



# Dakota County

## Board of Commissioners

### Minutes

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Tuesday, October 29, 2024

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

#### 3. Audience

Chair Atkins noted that all public comments can be sent to [CountyAdmin@co.dakota.mn.us](mailto:CountyAdmin@co.dakota.mn.us)  
The following came forward with comments:  
Tom Lopac (Eagan), Post-Election Review follow-up  
Beth Eilers (Eureka Township), Enforcement/signage for Jake Braking

#### 4. Agenda

**4.1** Resolution No: 24-502  
Approval of Agenda (Additions/Corrections/Deletions)

Motion: William Droste

Second: Mike Slavik

Ayes: 7

#### 5. Public Hearing

**5.1** Resolution No: 24-503  
Public Hearing To Receive Comments And Adoption Of Dakota County 2025  
Recommended Fee Schedules

Motion: Laurie Halverson

Second: William Droste

The time being 9:16 a.m. and pursuant to public notice, a public hearing was conducted to receive comments on the Dakota County 2025 recommended fee schedules. Finance Deputy Director Leng Vang briefed this item and the public hearing was opened. No one came forward with comments and no comments were received via email. The Public Hearing was closed at 9:17 a.m.

WHEREAS, Minn. Stat. § 373.41 authorizes the Dakota County Board to establish fees for various services provided to the public after holding a public hearing; and

WHEREAS, Dakota County desires to recover costs for services, except where an increase would adversely affect the use of a program or service; and

WHEREAS, notice of a public hearing on the recommended 2025 fee schedules was published from October 08, 2024 to October 29, 2024, on the Dakota County external website under Public Notices; and

WHEREAS, a public hearing was held on October 29, 2024, to receive comments on the 2025 Fee Schedules.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby adopts the Dakota County 2025 fee schedules, as presented.

Ayes: 7

### **CONSENT AGENDA**

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

#### **6. County Administration - Approval of Minutes**

- 6.1** Resolution No: 24-504  
Approval of Minutes of Meeting Held on October 8, 2024

Motion: Mary Hamann-Roland

Second: Mike Slavik

Ayes: 7

#### **7. Items Recommended By Board Committee\***

- 7.1** Resolution No: 24-505  
Delegation Of Tax-Forfeit Land Administration Duties To Director Of Property Taxation And Records, Acting As Dakota County Treasurer-Auditor

Motion: Mary Hamann-Roland

Second: Mike Slavik

WHEREAS, Minn. Stat. § 282.135, authorizes the County Board the ability to delegate its statutory authority, power, and responsibility relating to the administration of tax-forfeited land; and

WHEREAS, the County Board previously delegated to the Director of the Property Taxation and Records Department, acting as the Dakota County Treasurer-Auditor, the authority to administer tax-forfeited land pursuant to Resolution No. 15-011; and

WHEREAS, in 2024, the statutes relating to the administration of tax-forfeited land were amended to provide for additional procedures relating to the valuation, sale and administration of tax-forfeited property; and

WHEREAS, the Dakota County Property Taxation and Records Director requests the delegation of authority, power, and responsibility for managing the entire tax forfeiture process pursuant to the amended tax forfeiture statutes, including but not limited to the:

- Authority to approve former owners and eligible parties to repurchase tax-forfeit land; and
  - Authority to initiate legal proceedings to cancel purchase and repurchase contracts in default status; and
  - Authority to reinstate cancelled tax-forfeited contracts; and
  - Authority to establish the market value at the time of forfeiture, set the appraised value, and establish the minimum bid; and
  - Authority to classify tax-forfeited land as conservation or non-conservation; and
  - Authority to schedule a public auction; and
  - Authority to initiate legal proceedings for evictions
- ; and

WHEREAS, this delegation will streamline these processes, reduce administrative costs, and provide quicker, more responsive service to taxpayers and the public.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby delegates authority, power, and responsibility to the Dakota County Property Taxation and Records Director the ability to manage the entire tax forfeiture process including but not limited to; the authority to approve former owners and eligible parties to repurchase tax-forfeit land; and the authority to initiate legal proceedings to cancel purchase and repurchase contracts in default status; and the authority to reinstate cancelled tax-forfeited contracts; and the authority to establish the market value at the time of forfeiture, set the appraised value, and establish the minimum bid; and the authority to classify tax-forfeited land as conservation or non-conservation; and the authority to schedule a public auction; and the authority to initiate legal proceedings for evictions.

Ayes: 7

- 7.2** Resolution No: 24-506  
Adoption Of Revisions To Policy No. 8003, Conveyance Of Tax Forfeited Property To Local Government Unit

Motion: Mary Hamann-Roland

Second: Mike Slavik

WHEREAS, in 2024, in Chapter 282, the statutes relating to the administration of tax forfeited land were amended to update the requirements for public auctions, the department of natural resources review, and the hold process for local government units or state agencies; and

WHEREAS, the Dakota County Board of Commissioners adopted Abatement Policy No. 8003 in 2014 and revise the policy in 2020; and

WHEREAS, the Property Taxation and Records Department has reviewed Policy No. 8003 as a part of legislative changes; and

WHEREAS, staff recommends changes to Policy No. 8003, including:

- The minimum bid is defined as the sum of delinquent taxes, special assessments, penalties, interests, and costs assigned to the parcel.
- The county auditor must first hold a public auction within six months of a property forfeiting.
- If the property is not sold at public auction, the property remains in tax forfeiture status which will allow for a local government unit to acquire.
- The county auditor must provide notice to the commissioner of natural resources of the forfeiture of any lands eligible to be withheld or withdrawn from sale under this section.
- Notice must be provided within 30 days of either the filing of the certificate of forfeiture pursuant to section 281.23, subdivision 9, or the date the property is vacated by the occupant, whichever is later.
- Within 30 days of this notice, the commissioner of natural resources must notify the county auditor of a decision to withhold or withdraw a property from the sale under section 282.005, and the county auditor must hold a public auction within six months of a property forfeiting.
- If the property is not sold at public auction, the property remains in tax forfeiture status.
- If a local government unit or state agency wishes to acquire a tax-forfeit property, it may request a six-month hold on the property.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby adopts the proposed amendments to Policy No. 8003, Conveyance of Tax Forfeited Property to Local Government Unit.

