Roland

Second: William Droste

WHEREAS, pursuant to Minn. Stat. § 375A.04, the Dakota County Board of Commissioners is, and performs the duties and exercises the powers of, a community health board under Minn. Stat. ch. 145A, and is required to govern and administer those functions as fully as other Dakota County functions, including the responsibility to prevent disease and to promote and protect the public health of Dakota County residents; and

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

WHEREAS, the purpose of the MDH-EHDI grant is to eliminate health disparities in refugee and other non-U.S. born populations; and

WHEREAS, the grant supports the refugee health program and follow-up Tuberculosis (TB) case management in the Disease Prevention and Control (DPC) Unit; and

WHEREAS, Public Health nurses contact all newly arriving refugees to assist with completion of a health exam; and

WHEREAS, this includes evaluations by a healthcare provider for tuberculosis and follow-up tuberculosis treatment and case management when indicated; and

WHEREAS, MDH distributes legislative funds to eliminate health disparities in refugee and other non-U.S. born populations; and

WHEREAS, MDH establishes specific criteria to distribute the funds and Dakota County will receive \$22,833 for the state fiscal year 2024; and

WHEREAS, the EHDI grant cycle is five years; and

WHEREAS, the current grant cycle began July 1, 2021, and ends June 30, 2026; and

WHEREAS, each year MDH notifies Dakota County of its annual allocation during this five-year grant term; and

WHEREAS, Public Health expects stable funding for the full five years; and

WHEREAS, in 2024, MDH has allocated an additional \$100,000 to Dakota County for the MDH-EHDI grant for the TB Program; and

WHEREAS, additional funding will be used to offset program staffing and program expenses related to case management of TB cases, contact investigations, and new arrival follow-up; staff time on TB training and education; reimbursement of TB medical evaluations; and patient expenses as related to care and isolation requirements (living expenses).

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to accept Eliminating Health Disparities (EHDI) grant funds in the amount of \$100,000 for the period of July 1, 2024 through December 31, 2024; and

BE IT FURTHER RESOLVED, That unless the grant program requirements change, the Community Services Director is hereby authorized to amend the grant to extend the grant term up to two years after initial expiration date, accept additional grant funds, and continue grant-funded full-time equivalents, consistent with County contracting policies, and inclusion of grant funds in future yearly Recommended and Approved Budgets, subject to approval by the County Attorney’s Office as to form; and

BE IT FURTHER RESOLVED, The 2024 Public Health Budget is hereby amended as follows:

Expense

| | |
|----------------------|-----------------|
| Program Expense | <u>\$25,000</u> |
| Total Expense | \$25,000 |

Revenue

| | |
|----------------------|--------------------|
| EHDI Grant Revenue | \$100,000 |
| Use of Fund Balance | <u>(\$ 75,000)</u> |
| Total Revenue | \$ 25,000 |

Ayes: 7

8.17 Resolution No: 24-468
Authorization To Execute Contract Amendment With Greenleaf Integrative Strategies, LLC For Consultation Services

Motion: Mary Hamann-Roland

Second: William Droste

WHEREAS, pursuant to Minn. Stat. § 375A.04, the Dakota County Board of Commissioners is, and performs the duties and exercises the powers of, a community health board under Minn. Stat. Ch. 145A, and is required to govern and administer those functions as fully as other Dakota County functions, including the responsibility to prevent disease and to promote and protect the public health of Dakota County residents; and

WHEREAS, a request for proposal was issued for a Trauma Responsive Department consultant on September 15, 2023, per Dakota County Policy 2751 and Policy 2740; and

WHEREAS, Dakota County Public Health (DCPH) selected Greenleaf Strategies, LLC to provide consultant services and executed a contract for the period of February 1, 2024 through June 30, 2025; and

WHEREAS, DCPH would like to add \$105,000 to the original not to exceed contract amount of \$45,000 for a new not to exceed amount of \$150,000 and extend the current contract end date through December 31, 2025, with Greenleaf Integrative Strategies, LLC; and

WHEREAS, Greenleaf Integrative Strategies, LLC provides consultation, facilitation, and coordination services to create a comprehensive workplan and meet the goal of DCPH becoming a Trauma Responsive Department; and

WHEREAS, the contract extension will provide DCPH and Greenleaf Integrative Strategies, LLC with adequate time to complete a discovery and assessment phase, offer leadership consultation and executive coaching, provide staff education and technical assistance, and utilize data integration to complete the workplan.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to execute a contract amendment with Greenleaf Integrative Strategies, LLC to add \$105,000 to the original not to exceed contract amount of \$45,000 for a new not to exceed amount of \$150,000 and extend the current contract end date through December 31, 2025, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the Community Services Director is hereby authorized to amend said contract(s), consistent with the amount budgeted, to alter the contract(s) amount and the contract(s) term up to one year after initial

expiration date, consistent with County contracting policies, subject to approval by the County Attorney's Office as to form; and

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

Ayes: 7

8.18 Resolution No: 24-469

Authorization To Execute Licensing Agreements With Independent School Districts For Space For Emergency Public Health Activities

Motion: Mary Hamann-Roland

Second: William Droste

WHEREAS, pursuant to Minn. Stat. § 375A.04, the Dakota County Board of Commissioners is, and performs the duties and exercises the powers of, a community health board under Minn. Stat. ch. 145A, and is required to govern and administer those functions as fully as other Dakota County functions, including the responsibility to prevent disease and to promote and protect the public health of Dakota County residents; and

