



# Dakota County

## Physical Development Committee of the Whole

### Minutes

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Tuesday, October 22, 2024

9:00 AM

Conference Room 3A, Administration  
Center, Hastings

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

The meeting was called to order at 9:00 a.m. by Commissioner Holberg.

<b>Present</b>	Commissioner Mike Slavik Commissioner Joe Atkins Commissioner Laurie Halverson Commissioner William Droste Commissioner Liz Workman Chairperson Mary Liz Holberg
<b>Absent</b>	Commissioner Mary Hamann-Roland

Also in attendance were Heidi Welsch, County Manager; Tom Donely, First Assistant County Attorney; Georg Fischer, Physical Development Division Director; Liz Hansen, Administrative Services Coordinator.

The audio recording of this meeting is available upon request.

#### 2. Audience

Commissioner Holberg asked if there was anyone in the audience that wished to address the Physical Development Committee of the Whole on an item not on the agenda or an item on the consent agenda. No one came forward and no comments were submitted to CountyAdmin@co.dakota.mn.us.

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

##### 3.1 Approval of Agenda (Additions/Corrections/Deletions)

Motion: Liz Workman

Second: William Droste

Ayes: 6

#### 4. Consent Agenda

##### 4.1 Approval Of Minutes Of Meeting Held On September 17, 2024

Motion: Joe Atkins

Second: William Droste

Ayes: 6

**4.2** Approval Of Solid Waste Transfer Facility License For Dakota Area Transfer, Inc., Empire

Motion: Joe Atkins

Second: William Droste

WHEREAS, in accordance with Dakota County Ordinance 110, Solid Waste Management, Dakota Area Transfer, Inc. submitted a license application to Dakota County to operate a solid waste transfer facility in the City of Empire; and

WHEREAS, Dakota Area Transfer, Inc., shall provide financial assurance in accordance with Dakota County Ordinance 110, Solid Waste Management, in the amount of \$45,000, in the form of a bond in favor of Dakota County to cover potential closure costs associated with the storage of up to 170 tons of unprocessed, mixed recyclables, subject to the approval of the Dakota County Risk and Homeland Security Manager and the Dakota County Attorney's Office as to form and financial institution; and

WHEREAS, County staff reviewed the application from Dakota Area Transfer, Inc., and determined the proposed solid waste transfer facility conforms to the requirements of Dakota County Ordinance 110, Solid Waste Management.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the issuance of a license pursuant to Dakota County Ordinance 110, Solid Waste Management, to Dakota Area Transfer, Inc., to operate a solid waste transfer facility in the City of Empire for the period of October 29, 2024, to December 31, 2025, subject to compliance with all applicable federal, state, local, and County laws, rules, and ordinance requirements or special conditions; and

BE IT FURTHER RESOLVED, That Dakota Area Transfer, Inc., shall operate the solid waste transfer facility in accordance with the plans and information approved as part of its license application to Dakota County; and

BE IT FURTHER RESOLVED, That pursuant to Dakota County Ordinance 110, Solid Waste Management, Dakota Area Transfer, Inc., shall provide and maintain financial assurance in the form of a \$45,000 bond in favor of Dakota County, subject to the approval of the Dakota County Risk and Homeland Security Manager and the Dakota County Attorney's Office as to form and financial institution.

This item was approved and recommended for action by the Board of Commissioners on 10/29/2024.

Ayes: 6

**4.3** Authorization To Execute First Contract Amendment With Ebert Inc. For Law Enforcement Center Locker Room Expansion Project And Amend 2024 Facilities Capital Improvement Program Budget

Motion: Joe Atkins

Second: William Droste

WHEREAS, the 2023 Building Capital Improvement Program (CIP) Adopted Budget authorized the Law Enforcement Center Locker (LEC) Room Expansion project; and

WHEREAS, the Dakota County Board Of Commissioners authorized the award of construction of the LEC Locker Room Expansion project to Ebert Inc. in an amount not to exceed \$373,300 by Resolution No. 24-251 (May 21, 2024); and

