



# Dakota County

## Board of Commissioners

### Minutes

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Tuesday, March 25, 2025

9:00 AM

Boardroom, Administration Center,  
Hastings, MN

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#### 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 Slavik who welcomed everyone and opened the meeting with the Pledge of Allegiance.

#### 3. Audience

Chair Slavik noted that all public comments can be sent to [CountyAdmin@co.dakota.mn.us](mailto:CountyAdmin@co.dakota.mn.us). No comments were received for this agenda.

#### 4. Agenda

**4.1** Resolution No: 25-139  
Approval of Agenda (Additions/Corrections/Deletions)

Motion: Laurie Halverson

Second: William Droste

Ayes: 7

#### 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: 25-140  
Approval of Minutes of Meeting Held on March 11, 2025

Motion: Mary Hamann-Roland

Second: Joe Atkins

Ayes: 7

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

**6.1 Resolution No: 25-141**

Authorization To Execute Agreements To Provide Legal Services To Vermillion River Watershed Joint Powers Organization

Motion: Mary Hamann-Roland

Second: Joe Atkins

WHEREAS, the Dakota County Attorney's Office has provided legal services to the Vermillion River Watershed Joint Powers Organization ("VRWJPO") for many years pursuant to the general terms of the joint powers agreement between Dakota County and Scott County; and

WHEREAS, the County Attorney's Office is willing to continue to provide legal services to the VRWJPO on terms agreeable to the County Attorney's Office and the VRWJPO; and

WHEREAS, the County Attorney's Office has identified that it is not aware of any current conflict of interest between its representation of Dakota County and its continued representation of the VRWJPO; and

WHEREAS, the County Attorney's Office has further identified that if a conflict arises during the course of representation, the County Attorney's Office will disclose the conflict and consult with both the County and the VRWJPO as to whether continued representation of both parties or either party is possible with the parties' consent; and

WHEREAS, the proposed legal services agreements with the VRWJPO will extend through December 31, 2025; and

WHEREAS, pursuant to the agreement, the County Attorney's Office will provide legal services to the VRWJPO at a rate of \$177.92 per hour for attorney time; and

WHEREAS, Dakota County Finance determined that the hourly rates include direct and indirect administrative costs for a mid-level senior attorney in the County Attorney's Office.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Dakota County Attorney to execute an agreement for legal services, substantially as presented and subject to approval by the County Attorney's Office as to form, with the Vermillion River Watershed Joint Powers Organization through December 31, 2025, with the parties each having the ability to terminate the agreement without cause by providing written notice to the other party.

Ayes: 7

**6.2** Resolution No: 25-142

Authorization For Cost Share Of Voting Equipment And Replacement Timeline  
And Amend the 2025 Elections and Non-Departmental Budgets

Motion: Mary Hamann-Roland

Second: Joe Atkins

WHEREAS, Dakota County's voting equipment is quickly becoming outdated;  
and

WHEREAS, upgrading to the next generation of voting equipment is critical to  
ensure trust in the electoral process, compliance with regulations, ease of use,  
and accessibility for all voters; and

WHEREAS, the County's voting equipment was deployed in 2015 and ballot  
tabulators have been successfully used in over 40 elections and are rapidly  
approaching the end of their life; and

WHEREAS, Rigorous testing requirements demand that each ballot is scanned  
multiple times to check for accuracy and reliability, both in preliminary and public  
accuracy testing; and

WHEREAS, the number of eligible voters in our county has increased over 10  
percent since that time and rigorous testing requirements demand heavy usage;  
and

WHEREAS, an investment in new, state-of-the-art voting equipment is  
warranted; and

WHEREAS, new equipment will enhance security, improve accessibility,  
increase efficiency and voter trust, support scalability, and increase reliability;  
and

WHEREAS, cost-share agreements with municipal partners will ensure that all  
entities using the equipment pay a portion of the costs; and

WHEREAS, a transparent, collaborative RFP process may be conducted; and

WHEREAS, new equipment may be deployed and implemented in a manner  
that ensure successful training and use before the next scheduled State  
election.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of  
Commissioners hereby adopts the proposed cost-share of 65 percent of costs to  
be borne by the County, 30 percent borne by cities and townships, and 5  
percent to be borne by school districts; and

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

hereby directs the Elections Department to move forward with executing cost-share agreements subject to approval as to form by the County Attorney and hereby directs the Elections Department to initiate procurement of new voting equipment in anticipation of first utilizing the equipment at the August 11, 2026 State Primary Election; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby amends the 2025 Elections budget as follows; and

**Revenue**

Levy	<u>\$5,000,000</u>
<b>Total Revenue</b>	<b>\$5,000,000</b>

**Expense**

Capital Expenditure	\$4,950,000
Training	<u>\$ 50,000</u>
<b>Expense Total</b>	<b>\$5,000,000</b>

; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby amends the 2025 Non-Departmental budget as follows:

**Revenue**

Levy	(\$5,000,000)
Interest on Investments	<u>\$5,000,000</u>
<b>Total Revenue</b>	<b>\$0</b>

Ayes: 7

**6.3** Resolution No: 25-143  
Authorization To Execute Contract Amendment With Greenleaf Integrative Strategies, LLC For Consultation Services

Motion: Mary Hamann-Roland

Second: Joe Atkins

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, 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 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, by Resolution No. 24-468 (September 24, 2024), the Dakota County Board of Commissioners authorized an amendment to the Greenleaf Strategies, LLC contract 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 to extend the contract term through December 31, 2025; and

WHEREAS, DCPH would like to add \$75,000 to the current not to exceed contract amount of \$150,000 for a new not to exceed amount of \$225,000 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 the 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 \$75,000 to the current not to exceed contract amount of \$150,000 for a new not to exceed amount of \$225,000, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the Community Services Director is hereby authorized to amend said contract, consistent with the amount budgeted, to alter the contract amount and the contract 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 amounts due.

Ayes: 5

Mike Slavik, Joe Atkins, Laurie Halverson, William Droste, and Mary Hamann-Roland

Nay: 2

Liz Workman, and Mary Liz Holberg

**6.4** Resolution No: 25-144

Approval Of Major Modification And Issuance Of New License To Pine Bend Sanitary Landfill

Motion: Mary Hamann-Roland

Second: Joe Atkins

WHEREAS, Pine Bend Sanitary Landfill (PBSL) currently operates a municipal solid waste landfill in the City of Inver Grove Heights, which is permitted by the Minnesota Pollution Control Agency (MPCA) and licensed by Dakota County as a solid waste facility; and

WHEREAS, PBSL has submitted to the Environmental Resources Department (Department) an application to modify the existing license to allow for a vertical expansion of the landfill, resulting in an 8,185,800 cubic yard increase in total capacity; and

WHEREAS, pursuant to Dakota County Ordinance No. 110, Solid Waste Management (Ordinance No. 110), PBSL's proposal to increase capacity constitutes a major modification of this County license and requires County Board approval; and

WHEREAS, the City of Inver Grove Heights has approved PBSL's request to increase capacity, pursuant to PBSL's Conditional Use Permit with the City; and

WHEREAS, the MPCA is reviewing the modification request, and construction will not start prior to PBSL receiving permission from the MPCA; and

WHEREAS, Department staff has reviewed this proposed major modification to PBSL's solid waste facility, finds that it meets the requirements of Ordinance No. 110, and recommends that the County Board approve this major modification and issue a new license to PBSL; and

WHEREAS, the Dakota County Board of Commissioners has previously approved license and variance conditions for the PBSL's solid waste facility, as detailed in this Resolution, which staff recommends be incorporated into a new license if approved by the County Board.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves, as a major modification to the Pine Bend Sanitary Landfill (PBSL) solid waste facility license, PBSL's request to vertically expand the landfill for an increase in total capacity to 42,123,200 cubic yards; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby approves the issuance of a new solid waste facility license to PBSL for the PBSL multi-operational solid waste facility located in Inver Grove Heights, for the time period March 25, 2025, to December 31, 2026, subject to compliance with all applicable State, local, and County laws, rules, and ordinance requirements and the following conditions:

1. The Licensee shall operate the sanitary landfill in accordance with all plans and specifications approved as part of the initial license application to the County Board, all applicable County Ordinance requirements, and all subsequent modifications or additions as approved by the respective state and local agencies and the Dakota County Board of Commissioners. Certain approved plans are listed below:

- Solid Waste Management Plan - "Solid Waste Management Plan, Revised July 2014", submitted July 2014.
  - Operations and Maintenance Plan - "Application for Permit Renewal", submitted November 2013.
  - Closure, Post-Closure, Contingency Action Plan and Financial Assurance Plan with Post-Closure Cost Estimates - "Application for Permit Renewal", submitted November 2013.
2. The Licensee has been granted, by the Dakota County Board of Commissioners, a continuing variance from the following requirement of Ordinance No. 110.
    - Section 6.01(E) that states that a solid waste landfill shall not be located within 1,000 feet of a public roadway.
  3. The Licensee shall comply with all design requirements specified in the MPCA permit for the sanitary landfill.
  4. The Licensee shall pay the annual license fee for a "Sanitary Landfill", as established by the County Board for 2026, by December 31, 2025.
  5. The Licensee shall conduct annual aerial surveys or registered ground surveys of the sanitary landfill or shall use any other method acceptable to the Dakota County Environmental Resources Department (Department) to determine compliance with the vertical property boundary of the facility under the approved plans, and to determine settlement effects, if any. The Licensee shall submit data from such aerial surveys, ground surveys, or other methods to the Department in a form sufficient for the Department to determine if a modification of the license for the landfill is necessary.
  6. The Licensee shall accept waste in accordance with its Solid Waste Management Plan, dated July 2014, and as approved by the Minnesota Pollution Control Agency and the Department.
  7. The Licensee shall reimburse Dakota County for waste sampling or analysis undertaken by the Department to resolve discrepancies in information included in any application for co-disposal of industrial waste that the Department has approved or is asked by the Licensee to approve.
  8. The Licensee as part of their normal leachate analysis program shall test leachate for Gasoline Range Organics (GRO), Diesel Range Organics (DRO) and Total Petroleum Hydrocarbons using a method approved by the Environmental Management Department.
  9. Provided the Licensee collects electronics at the landfill, the following

practices on storage and shipment must be met:

Storage:

- Store electronics in a container that will prevent a release of hazardous constituents to the environment.
- Store electronics indoors or in a covered container.
- Label each container with the words "electronics for recycling".
- Inspect the storage area periodically to ensure electronics have not been broken, and that they are properly labeled.
- Do not disassemble electronics by removing circuit boards, batteries or other components.

Shipment:

- Electronics must be shipped to: a recycler, a hazardous waste facility or another registered consolidator.
- Shipments of electronics must be accompanied by a shipping paper, bill of lading or manifest.
- A copy of all shipping documents must be kept at the collection site for three years.

10. The Licensee shall keep in effect financial assurance as required by Ordinance No. 110, Section 3.07, and as approved by the County Board.

11. The Licensee shall provide to the Department a copy of the following MPCA approved financial assurance instrument for closure, post-closure, and contingency action - Liberty Mutual Insurance Company Bond #022020311.

12. The Licensee shall provide notice to the County of any change or proposed change regarding the MPCA financial assurance and contingency fund within ten days of the proposed change being submitted to the MPCA.

13. The Licensee shall have a minimum of one certified operator on duty at the municipal solid waste area. As necessary, additional operators must be available to assist with landfilling operations.

Ayes: 7

**6.5 Resolution No: 25-145**

Approval Of Industrial And Demolition Waste Landfill Major Modification For SKB Rosemount, Inc.

Motion: Mary Hamann-Roland

Second: Joe Atkins

WHEREAS, SKB Rosemount Inc. (SKB) currently operates a combined Industrial/Demolition landfill, a waste processing facility, a transfer station, and a



composting facility as part of a multi-operational solid waste facility, licensed by Dakota County in the City of Rosemount; and

WHEREAS, SKB has submitted to the Environmental Resources Department (Department) an application to modify the Industrial/Demolition Landfill license to expand the industrial/demolition landfill from 113.6 acres to 186.6 acres; and

WHEREAS, the expansion will not increase the finished height of the landfill; and

WHEREAS, this will result in an increase of the total design capacity of 48,251,781 million cubic yards; and

WHEREAS, under Dakota County Ordinance No. 110, Solid Waste Management (Ordinance 110), SKB's proposal to expand landfill capacity constitutes a major modification of its solid waste facility license and requires County Board approval; and

WHEREAS, the Minnesota Pollution Control Agency has issued a draft permit to SKB approving the expansion design changes; and

WHEREAS, the City of Rosemount has reviewed the proposed expansion and has approved the modification as an amendment to their Comprehensive Plan; and

WHEREAS, Department staff has reviewed SKB's proposed expansion, finds that it meets the requirements of Ordinance 110, and recommends that the County Board approve this major modification and issue a new license to SKB for the SKB Rosemount Landfill; and

WHEREAS, the Dakota County Board of Commissioners has previously approved license and variance conditions for the SKB Rosemount Landfill, as detailed in this Resolution, which staff recommends be incorporated into a new license if approved by the County Board; and

WHEREAS, Ordinance 110, Section 17.02, provides that the Dakota County Board of Commissioners may grant variances from the requirements of the Ordinance and may approve variances that carry over to each successive license unless specifically rescinded by the County Board.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves, as a major modification to the SKB Rosemount Landfill, SKB Rosemount, Inc.'s request to expand the Industrial/Demolition Landfill, as detailed in SKB Rosemount, Inc.'s re-permit application, and directs that this major modification be incorporated into the new solid waste facility license for the Industrial/Demolition Landfill; and

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

hereby approves the issuance of a new solid waste facility license to SKB Rosemount, Inc., for the Industrial/Demolition Landfill for the time period March 25, 2025, to December 31, 2026, subject to compliance with all applicable State, local, and County laws, rules, and ordinance requirements, and the following conditions:

SKB shall operate the Sanitary Landfill in accordance with all plans and specifications approved as part of the initial license application to the County Board, all applicable County Ordinance requirements, and all subsequent modifications or additions as approved by the respective State and local agencies and the Dakota County Board of Commissioners.

SKB shall comply with the conditions of all continuing variances which have been granted, by the Dakota County Board of Commissioners, from the following requirements of Ordinance No. 110:

- Section 5.02 that requires Department approval for disposal of industrial wastes.
- Section 6.01(B) that states that a solid waste landfill shall not be located within a floodplain area, wetland areas, or within five feet of the high historical groundwater table.
- Section 6.01(E) that states that a solid waste landfill shall not be located within 1,000 feet of a public roadway.

SKB shall construct and operate the Industrial Demolition Landfill expansion as detailed in SKB's re-permit application dated October 2022.

SKB shall comply with all design requirements specified in the MPCA permit for the Industrial/Demolition Landfill.

SKB shall pay the annual license fees for a Special Waste Landfill (Industrial Landfill), Demolition Landfill, Transfer Station, Waste Processing Facility, and Compost Facility as established by the County Board for 2026 by December 31, 2025.

SKB shall conduct annual aerial surveys or registered ground surveys of the Industrial/Demolition Landfill or shall use any other method acceptable to the Department to determine compliance with the vertical property boundary of the facility under the approved plans, and to determine settlement effects, if any. SKB shall submit data from such aerial surveys, ground surveys, or other methods to the Department in a form sufficient for the Department to determine if a modification of the license for the Sanitary Landfill is necessary.

SKB shall accept industrial waste only in accordance with the approved

Industrial Waste Management Plan, revised October 2024.

The Licensee shall reimburse Dakota County for waste sampling or analysis undertaken by the County's Environmental Management Department to resolve discrepancies in information included in any application for disposal of industrial waste that the Department has approved or is asked by SKB to approve.

SKB shall not dispose of solid waste in the unlined areas of the Industrial/Demolition Landfill.

SKB as part of their normal leachate analysis program shall test leachate for Gasoline Range Organics (GRO), Diesel Range Organics (DRO) and for Total Petroleum Hydrocarbons (TPH) by analytical methods approved by the Department.

SKB shall keep in effect financial assurance as required by Ordinance No. 110, Section 3.06 and as approved by the County Board.

SKB shall provide to the Environmental Resources Department a copy of the following MPCA approved financial assurance instruments: closure surety bond, post-closure surety, and contingency action surety bond.

SKB shall provide notice to the Department of any change or proposed change regarding the MPCA financial assurance and contingency fund within ten days of the proposed change being submitted to the MPCA.

Ayes: 7

- 6.6** Resolution No: 25-146  
Authorization To Award Bid And Execute Contract With Ebert, Inc. dba: Ebert Companies To Provide Construction Services For Wentworth Library Renovation

Motion: Mary Hamann-Roland

Second: Joe Atkins

WHEREAS, the 2025-2029 Facilities Capital Improvement Program Adopted Budget includes a project to renovate the Wentworth Library; and

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

WHEREAS, a Request for Proposals was prepared and issued to the public on January 4, 2024; and

WHEREAS, after review and evaluation of the written proposals and interviews of shortlisted firms, staff unanimously recommended Leo A Daly to provide the specified professional design services for this project after; and

WHEREAS, the Dakota County Board approved this recommendation through Resolution No. 24-105 (February 27, 2024); and

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

WHEREAS, the project schematic design was presented to and approved by the Dakota County Board of Commissioners through Resolution No. 24-461 (September 24, 2024); and

WHEREAS, Leo A Daly and the Core Planning Group completed the remaining design work; and

WHEREAS, Leo A Daly prepared construction bid documents that were released for bidding on February 6, 2025; and

WHEREAS, the bid documents included a Base Bid and three Alternate Bids; and

WHEREAS, eleven competitive bids were received on February 27, 2025; and

WHEREAS, Ebert Companies has submitted the lowest responsive and responsible bid; and

WHEREAS, staff recommends acceptance of the Base Bid, Alternate Bid #1, Alternate Bid #2, and Alternate Bid #3 to best meet the original project intent; and

WHEREAS, the combined total value of the Base Bid and all three alternate bids is below the latest construction cost estimate; and

WHEREAS, staff and Leo A Daly have reviewed the qualifications of the bidder and recommend award to Ebert Companies in an amount not to exceed \$3,578,700; and

WHEREAS, the project budget is sufficient to support the issuance of the contract.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Facilities Management Director to execute a contract with Ebert, Inc. dba: Ebert Companies, 23350 County Road 10, Corcoran, MN 55357, in an amount not to exceed \$3,578,700 for the Wentworth Library Renovation project, subject to approval by the County Attorney's office as to form.