WHEREAS, in a public health emergency, the Dakota County Public Health Department (Public Health) is charged with establishing Point of Dispensing (POD) sites for situations requiring mass distribution of prophylaxis (medications or vaccines) or medical material distribution (testing or test supplies) to prevent or lessen the severity of infectious disease; and

WHEREAS, the PODs were previously referred to as mass dispensing/clinic sites and establishment of these sites is critical in supplying medications to County residents in the event of a public health emergency; and

WHEREAS, by Resolution No. 19-849 (November 19, 2019), and Resolution No. 20-241 (May 19, 2020), the Dakota County Board of Commissioners authorized execution of licensing agreements with ISD 191, ISD 192, ISD 194, ISD 197, and ISD 200 from the date of execution through December 31, 2024; and

WHEREAS, the current licensing agreements for mass clinic sites with ISD 191, ISD 192, ISD 194, ISD 197, and ISD 200 have never been invoked; and

WHEREAS, ISD 191, ISD 192, ISD 194, ISD 197, and ISD 200 have space that could be utilized by Public Health to set up a POD in the event of a public health emergency and training events; and

WHEREAS, the license agreements for each district are equivalent in nature and have been adjusted to all be on the same renewal cycle; and

WHEREAS, representatives from the school districts have agreed to the terms presented and will recommend execution of the license agreements.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to execute license agreements with Independent School District 191, Independent School District 192, Independent School District 194, Independent School District 197, and Independent School District 200 for use of space for public health emergency activities from the date of execution through December 31, 2030, subject to approval by the County Attorney's Office as to form.

Ayes: 7

8.19 Resolution No: 24-470

Update On Opioid Response, Authorization To Allocate Opioid Settlement Funds For Trainings And Procurement Of Nasal Naloxone, Execute Related Contract Amendments, And Amend 2024 Public Health And 2024 Non-Departmental Budgets

Motion: Mary Hamann-Roland

Second: William Droste

WHEREAS, pursuant to Minn. Stat. § 375A.04, the Dakota County Board of Commissioners is, and performs the duties and exercises the powers of, a community health board under Minn. Stat. ch. 145A, and is required to govern and administer those functions as fully as other Dakota County functions, including the responsibility to prevent disease and to promote and protect the public health of Dakota County residents; and

WHEREAS, in January 2024, Dakota County signed onto the Steve Rummier Hope Network's (SRHN)'s standing order for naloxone, allowing the County to become a naloxone access point (NAP) with the SRHN; and

WHEREAS, since that time, seven NAP sites have been established in Public Health and Library locations throughout the County; and

WHEREAS, access to intramuscular naloxone is offered to the County at no cost, but due to the high cost of nasal naloxone, additional funds are needed to support continued access; and

WHEREAS, access to nasal naloxone is important for public use, as it is an intuitive device to use for non-medical personnel; and

WHEREAS, providing educational content related to naloxone and Screening, Brief Intervention, and Referral to Treatment (SBIRT) trainings is vital to shifting public understanding and can help to break down stigma, promote safety, build awareness of available resources, and empower community members to advocate for themselves and loved ones; and

WHEREAS, in accordance with the Amended Minnesota Opioids State-Subdivision Memorandum of Agreement, the expenditure aligns with the

list of opioid remediation uses in Exhibit A, section H, subsection 1, which states the remediation use of increasing the availability and distribution of naloxone and other drugs that treat overdoses for first responders, overdose patients, individuals with Opioid Use Disorder (OUD) and their friends and family members, schools, community navigators and outreach workers, persons being released from jail or prison, or other members of the general public, and Exhibit A, section G, subsection 8, which states the remediation use of funding evidence-based prevention programs in schools or evidence-informed school and community education programs and campaigns for students, families, school employees, school athletic programs, parent-teacher and student associations, and others.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes \$5,500 of opioid settlement funds for Naloxone and Screening, Brief Intervention, and Referral to Treatment trainings, and authorizes \$50,000 of opioid settlement funds for the procurement of nasal naloxone to be accessible for community use at County Naloxone Access Points; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to execute related contract amendments, if necessary, subject to the County Attorney’s Office as to form; and

BE IT FURTHER RESOLVED, That the Community Services Director is hereby authorized to amend said contract, consistent with the amount budgeted, to alter the contract amounts and the contract terms up to one year after initial expiration date, consistent with County contracting policies, subject to approval by the County Attorney’s Office as to form; and

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

BE IT FURTHER RESOLVED, That the 2024 Public Health Budget is hereby amended as follows:

| | |
|---------------------------|-----------------|
| Expense | |
| Opioid Settlement Expense | <u>\$55,500</u> |
| Total Expense | \$55,500 |

| | |
|-------------------------|-----------------|
| Revenue | |
| Opioid Settlement Funds | <u>\$55,500</u> |
| Total Revenue | \$55,500 |

; and

BE IT FURTHER RESOLVED, That the 2024 Non-Departmental Budget is hereby amended as follows:

Expense

Opioid Settlement Expense \$55,500

Total Expense \$55,500

Revenue

Opioid Settlement Funds \$55,500

Total Revenue \$55,500

Ayes: 7

8.20 Resolution No: 24-471
Authorization To Execute Contracts For Apartment Services And Execute Contract Amendment For Housing Services