Ayes: 7

**7.3 Resolution No: 24-507**

Authorization To Renew Contract with The Sand Creek Group, Ltd. For Employee Assistance Program Services For 2025-2027

Motion: Mary Hamann-Roland

Second: Mike Slavik

WHEREAS, the purpose of an Employee Assistance Program (EAP) is to offer support services to address employee's personal and work-related concerns

outside the office with trained professional counselors; and

WHEREAS, The Sand Creek Group, Ltd. has provided the County's EAP since December 1, 1993; and

WHEREAS, The Sand Creek Group provides EAP services for 81 counties under a contract with the Minnesota Counties Intergovernmental Trust (MCIT), as well as Dakota Counties; and

WHEREAS, employee feedback and participation continue to be positive regarding the services provided by The Sand Creek Group, Ltd.; and

WHEREAS, after six years of rates held, The Sand Creek Group monthly rate increases to 2.72 percent; and

WHEREAS, the three-year (2025-2027) proposed rate increases from \$27.55 to \$28.30 per employee, for an estimated annual cost of \$69,000; and

WHEREAS, the County's utilization rate has remained strong with a projected utilization rate over 9 percent; and

WHEREAS, specialty services including special request subject oriented trainings, conflict resolution, organization development, grief group facilitation and critical incident stress response are billed separately at \$325- \$450 per hour, substance abuse professional services are offered at \$600/incident.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Employee Relations Director to execute a contract with The Sand Creek Group, Ltd., for Employee Assistance Program services at the rate of \$28.30 per employee per year for January 1, 2025 - December 31, 2027, and for specialty employee assistance services at \$325 - \$450 per hour; subject to approval by the County Attorney's Office as to form and execution.

Ayes: 7

**7.4** Resolution No: 24-508  
Authorization To Execute One-Year Contract for Wellness Services With  
OPTUM

Motion: Mary Hamann-Roland

Second: Mike Slavik

WHEREAS, for the past nine years OPTUM has successfully administered Dakota County's employee wellness program, wellness coaching and Biometric Screenings; and

WHEREAS, about 63 percent Dakota County employees participate in the wellness program offering between biometric screenings, wellness coaching, and RALLY wellness portal activities; and

WHEREAS, renewal rate for services for another one year represents a 4 percent increase; and

WHEREAS, the cost of the services, \$165,000 per year is currently included with funds already budgeted in the employee health insurance internal service fund.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Director of Employee Relations to execute a one-year contract with OPTUM for wellness programming, wellness coaching and incentive services, in an amount not to exceed \$165,000 for 2025, to approval by the County Attorney's Office as to form.

Ayes: 7

**7.5** Resolution No: 24-509

Authorization To Execute Agreement With University Of Minnesota For Local Extension Programming And Employing Extension Staff

Motion: Mary Hamann-Roland

Second: Mike Slavik

WHEREAS, on January 1, 2004, the University of Minnesota (U of M) Extension deployed a new model for Extension programming; and

WHEREAS, Extension Regional Offices were established throughout the state (one of those located in Farmington at the Dakota County Extension and Conservation Center) and local Extension offices were established in counties where customized local programs, services, and positions are funded with county dollars; and

WHEREAS, this arrangement provided counties more choices in local Extension programming and increased accountability from Extension for its work; and

WHEREAS, since 2004, the Dakota County Extension Committee has recommended programming, and based on current community need, continues to recommend that local programming be offered for the following areas: Extension Educator, 4-H Youth Development and Horticulture/Master Gardener; and

WHEREAS, by Resolution No. 22-124 (March 15, 2022), the Dakota County Board of Commissioners authorized the Physical Development Director to execute an agreement with the U of M for the support of the Dakota County Master Gardener (DCMG) program, including \$90,000 for a 1.0 full-time equivalent (FTE) position responsible for managing Dakota County plant production and DCMG program activities and \$5,500 in in-kind support for DCMG program activities; and

WHEREAS, by Resolution No. 23-528 (November 28, 2023), the DCMG, a volunteer program of the U of M Extension, authorized re-establishing a formal partnership with the County focused on expanding their plant production efforts

and associated public services regarding horticulture and environmental stewardship; and

WHEREAS, to establish consistency for the rates charged for these local Extension program positions, the U of M works with the Association of Minnesota Counties (AMC), and the AMC sub-committee for Extension, to establish statewide costs; and

WHEREAS, staff is recommending a three-year agreement with a cost of \$463,750 for 2025, \$477,625 for 2026, and \$491,975 for 2027, for a total not to exceed amount of \$1,433,350; and

WHEREAS, Minn. Stat. §§ 38.34-38.37 authorizes a board of county commissioners to incur expenses and spend money for county Extension work, states that money in the county Extension fund appropriated by the county board be paid out by orders of the U of M Dean of Extension, and provides that Extension education and program staff must be U of M employees employed according to U of M personnel procedures; and

WHEREAS, this agreement includes salary and fringe benefits for the local programming positions, all travel (mileage, meals and lodging), in-service training and professional development, program supervision, and payroll and accounting services provided by the U of M; and