Ayes: 7

- 6.7** Resolution No: 25-147  
Authorization To Execute Contract With Rachel Contracting, LLC, For Construction Of River To River Greenway From Marie Avenue To Lilydale Road, Authorization To Execute Joint Powers Agreement With Mendota Heights For Construction And The Subsequent Supplemental Maintenance Agreement, And Amend 2025 Parks Capital Improvement Program Budget For County Project P30002

Motion: Mary Hamann-Roland

Second: Joe Atkins

WHEREAS, the River to River Greenway includes trail reconstruction and three pedestrian bridge replacements along Interstate Valley Creek in Mendota Heights; and

WHEREAS, staff advertised the construction contract (County Project P30002) on February 05, 2025; and

WHEREAS, the bid of Rachel Contracting, LLC, in the amount of \$2,725,852.00 for the base bid and \$4,500 for the Bid Alternate, was the lowest responsive and responsible bid received; and

WHEREAS, the 2025 Park's Capital Improvement Program Budget has insufficient funds to accommodate the construction contract; and

WHEREAS, a joint powers agreement (JPA) and supplemental maintenance agreement with Mendota Heights for implementing construction and future maintenance related to County Project P3002.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby awards the bid to and authorizes the Physical Development Director to execute the contract with Rachel Contracting, LLC, 4180 Napier Court N. E. Saint Michael, MN 55376, for the construction work (County Project P30002) associated with the River to River Greenway Mendota Heights Segment, in an amount of \$2,730,352.00 based on their low bid, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the 2025 Parks Capital Improvement Program Budget is hereby amended as follows:

<b>Expense</b>	
P30002	<u>\$926,352.00</u>
<b>Total Expense</b>	<b>\$926,352.00</b>
 <b>Revenue</b>	
Sales & Use Tax	<u>\$926,352.00</u>
<b>Total Revenue</b>	<b>\$926,352.00</b>

; and

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BE IT FURTHER RESOLVED, That the 2025 Sales and Use Tax Budget is hereby amended as follows:

**Expense**

Transfer to Parks Fund (\$926,352.00)

**Total Expense** (\$926,352.00)

**Revenue**

Sales and Use Tax (\$926,352.00)

**Total Revenue** (\$926,352.00)

Ayes: 7

**6.8** Resolution No: 25-148

Authorization To Execute Third Contract Amendment With Hoisington Kogler Group Inc. For Grant Writing For Active Living 2020 - 2025

Motion: Mary Hamann-Roland

Second: Joe Atkins

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 for the State Health Improvement Partnership (SHIP) and accept future funding for the period of November 1, 2020, through October 31, 2025; and

WHEREAS, the SHIP 2024-2025 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 has been supporting grant writing for Dakota County departments and cities for active living for over ten years; and

WHEREAS, since 2010, the SHIP contracted grant writer has helped bring over \$27,000,000 in federal, state, and regional funding to Dakota County and Dakota County cities to support active living infrastructure; and

WHEREAS, in 2022 Dakota County executed a contract with Hoisington Kogler Group, Inc. for grant writing services for active living projects for the period of November 1, 2022, through October 31 2025, for \$60,000; and

WHEREAS, it was estimated that the original budget would support the preparation of nine to 18 grant applications over a three-year period; and

WHEREAS, the budget was amended in 2024 by \$18,000 for a total contract of \$78,000 in 2024 to support the preparation of 18 grants resulting in the award of

\$8.3M; and

WHEREAS, a second amendment of \$20,000 was issued to support an additional three to five applications in 2025 for a total contract amount of \$98,000; and

WHEREAS, a third amendment of \$15,000 is necessary to support an additional two to four active living grant applications in 2025 for programs such as the Minnesota Department of Transportation Safe Routes to School; and

WHEREAS, there are sufficient funds appropriated from the SHIP 2024-2025 to Dakota County to fund the amendment.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Deputy Physical Development Director to amend the contract with Hoisington Koegler Group Inc. by \$15,000, bringing Hoisington Koegler Group Inc.'s contract value to an amount not to exceed \$113,000, including reimbursable expenses, subject to approval by the County Attorney's Office as to form.

Ayes: 7

- 6.9** Resolution No: 25-149  
Authorization To Execute Second Amendment With Northland Grading & Excavating LLC And Amendment Of 2025 Transportation Capital Improvement Program Budget For County State Aid Highway 86 Reconstruction From County State Aid Highway 23 To Trunk Highway 3, County Project 86-34

Motion: Mary Hamann-Roland

Second: Joe Atkins

WHEREAS, to provide a safe and efficient transportation system, Dakota County is proceeding with the County Project (CP) 86-34; and

WHEREAS, CP 86-34 is the reconstruction of County State Aid Highway (CSAH) 86 (280th Street West) as an undivided two-lane highway with shoulders and turn lanes at all public road intersections from CSAH 23 (Galaxie Avenue) to Trunk Highway 3; and

WHEREAS, CP 86-34 includes the reconstruction of Soo Line Railroad Company's (Canadian Pacific) railroad bridge; and

WHEREAS, Northland Grading & Excavating LLC began construction in August of 2022; and

WHEREAS, construction costs have increased by \$1,276,500 primarily due to contract delays occurring as a result of railroad reviews and numerous Requests for Information relating to bridge construction; and

WHEREAS, Additional items resulted in increased contract costs as follows:

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<u>Item</u>	<u>Amount</u>
Compensable delay costs	\$442,000
Pier 3 footing design changes	\$379,600
Additional shoofly costs	\$177,900
Railroad insurance	\$ 23,700
Field office rental	\$ 21,500
Traffic control items	\$ 83,700
Truss storage	\$ 71,500
Mobilization and demobilization	<u>\$ 76,600</u>
Total	\$1,276,500

; and

WHEREAS, the Sales and Use Tax fund balance contains sufficient funds to account for the budget amendment of CP 86-34 in the amount of \$1,276,500, bringing the total project budget to \$22,807,843 including \$4,200,000 in federal funds; and

WHEREAS, staff recommends authorizing a contract amendment with the Northland Grading & Excavating LLC and authorizing a contract amendment in the amount of \$1,276,500.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Transportation Director to execute a second contract amendment with Northland Grading & Excavating LLC, for County Project 86-34, in the amount of \$1,276,500, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the 2025 Transportation Capital Improvement Program Budget is hereby amended as follows:

<b>Expense</b>	
County Project 86-34	<u>\$1,276,500</u>
<b>Total Expense</b>	<b>\$1,276,000</b>

<b>Revenue</b>	
DC Sales & Use Tax Fund Balance	<u>\$1,276,500</u>
<b>Total Revenue</b>	<b>\$1,276,500</b>

Ayes: 7

**6.10** Resolution No: 25-150

Authorization To Execute Contract With SRF Consulting Group, Inc., For Construction Services For Realignment And Expansion Of 117th Street From County State Aid Highway 71 (Rich Valley Boulevard) To Courthouse Boulevard In City Of Inver Grove Heights, County Project 32-65

Motion: Mary Hamann-Roland

Second: Joe Atkins

WHEREAS, to provide a safe and efficient transportation system, Dakota



County will be proceeding with County Project (CP) 32-65; and

WHEREAS, CP 32-65 is the realignment and expansion of 117th Street from County State Aid Highway 71 (Rich Valley Boulevard) to Courthouse Boulevard; and

WHEREAS, the 2025 construction workload is greater than what is feasible for the number of available County staff; and

WHEREAS, an engineering firm with this specialty will provide construction management, inspection, surveying, and material testing in 2025; and

WHEREAS, the Transportation Capital Improvement Program budget includes sufficient funding in 2025 for CP 32-65.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Transportation Director to execute a contract with SRF Consulting Group, Inc., for the construction management, inspection, surveying, material testing, and design services for CP 32-65 for \$1,594,552.50, subject to approval by the County Attorney's Office as to form.

Ayes: 7

## **7. Central Operations**

### **7.1 Report On Invoices Paid In February 2025**

Information only; no action requested.

### **7.2 Resolution No: 25-151**

Authorization To Execute Contract With Aviat Networks To Support Microwave System Of 800 MHz Radio Subsystem

Motion: Mary Hamann-Roland

Second: Joe Atkins

WHEREAS, the County Board authorized a contract in 2018 with Aviat Networks to provide professional services to assist in the support of the Dakota County subsystem that is part of the statewide Allied Radio Matrix for Emergency Response (ARMER) system; and

WHEREAS, Aviat installed and maintained county microwave radio equipment and software that connects the 800 MHz radio subsystem that provides county first responders with continuous operational communication; and

WHEREAS, contracts in the amount of \$100,000 and over must be approved by Dakota County Board of Commissioners.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Deputy County Manager to execute a five-year contract with Aviat Networks to continue providing a five-year preventive and break fix maintenance program and system monitoring software

for the microwave system for a total contract amount not to exceed \$ 176,281, subject to approval by the County Attorney's Office as to form.