Motion: Mary Hamann-Roland Second: William Droste

WHEREAS, the Social Services Department provides contracted services across the housing service continuum; and

WHEREAS, staff recommends that the following three service contracts be renewed for services beginning January 1, 2025: Residential Transitions, Inc. and DARTS for On-Site Apartment Services and Extended Stay America Management, LLC for Emergency Hotel Shelter; and

WHEREAS, to ensure high-quality services, Dakota County has scheduled a routine contract Request for Proposal (RFP) process every five years and on May 9, 2023, staff issued an RFP for apartment services; and

WHEREAS, a review committee from Social Services reviewed and scored proposals from four vendors; and

WHEREAS, staff recommends Board authorization to execute contracts for apartment services and execute a contract amendment for housing services with the vendors for the amounts and terms listed in the Resolution.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to execute contracts for apartment services for the period of January 1, 2025 through December 31, 2025, subject to approval by the County Attorney’s Office as to form, as follows:

Service - Agency - Not to Exceed Amount

- Apartment Services - DARTS - \$171,629
- Apartment Services - Residential Transitions, Inc. - \$250,620

; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners

hereby authorizes the Community Services Director to execute a contract amendment for housing services with Extended Stay America Management, LLC for a new total not to exceed amount of \$2,000,000 and to extend the term through December 31, 2025; and

BE IT FURTHER RESOLVED, That the Community Services Director is hereby authorized to amend said contracts and amendment, consistent with the amounts budgeted, to alter the contract and amendment amounts and the contract and amendment terms up to one year after initial expiration date, consistent with County contracting policies, subject to approval by the County Attorney's Office as to form; and

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

Ayes: 7

8.21 Resolution No: 24-472

Authorization To Execute Joint Powers Agreements With Dakota County Law Enforcement Agencies For Social Services Public Safety Embedded Social Worker Partnerships

Motion: Mary Hamann-Roland

Second: William Droste

WHEREAS, cities and counties across the nation are exploring new approaches to working with people who experience a mental health crisis; and

WHEREAS, Dakota County and cities have been working together, for years, to develop partnerships and new models of response to a mental health crisis that promote safe, healthy communities and people receiving the right services at the right time; and

WHEREAS, Dakota County and public safety partners have been among the first in Minnesota to develop and implement crisis follow-up models, including through the Coordinated Response Pilot (the Pilot); and

WHEREAS, the Pilot, launched in 2019, was an innovative partnership aimed at providing a more effective, coordinated response to residents whose use of emergency services may indicate a need for a more integrated response from law enforcement and Social Services (SS); and

WHEREAS, the Pilot operated in four Dakota County cities -Apple Valley, Rosemount, South St. Paul, and West St. Paul - and was eventually expanded to all interested cities and the Dakota County Sheriff's Office; and

WHEREAS, in participating cities, a SS mental health social worker works closely with an assigned police partner to provide follow-up, service coordination and crisis stabilization services following a mental health crisis event; and

WHEREAS, crisis follow-up services link residents to other short- and long-term support services and are an essential component of an effective crisis services continuum; and

WHEREAS, partnerships have expanded to include co-location of mobile crisis services; and

WHEREAS, by Resolution No. 20-449 (September 22, 2020), the County Board of Commissioners approved entering into joint powers agreements (JPA)s that outlined partnership roles and responsibilities of the Pilot; and

WHEREAS, by Resolution No. 21-618 (December 14, 2021), the County Board of Commissioners approved using American Rescue Plan (ARP) Act Coronavirus Local Fiscal Recovery Fund dollars to expand the Embedded Social Worker Model to all Dakota County cities; and

WHEREAS, by Resolution No. 22-164 (April 12, 2022), the County Board of Commissioners approved to expand the Embedded Social Worker Model to all Dakota County cities; and

WHEREAS, Dakota County's mental health crisis services continuum, which includes the Embedded Social Worker model, was recognized with achievement awards from the Minnesota Association of Counties (2023) and the National Association of Counties (2024); and

WHEREAS, Dakota County is requesting authorization to renew JPAs with the following cities: Apple Valley, Burnsville, Eagan, Hastings, Inver Grove Heights, Lakeville, Rosemount, South Saint Paul, and West Saint Paul ("cities"), management control agreements with the cities and the Dakota County Sheriff's Office, and to enter into JPAs with any additional Dakota County cities who may wish to partner in the future.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to execute joint powers agreements with the Cities of Apple Valley, Burnsville, Eagan, Hastings, Inver Grove Heights, Lakeville, Rosemount, South Saint Paul, and West Saint Paul ("cities") effective January 1, 2025 through December 31, 2026 ("Term"), including related management control agreements ("MCA") with the cities and the Dakota County Sheriff's Office for the Term, substantially as presented to the Community Services Committee of the Whole on September 17, 2024, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That if resources are available for additional law enforcement agencies to be added to the Embedded Social Worker Model, the Dakota County Board of Commissioners hereby authorizes the Community Services Director to execute joint powers agreements with other Dakota County law enforcement agencies effective upon the date of execution through

December 31, 2026, including any related MCAs, substantially as presented to the Community Services Committee of the Whole on September 17, 2024, subject to approval by the County Attorney's Office as to form.