WHEREAS, Dakota County Sheriff's Office (DCSO) staff believes that additional sallyports will activate the full potential of the Locker Room Expansion project because they will allow for employees to both prepare for duty and changeout during shift change, all outside of the secure perimeter; and

WHEREAS, Ebert Inc. has provided a price of \$143,500 for the additional construction improvements needed to build the two new sallyports for the benefit of the LEC Locker Room Expansion project; and

WHEREAS, the LEC Staff Breakroom Expansion project was included within the 2024 Adopted Facilities CIP with a budget of \$145,000; and

WHEREAS, DCSO staff believe that the operational improvement of two additional sallyports within the jail is of greater value than the LEC Staff Breakroom Expansion project.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Facilities Management Director to execute a contract amendment for the Law Enforcement Center Locker Room Expansion project to Ebert Inc., 23350 County Road 10, PO Box 97, Loretto, MN 55357, in an amount not to exceed \$143,500, subject to approval by the County Attorney's office as to form; and

BE IT FURTHER RESOLVED, That the previously approved Law Enforcement Center Breakroom Expansion project is canceled and its funding reallocated to the Law Enforcement Center Locker Room Expansion project; and

BE IT FURTHER RESOLVED, That the 2024 Buildings Capital Improvement Program budget is hereby amended as follows:

**Expense**

Law Enforcement Center Breakroom Expansion (2000257)	(\$145,000)
Law Enforcement Center Locker Room Expansion (2000022)	<u>\$145,000</u>
<b>Total Expense</b>	<b>\$0</b>

**Revenue**

Law Enforcement Center Breakroom Expansion (2000257)	(\$145,000)
Law Enforcement Center Locker Room Expansion (2000022)	<u>\$145,000</u>

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**Total Revenue**

**\$0**

This item was approved and recommended for action by the Board of Commissioners on 10/29/2024.

Ayes: 6

**4.4 Authorization To Execute Agreements With Union Pacific Railroad Company Related To Construction Of Minnesota River Greenway In Cities Of Burnsville And Egan, County Project P00127**

Motion: Joe Atkins

Second: William Droste

WHEREAS, the Minnesota River Greenway runs along the south side of the Minnesota River in Egan and Burnsville, extending from I-35W in Burnsville to Lilydale Regional Park in Saint Paul; and

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

WHEREAS, the rapidly developing and robust recreational network that has developed in the area has created increased demand for the completion of the trail connection between the recently constructed Lone Oak Trail Head, the Cedar Nicols Trailhead, and the Minnesota River Greenway Black Dog Segment to the west; and

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

WHEREAS, Dakota County is preparing to proceed with the construction of a pedestrian bridge for the Minnesota River Greenway necessary to complete the project and provide a crossing of the adjacent Union Pacific Railroad track for construction activities; and

WHEREAS, Dakota County has sought and received approval from Union Pacific Railroad Company to construct the pedestrian bridge through their right of way; and

WHEREAS, Dakota County has sought and received approval from Union Pacific Railroad Company for a temporary, at-grade crossing of their right of way to allow for construction access to the project area; and

WHEREAS, Union Pacific Railroad Company has identified a total of \$257,500 in fees and construction costs associated with these agreements.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a public overpass agreement with Union Pacific Railroad Company to authorize the construction of a pedestrian bridge for the Fort Snelling segment of the Minnesota River Greenway; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a construction agreement with Union Pacific Railroad Company to authorize the construction of a construction access for the Fort Snelling segment of the Minnesota River Greenway.

This item was approved and recommended for action by the Board of Commissioners on 10/29/2024.