WHEREAS, all program staff will continue to be U of M employees; and

WHEREAS, the County will provide support for these positions such as office space, telephone, computer, email, support staff, and other general office supplies; and

WHEREAS, all services will be provided exclusively in Dakota County.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to execute an agreement with the University of Minnesota for local Extension programming and employing Extension staff in an amount not to exceed \$1,433,350, effective January 1, 2025 through December 31, 2027; and

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

Ayes: 7

**7.6** Resolution No: 24-510

Authorization To Accept Minnesota Department Of Human Services Children's Mental Health Screening Grant Funds And Execute Grant Agreement

Motion: Mary Hamann-Roland

Second: Mike Slavik

WHEREAS, in 2003, the Minnesota Legislature added mental health screening requirements to Minnesota Statutes to include children's mental health screening for specific Child Welfare and Juvenile Justice populations; and

WHEREAS, the purpose of the children's mental health screening within the child welfare and juvenile justice populations is to integrate mental health into current practices and to promote earlier mental health identification and intervention; and

WHEREAS, early identification of mental illness followed by the appropriate intervention and treatment may prevent years of disability and provide improved outcomes for children and their families; and

WHEREAS, focusing on these at-risk populations, and particularly the uninsured and underinsured, grant funding can provide mental health treatment for children who would not otherwise receive these services; and

WHEREAS, children's mental health screenings facilitate referral of children for further testing and treatment using standardized effective mental health screening instruments; and

WHEREAS, the breakdown of the total \$413,911 grant allocation is as follows:

Child Welfare \$123,319

Juvenile Justice \$290,592

; and

WHEREAS, staff recommends the County Board authorizes acceptance of the grant funds in the amount of \$413,911 and execution of the grant agreement for the period of January 1, 2025 through December 31, 2025.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to accept the Minnesota Department of Human Services Children's Mental Health Screening grant award of \$413,911 and execute a grant agreement for the period of 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 unless the grant program requirements change, the Community Services Director is hereby authorized to amend the grant to extend the grant term up to two years after initial expiration date, accept additional grant funds, and continue grant-funded full-time equivalents, consistent with County contracting policies, and inclusion of grant funds in future yearly Recommended and Approved Budgets, subject to approval by the County



Attorney's Office as to form.

Ayes: 7

**7.7 Resolution No: 24-511**

Authorization To Execute Contracts For Children And Family In-Home And Community-Based Services

Motion: Mary Hamann-Roland

Second: Mike Slavik

WHEREAS, the work of Children and Family Services requires access to in-home and community-based services for children, youth, and families, whether in addressing child protection issues, children's mental health needs, truancy, or youth transitioning from the foster care system; and

WHEREAS, the juvenile protection provisions of the Juvenile Court Act, Minn. Stat. Ch. 260C, reference child protection case plan services and the need for county social services agencies to provide support and services to prevent out-of-home placement, and to assist in family reunification following children being in out-of-home placement; and

WHEREAS, Behavioral Dimensions Inc. currently provides Intensive Behavioral Specialist programming for Dakota County children who meet Severe Emotional Disturbance (SED) eligibility, up to age 18, who have frequent behavioral health crises and are unable to access most services due to frequent and/or severe episodes of unsafe behavior; and

WHEREAS, Lopno and Associates currently provides Psychological Evaluations for Dakota County children who have an open Children and Family Services case and cannot access a complete psychological evaluation through their health plans; and

WHEREAS, staff is requesting a contract with Behavioral Dimensions Inc. for Behavioral Specialist programming for a not to exceed amount of \$200,000, effective January 1, 2025 through December 31, 2026; and

WHEREAS, staff is requesting a contract with Lopno and Associates for Psychological Evaluations for a not to exceed amount of \$180,000, effective January 1, 2025 through December 31, 2026.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to execute a contract for Behavioral Specialist programming with Behavioral Dimensions Inc. in a not to exceed amount of \$200,000 for the period of January 1, 2025 through December 31, 2026, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to execute a contract for Psychological Evaluations services with Lopno and Associates in a not to

exceed amount of \$180,000 for the period of January 1, 2025 through December 31, 2026, 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 contracts, consistent with the amounts budgeted, to alter the contract amounts and the contract terms up to one year after initial expiration dates, consistent with County contracting policies, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the contracts 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: 7

**7.8** Resolution No: 24-512

Update On Affordable Housing Aid Spending Options, And Authorization To Allocate Local Affordable Housing Aid to Emergency Rental Assistance And Amend 2024 Social Services Budget

Motion: Mary Hamann-Roland

Second: Mike Slavik

WHEREAS, in 2021, the Dakota County Board of Commissioners reconvened the Housing Leadership Workgroup to assess the outcomes of the County's Housing Business Plan and make recommendations for future housing initiatives and investments in Dakota County; and

WHEREAS, the workgroup was made up of faith leaders, law enforcement, people who have experienced homelessness, nonprofit partners, Dakota County Commissioners, and staff from the Dakota County Community Development Agency (CDA) and the County; and

WHEREAS, the workgroup recommended investments in three main areas to support the next phase of the Dakota County Housing Business Plan: shelter, homelessness prevention, and affordable housing; and

WHEREAS, staff presented these recommendations to the County Board on October 19, 2021, and staff returned to the County Board throughout 2022 and 2023 with additional information and further defined recommendations in each of the three investment areas; and

WHEREAS, the 2024 County Budget included initial investments utilizing the new State and Local Affordable Housing Aid, including Emergency Rental Assistance, Apartment Services, Prevention and Navigation Services, Family Voucher Program, and Permanent Supportive Housing and Rapid Re-Housing Services; and