Ayes: 7

8.22 Resolution No: 24-473

Ratification Of Minnesota Department Of Human Services Adult Mental Health Initiative And Community Support Program Grant Application, And Authorization To Accept Grant Funds, Execute Grant Agreement, And Add 8.0 Grant-Funded Full-Time Equivalents

Motion: Mary Hamann-Roland

Second: William Droste

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, the DHS 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, AMHIs are regional organizations that oversee adult mental health services and funding; and

WHEREAS, Dakota County is its own AMHI; 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 health 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 priorities; and

WHEREAS, state funding for AMHIs remained largely unchanged from the early 1990s through calendar year (CY) 2024; and

WHEREAS, by Resolution No. 22-346 (September 23, 2022), the Dakota County Board of Commissioners approved Dakota County's CY 2023 and 2024 AMHI and CSP grant application; and

WHEREAS, effective for AMHI grants starting in CY 2025, a new AMHI funding formula was implemented that factors in population, per capita spending, and

social determinants of health; and

WHEREAS, the new, ongoing, funding formula significantly increases Dakota County's AMHI allocation; and

WHEREAS, under the new formula, Dakota County's AMHI portion of the allocation increases by \$1,844,007, from \$482,776 in CY 2024 to \$2,326,783 in CY 2025; and

WHEREAS, DHS communicated that funding amounts will remain consistent through, at least, CY 2035; and

WHEREAS, in preparation for the allocation of additional grant dollars in CY 2025 and opening of the Crisis and Recovery Center, Dakota County conducted adult mental health system needs assessment and data analysis; and

WHEREAS, stakeholder engagement and needs analysis informed Dakota County's CY 2025 and CY 2026 AMHI and CSP proposed spending plan; and

WHEREAS, the CY 2025 and CY 2026 spending plan prioritizes investments in staffing for effectively delivering, managing and overseeing a large and complex adult mental health system of care; and

WHEREAS, AMHI funding will be used for system coordination, clinical supervision, staffing for the Crisis and Recovery Center, core County mental health operations, and expanded community-based service options; and

WHEREAS, staff prepared and submitted the CY 2025 and CY 2026 AMHI and CSP application and budget forms by the September 9, 2024, submission deadline.

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) 2025 and CY 2026 for a total grant amount of \$6,126,582; 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 the period of January 1, 2025 to December 31, 2026 for a total grant amount of \$6,126,582, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to add 8.0 grant-funded, full-time equivalent positions; and

BE IT FURTHER RESOLVED, That unless the grant program requirements change, the Community Services Director is hereby authorized to amend the grant to extend the grant term up to two years after initial expiration date, accept additional grant funds, and continue grant-funded full-time equivalents, consistent with County contracting policies, and inclusion of grant funds in future yearly Recommended and Approved Budgets, subject to approval by the County Attorney's Office as to form.

Ayes: 7

8.23 Resolution No: 24-474

Ratification Of Minnesota Department Of Human Services Mobile Crisis Services Grant Application, And Authorization To Accept Grant Funds And Execute Grant Agreements

Motion: Mary Hamann-Roland

Second: William Droste

WHEREAS, Dakota County operates a crisis services continuum that meets the requirements of Minn. Stat. § 256B.0944, Minn. Stat. § 256B.0624, and Minn. Stat. § 245I; and

WHEREAS, the Department of Human Services (DHS) administers State and federal funds through grant agreements for the provision of mental health crisis services in accordance with Minn. Stat. § 256B.0944, Minn. Stat. § 256B.0624 and Minn. Stat. § 245I; and

WHEREAS, by Resolution No. 21-461 (September 21, 2021) and by Resolution No. 21-618 (December 14, 2021), the Dakota County Board of Commissioners authorized adding 17.0 new full-time equivalents (FTEs) to Dakota County's crisis continuum team to meet community needs in preparation for having an actionable plan when DHS funding was available; and

WHEREAS, by Resolution No. 22-395 (September 20, 2022), the Dakota County Board of Commissioners ratified the Combined Mobile Crisis Services and Home and Community Based Services Medical Assistance Percentage Grant Application submission to DHS for calendar years (CY) 2023 and 2024, and State Fiscal Years (SFY) 2022, 2023, and 2024 for a total grant amount of up to \$5,000,000 and subsequently, grant agreements were executed for CY 2023 and 2024 for a total of \$2,812,567; and

WHEREAS, on May 31, 2024, DHS notified Dakota County of CY 2025 and CY 2026 funding allocations; and

WHEREAS, for CY 2025, Dakota County has been allocated State funding in the amount of \$702,287 and one-time State funding in the amount of \$302,571 for a total funding amount of \$1,004,858; and

WHEREAS, for CY 2026, Dakota County has been allocated State funding in

the amount of \$687,525 and one-time State funding in the amount of \$299,286 for a total funding amount of \$986,811; and

WHEREAS, DHS may also reallocate additional unspent funds to counties; therefore, staff requests authorization to apply for funding up to \$2,500,000 for CY 2025 and CY 2026; and

WHEREAS, DHS is expected to develop a new funding formula to be implemented for CY 2027 allocations; and

WHEREAS, staff prepared and submitted, by the July 31, 2024, deadline, a grant application for CY 2025 and CY 2026 for crisis services funding to meet DHS submission requirements, including a proposal to fund 7.0 existing full-time equivalents, which were approved by previous board actions, including by Resolution No. 21-461 (September 21, 2021), and purchase of services for crisis system coordination.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby ratifies the Mobile Crisis Services Grant Application submission to the Minnesota Department of Human Services for calendar years (CY) 2025 and 2026 for a total grant amount of up to \$2,500,000; 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 mobile crisis grant agreements for CY 2025 and 2026, 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 extend the grant term up to two years after initial expiration date, accept additional grant funds, and continue grant-funded full-time equivalents, consistent with County contracting policies, and inclusion of grant funds in future yearly Recommended and Approved Budgets, subject to approval by the County Attorney's Office as to form.