Ayes: 7

## **8. County Attorney**

### **8.1 Resolution No: 25-152**

Authorization To Execute Joint Powers Agreement Between City Of Eagan And Dakota County For Administration And Distribution Of Violent Crime Enforcement Teams Grant

Motion: Mary Hamann-Roland

Second: Joe Atkins

WHEREAS, the Dakota County Drug Task Force (DCDTF) is established by a 2001 joint powers agreement entered into by the Cities of Apple Valley, Burnsville, Eagan, Farmington, Hastings, Inver Grove Heights, Lakeville, Mendota Heights, Rosemount, South St. Paul, West St. Paul, Savage and the County pursuant to Minn. Stat. §471.59; and

WHEREAS, the City of Eagan (City) acts as the fiscal agent for the DCDTF; and

WHEREAS, the DCDTF applied for and was awarded Violent Crime Enforcement Teams (VCET) funds; and

WHEREAS, the City receives the VCET funds as fiscal agent for the DCDTF; and

WHEREAS, the DCDTF annually assigns \$48,000 of the VCET funds received for a dedicated drug prosecutor through the County Attorney's Office (CAO); and

WHEREAS, the CAO currently assigns three and one quarter full time attorneys to the prosecution of controlled substance offenses; and

WHEREAS, the CAO and DCDTF, through the City as its fiscal agent, desire execute a joint powers agreement for the distribution of VCET grant funds 2024-2025.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes its Chair to execute a joint powers agreement with the City of Eagan, subject to approval of the County Attorney's Office as to form, to receive Violent Crime Enforcement Teams grant funds for 2024-2025 to pay a portion of the salary and benefits for the drug prosecutor who support Dakota County Drug Task Force related to prosecution.

Ayes: 7

## **9. Physical Development**

### **9.1 Resolution No: 25-153**

Authorization To Execute Contract With HKGI For The Mississippi River Greenway Long-Range Plan

Motion: Mary Hamann-Roland

Second: Joe Atkins

WHEREAS, the Mississippi River Greenway: Long Range Plan was last updated in 1998; and

WHEREAS, an updated plan is needed to provide a contemporary vision for the Mississippi River Greenway and position future projects for external funding sources; and

WHEREAS, the new plan will meet Metropolitan Council requirements for regional destination trails; and

WHEREAS, Dakota County's request for proposals received six responses; and

WHEREAS, staff recommends the selection of HKGI for the Mississippi River Greenway Long Range Plan; and

WHEREAS, the 2025 Adopted Parks Capital Improvement Program Budget includes \$150,000 for the planning effort.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a contract with HKGI to develop the 2025 Mississippi River Greenway Long-Range Plan in an amount not to exceed \$148,060, including ten percent contingency, subject to approval by the County Attorney's Office as to form.

Ayes: 7

**9.2** Resolution No: 25-154

Schedule Public Hearing For Dakota County Consortium 2025-2029 Five-Year Consolidated Plan And Fiscal Year 2025 One-Year Action Plan For Community Development Block Grant, HOME Investment Partnerships, And Emergency Solutions Grant Programs

Motion: Mary Hamann-Roland

Second: Joe Atkins

WHEREAS, Dakota County is an Entitlement County for funds through the Community Development Block Grant (CDBG) Program and Emergency Solutions Grant (ESG) Program and a Participating Jurisdiction for the HOME Investment Partnerships (HOME) Program; and

WHEREAS, the Dakota County Community Development Agency (CDA) administers the CDBG, ESG, and HOME programs on behalf of Dakota County, thereby requiring agreements between the U.S. Department of Housing and Urban Development (HUD) and Dakota County for the CDBG, ESG, and HOME funds and between Dakota County and the Dakota County CDA for CDBG, ESG, and HOME program administration; and

WHEREAS, HUD requires the development and submission of the 2025-2029 Five-Year Consolidated Plan that outlines the strategies and objectives of

Dakota County's use of the federal funds; and

WHEREAS, HUD further requires the development and submission of the Fiscal Year (FY) 2025 One-Year Action Plan that proposes the allocation of the annual CDBG, HOME, and ESG funds to local governments and housing providers in the County; and

WHEREAS, CDA staff has worked with participating communities and agencies to identify CDBG, HOME, and ESG activities for FY 2025; and

WHEREAS, the proposed activities for HUD funds meet the housing and community development priorities identified in the draft 2025-2029 Five-Year Consolidated Plan; and

WHEREAS, HUD has not released the grant amounts for the three entitlement programs for FY 2025, and the draft 2025 One-Year Action Plan uses the FY 2024 approved budgets for the three programs for planning purposes; and

WHEREAS, if there are changes to the budget amounts when HUD releases the final FY 2025 grant amount, the budgets will be amended as follows: the CDBG budget generally will be increased or decreased proportionally depending on any increase or decrease to the grant amount subject to statutory limits on public service activities and planning and grant administration activities; the HOME budget generally will be increased or decreased proportionally depending on any increase or decrease to the grant amount except that funding for Community Housing Development Organization (CHDO) activities will not exceed 15 percent; and the ESG budget generally will be increased or decreased proportionally depending on any increase or decrease to the grant amount subject to statutory limits on emergency shelter operations and grant administration activities; and

WHEREAS, the anticipated Dakota County FY 2025 CDBG allocation is \$1,873,895 with \$400,000 of anticipated program income, the anticipated Dakota County FY 2025 HOME allocation is \$864,077, including program income (Consortium total of \$2,458,250), and the anticipated Dakota County FY 2025 ESG allocation is \$172,422; and

WHEREAS, CDA staff recommend allocating FY 2025 CDBG funds to 26 eligible activities for cities and townships, three Countywide activities, and two grant administration activities as follows: affordable housing rehab (64%), public services (12%), neighborhood revitalization (5%), down payment assistance (2%), planning (4%), and grant administration (13%); and

WHEREAS, four eligible activities as follows: affordable rental housing (36%), affordable homeowner housing (36%), CHDO activities (14%), and grant administration (14%); and

WHEREAS, CDA staff recommend allocating FY 2025 ESG funds to five eligible

activities as follows: emergency shelter operations (60%), rapid re-housing activities (27.5%), homelessness prevention activities (2%), Homeless Management Information System (3%), and grant administration (7.5%); and

WHEREAS, the requested public hearing is to receive comments and inform the public on the draft Dakota County 2025-2029 Five-Year Consolidated Plan and the 2025 One-Year Action Plan that outlines the strategies and objectives for the proposed allocation of FY 2025 CDBG, ESG, and HOME funds.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby schedules a public hearing for April 22, 2025, at 9:00 a.m. in the Board Room, Administration Center, 1590 Highway 55, Hastings, MN, to receive comments on the draft Dakota County 2025-2029 Five-Year Consolidated Plan and the Fiscal Year 2025 One-Year Action Plan, including proposed Community Development Block Grant Program activities funded with an anticipated budget of \$1,873,895, HOME Investment Partnerships Program activities funded with an anticipated budget of \$864,077, including program income (Consortium total of \$2,458,250), and Emergency Solutions Grant Program activities with an anticipated budget of \$172,422; and

BE IT FURTHER RESOLVED, That Dakota County staff is hereby authorized and directed to work with the Dakota County Community Development Agency to publish the public hearing notice in the *Dakota County Tribune* and the *Star Tribune* and to post said notice on the websites of the participating cities, the Dakota County Community Development Agency website at [www.dakotacda.org](http://www.dakotacda.org) <<http://www.dakotacda.org>>, and the Dakota County website at [www.co.dakota.mn.us](http://www.co.dakota.mn.us) <<http://www.co.dakota.mn.us>>.