Ayes: 6

**4.5** Authorization To Execute Contract With Friends Of The Mississippi River For Natural Resources Project Management

Motion: Joe Atkins

Second: William Droste

WHEREAS, the 2020 Land Conservation Plan identified 24 Preliminary Conservation Focus Areas and directed staff to pursue conservation easements with willing landowners within these Focus Areas; and

WHEREAS, through successful Minnesota Outdoor Heritage Fund grant proposals, the program has acquired several new conservation easements eligible for natural resources restoration funding from these same sources; and

WHEREAS, the number of projects queued for restoration exceeds the current capacity of Parks and Soil and Water Conservation District staff; and

WHEREAS, on January 6, 2022, a Request for Qualifications was released to determine vendor interest and labor rates for a variety of Land Conservation activities; and

WHEREAS, Friends of the Mississippi River's (FMR) response for natural resources project management was the lowest cost response, and FMR has a successful track record of providing high-quality services on other Dakota County Land Conservation projects.;

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners approves a three-year contract with Friends of the Mississippi River for natural resources project management and ecological consulting services in an amount not to exceed \$311,947.80, subject to approval by the County Attorney's Office as to form.; and

BE IT FURTHER RESOLVED, That service rates for this contract shall be increased by the inflation rate used in the Dakota County budget process as authorized by the Dakota County Board of Commissioners effective January 1, 2024, as applicable.

This item was approved and recommended for action by the Board of Commissioners on 10/29/2024.

Ayes: 6

**4.6** Authorization To Amend Contract With Alliant Engineering Inc., To Provide Additional Preliminary Engineering Services And To Execute A Joint Powers Agreement With City Of Eagan For County State Aid Highway 43 In Eagan, County Project 43-55

Motion: Joe Atkins

Second: William Droste

WHEREAS, to provide a safe and efficient transportation system, Dakota County is proceeding with County Project 43-55; and

WHEREAS, County Project 43-55 is for preliminary and final engineering of improvements to County State Aid Highway 43 (CSAH 43) in Eagan from CSAH 30 to Wescott Road; and

WHEREAS, by Resolution No. 23-587 (December 19, 2023), the County executed a contract with Alliant Engineering Inc., for preliminary and final design engineering consulting services for an amount not to exceed \$264,520; 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 \$110,500 with Alliant Engineering Inc., to complete the work; and

WHEREAS, the 2024-2028 Transportation Capital Improvement Program Budget includes \$1,800,000 for County Project 43-55; and

WHEREAS, a joint powers agreement (JPA) between the County and the City of Eagan is necessary to outline cost participation, preliminary and final design responsibilities, future maintenance responsibility, and construction for County Project 43-55; and

WHEREAS, the cost participation for the Project outlined in the JPA will be in accordance with the adopted Cost Share Policy.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute an amendment to the contract with Alliant Engineering Inc., for additional services necessary for County Project 43-55 in an amount not to exceed \$110,500 resulting in a total amended contract not to exceed \$375,020 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 a joint powers agreement between Dakota County and the City of Eagan for the design and construction of County Project 28-44.

This item was approved and recommended for action by the Board of Commissioners on 10/29/2024.

Ayes: 6

**4.7** Authorization To Execute Contract With Kimley-Horn And Associates, Inc. And Execute Joint Powers Agreement With City Of Inver Grove Heights For County State Aid Highway 63 And Interstate 494 Interchange Footprint Study In Inver Grove Heights, County Project 63-29

Motion: Joe Atkins

Second: William Droste

WHEREAS, to provide a safe and efficient transportation system, Dakota County is proceeding with County Project (CP) 63-29; and

WHEREAS, CP 63-29 is the preliminary engineering and consulting services for a study in the anticipated footprint area of County State Aid Highway (CSAH) 63 and Interstate 494; and

WHEREAS, the Transportation Department sent a request for proposals (RFP) to four qualified professional consultants; and

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

WHEREAS, the proposal from Kimley-Horn and Associates, Inc. provided the most complete response to the RFP, including project details and the most comprehensive cost for all the services needed; and

WHEREAS, the 2024-2028 Transportation Capital Improvement Program Budget includes \$470,000 for CP 63-29 engineering consulting and design services; and

WHEREAS, staff recommends the execution of a contract with Kimley-Horn and Associates, Inc. for engineering consulting services for CP 63-29 for actual costs not to exceed \$342,210 and

WHEREAS, the City's staff concurs with this recommendation; and

WHEREAS, a joint powers agreement (JPA) between the County and the City of Inver Grove Heights is necessary to outline cost participation and responsibilities for CP 63-29; and

WHEREAS, the County's cost share for CP 63-29 consulting services is 66.66 percent for the County and 33.33 percent for the City of Inver Grove Heights.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a contract with Kimley-Horn and Associates, Inc. to perform engineering

consulting services for County Project 63-29 in an amount not to exceed \$342,210, 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 a joint powers agreement with the City of Inver Grove Heights for County Project 63-29 Interchange Footprint Study.