Ayes: 7

8.24 Resolution No: 24-475

Update From Dakota-Scott Workforce Development Board And Proclamation Of September 2024 As Workforce Development Month In Dakota County

Motion: Mary Hamann-Roland

Second: William Droste

WHEREAS, the month of September is a time to honor workforce development leaders and staff across Minnesota, as well as draw attention to the resources available to those looking for work and to employers who need workers now; and

WHEREAS, workforce development professionals throughout the state are working hard to connect all Minnesotans who need work with employment and to help employers reach often-overlooked labor pools.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby proclaims September 2024 as Workforce Development Month in Dakota County to honor and recognize the workforce development professionals who work hard to connect Minnesotans who need work with employment and to help employers reach often-overlooked labor pools.

Ayes: 7

9. County Board/County Administration

**9.1 Resolution No: 24-476
Scheduling Of 2025 County Board/Committee Of The Whole Meetings,
Workshops And Public Hearings**

Motion: Mary Hamann-Roland

Second: William Droste

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby adopts the following 2025 County Board/Committees of the Whole meeting schedule:

County Board

- January 7, 21
- February 4, 18
- March 11, 25
- April 8, 22
- May 6, 20
- June 3, 24
- July 8, 29
- August 12, 26
- September 9, 23
- October 7, 21
- November 4, 18
- December 2, 16

General Government and Policy (GGP) Committee

- January 7, 14, 21
- February 4, 11, 18
- March 11, 18, 25
- April 8, 15, 22
- May 6, 13, 20
- June 3, 10, 24
- July 8
- August 12
- September 9
- October 7
- November 4
- December 2

Community Services/Physical Development Committee

- January 14

February 11
 March 18
 April 15
 May 13
 June 10
 July 22
 August 19
 September 16
 October 14
 November 11
 December 9
 ; and

BE IT FURTHER RESOLVED, That the location of the Board/Committee of the Whole meetings shall be scheduled as follows:

- All County Board meetings will be held at 9:00 a.m. in the Boardroom, Administration Center, in Hastings.
- General Government and Policy (GGP) Committee meetings will be held at 9:30 a.m. (or following the County Board or Regional Railroad Authority meeting) in Conference Room 3A, Administration Center in Hastings.
- Physical Development (9:00 a.m.) and Community Services (at 1:00 p.m.). Committee meetings will be held in Conference Room 3A, Administration Center in Hastings.

; and

BE IT FURTHER RESOLVED, That General Government and Policy meetings that fall on a day when Physical Development meets will be held at 10:30 a.m. (or following the Committee meeting) in Conference Room 3A, Administration Center in Hastings., on the following dates during the legislative session:

January 14, February 11, March 18, April 15, May 13, June 10

; and

BE IT FURTHER RESOLVED, That the County Board will hold a Special County Board meeting on Tuesday, August 5, 2025 at 10:00 a.m., Dakota County Fairgrounds, 4008 220th Street West, Farmington; and

BE IT FURTHER RESOLVED, That County Board workshops to discuss the 2026 budget are hereby scheduled as follows:

July 8, 2025 10:00 a.m. or following other Board/Committee meetings
 August 12, 2025 10:00 a.m. or following other Board/Committee meetings
 August 19, 2025 10:00 a.m. or following other Board/Committee meetings
 August 26, 2025 10:00 a.m. or following other Board/Committee meetings
 ; and

BE IT FURTHER RESOLVED, That a public hearing is hereby scheduled for December 2, 2025, at 9:00 a.m., in the Boardroom, Administration Center, Hastings, Minnesota, to receive comments on the 2025-2029 Capital Improvement Program; and

BE IT FURTHER RESOLVED, That a public meeting is hereby scheduled for December

2, 2025, at 6:00 p.m., in the Boardroom, Administration Center, Hastings, Minnesota, to receive input on the 2025 levy and budget.

Ayes: 7

9.2 Resolution No: 24-477
Appointment To Planning Commission

Motion: Mary Hamann-Roland Second: William Droste

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby appoints the following individual to the Planning Commission for a term ending January 7, 2025:

District 5, Abdinasir Ibrahim

Ayes: 7

9.3 Resolution No: 24-478
Adoption Of 2025 State Legislative Priorities

Motion: Mary Hamann-Roland Second: William Droste

WHEREAS, the Minnesota Legislature will convene its 2025 session on January 14, 2025; and

WHEREAS, the interests of Dakota County and its citizens will be directly affected by the decisions of the 2025 Legislature; and

WHEREAS, on September 10, 2024, the General Government and Policy Committee of the Whole reviewed items for inclusion in Dakota County’s 2025 Legislative Priorities.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby adopts the following capital priorities for the 2025 state legislative session, in the rank order listed:

1. Interstate 35 Bridge and County Road 50 Improvements
2. Recycling Zone Plus
3. Thompson County Park Improvements
4. County Energy Efficiency and Generation

; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby adopts the following policy priorities for the 2025 state legislative session:

- Cannabis and THC Impact Mitigation
- Elder Waiver Renewal Flexibility
- Housing Support Demonstration Program Expansion
- Housing Support Operations Management Allocation

- Human Services Systems Modernization
- Increased Select Committee on Recycling and the Environment (SCORE) Funding
- Mental Health Crisis Services Appropriation
- MnCHOICES Reassessment Process Improvement
- Statewide Emergency Shelter Funding
- Statewide Medical Assistance (MA) Reimbursement for Collaborative Intensive Bridging Services (CIBS)
- Subordinate Service District Authority

Ayes: 7

10. Enterprise Finance and Information Services

10.1 Report On Invoices Paid In August 2024

Information only; no action requested.

11. Physical Development

11.1 Resolution No: 24-479

Recognition Of 2024 Dakota County Water Wise Challenge Winner

Motion: Mary Hamann-Roland

Second: William Droste

WHEREAS, the Dakota County Board of Commissioners issued a Water Wise Challenge (Challenge) to all Dakota County cities to be held from May to August 2024; and

WHEREAS, the purpose of the Challenge was to encourage residents to take the Water Wise Pledge (Pledge), committing to take one or more measurable actions to reduce water usage through their daily habits; and

WHEREAS, the city with the most residents to participate in the Pledge will be recognized by the Dakota County Board of Commissioners and will receive a Digital 2024 Water Wise Challenge Winner Badge; and

WHEREAS, a total of 111 residents from 11 cities participated in the challenge, pledging to reduce 3.4 million gallons of water.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby recognizes the City of Eagan and City of Mendota Heights for being the 2024 Dakota County Water Wise Challenge Winners.

Ayes: 7

11.2 Resolution No: 24-480

Authorization To Release Draft 2025-2029 Capital Improvement Program For Formal Review

Motion: Mary Hamann-Roland

Second: William Droste

WHEREAS, the Dakota County Board of Commissioners recognizes the need to

identify and plan for future capital projects; and

WHEREAS, the County desires input from local communities in developing its Capital Improvement Program (CIP); and

WHEREAS, staff has compiled the draft 2025-2029 CIP; and

WHEREAS, by Resolution No. 23-497 (October 24, 2023), the County Board also scheduled a public hearing to be held on December 3, 2024, to receive comments on the 2025-2029 CIP.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the County Manager to submit the draft 2025-2029 Capital Improvement Program summary to the cities and townships for formal review and comment prior to the public hearing; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the County Manager to post the draft 2025-2029 Capital Improvement Program to the Dakota County website to allow review from interested parties as a means of receiving further input prior to the adoption of the Capital Improvement Program in December 2024.

Ayes: 7

11.3 Resolution No: 24-481

Authorization To Execute Agreement With Northern States Power Company For Relocation Of Overhead Power Utilities Along Trunk Highway 3 (S Robert Trail) In Eagan, Veterans Memorial Greenway, Project P00147

Motion: Mary Hamann-Roland

Second: William Droste

WHEREAS, the Veterans Memorial Greenway, Phase II segment (County Project P00147) will entail the construction of about two miles of shared use trail, including a bridge over State Trunk Highway 3, in Eagan and Inver Grove Heights; and

WHEREAS, Northern States Power Company (Xcel Energy) operates overhead power adjacent to Trunk Highway 3 in proximity to County Project P00147; and

WHEREAS, to avoid impact with a new multi-use trail bridge facility, County Project P00147 requires the relocation of Xcel Energy overhead power facilities; and

WHEREAS, Xcel Energy requests reimbursement for \$49,721.88 of the impacted overhead facilities, including overhead spans and utility poles, due to the facilities falling within Minnesota Department of Transportation right of way; and

WHEREAS, Xcel Energy estimates the cost share of relocating the overhead facilities to underground cabling, to be \$49,721.88; and

WHEREAS, in order to proceed with construction, Dakota County must execute an agreement with Xcel Energy to identify costs and responsibilities associated with the relocation of the overhead power facility; and

WHEREAS, staff recommends the execution of a reimbursement agreement with Xcel Energy for the relocation of its overhead power facility adjacent to Trunk Highway 3 in an estimated amount of \$49,721.88.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute the agreement with Northern States Power Company, a Minnesota corporation (Xcel Energy), for the final design, materials, and construction of the relocation of the overhead power facilities in the amount of the actual costs currently estimated at \$49,721.88, subject to approval by the County Attorney's Office as to form.