Ayes: 7

**9.3** Resolution No: 25-155  
Authorization To Subdivide Agricultural Conservation Easement On Sunset Sanctuary, Inc. Property

Motion: Mary Hamann-Roland

Second: Joe Atkins

WHEREAS, by Resolution No.12-102 (February 28, 2012), the County Board authorized the expenditure of up to \$1,832,957 to acquire seven agricultural conservation easements (Easement), including a 104-acre Easement on the Richard Ozment and Marilyn Seehusen (Ozment/Seehusen) property in Castle Rock Township (Township); and

WHEREAS, by Resolution No.12-206 (April 12, 2012), the County Board authorized the expenditure of an additional \$200,708 to acquire an eighth Easement; and

WHEREAS, a change in federal appraisal requirements created delays, resulting in the need for new appraisals and additional funding for the increased easement values; and

WHEREAS, the County received additional federal funding, and by Resolution No. 13-195 (April 23, 2013), the County Board authorized the expenditure of up to \$2,142,150 to acquire eight Easements, including up to \$229,500 (\$114,750 of federal funds and \$81,325 of County funds) for an Easement on the Ozment/Seehusen property; and

WHEREAS, the Easement on the Ozment/Seehusen property; was acquired on November 8, 2013, and recorded on November 13, 2013, as Document No. 2985979; and

WHEREAS, in 2021, Ozment/Seehusen sold the property to Thomas Simonson and a partner to develop Sunset Sanctuary, Inc. (Sanctuary); and

WHEREAS, the Sanctuary was founded in 2021 with a mission to encourage conservation while paying tribute to loved ones by returning them to nature; and

WHEREAS, the Township approved the proposed change in land use on the Sanctuary property without changing zoning upon which the County Attorney's Office advised that the proposed use would be allowed by the Easement; and

WHEREAS, portions of former cultivated land within the Easement have now been restored with the use of native grasses and wildflowers; and

WHEREAS, an individual "beginning farmer" interested in growing food and specialty crops approached the Sanctuary in 2024 about a partial sale of its property where restoration had not yet occurred; and

WHEREAS, the Sanctuary and Jamie Lynn Johnson negotiated a potential sale of 29.4 acres, including 24.3 acres within the Easement area, contingent on Township approval of the property subdivision and County Board approval of Easement subdivision; and

WHEREAS, the Castle Rock Township Board approved the Sanctuary property subdivision at its January 14, 2025, meeting; and

WHEREAS, Section 4.4 of the Easement allows subdivision with written approval of the County; and

WHEREAS, staff from the federal Natural Resource Conservation Service which provided funding for the acquisition of the Easement, confirmed that the County does not require their approval to allow the Easement to be subdivided.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves subdivision of the permanent agriculture conservation easement on the Sunset Sanctuary, Inc. property in Castle Rock Township, whereby Sunset Sanctuary, Inc. will retain ownership of 73.3 acres within the Easement, identified as Tract ID No. 357.1; and Jamie Lynn Johnson

will own 24.3 acres within the Easement, identified as Tract ID No. 357.2.

Ayes: 7

**9.4 Resolution No: 25-156**

Authorization To Execute Joint Powers Agreement With City Of Rosemount For Rosemount Greenway: Dunmore Segment

Motion: Mary Hamann-Roland

Second: Joe Atkins

WHEREAS, by Resolution No. 12-359 (July 31, 2012), the Dakota County Board of Commissioners adopted the Rosemount Greenway Master Plan; and

WHEREAS, the master plan established a preferred alignment for the Rosemount Greenway between Lebanon Hills Regional Park and Spring Lake Park Reserve via downtown Rosemount; and

WHEREAS, the City, in coordination with private development, secured right of way as well as the initial grading for the trail portion of trail within Dunmore Development; and

WHEREAS, the City of Rosemount is leading the design, bidding, and construction management as their contribution towards the cost share; and

WHEREAS, Dakota County will reimburse the City of Rosemount 100 percent of the total project construction costs; and

WHEREAS, the total estimated project cost is \$510,000, including project delivery; and

WHEREAS, the total estimated construction cost is \$450,000, including a 10 percent contingency; and

WHEREAS, a joint powers agreement between the County and the City describing roles and responsibilities and associate costs is required; and

WHEREAS, sufficient revenues are available in the Parks Capital Improvement Program; and

WHEREAS, the future Supplemental Maintenance Agreement will be created to include ongoing maintenance and operations for project extents upon project completion of trail between Lebanon Hills Regional Park and Central Park in downtown Rosemount or completed to Flint Hills Park via downtown.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director, or their designee, to execute a joint powers agreement with the City of Rosemount to reimburse the City for costs associated with the Rosemount Greenway: Dunmore segment for the period of April 1, 2025, through December 31, 2026, subject to approval by the County Attorney's Office as to form.

Ayes: 7

**9.5** Resolution No: 25-157

Authorization To Execute Joint Powers Agreement With City Of Lakeville For North Creek Greenway: East Lake South Segment

Motion: Mary Hamann-Roland

Second: Joe Atkins

WHEREAS, by Resolution No. 11-517 (October 11, 2011), the Dakota County Board of Commissioners adopted the North Creek Greenway Master Plan; and

WHEREAS, the City of Lakeville is leading the design, bidding, and project delivery; and

WHEREAS, the project will upgrade approximately 3,400 feet of trail to meet regional greenway standards and improve a midblock crossing of 170th Street; and

WHEREAS, Dakota County will reimburse City of Lakeville 85 percent of the total project costs estimated at \$1,000,000, including construction and consultant project delivery expense; and

WHEREAS, the total estimated project cost to Dakota County is \$850,000, including 20 percent contingency; and

WHEREAS, sufficient revenues are available in the Parks Capital Improvement Program Greenway Collaborative Set-aside project; and

WHEREAS, the Supplemental Maintenance Agreement will be revised to include ongoing maintenance and operations for project extents upon project completion.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director, or their designee, to execute a joint powers agreement with the City of Lakeville to reimburse the City for cost associated with the North Creek Greenway: East Lake South segment for the period of April 1, 2025, through December 31, 2026, subject to approval by the County Attorney's Office as to form.

Ayes: 7

**9.6** Resolution No: 25-158

Authorization To Accept Donation Of Easements From Flint Hills Resources Pine Bend LLC For Mississippi River Greenway Rosemount East In City Of Rosemount, County Project P00109

Motion: Mary Hamann-Roland

Second: Joe Atkins

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



Paul; and

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

WHEREAS, the County is the lead agency for the Project; and

WHEREAS, additional right of way acquisition is needed to complete construction that began in March 2024; and

WHEREAS, Flint Hills Resources Pine Bend LLC owns three parcels adjacent to Pine Bend Trail road in which the MRG Rosemount East trail alignment required right of way from; and

WHEREAS, by Resolution No. 23-063 (February 7, 2023), the Dakota County Board of Commissioners authorized the acceptance of temporary and permanent easements for the project; and

WHEREAS, construction activities west of the tunnel, an area of Flint Hills Resources Pine Bend LLC property that was unencumbered by a temporary or permanent easement, was identified and requires a new easement to complete construction activities:

34-01800-26-011 - Flint Hills Resources Pine Bend LLC

A permanent easement for drainage and utility purposes over, under, and across that part of the South Half of the Southeast Quarter of the Southeast Quarter and the South Half of the Southwest Quarter of the Southeast Quarter, all in Section 18, Township 115 North, Range 18 West, Dakota County, Minnesota lying southwesterly of Dakota County Trail Easement described in Document Number 3301913, and northeasterly of the northerly right of way line of Pine Bend Trail as shown on Dakota County Right of Way Map No. 360B, according to the recorded map thereof.

Except that part of said South Half of the Southeast Quarter of the Southeast Quarter and said South Half of the Southwest Quarter of the Southeast Quarter described in Dakota County Trail, Slope, and Drainage Easement per Document Number 3187238, and also excepting D&U 1 as shown on Dakota County Right of Way Map No. 360B, according to the recorded map thereof.

Said Drainage and Utility Easement contains approximately 29,016 square feet.

; and

WHEREAS, valuation report for County Project P00109 MRG Rosemount East was completed by Patchin Messner Valuation Counselors; and

WHEREAS, a total appraised value of \$16,100 was determined for parcel 1, owned by Flint Hills Resources Pine Bend LLC; and

WHEREAS, Flint Hills Resources Pine Bend LLC negotiated with County staff to donate the required easements for the Project; and

WHEREAS, the additional acquisition of parcel 1 as identified by the legal description by the County, is necessary to move forward with the Project.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves acceptance of the donation of the land associated with the one parcel for the Mississippi River Greenway Rosemount East at the approved appraised value; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners accepts the donation of right of way identified from Flint Hills Resources Pine Bend LLC.

Ayes: 7

**9.7** Resolution No: 25-159

Authorization To Award Bid And Execute Contract With Ames Construction, Inc. For Construction Of Fort Snelling Segment Of Minnesota River Greenway In City Of Eagan And Amend 2025 Parks Capital Improvement Program Budget, County Project P00127

Motion: Mary Hamann-Roland

Second: Joe Atkins

WHEREAS, by Resolution No. 11-516 (October 18, 2011), the Dakota County Board of Commissioners adopted the Minnesota River Greenway Plan; and

WHEREAS, Dakota County began construction of the trail portion of the Fort Snelling segment of the Minnesota River Greenway in November 2023; and

WHEREAS, Dakota County has completed design of the bridge portion of the Fort Snelling segment of the Minnesota River Greenway and has secured all required approvals and permits to advance the project into construction; and

WHEREAS, construction for the bridge portion of the Fort Snelling segment of the Minnesota River Greenway was advertised for bids on February 14, 2025, and

WHEREAS, Dakota County received one competitive bid by the March 10, 2025 deadline; and

WHEREAS, Ames Construction, Incorporated submitted a bid of \$8,858,710; and

WHEREAS, staff and Bolton & Menk, Inc., reviewed the qualifications of the submitted bid and recommend award to Ames Construction, Incorporated as the

lowest responsive and responsible bidder in an amount not to exceed \$8,858,710 for the Fort Snelling bridge segment of the Minnesota River Greenway; and

WHEREAS, Dakota County has identified anticipated costs totaling \$500,000 related to railroad monitoring during the bridge construction process that are the responsibility of the County through agreements with Union Pacific Railroad authorized by Resolution No. 24-516 (October 29, 2024); and