WHEREAS, on March 27, 2024, Community Services and the CDA proposed an

expanded set of Affordable Housing Aid investments during a Board Workshop and the County Board requested that additional eligible activities that can be launched quickly be brought back for formal consideration; and

WHEREAS, on April 16, 2024, Community Services proposed expansion of the Emergency Rental Assistance program by adding \$1,500,000 to the 2024 Social Services Budget; and

WHEREAS, by Resolution No. 24-215 (April 23, 2024), the Dakota County Board of Commissioners authorized \$428,000 of Affordable Housing Aid funds be allocated toward emergency rental assistance and requested that staff return after the legislative session ends to provide an update on Affordable Housing Aid uses and propose eligible activities that can be launched quickly; and

WHEREAS, on July 23, 2024, Community Services presented updates to Affordable Housing Aid statute language and a plan for the 2025 budget as co-developed by Dakota County Community Services and the Dakota County CDA; and

WHEREAS, this plan is based on the Housing Business Plan recommendations and priorities and is built in the 2025 county budget proposal; and

WHEREAS, by Resolution No. 24-379 (July 30, 2024), staff also received authorization to accept the State and Local Affordable Housing Aid funds in 2024 and a portion of these funds were built into the 2024 Social Services Budget and are currently being spent; and

WHEREAS, there continues to be an immediate need for Emergency Rental Assistance funding to support the Housing Clinic at Eviction Court and Social Services' Prevention Services and Navigation Team for prevention assistance prior to an eviction filing and Social Services is requesting an additional \$355,000 in funding for 2024; and

WHEREAS, it is a Board Priority for Community Services and the Dakota County CDA to develop a 5-year plan for allocating Affordable Housing Aid in alignment with Dakota County's Housing Business Plan and this presentation will continue the Affordable Housing Aid discussion; and

WHEREAS, policy direction provided by the Board in this meeting will serve as the basis for 2025 budget development.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to allocate up to \$355,000 one-time additional Affordable Housing Aid funds towards emergency rental assistance; and

BE IT FURTHER RESOLVED, That the 2024 Social Services Budget is hereby amended as follows:

**Expense**Emergency Rental Assistance \$355,000**Total Expense                \$355,000****Revenue**Affordable Housing Aid    \$355,000**Total Revenue                \$355,000**

Ayes: 7

**7.9    Resolution No: 24-513**

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

Motion: Mary Hamann-Roland

Second: Mike Slavik

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.

Ayes: 7

**7.10 Resolution No: 24-514**

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

Motion: Mary Hamann-Roland

Second: Mike Slavik

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.

Ayes: 6

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

Nay: 1

Mary Liz Holberg

**7.11 Resolution No: 24-515**

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: Mary Hamann-Roland

Second: Mike Slavik

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>
<b>Total Revenue</b>	<b>\$0</b>

Ayes: 7

**7.12 Resolution No: 24-516**

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

Motion: Mary Hamann-Roland

Second: Mike Slavik

WHEREAS, the Minnesota River Greenway runs along the south side of the Minnesota River in Eagan 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.

Ayes: 7

**7.13** Resolution No: 24-517

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

Motion: Mary Hamann-Roland

Second: Mike Slavik

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.

Ayes: 7

**7.14** Resolution No: 24-518

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: Mary Hamann-Roland

Second: Mike Slavik

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.

Ayes: 7

**7.15** Resolution No: 24-519

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: Mary Hamann-Roland

Second: Mike Slavik

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.

Ayes: 7

**7.16** Resolution No: 24-520

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: Mary Hamann-Roland

Second: Mike Slavik

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.

Ayes: 7

**7.17 Resolution No: 24-521**

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: Mary Hamann-Roland

Second: Mike Slavik

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**

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

**Revenue**

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

Ayes: 7

**8. County Board/County Administration**

**8.1 Resolution No: 24-522**

Scheduling Of Dakota County Board Of Commissioners Governance And Strategic Planning Workshop

Motion: Mary Hamann-Roland

Second: Mike Slavik

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby schedules a Strategic Planning and Governance workshop on December 6, 2024, 8:30 a.m., Schaar's Bluff Gathering Center, 8395 127th Street East, Hastings, MN, for the purpose of discussing strategic planning, Board leadership in 2025 and other governance issues.

Ayes: 7

**8.2 Resolution No: 24-523**

Authorization To Execute 2025-2026 Labor Agreement With Teamsters Local 320 Jail Unit

Motion: Mary Hamann-Roland

Second: Mike Slavik

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the appropriate County officials to execute the Labor Agreement with Teamsters Local 320 Jail unit for the period January 1, 2025 - December 31, 2026, in accordance with the terms and conditions of the Agreement and those contract modifications submitted to the Dakota County Board of Commissioners dated October 29, 2024, and subject to approval by the County's contracted labor counsel as to form.

Ayes: 7

- 8.3** Resolution No: 24-524  
Authorization To Execute 2025-2026 Labor Agreement With Minnesota Public Employees Association

Motion: Mary Hamann-Roland

Second: Mike Slavik

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the appropriate County officials to execute the Labor Agreement with the Minnesota Public Employees Association Non-Licensed Jail Supervisors Unit in the Sheriff's Office for the period January 1, 2025 - December 31, 2026, in accordance with the terms and conditions of the Agreement and those contract modifications submitted to the Dakota County Board of Commissioners dated October 29, 2024, and subject to approval by the County's contracted labor counsel as to form.

Ayes: 7

**9. Enterprise Finance and Information Services**

- 9.1** Report On Invoices Paid In September 2024

Information only; no action requested.