Ayes: 7

11.4 Resolution No: 24-482

Authorization To Execute Joint Powers Agreement With City Of Eagan And City Of Inver Grove Heights For Final Engineering And Construction Of Mendota-Lebanon Hills Greenway, County Project 2000404

Motion: Mary Hamann-Roland

Second: William Droste

WHEREAS, to promote a safe and efficient greenway system, Dakota County is proceeding with County Project (CP) 2000404; and

WHEREAS, Argenta Trail is owned and maintained by the Cities of Eagan and Inver Grove Heights; and

WHEREAS, the existing roadway is aging and requires reconstruction; and

WHEREAS, a 2023 Dakota County preliminary design and alignment study for the Mendota-Lebanon Hills Greenway regional trail identified an alignment adjacent to Argenta Trail; and

WHEREAS, it is considered mutually desirable to complete final engineering and construction to reconstruct Argenta Trail along the border of the cities of Eagan and Inver Grove Heights and include the construction of the future alignment of the Mendota-Lebanon Hills Greenway regional trail (CP 2000404); and

WHEREAS, the City of Eagan is the lead agency for CP 2000404 to administer the contract with the consulting engineering firm; and

WHEREAS, Dakota County is partnering with the City of Eagan and the City of Inver Grove Heights for CP 2000404; and

WHEREAS, a joint powers agreement with the City of Eagan and the City of

Inver Grove Heights is necessary to define County and City design, construction, and cost participation for CP 2000404; and

WHEREAS, County and City engineering and construction costs for CP 2000404 will be in accordance with Greenway Collaborative Program Cost Share Practice, with the County's cost-share 85 percent and City's cost share 15 percent of Greenway project related items; and

WHEREAS, CP 2000404 funding is included in the 2024 Parks Capital Improvement Program in the Greenway Collaborative Set-Aside.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a joint powers agreement with the City of Eagan and City of Inver Grove Heights to proceed with County Project 2000404 for design and construction of the Mendota-Lebanon Hills Greenway adjacent to Argenta Trail from approximately 500 feet north of the intersection of Argenta Trail and Trunk Highway 149 to the north side of the intersection of Opperman Drive, subject to approval by the County Attorney's Office as to form.

Ayes: 7

- 11.5** Resolution No: 24-483
Authorization To Award Bid And To Execute Contract With GV Builders, Inc. For Farmington Highway Shop Salt Storage Building Repair Project

Motion: Mary Hamann-Roland

Second: William Droste

WHEREAS, Facilities Management staff inspects all roofs on an annual basis to determine the need for repairs, assess remaining roof life expectancy, and extend the service life of each roof to the greatest extent feasible; and

WHEREAS, the summer inspection in 2023 showed no significant damage to the Farmington Highway Shop Salt Storage Facility; and

WHEREAS, in early December of 2023, staff was notified that there was a significant hole in the upper roof section; and

WHEREAS, staff engaged one of the County's contracted roofing vendors, who stated they were not able to perform any repairs until a full structural assessment could be completed; and

WHEREAS, staff then contracted with BKV Group to perform a structural assessment, develop design drawings to address the damaged structure, and repair the roof to extend the life of the facility another estimated three to five years; and

WHEREAS, bid documents were prepared by staff with the professional design support of BKV Architectural Group; and

WHEREAS, GV Builders, Inc., has submitted the low bid of \$124,800; and

WHEREAS, staff has reviewed the qualifications of the bidder and recommends award to GV Builders, Inc. as the lowest responsive and responsible bidder in an amount not to exceed \$124,800 for the Farmington Highway Shop Salt Storage Facility Structure and Roof Repair Project; and

WHEREAS, funding for the project is available in the 2024 Adopted Facilities Capital Improvement Program.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Facilities Management Director to execute a contract for the Farmington Highway Shop Salt Storage Facility Structure and Roof Repair Project with GV Builders, Inc. 21160 Stoneridge Court, Lakeville, MN 55044, in an amount not to exceed \$124,800, subject to approval by the County Attorney’s office as to form.

Ayes: 7

12. Public Services and Revenue

**12.1 Resolution No: 24-484
Acceptance of Gifts to Dakota County Library**

Motion: Mary Hamann-Roland Second: William Droste

WHEREAS, pursuant to Policy 1570 Gift Acceptance and adopted Donation Plan (Resolution No. 24-101, February 27, 2024), the Dakota County Board of Commissioners delegated to the County Manager or their designee, the Dakota County Library Advisory Committee, the authority to accept gifts of personal property up to \$1,500 in value for public library purposes; and

WHEREAS, the Dakota County Board of Commissioners must approve and accept gifts to County libraries with a value greater than \$1,500; and

WHEREAS, these donations will greatly enrich the capacity of Dakota County Library to offer valuable materials and programs to customers; and

WHEREAS, the Dakota County Library Advisory Committee supports acceptance of these gifts.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby accepts \$3,500 from Friends of Wescott Library for the Summer Discovery Program; \$1,000 from Barbara Randall to Wescott Library and \$2,400 from the Friends of the Heritage Library to support several different programs and

BE IT FURTHER RESOLVED, That the adopted 2024 budget be amended as follows:

Revenue

| | |
|----------------------|----------------|
| Wescott gifts | \$4,500 |
| Heritage gifts | <u>\$2,400</u> |
| Total Revenue | \$6,900 |

Expense

| | |
|----------------------|----------------|
| Wescott Gifts | \$4,500 |
| Heritage Gifts | <u>\$2,400</u> |
| Total Expense | \$6,900 |

Ayes: 7

REGULAR AGENDA

13. Closed Executive Session

13.1 Resolution No: 24-485

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

Motion: Mike Slavik

Second: William Droste

This item did not go into closed session. It was approved per the confidential memo to the Board.