WHEREAS, Dakota County received \$5,000,000 from the State of Minnesota through a General Fund Grant Agreement to advance the construction of the Minnesota River Greenway; and

WHEREAS, by Resolution 21-320, Dakota County executed an agreement for a State of Minnesota Parks and Trails Legacy Fund grant in an amended amount of 4,090,569 that is eligible for use towards construction of the Minnesota River Greenway.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes its Parks Director to execute a contract with Ames Construction, Incorporated in an amount not to exceed \$8,858,710 for the Fort Snelling bridge segment of the Minnesota River Greenway; and

BE IT FURTHER RESOLVED, That the 2025 Parks Capital Improvement Program budget is hereby amended as follows:

<b>Expense</b>	
MRGW Fort Snelling	<u>\$4,858,710.29</u>
<b>Total Expense</b>	<b><u>\$4,858,710.29</u></b>
 <b>Revenue</b>	
Parks and Trail Legacy Fund	\$2,674,484.00
SUT	<u>\$2,184,226.29</u>
<b>Total Revenue</b>	<b><u>\$4,858,710.29</u></b>

Ayes: 7

- 9.8** Resolution No: 25-160  
Authorization To Award Bid And Execute Contract With MP Nexlevel, LLC For Lower Spring Lake Park Fiber Optic Installation

Motion: Mary Hamann-Roland Second: Joe Atkins

WHEREAS, the Lower Spring Lake Park 13690 Pine Bend Trail to Dakota County 1590 Hwy 55, Hastings fiber optic segment was included in the Information Technology (IT) Data Networks Capital Improvement Program (CIP); and

WHEREAS, the needs for high-speed network connectivity to the lower Spring Lake Park area include cameras, remote door controls, internet connectivity,

and life-safety systems for the bison area, the current Spring Lake Park Retreat Center, and the potential future Fischer Avenue Trailhead, along with additional future connectivity needs in the park; and

WHEREAS, design documents for the project were prepared by IT staff and the LOGIS project engineer; and

WHEREAS, the County advertised for competitive bids for the construction of the segment; and

WHEREAS, eight bids from qualified contractors were received on February 14, 2025; and

WHEREAS, County staff and the project engineer from LOGIS have reviewed the bids and determined that MP Nexlevel, LLC has submitted the lowest responsive and responsible bid of \$149,420.20; and

WHEREAS, Michels Underground Cable, Inc. (Michels) submitted a bid of \$148,017.63 that did not conform with the bid requirements because of the following material variances with the bid specifications:

1. The specifications required bids be valid for 60-days, but Michels reserved the right to adjust its prices if the bid was not accepted within 30-days; and
2. Michels' bid incorporated changes to the County contract general conditions altering the provisions for payment of subcontractors and removed the required payment and performance bonds.

; and

WHEREAS, for these reasons, the Michels' bid is non-responsive to the bid requirements and must be rejected under Minnesota bidding law; and

WHEREAS, funds are available within the adopted 2025 IT Data Networks CIP budget for this project in the amount of \$149,420.20 for the contract with MP Nexlevel, LLC.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby determines that MP Nexlevel, LLC is the lowest responsible bidder and authorizes the Central Operations Director to execute a contract with MP Nexlevel, LLC, 500 County Rd East, Maple Lake, MN 55358, for the Lower Spring Lake Park 13690 Pine Bend Trail to Dakota County 1590 Hwy 55, Hastings fiber optic segment in an amount not to exceed \$149,420.20, subject to approval by the County Attorney's office as to form.

Ayes: 7

- 9.9** Resolution No: 25-161  
Award Of Bid And Authorization To Execute Contract With Street Fleet Expedited, LLC, For Interoffice And Mail Delivery Services And Rescind Resolution No. 24-592

Motion: Mary Hamann-Roland

Second: Joe Atkins

WHEREAS, Dakota County uses a contracted delivery service to move interoffice mail, library books, and related materials between locations; and

WHEREAS, this delivery service model has worked well for the past nine years; and

WHEREAS, pursuant to a request for bids, a contract was awarded to Ultimate One Transportation, Inc., as the low bidder, in an amount not to exceed \$95,000; and

WHEREAS, prior to executing the contract, Ultimate One Transportation changed to Street Fleet Expedited, LLC; and

WHEREAS, staff recommends that the County Board rescind Resolution No. 24-592 and execute a contract with Street Fleet Expedited, LLC, for interoffice and library mail delivery services in an amount not to exceed \$95,000.

NOW, THEREFORE, BE IT RESOLVED, That the County Board hereby rescinds Resolution No. 24-592 (December 3, 2024) and authorizes the Facilities Management Director to execute a contract with Street Fleet Expedited, LLC, 3545 Hoffman Road E., Vadnais Heights, Minnesota 55110, for interoffice and library mail delivery services in an amount not to exceed \$95,000, from January 1, 2025, through December 31, 2025, 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 Facilities Management Director to execute up to two additional one-year contract extensions provided that (1) the County determines that the Contractor has satisfactorily performed the contracted services; (2) the total contract price is included in the County's budget for the applicable year; and (3) the cost of services are consistent with the 2026 and 2027 bid amounts of \$97,800 and \$102,600 respectively, subject to approval by the County Attorney's Office as to form.

#### **PREVIOUS BOARD ACTION**

24-592; 12/3/24

#### **ATTACHMENTS**

None.

#### **BOARD GOALS**

- ☐ Thriving People      ☐ A Healthy Environment with Quality Natural Resources
- ☐ A Successful Place for Business and Jobs      ☒ Excellence in Public Service

**CONTACT**

Department Head: Mike Lexvold

Author: Mike Lexvold

Ayes: 7

**9.10 Resolution No: 25-162**

Authorization To Amend Professional Services Contract With KLJ Engineering LLC For County State Aid Highway 28 In Inver Grove Heights, County Projects 28-66 And 28-76

Motion: Mary Hamann-Roland

Second: Joe Atkins

WHEREAS, to provide a safe and efficient transportation system, the County and the City are proceeding with County Project (CP) 28-66 and CP 28-76; and

WHEREAS, CP 28-66 will include crossing infrastructure improvements along County State Aid Highway (CSAH) 28 (80th Street E) at the intersections of Bowman Avenue, Boyd Avenue, and Simley High School's eastern egress access; and

WHEREAS, CP 28-76 consists of a lane reduction, crossing improvements, signal revisions, and a signal replacement along CSAH 28 between Babcock Trail and Blaine Avenue; and

WHEREAS, Dakota County is the lead agency for CP 28-66 and CP 28-76; and

WHEREAS, by Resolution No. 23-535 (November 28, 2023), the County executed a contract with KLJ Engineering LLC for preliminary engineering and final design consulting services; and

WHEREAS, County staff recognizes and recommends that the proposed additional tasks are necessary to complete the project successfully; and

WHEREAS, staff negotiated an amount of \$36,983.00 with KLJ Engineering LLC to complete the work.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a contract amendment with KLJ Engineering LLC to perform additional engineering consulting services for County Projects 28-66 and 28-76 in an amount not to exceed \$36,983.00, resulting in a total amended contract not to exceed \$276,805.70, subject to approval by the County Attorney's Office as to form.

Ayes: 7

**9.11 Resolution No: 25-163**

Authorization To Execute Contract With WSB LLC, For Design Services For Federal Mill And Overlay On County State Aid Highway (CSAH) 42 (150th Street W), County Project (CP) 42-173, And WSP USA Inc. For Design Services For Federal Mill And Overlay On CSAH 23 (Cedar Ave), CP 23-088 And Amend 2025 Transportation Capital Improvement Program Budget For CP 42-173 And CP 23-088

Motion: Mary Hamann-Roland

Second: Joe Atkins

WHEREAS, to provide a safe and efficient transportation system, Dakota County is proceeding with County Project (CP) 23-088 and CP 42-173; and

WHEREAS, CP 23-088 is the federal mill and overlay on County State Aid Highway (CSAH) 23 in Apple Valley and Lakeville; and

WHEREAS, CP 42-173 is the federal mill and overlay on CSAH 42 in Apple Valley and Rosemount; and

WHEREAS, County staff sent a Request for Proposals to five qualified professional consultants; and

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

WHEREAS, the proposal from WSB LLC for CP 42-173 has the most complete project scope and best value costs for the Project and provides all the services needed; and

WHEREAS, the proposal from WSP USA Inc. for CP 23-088 has the most complete project scope and best value costs for the Project and provides all the services needed; and

WHEREAS, the adopted 2025 Transportation Capital Improvement Program Budget includes \$275,000 for CP 42-173 for engineering consulting services; and

WHEREAS, the adopted 2025 Transportation Capital Improvement Program Budget includes \$325,000 for CP 23-088 for engineering consulting services; and

WHEREAS, the cost share for the 2025 budget year for each project is 100 percent County funds.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Department Director to execute a contract with WSP USA Inc., to perform consulting design services for County Project 23-088 in an amount not to exceed \$371,589, subject to approval by the County

Attorney's Office as to form.

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Department Director to execute a contract with WSB LLC to perform consulting design services for County Project 42-173 in an amount not to exceed \$277,955, subject to approval by the County Attorney's Office as to form.