- 9.2** Resolution No: 24-525  
Authorization To Execute An Agreement With Dorsey And Whitney, LLP For Bonding Counsel Services

Motion: Mary Hamann-Roland

Second: Mike Slavik

WHEREAS, the County has identified a need for bonding counsel services; and

WHEREAS, a Request for Proposals was issued September, 11, 2024 for bonding counsel services; and

WHEREAS, there were four proposals received in response to the RFP; and

WHEREAS, Dorsey and Whitney, LLP was selected based on the evaluation criteria as defined in the RFP and proposal interview presentation; and

WHEREAS, staff recommends executing an agreement with Dorsey and Whitney, LLP, upon the decision to proceed with bonding issuance, for the purpose of bonding counsel services; and

WHEREAS, the service rates are specified in the Attachment, for the period of November 1, 2024 to November 30, 2029.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Enterprise Finance and Information Services Director, to execute an agreement with Dorsey and Whitney, LLP, upon the decision to proceed with bonding issuance, for bonding counsel services, at the rates specified in the Attachment, for the period of November 1, 2024 to November 30, 2029, subject to approval by the County Attorney's Office

as to form.

Ayes: 7

**9.3** Resolution No: 24-526

Authorization To Amend Contract With EarthSoft Inc. For Annual Subscription And Maintenance Agreement For Environmental Quality Information System Software

Motion: Mary Hamann-Roland

Second: Mike Slavik

WHEREAS, the Environmental Resources Department has purchased software from EarthSoft Inc. to better manage the well water and chemistry data collected over the years from wells located within Dakota County; and

WHEREAS, the parties amended the contract on September 11, 2023, to extend the contract term date for Professional Services term to September 30, 2023, and the Annual Subscriptions and Maintenance Term to November 30, 2024; increase the contract maximum by an additional \$8,785.44; and update annual subscription and maintenance agreement pricing; and

WHEREAS, the parties reinstated and amended the contract on January 18, 2024, to extend the contract term date for Professional Services term from September 30, 2023, to June 30, 2024; and increase the contract maximum by an additional \$7,181.68 for purposes of historical data migration; and

WHEREAS, funds are available in the 2024 Environmental Resources Department Operations Budget to cover license and maintenance costs for the term beginning on December 1, 2024 and ending on November 30, 2025; and

WHEREAS, the total annual cost for licensing and maintenance support beginning on December 1, 2024 and ending on November 30, 2025 is \$28,054.16.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Enterprise Finance and Information Services Director to amend the contract with EarthSoft Inc. for a total amount of \$28,054.16 for licensing and maintenance of the environmental data management software, subject to approval by the County Attorney's Office as to form.

Ayes: 7

**9.4** Resolution No: 24-527

Authorization To Renew Cyber Security Insurance With American International Group, Inc (AIG) Specialty Insurance Company

Motion: Mary Hamann-Roland

Second: Mike Slavik

WHEREAS, Dakota County purchases insurance to cover financial risks that can result in significant costs and are unpredictable in nature; and

WHEREAS, there has been a substantial increase in cyber security attacks on public sector entities over the last several years; and

WHEREAS, an evaluation of the cyber security marketplace for competitive pricing was completed; and

WHEREAS, based on the evaluation of the marketplace, staff is recommending the purchase of cyber security liability insurance with a limit of liability of three million dollars with American International Group, Inc (AIG) Specialty Insurance Company.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Enterprise Finance and Information Services Director to purchase the following insurance to be paid at the current rates from the Office of Risk Management insurance budget:

American International Group, Inc (AIG) Specialty Insurance Company  
Cyber Security Insurance  
October 31, 2024, through October 31, 2025  
Premium not to exceed \$102,500

Ayes: 7

## **10. Physical Development**

### **10.1 Resolution No: 24-528**

Certification Of Property Assessed Clean Energy (PACE) Charges For Energy Improvements On Properties In Cities Of Rosemount And Eagan

Motion: Mary Hamann-Roland

Second: Mike Slavik

WHEREAS, the Dakota County Board of Commissioners approved the joint powers agreement (JPA) with the Port Authority of the City of Saint Paul (Port Authority) by Resolution No. 17-144 (March 21, 2017), designating the Port Authority to implement and administer Property Assessed Clean Energy (PACE) improvement financing on behalf of the County and providing for the impositions of special assessments pursuant to Minn. Stat. § 216C.435 and 216C.436 and Chapter 429 and as needed in connection with that program; and

WHEREAS, the County understands that the Port Authority will issue its PACE special assessment revenue bonds to finance the improvements and that the sole security for the bond will be special assessments imposed by the other cities and/or counties participating in PACE; and

WHEREAS, after imposition of the special assessments, the County will collect the assessment payments twice a year and remit them to the Port Authority for use in the repayment of the loan(s) or bond(s); and

WHEREAS, the County will take all actions permitted by law to recover the assessments, including, without limitation, reinstating the outstanding balance of



assessments when the land returns to private ownership, in accordance with Minn. Stat. § 429.071, subd. 4; and

WHEREAS, the special assessment will be certified to the County Treasurer-Auditor and entered into the tax lists for the following year; and

WHEREAS, the annual installment and interest for current and delinquent collections or payoffs will be collected and disbursed at the same time and in the same manner as real property taxes, in accordance with Minn. Stat. §§ 276.11 and 276.111; and

WHEREAS, the special assessment, with accruing interest, is a lien upon the benefited property until paid.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the County Treasurer-Auditor to extend the proposed special assessment plus accruing interest on the property set forth and listed below:

Property Owner: OMNI Wine Holdings LLC  
Parcel Number: 34-03210-75-016  
Assessment: \$171,400  
Interest Rate: 6.95%  
Finance Period: 14 years  
Accrual Date: 1/1/2025

Property Owner: Coventry Properties of Eagan  
Parcel Number: 10-72940-01-010  
Assessment: \$3,000,000  
Interest Rate: 8.22%  
Finance Period: 29 years  
Accrual Date: 1/1/2026

; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners authorizes the County Treasurer-Auditor to extend the proposed special assessment plus interest on the properties identified herein and record this assessment against the properties with the Dakota County Recorder.