This item was approved and recommended for action by the Board of Commissioners on 10/29/2024.

Ayes: 6

**4.8** Authorization To Execute Amendment To Contract With HDR Engineering, Inc., For County Road 86 Railroad Bridge Replacement In Castle Rock Township, County Project 86-34

Motion: Joe Atkins

Second: William Droste

WHEREAS, to provide a safe and efficient transportation system, Dakota County is replacing the original timber railroad bridge over County State Aid Highway 86; and

WHEREAS, the design of the bridge plans was done by HDR Engineering, Inc.; and

WHEREAS, a contract was executed with HDR Engineering, Inc., for the review of materials and plan changes; and

WHEREAS, the current contract amount is \$90,000; and

WHEREAS, the bridge completion date is October 31, 2024; and

WHEREAS, staff recommends authorizing the execution of an amendment to the contract with HDR Engineering, Inc., in the amount of \$50,000 funded by Sales & Use Tax.

NOW, THEREFORE BE IT RESOLVED, That the Dakota Board of Commissioners hereby authorizes the Physical Development Director to execute an amendment to the contract with HDR Engineering, Inc. in the amount of \$50,000 for additional review and approval of materials and changes to the bridge plans for County Project 86-34, subject to approval by the County Attorney's Office as to form.

This item was approved and recommended for action by the Board of Commissioners on 10/29/2024.

Ayes: 6



**4.9** Authorization To Execute Contract With WSB LLC For Design Services At County State Aid Highway 31/Pilot Knob Road And Upper 147th Street In City Of Apple Valley And Amendment Of 2024 Transportation Capital Improvement Program Budget, County Project 31-118

Motion: Joe Atkins

Second: William Droste

WHEREAS, to promote a safe and efficient transportation system, Dakota County (County), in cooperation with the City of Apple Valley, is proceeding with County Project (CP) 31-118; and

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

WHEREAS, CP 31-118 is a project to develop preliminary and final design plans and associated services in the City of Apple Valley; and

WHEREAS, the project consists of developing preliminary design, final design, and other associated services for the conversion of the County State Aid Highway (CSAH) 31 and Upper 147th Street intersection into a three-quarter restricted access; and

WHEREAS, programming is included in the draft 2025-2029 Transportation Capital Improvement Program with construction planned for 2026; and

WHEREAS, three proposals were submitted by consultants for the project; and

WHEREAS, WSB LLC was scored highest by a selection team of County and City of Apple Valley staff ranking the three consultant proposals; and

WHEREAS, WSB LLC project cost was \$287,997, and staff determined this estimate to be acceptable; and

WHEREAS, staff recommends awarding the project to WSB LLC; and

WHEREAS, the design services of this project are anticipated to cost \$287,997.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute the contract with WSB LLC for County Project 31-118, not to exceed \$287,997, based on their selected and negotiated proposal, subject to approval by the County Attorney's Office as to form, and to amend the 2024 Capital Improvement Program budget by an additional \$287,997 to fund the design services of this project.

BE IT FURTHER RESOLVED, That the 2024 Transportation Capital Improvement Program is hereby amended as follows:

**Expense:**

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CP 31-118	\$287,997
Safety & Management	<u>(\$287,997)</u>
<b>Total Expenses</b>	<b>\$0</b>

<b>Revenue:</b>	
CP 31-118 (CSAH)	\$287,997
Safety & Management (CSAH)	<u>(\$287,997)</u>
<b>Total Revenue</b>	<b>\$0</b>

This item was approved and recommended for action by the Board of Commissioners on 10/29/2024.