BE IT FURTHER RESOLVED, That the 2025 Transportation Capital Improvement Program Adopted Budget is hereby amended as follows:

**Expense - CP 42-173**

Consulting Services, CP 42-173	\$2,955
Additional Expenses, CP 42-173	<u>\$50,000</u>
<b>Total Expense - CP 42-173</b>	<b>\$52,995</b>

**Revenue**

CSAH Fund Balance, CP 42-173	<u>\$52,995</u>
<b>Total Revenue</b>	<b>\$52,995</b>

**Expense - CP 42-173**

Consulting Services, CP 23-088	\$46,589
Additional Expenses, CP 23-088	<u>\$50,000</u>
<b>Total Expense - CP 23-088</b>	<b>\$96,589</b>

**Revenue**

CSAH Fund Balance, CP 23-088	<u>\$96,589</u>
<b>Total Revenue</b>	<b>\$96,589</b>

Ayes: 7

**9.12 Resolution No: 25-164**

Authorization To Amend 2025 Transportation Capital Improvement Program Budget For New County State Aid Highway 60 (185th Street) In City Of Lakeville, County Project 60-28

Motion: Mary Hamann-Roland

Second: Joe Atkins

WHEREAS, Dakota County and the City of Lakeville are partnering on County Project (CP) 60-28; and

WHEREAS, CP 60-28 is the design engineering, right of way acquisition, construction, and construction administration for the construction of future CSAH 60 (185th Street) as an urban divided roadway on a new alignment from CSAH 9 (Dodd Boulevard) to Highview Avenue; and

WHEREAS, CP 60-28 includes the construction of a proposed roundabout at CSAH 60 (185th Street) and Highview Avenue, pedestrian underpasses of 185th Street and Highview Avenue, and a potential signal need at CSAH 23 (Cedar Avenue); and



WHEREAS, the City is the lead agency responsible for completing all contract administration, design work, construction, and acquisition for CP 60-28; and

WHEREAS, the current Transportation Capital Improvement Program (CIP) budget for CP 60-28 includes \$5,492,000 from the County and \$2,740,000 from the City for a total adopted budget of \$8,232,000; and

WHEREAS, staff recommends a budget amendment in the amount of \$75,000 for the County's remaining share of costs for CP 60-28 to successfully complete the project; and

WHEREAS, staff recommends a budget amendment in the amount of \$1,550,000 for the City's remaining share of costs for CP 60-28; and

WHEREAS, Lakeville's County advanced funding eligible amount is \$4,290,000 of the \$7,180,000 City total share; and

WHEREAS, the County will advance fund the eligible amount the City of Lakeville share of the project costs, in accordance with adopted cost-share policies, to the extent the County Board budgets funds.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby amends the approved 2025 Transportation Capital Improvement Program budget as follows:

<b>Revenue</b>	
Transportation Sales &Use Tax	\$ 75,000
City of Lakeville (Advanced Funding)	<u>\$1,550,000</u>
<b>Total Revenue</b>	<b>\$1,625,000</b>
 <b>Expense</b>	
County Project 60-28	<u>\$1,625,000</u>
<b>Total Expense</b>	<b>\$1,625,000</b>

Ayes: 7

- 9.13** Resolution No: 25-165  
Authorization To Accept Invitation To Join Minnesota Valley Transit Authority Board And Adopt Resolution To Terms Of Third Amended And Restated Joint Powers Agreement Of Minnesota Valley Transit Authority

Motion: Mary Hamann-Roland Second: Joe Atkins

WHEREAS, to provide a safe and efficient multimodal transportation system, Dakota County promotes a variety of transportation modes, including transit; and

WHEREAS, Dakota County held Transit Workshops on October 29, 2024, and November 12, 2024, to discuss the County's transit priorities; and

WHEREAS, Commissioners indicated a desire to become more engaged in transit issues; and

WHEREAS, the Minnesota Valley Transit Authority (MVTA) is a joint powers entity organized pursuant to Minnesota Statutes, Sections 471.59, 473.384, and 473.388, under an amended and restated MVTA joint powers agreement establishing the MVTA, dated as of September 9, 2014, (JPA) providing transit services to member suburbs including the Dakota County cities of Apple Valley, Burnsville, Eagan, and Rosemount as well as the neighboring Scott County cities of Prior Lake, Savage, and Shakopee; and

WHEREAS, Dakota County previously participated on the MVTA Board from 1990 until 2021, with official County membership between 2012 and 2021; and

WHEREAS, the February 11, 2025, Physical Development Committee of the Whole included a discussion of membership on the MVTA Board of Directors with a majority indicating support of increased engagement in transit issues through membership on the MVTA Board; and

WHEREAS, on February 20, 2025, the MVTA Board unanimously approved the Resolution to invite and accept Dakota County onto the MVTA Board; and

WHEREAS, to become a member, the Dakota County Board of Commissioners must adopt a resolution agreeing to the terms of the JPA, and each existing member of the JPA must adopt a resolution approving the addition of the County; and

WHEREAS, upon completion of the process, the Dakota County Board Chair will appoint one commissioner and one alternate commissioner to serve on the MVTA Board.

NOW, THEREFORE BE IT RESOLVED, That the Board of Commissioners in and for the County of Dakota, Minnesota, hereby agrees to join the Minnesota Valley Transit Authority as a full member and agrees to the terms of the Minnesota Valley Transit Authority joint powers agreement, subject to approval by the current member organizations.

Ayes: 7

**9.14 Resolution No: 25-166**

Authorization To Execute Contract With SRF Consulting Group, Inc., For Water Resources Design Services For County State Aid Highway 47 Reconstruction In Hampton, Castle Rock, Sciota, And Waterford Townships And City Of Hampton, County Projects 47-047 And 47-048

Motion: Mary Hamann-Roland

Second: Joe Atkins

WHEREAS, to promote a safe and efficient transportation system, Dakota County is proceeding with County Projects 47-047 and 47-048, County State Aid Highway 47 (Northfield Boulevard) Reconstruction in Hampton, Castle Rock,

Sciota, and Waterford Townships, and the City of Hampton; and

WHEREAS, County Projects 47-047 and 47-048 are the reconstruction of County State Aid Highway 47 (Northfield Boulevard) from Trunk Highway 3 to Trunk Highway 50, which will include roadway modernization, intersection and safety improvements, and drainage improvements; and

WHEREAS, the scope of work requires water resources tasks, which include hydraulic analysis of existing and proposed conditions and floodplain impact analysis with possible mitigation measures for the approximately 11.5-mile corridor; and

WHEREAS, due to staff capacity, a consultant is needed to complete the water resources tasks within the project schedule; and

WHEREAS, County staff sent a Request for Proposal to five qualified professional consultants for the necessary water resource scope; and

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

WHEREAS, the proposal from SRF Consulting Group, Inc., was determined to best meet the proposal scoring criteria as shown in the Request for Proposals; and

WHEREAS, the adopted 2025 Transportation Capital Improvement Program Budget includes \$400,000, including carryover, for County Projects 47-047 and 47-048 engineering consulting services; and

WHEREAS, staff recommends entering into a consultant contract with SRF Consulting Group, Inc., for a total contract amount of \$134,674.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a contract with SRF Consulting Group, Inc., to perform water resources engineering design services for County Projects 47-047 and 47-048 in an amount not to exceed \$134,674, subject to approval by the County Attorney's Office as to form.

Ayes: 7

**9.15 Resolution No: 25-167**

Ratification Of Revisions To Certain Legal Descriptions Of Right Of Way Acquisitions For County State Aid Highway 42 Federal Mill And Overlay In City Of Apple Valley, County Project 42-172

Motion: Mary Hamann-Roland

Second: Joe Atkins

WHEREAS, Dakota County is proceeding with County Project (CP) 42-172, the County State Aid Highway (CSAH) 42 federal mill and overlay and Americans with Disabilities Act improvements in the city of Apple Valley; and

WHEREAS, Dakota County is the lead agency for design, right of way, and construction for CP 42-172; and

WHEREAS, construction is scheduled to occur in 2025; and

WHEREAS, right of way acquisition is necessary to allow for construction to begin as scheduled; and

WHEREAS, the County Board previously approved the acquisition of right-of-way from 15 parcels by Resolution No. 24-550 (November 12, 2024); and

WHEREAS, the correction of the legal descriptions of Parcel 14 and Parcel 19 is necessary for the acquisitions and recording with the County recorder's office.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the acquisition of right of way for County Project 42-172 based on the amended legal descriptions for Parcel 14 and Parcel 19 as set forth below:

**Parcel 14**

**Condominium No. 78**

**Valley Way Homeowners Association, Inc.**

**Highway easement 100 sf**

A permanent easement for highway purposes over the south 10.00 feet of the east 10.00 feet of the area designated as Common Element in Condominium Number 78, Valley Way Village Condominium, according to the recorded condominium plat thereof, Dakota County, Minnesota.

**Parcel 19**

**CIC NO. 241**

**Prairie Crossing Villas Homeowners Association**

**Highway easement 700 sf**

A permanent easement for highway purposes over the north 10.00 feet of the west 70.00 feet of the common area designated in CIC No. 241 Prairie Crossing Villas Eighth Supplemental CIC Plat, according to the recorded plat thereof, Dakota County, Minnesota.