Ayes: 7

**10.2** Resolution No: 24-529  
Scheduling Of Public Hearing To Receive Comments On Eligible Projects For County Transportation Sales And Use Tax Funds

Motion: Mary Hamann-Roland

Second: Mike Slavik

WHEREAS, Minn. Stat. § 297A.993 (the Act) authorizes the Dakota County Board to levy up to one-half of one percent sales and use tax and an excise tax

of \$20 per motor vehicle to fund statutorily defined transportation and transit projects; and

WHEREAS, by Resolution No. 17-364 (June 20, 2017), the Dakota County Board enacted a quarter-cent sales tax and \$20 excise tax on new vehicle sales starting October 1, 2017, to fund identified transit, regional County highway, trail, and trunk highway transportation projects; and

WHEREAS, Dakota County has identified a proposed updated list of transportation projects eligible for Transportation Sales and Use Tax funds consistent with the needs identified in the Draft 2040 Transportation Plan; and

WHEREAS, the Act allows the County Board to dedicate the proceeds of the Transportation Sales and Use Tax to a new enumerated project by resolution after a public hearing.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby schedules a public hearing for December 3, 2024, at 9:00 AM in the Boardroom, Dakota County Administration Center, 1590 Highway 55, Hastings, Minnesota, for the purpose of receiving comments on an updated list of eligible projects for County Transportation Sales and Use Tax Funds.

Ayes: 7

**10.3** Resolution No: 24-530

Authorization To Accept Local Road Improvement Program Grant Funding Assistance And Demonstration Of Full Funding For 117th Street Reconstruction Of County State Aid Highway 32, County Project 32-65

Motion: Mary Hamann-Roland

Second: Mike Slavik

WHEREAS, to provide a safe and efficient transportation system, the County and the City are proceeding with County Project 32-65 (City Project 2016-17; State Project [SP] 019-632- 051, SP 178-020-032, SP 019-671-007, and SP 1907-127); 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, under the provisions contained in Minnesota Laws of 2023, Chapter 72, Article 1, Section 16, Subdivision 13, the State of Minnesota appropriated \$5,000,000 in General Obligation bonds for a grant to the City of Inver Grove Heights (City) or Dakota County (County) "to perform final design, acquire right-of-way, acquire easements, and reconstruct 117th Street from Rich Valley

Boulevard (Dakota County Road 71), including intersection improvements thereto in both directions up to 1,500 feet, to approximately 800 feet east of U.S. Highway 52 to improve safety, mobility, and traffic conditions. This appropriation includes the cost for relocation and construction of public utilities on 117th Street, including sanitary sewer, water main, and storm sewer facilities"; and

WHEREAS, the adopted 2024-2028 Capital Improvement Program budget for County Project 32-65 includes \$1,678,410 from Transportation Advancement Account and \$8 ,047,590 from Transportation Sales Tax; and

WHEREAS, the County has the legal authority to apply for financial assistance and the institutional, administrative, and managerial capability to ensure adequate acquisition, construction, maintenance, and protection of the proposed project; and

WHEREAS, the County has not incurred any reimbursable expenses prior to the effective date of the session law providing the state appropriation; and

WHEREAS, the County has not violated any Federal, State, or local laws pertaining to fraud, bribery, graft, kickbacks, collusion, conflict of interest, or other unlawful or corrupt practice; and

WHEREAS, upon approval of its application by the state, the County may enter into an agreement with the State of Minnesota for the above referenced project and certifies that it will comply with all applicable laws and regulations as stated in the contract agreement.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners, in cooperation with the City of Inver Grove Heights, hereby pledges to complete the project if it exceeds the total funding provided by the proposed \$5,000,000 grant from the Minnesota Department of Transportation; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby approves the financial capability to provide any required matching funds and that for the purposes of financing the 117th Street Reconstruction project, the source of County's matching funds in the amount of \$2,700,000 shall be from the Dakota County Transportation Sales Tax Special Revenue Fund and will not include other State funding sources; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Dakota County Physical Development Director to execute such grant agreements as are necessary to implement the project on behalf of the County.

Ayes: 7

**10.4** Resolution No: 24-531

Request To Commissioner Of Transportation To Transfer Excess Municipal State Aid Construction Funds To Regular State Aid Construction Account

Motion: Mary Hamann-Roland

Second: Mike Slavik

WHEREAS, Dakota County receives County State Aid Highway (CSAH) funds for construction that are allocated to a Regular State Aid Construction Account (Regular Account) and Municipal State Aid Construction Account (Municipal Account); and

WHEREAS, Regular Account funds can be used on any CSAH route, including CSAH routes in cities with a population less than 5,000, and Municipal Account funds can only be used for projects in cities with a population less than 5,000; and

WHEREAS, rules of the County State Aid Screening Board, a board of designated county engineers appointed by the Commissioner of Transportation, include a deduction in needs that will result in a reduction in the 2025 State Aid apportionment; and

WHEREAS, Minn. Stat. § 162.08, subd. 4 (d) provides that accumulated balances in excess of two years of Municipal Account apportionments may be spent on projects located outside of municipalities with populations under 5,000 when approved by resolution of the County Board; and

WHEREAS, since funds in the Regular Account can be used on any County State Aid Route, potential future projects in cities under 5,000 are not jeopardized; and

WHEREAS, a transfer of Municipal Account funds exceeding the last two years of apportionment to the Regular Account is necessary to avoid a reduction in needs.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby requests that the Commissioner of Transportation transfer \$1,425,000 of Dakota County Municipal Account funds, an amount equal to all funds in excess of a two years' apportionment to the Municipal Account, into its Regular Account.