Ayes: 6

## 5. Regular Agenda

- 5.1 Authorization To Submit 2024--2044 Dakota County Solid Waste Management Plan To Minnesota Pollution Control Agency Commissioner For Review And Approval

Motion: Laurie Halverson

Second: Liz Workman

Renee Burman, Environmental Initiatives Supervisor and Nikki Stewart, Environmental Resources Director, presented this item and responded to questions.

Dave Magnuson, Waste Regulation Supervisor, was in the audience and also spoke to this item.

WHEREAS, Minnesota counties are responsible for developing projects and programs to achieve state goals for waste management; and

WHEREAS, the Minnesota Pollution Control Agency (MPCA) adopted the 2022-2042 Metropolitan Solid Waste Management Policy Plan (Policy Plan) on January 30, 2024; and

WHEREAS, Minn. Stat. § 473.803 requires each metropolitan county to revise its current solid waste management plan to implement the revised Policy Plan; and

WHEREAS, revised metropolitan county solid waste management plans must be submitted to the MPCA Commissioner for review and approval; and

WHEREAS, the Policy Plan prescribes strategies that must be incorporated into county-specific plans, including required strategies and optional strategies that must meet a minimum point threshold; and

WHEREAS, stakeholder engagement was conducted and gathered comments on waste management barriers and opportunities and timing and needs for a preliminary set of required and optional strategies from the MPCA Policy Plan;

and

WHEREAS, by Resolution No. 24-368 (July 30, 2024), the County Board authorized the release of the draft 2024-2044 Dakota County Solid Waste Management Plan (2024-2044 Management Plan) for a 30-day public review and comment period; and

WHEREAS, the revised 2024-2044 Management Plan incorporates input from stakeholder engagement, public review, the Dakota County Planning Commission, and the County Board; and

WHEREAS the 2024-2044 Management Plan was developed in accordance with Minn. Stat. § 473.803 and 115A; and

WHEREAS, the 2024-2044 Management Plan communicates Dakota County's vision, policies, strategies, and tactics for solid waste management over the next 20 years; and

WHEREAS the 2024-2044 Management Plan includes Policy Plan required strategies and optional strategies that meet the minimum point value; and

WHEREAS, tactics and timelines have been included as required by Minn. Stat. § 115A.46; and

WHEREAS, implementation and costs will be determined annually as part of the County Board of Commissioners work plan priorities and approval of the Environmental Resources Department budget.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes Dakota County staff to submit the 2024-2044 Management Plan to the Minnesota Pollution Control Agency Commissioner for review and approval.

This item was approved and recommended for action by the Board of Commissioners on 10/29/2024.

Ayes: 5

Commissioner Slavik, Commissioner Atkins, Commissioner Halverson, Commissioner Droste, and Commissioner Workman

Nay: 1

Chairperson Holberg

**5.2 Discussion On Parks, Greenways, And Natural Systems Draft 2050 Values And Vision Statement**

Lil Leatham, Principal Planner, presented this item and responded to questions.

Information only; no action requested.

**5.3 Update On 2024 Parks Greenway Capital Improvement Construction Projects**

Tony Wotzka, Greenways Manager, presented this item and responded to questions.

Information only; no action required.

**6. Physical Development Director's Report**

Georg Fischer, Physical Development Director, provided the Committee with a written Division update.

**7. Future Agenda Items**

Chair, Commissioner Mary Liz Holberg, asked the Committee if anyone had a topic they would like to hear more about at an upcoming Physical Development Committee of the Whole. No Commissioners requested topics for future meetings at this time.

**8. Adjournment**

**8.1 Adjournment**

Motion: Mike Slavik

Second: Joe Atkins

On a motion by Commissioner Mike Slavik, seconded by Commissioner Joe Atkins, the meeting was adjourned at 10:00 a.m.

Ayes: 6

Respectfully submitted,  
Liz Hansen  
Administrative Services Coordinator