**Temporary easement 140 sf**

A temporary easement for highway purposes over the north 10.00 feet of the east 14.00 feet of the common area designated in CIC No. 241 Prairie Crossing Villas Fourth Supplemental CIC Plat, according to the recorded plat thereof, Dakota County, Minnesota.

Ayes: 7

**9.16** Resolution No: 25-168

Authorization To Execute Railroad Coordination Agreements For 117th Street Reconstruction And Rescind Resolution No. 25-100

Motion: Mary Hamann-Roland

Second: Joe Atkins

WHEREAS, to provide a safe and efficient transportation system, Dakota County and the City of Inver Grove Heights are proceeding with County Project (CP) 32-65; and

WHEREAS, the project will reconstruct 117th Street East from County State Aid Highway (CSAH) 71 (Rich Valley Boulevard) to the Trunk Highway (TH) 52/117th Street Interchange; and

WHEREAS, the purpose of the project is to meet 10-ton design standards, enhance transportation system efficiency and mobility, reduce access points, improve pavement conditions, and facilitate the phased development of an essential east-west transportation corridor within the region; and

WHEREAS, the 117th Street corridor is a part of the more extensive CSAH 32 network in Dakota County, which connects Interstate 35W in Burnsville to TH 52 in Inver Grove Heights; and

WHEREAS, the 117th Street and CSAH 71 corridors are considered Tier 1 regional truck corridors; and

WHEREAS, the design includes a two-lane, median-divided roadway for a one-mile segment of 117th Street between Rich Valley Boulevard and the Flint Hills Resources Refinery access, just west of the TH 52/117th Street Interchange; and

WHEREAS, CP 32-65 addressed current and future traffic volumes and safety improvements for the corridor; and

WHEREAS, the County is the lead agency for the construction of the project; and

WHEREAS, Union Pacific Railroad Company is requiring the County to execute a two-pipeline crossing agreement to allow the County-owned storm sewer facility to cross underneath the rail; and

WHEREAS, in order to proceed with construction, Dakota County must enter into an agreement with Union Pacific Railroad Company for the two improved at-grade crossings and installation of warning devices as required by state design requirements; and

WHEREAS, Union Pacific Railroad requires authorized flaggers and

construction observers to be on site while any work is being done in the railroad right of way; and

WHEREAS, Union Pacific Railroad Company requires the County to execute agreements with National Railroad Safety Services, Inc. and RailPros Field Services, Inc., for construction observation and flagging operations for 117th Street rail crossing reconstruction; and

WHEREAS, it is necessary for Dakota County to execute an agreement with National Railroad Safety Services, Inc., and RailPros Field Services, Inc., for construction observation and flagging operations for 117th Street rail crossing reconstruction; and

WHEREAS, to proceed with the CP 32-65 project, Dakota County needs agreements with Union Pacific Railroad Company to improve the two at-grade crossings of one track of the Union Pacific Railroad at its Mile Post 338.30, Albert Lee Subdivision DOT# 876418Y (\$794,876), and Mile Post 516.22, Roseport Industrial Lead DOT# 184971C (\$820,975), and install warning devices as required by state design requirements; and

WHEREAS, Union Pacific Railroad Company is requiring the County to execute two storm sewer pipeline crossing agreements to allow the County-owned facility to cross underneath the rail, and the fee for each agreement is \$1,368.75 per utility crossing (\$2,737.50 total) and is set by State Statute 237.045, Subdivision 6; and

WHEREAS, CP 32-65 is scheduled for construction in 2025 and included in the Dakota County Capital Improvement Program; and

WHEREAS, staff recommends that the Dakota County Board of Commissioners rescind Resolution No. 25-100 (February 18, 2025) that previously authorized these agreements because Union Pacific Railroad Company revised the anticipated costs in the final agreements; and

WHEREAS, staff recommends executing agreements with Union Pacific Railroad Company for the two at-grade crossings and installing warning devices as required by state design requirements and two storm sewer pipeline crossing agreements to allow the County-owned facility to cross underneath the rail; and

WHEREAS, staff recommends executing agreements with National Railroad Safety Services, Inc., to provide Union Pacific Railroad- required flagging operations and required construction observation; and

WHEREAS, staff recommends executing agreements with RailPros to provide Union Pacific Railroad-required construction observation services and required flagging operations for this project.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of

Commissioners hereby authorizes the Physical Development Director to execute agreements with Union Pacific Railroad Company for two improved at-grade crossings and installation of warning devices on County State Aid Highway 32 in the City of Inver Grove Heights, in the amount of the actual cost for such work in an amount not to exceed \$1,615,851(DOT# 876418Y \$794,876 and DOT# 184971C \$820,975), 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 Physical Development Director to execute an agreement with the Union Pacific Railroad Company for storm sewer pipeline crossings associated with CP 32-65 for \$1,368.75 per utility crossing set by State Statute 237.045, Subdivision 6, 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 Physical Development Director to enter into agreements with National Railroad Safety Services, Inc., for flagging operations in the amount of the actual cost for such work in an amount not to exceed \$237,160, 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 Physical Development Director to enter into agreements with RailPros to provider Union Pacific Railroad-required Construction Observation services in the amount of the actual cost for such work in an amount not to exceed \$247,940, 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 rescinds Resolution No. 25-100 (February 18, 2025).

Ayes: 7

## **10. Public Services and Revenue**

### **10.1 Resolution No: 25-169**

Approval Of Application For Assemblage Of Large Numbers Of People License For Tunnel To Towers Foundation

Motion: Mary Hamann-Roland

Second: Joe Atkins

WHEREAS, an application has been submitted by Tunnel to Towers Foundation to hold the Tunnel to Towers Twin Cities 5K at the Dakota County Fairgrounds in Castle Rock Township; and

WHEREAS, the Dakota County Board of Commissioners is the local governing body having jurisdiction over the proposed license, and the application has been reviewed for compliance with the County Ordinance No. 112 and has been approved by the Public Services and Revenue Division, Public Health Department, Risk Management Department, Transportation Department and

Sheriff's Office; and

WHEREAS, Castle Rock Township approved the application on March 10, 2025.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the application for Assemblage of Large Numbers of People License received by Tunnel to Towers Foundation to hold the Tunnel to Towers Twin Cities 5K on May 7, 2025, from 7:00 a.m. until 1:00 p.m. at the Dakota County Fairgrounds, and authorizes the Public Services and Revenue division to issue the license.

Ayes: 7

## **REGULAR AGENDA**

### **11. Closed Executive Session**

#### **11.1 Resolution No: 25-170**

Closed Executive Session: Discussion Of Legal Strategy In Tywan Christopher v. Dakota County, et al.

Motion: Joe Atkins

Second: William Droste

The time being 11:57 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 with the County Attorney the legal strategy for Christopher v. Dakota County, et al.; District of Minnesota Case No. 22-cv-02267.

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

Sarah Fenske, Risk Management Coordinator

Jenny Groskopf, Risk and Homeland Security Manager

Heid Welsch, County Manager

David McKnight, Deputy County Manager

Jeni Reynolds, Clerk to the Board

The Closed Executive Session continued until 12:12 p.m., at which time the Board reconvened the County Board meeting with all members present.



WHEREAS, Tywan Christopher (Christopher) was an inmate in the Dakota County jail when he was assaulted by a fellow inmate and received personal injuries as a result; and

WHEREAS, Christopher commenced a lawsuit against Dakota County and certain Dakota County correctional in the United States District Court, District of Minnesota Case No. 22-cv-02267; 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 March 25, 2025, and recesses to conference room 3A to discuss with the County Attorney the legal strategy for Christopher v. Dakota County, et al.; District of Minnesota Case No. 22-cv-02267.

Ayes: 7

**11.2 Resolution No: 25-171**

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

Motion: Mary Hamann-Roland

Second: Liz Workman

The time being 12:20 p.m. and pursuant to public notice, the County Board recessed to Conference Room 3A, Administration Center, to evaluate the performance of the County Manager, Heidi Welsch.

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

Heidi Welsch, County Manager

The Closed Executive Session continued until 1:25 p.m., at which time the Board reconvened the County Board meeting with all members present.

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

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

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby closes the County Board Meeting on March 25, 2025, and recesses to conference room 3A, Administration Center, Hastings, to evaluate the performance of the County Manager, Heidi Welsch.

Ayes: 7

## **12. Interagency Reports/Commissioner Updates**

Interagency reports and Commissioner updates were presented.

## **13. County Manager's Report**

County Manager Heidi Welsch gave a brief update on the following:

- Staff is being proactive and taking steps to prepare for any federal/state cuts.
- Update on Township meetings.

## **14. Information**

### **14.1 Information**

See Attachment for future Board meetings and other activities.

## **15. Adjournment**

### **15.1 Resolution No: 25-172**

Adjournment

Motion: Joe Atkins

Second: Mary Hamann-Roland

On a motion by Commissioner Atkins, seconded by Commissioner Hamann-Roland, the meeting was adjourned at 1:31 p.m.

Ayes: 7

Mike Slavik  
Chair

ATTEST

Heidi Welsch  
County Manager