Ayes: 7

**10.5** Resolution No: 24-532

Authorization To Purchase Fuel From State Of Minnesota Fuel Consortium Program

Motion: Mary Hamann-Roland

Second: Mike Slavik

WHEREAS, Dakota County has experienced significant variability in spot market fuel prices in the past; and

WHEREAS, the State of Minnesota is offering participants in the Fuel Consortium Program (Consortium) an opportunity to purchase fuel on a fixed price basis for a period of February 1, 2025, to January 31, 2026; and

WHEREAS, the fixed prices available under the Consortium program are expected to be lower than prices available through the spot market; and

WHEREAS, purchasing fuel on a fixed price basis will ensure accurate County budget planning and budget stability; and

WHEREAS, Dakota County holds a cooperative purchase agreement with the State of Minnesota that allows the County to purchase from vendors under contract with the State of Minnesota; and

WHEREAS, the use of the Consortium will reduce Dakota County administrative costs associated with the competitive bidding process and avoid duplication of activity.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to purchase 70 percent (127,000 gallons) of the County's estimated unleaded fuel need and 70 percent (102,000 gallons) of the County's estimated diesel fuel needs for the period of February 1, 2025, to January 31, 2026, through the State Fuel Consortium Program, at the rates approved by the State of Minnesota; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners authorizes the Physical Development Director to purchase the remaining amount of fuel necessary for County operations from the State Spot Price Program or through local spot price vendors.

Ayes: 7

**10.6** Resolution No: 24-533

Authorization To Submit Funding Request To State Park Road Account Program For Paving Spring Lake Regional Park Reserve West Entrance And Pine Bend Trail Between Fahey Avenue And Fischer Avenue And To Accept Funds If Awarded

Motion: Mary Hamann-Roland

Second: Mike Slavik

WHEREAS, the Minnesota Department of Natural Resources is accepting requests for the State Park Road Account (SPRA) program; and

WHEREAS, the SPRA program funds eligible construction costs related to improving access to public recreation areas including public lakes and rivers; and

WHEREAS, Dakota County has identified a need to pave primary access roads into the west side of Spring Lake Regional Park Reserve; and

WHEREAS, the Phase 1 improvements are estimated at \$1,200,000; and

WHEREAS, staff recommends submittal of a request for up to \$750,000 to the SPRA program for improving access to Spring Lake Regional Park Reserve and the Mississippi River; and

WHEREAS, the Phase 1 improvements are included in the Draft 2025-2029 Parks Capital Improvement Program and programmed in project year 2026, and

WHEREAS, project submittals are due November 1, 2024.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the submission to the Minnesota Department of Natural Resources State Park Road Account program and authorizes the Physical Development Director to accept funding, if awarded, and execute required agreements subject to approval as to form by the Dakota County Attorney's Office; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby approves requesting required letters of support from the City of Rosemount and the Minnesota Department of Natural Resources.

Ayes: 7

**10.7** Resolution No: 24-534

Authorization To Execute Lease Agreement Amendment With University Of Minnesota Regional Extension For Office Space Located At Extension And Conservation Center

Motion: Mary Hamann-Roland

Second: Mike Slavik

WHEREAS, the Dakota County Board of Commissioners must approve all leases and license agreements; and

WHEREAS, the University of Minnesota leases space from Dakota County at the Extension and Conservation Center; and

WHEREAS, the lease period ended June 30, 2023, at which point the lease went on a month-to-month basis in the amount of \$4,627.27 per month, pending future ownership considerations of the facility; and

WHEREAS, the University of Minnesota and Dakota County have now agreed to the terms of a one-year lease agreement amendment commencing on October 1, 2024, through September 30, 2025, with five successive one-year options; and

WHEREAS, this rate of \$4,766.09 per month is a three percent increase from the previous lease rate; and

WHEREAS, staff from Facilities Management, the County Attorney's Office, and

the University of Minnesota have agreed to license amendment terms; and

WHEREAS, the lease rates cover the costs associated with the provision of space in the facility.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Facilities Management Director to execute a lease agreement amendment with the University of Minnesota for office space at the Dakota County Extension and Conservation Center, substantially as presented, subject to approval of the County Attorney's Office as to form.

Ayes: 7

**10.8** Resolution No: 24-535

Authorization To Execute Contract With Fitzgerald Excavating & Trucking Incorporated For Construction Of Interstate Valley Creek Stabilization, Authorization To Amend Budget, And Contract Amendment With Short-Elliott-Hendrickson, Inc., County Project P30002

Motion: Mary Hamann-Roland

Second: Mike Slavik

WHEREAS, the River to River Greenway includes construction of three stormwater management projects and three streambank stabilization projects along Interstate Valley Creek in Mendota Heights; and

WHEREAS, staff advertised the construction contract (County Project P30002) on October 09, 2024; and

WHEREAS, the bid of Fitzgerald Excavating & Trucking Incorporated., in the amount of \$500,171.00 was the lowest responsive and responsible bid received; and

WHEREAS, the 2024 construction workload is greater than the number of available County staff; and

WHEREAS, staff recommends amending contract number C0035212 with Short-Elliott-Hendrickson, Inc., to include construction management, testing, survey, and inspection services; and

WHEREAS, the proposed construction services are 21 percent of the estimated construction cost; and

WHEREAS, the 2024 Park's Capital Improvement Program Budget has sufficient funds to accommodate the construction contract and account for the necessary budget amendment.