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; 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); and

WHEREAS, Dakota County is the lead agency for CP 6-06 with right-of-way acquisition; and

WHEREAS, to construct the recommended improvements, Dakota County acquired certain property rights from Joseph Coury identified in Dakota County Right of Way Map No. 506 as Parcel 1; and

WHEREAS, on September 11, 2024, the Dakota County Attorney's Office provided a confidential memorandum to the Dakota County Board of Commissioners explaining the legal strategy for accomplishing Dakota County's acquisition of the property rights identified in Dakota County Right of Way Map No. 506 as Parcel 1; and

WHEREAS, after review of the information contained in the confidential memorandum the County Board determined a closed session discussion with

the County Attorney's Office was not required prior to providing the requested authority.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the full and final settlement with Joseph Coury for the acquisition of property rights identified by Dakota County Right of Way Map No. 506 as Parcel 1 for a total global amount of \$70,000 as being in the best interest of Dakota County, and authorizes the County Attorney to arrange for final payment of the acquisition amount and to effectuate final settlement of the acquisition.

Ayes: 7

13.2 Resolution No: 24-486

Closed Executive Session: Discussion Of Legal Strategy In Najma Abdisalan Ali v. Dakota County

Motion: Laurie Halverson

Second: Mary Hamann-Roland

This item did not go into closed session. It was approved per the confidential memo to the Board.

WHEREAS, Najma Abdisalan Ali (Ali) commenced a lawsuit against Dakota County (County); and

WHEREAS, Ali provided the County with a settlement demand; and

WHEREAS, on September 11, 2024, the County Attorney's Office provided a confidential memorandum to the Dakota County Board of Commissioners (Board) explaining the legal strategy in this matter; and

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

NOW, THEREFORE, BE IT RESOLVED, That the Board authorizes the Dakota County Attorney's Office to proceed with the proposed legal strategy as set forth in the confidential memorandum provided to the Board.

Ayes: 7

13.3 Resolution No: 24-487

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

Motion: Mike Slavik

Second: Liz Workman

The Board recessed at 9:58 a.m. to hold Regional Railroad Authority meeting. The County Board meeting reconvened at 10:24 a.m. and pursuant to public notice, the County Board recessed to Conference Room 3A, Administration Center, to conduct in accordance with Minnesota Statutes sections 13D.021 and 13D.03 a Closed Executive Session to discuss the legal strategy in Tory Hart v.

Dakota County et. al.

The following were present:

Commissioner Mike Slavik, District 1
Commissioner Joe Atkins, District 2
Commissioner Laurie Halverson, District 3
Commissioner Bill Droste, District 4
Commissioner Liz Workman, District 5
Commissioner Mary Liz Holberg, District 6
Commissioner Mary Hamann-Roland, District 7
Kathy Keena, County Attorney
Tom Donely, First Assistant County Attorney
Will Topka, Attorney/Civil
Lucie O'Neill, Attorney/Civil
Justin Hagel, Attorney/Civil
Sarah Fenske, Risk Management Coordinator
Marti Fischbach, Community Services Director
Heid Welsch, County Manager
Jeni Reynolds, Clerk to the Board

The Closed Executive Session continued until 11:17 a.m., at which time the Board reconvened the County Board meeting with all members present.

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

WHEREAS, on September 19, 2024, the United States District Court for the District of Minnesota ordered the County to participate in mediation with Plaintiff at a mutually agreeable time before retired magistrate Judge Arthur Boylan; and

WHEREAS, the Dakota County Board of Commissioners (County Board) seeks legal advice from the Dakota County Attorney's Office 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.0, 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 Dakota County Board meeting on September 24, 2024, to recesses to Conference Room 3A, Administration Center, Hastings, MN to discuss with the Dakota County Attorney the legal strategy in Tory Hart, trustee for the heirs and next-of-kin of E.K.A.H. v. Dakota County, et al.

Ayes: 7

- 13.4** Resolution No: 24-488
Authorization Of Legal Strategy In Tory Hart v. Dakota County et al.

Motion: Liz Workman

Second: William Droste

Following Closed Executive Session, a motion and second were made to approve the following action.

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

WHEREAS, on September 19, 2024, the United States District Court for the District of Minnesota ordered the parties to participate in mediation at a mutually agreeable time before retired magistrate judge Arthur Boylan; and

WHEREAS, the Dakota County Board of Commissioners met in closed session on September 24, 2024, wherein the County Attorney's Office advised the Board regarding the County's legal strategy in this matter.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the County Attorney's Office to proceed with the legal strategy, including settlement authority, as discussed in closed session on September 24, 2024; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Board Chair to appoint up to three members of the Board to attend mediation before retired magistrate Judge Arthur Boylan as required by the court; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Board Chair to designate one of the Commissioners appointed to attend mediation to execute a mediated settlement agreement reached at mediation that is within the parameters of the legal strategy authorized in closed session on September 24, 2024.

Ayes: 7

14. Interagency Reports/Commissioner Updates

Interagency reports and Commissioner updates were presented.

15. County Manager's Report

County Manager Heidi Welsch gave the following update:

- Elections update and thank you to Elections staff.

16. Information

16.1 Information

See Attachment for future Board meetings and other activities.

17. Adjournment

17.1 Resolution No: 24-489
Adjournment

Motion: Mary Hamann-Roland

Second: Joe Atkins

On a motion by Commissioner Hamann-Roland, seconded by Commissioner Atkins, the meeting was adjourned at 11:19 a.m.

Ayes: 7

Joe Atkins
Chair

ATTEST

Heidi Welsch
County Manager