WHEREAS, for portions of greenway, the trail construction will cross Xcel Energy existing private utility line easements that run within the existing Interstate Valley Creek easement; and

WHEREAS, Xcel Energy private utility line is within their own 50' easement; therefore, an encroachment agreement is needed to complete the CP P30002 work within the easement; and

WHEREAS, to proceed with the project, Xcel Energy is requesting that Dakota County execute an encroachment agreement to identify responsibilities and approved encroachments associated with CP P30002 crossing the Xcel Energy private utility lines.

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 Fitzgerald Excavating & Trucking Inc., 20865 390th St., Goodhue, MN 55027, for the construction work (County Project P30002) associated with the River to River Greenway Mendota Heights Segment, in an amount of \$575,196.65 including a 15 percent contingency based on their low bid, 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 encroachment agreement with Xcel Energy for the portion of the Interstate Valley Creek within the Xcel Energy private utility line easement, 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 amend the contract with Short-Elliott-Hendrickson, Inc., to perform construction management, testing, survey, and inspection services for County Project P30002, in an amount not to exceed \$105,565, resulting in a total amended contract amount not to exceed \$1,178,732, including reimbursable items, subject to approval by the County Attorney's Office as to form; and

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

**Expense**

P30002        \$105,565

**Total Expense**    \$105,565

**Revenue**

Sales & Use Tax \$105,565

**Total Revenue**    \$105,565

; and

BE IT FURTHER RESOLVED, That the 2024 Sales and Use Tax (SUT) Budget is hereby amended as follows:



**Expense**Transfer to Parks Fund (\$105,565)**Total Expense** (\$105,565)**Revenue**Sales & Use Tax (\$105,565)**Total Revenue** (\$105,565)

Ayes: 7

**11. Public Services and Revenue****11.1** Resolution No: 24-536

Approval Of Application For Assemblage Of Large Number Of People License For Dakota City Heritage Village

Motion: Mary Hamann-Roland

Second: Mike Slavik

WHEREAS, an application has been submitted by Dakota City Heritage Village to hold a Christmas in the Village gathering at 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. 102 and has been approved by the Public Services and Revenue Division, Public Health Department, Risk Management, Transportation Department and Sheriff's Office; and

WHEREAS, Castle Rock Township approved the application.

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 Dakota City Heritage Village to hold a Christmas in the Village gathering at Dakota County Fairgrounds, 4008 220th Street West, Farmington, on December 7-8, 2024, and December 14-15, 2024, from 3:00 p.m. to 8:00 p.m. each day, and authorizes the Public Services and Revenue division to issue the license.

Ayes: 7

**REGULAR AGENDA****12. Physical Development****12.1** Resolution No: 24-537

Reaffirmation Of Base Levy And Approval Of 2025 Incremental Levy For Dakota County Community Development Agency

Motion: Mike Slavik

Second: William Droste

Community Development Agency Executive Director Tony Schertler briefed this item and responded to questions.

WHEREAS, the Dakota County Board of Commissioners (Board) has determined that the availability of accessible affordable housing and economic development activities are a necessary component of a vital, sustainable economy in Dakota County; and

WHEREAS, the Dakota County Community Development Agency (CDA) has the powers of a Housing and Redevelopment Authority and Economic Development Authority within Dakota County; and

WHEREAS, there continues to be a substantial gap between the demand for affordable housing and economic development activities in Dakota County and financial resources for such activities, and additional capital for the CDA to support these activities is desired to contribute to a vital, sustainable economy in Dakota County; and

WHEREAS, the CDA develops senior and workforce housing financed through the use of housing revenue bonds with the pledge of general obligation backing by Dakota County, as approved by the Board; and

WHEREAS, the Board has previously approved the ongoing base levy by the CDA of special benefit taxes at a rate of .0144 percent of the Estimated Market Value to support debt service payments for the CDA bond-funded developments; and

WHEREAS, the CDA is authorized under Minn. Stat. § 469.033, Subd. 6, with the approval of the Board, to levy additional special benefit taxes, up to an amount of .0041 percent of the Estimated Market Value (the incremental levy) for a total levy of .0185 percent; and

WHEREAS, the CDA is requesting approval of an incremental levy of .0012 percent for a total levy of .0156 percent of Estimated Market Value; and

WHEREAS, the incremental levy would provide the CDA with an estimated \$883,362 for CDA-supported programs; and

WHEREAS, the approval of the incremental levy applies only to taxes payable in 2025.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby reaffirms the Dakota County Community Development Agency's base levy rate of .0144 percent of the Estimated Market Value and approves the Community Development Agency's incremental levy of .0012 percent of the Estimated Market Value, for a total Community Development Agency levy rate of .0156 percent of the Estimated Market Value for taxes payable in 2025 for the purpose of providing affordable housing and supporting economic development activities in Dakota County through the Community Development Agency's Common Bond Development Program and other

Community Development Agency-supported programs.

Ayes: 7

**13. Interagency Reports/Commissioner Updates**

**14. County Manager's Report**

County Manager Heidi Welsch stated that early voting is underway and Elections staff is managing it well.

Community Corrections Director Suwana Kirkland recognized New Chance Probation Officer Joseph Griesgraber who performed life-saving measures on a client's parent in distress.

**15. Information**

**15.1 Information**

See Attachment for future Board meetings and other activities.

**16. Adjournment**

**16.1 Resolution No: 24-538**

Adjournment

Motion: Laurie Halverson

Second: Mike Slavik

On a motion by Commissioner Halverson, seconded by Commissioner Slavik, the meeting was adjourned at 9:32 a.m.

Ayes: 7

Joe Atkins  
Chair

ATTEST

Heidi Welsch  
County Manager