



Dakota County

Board of Commissioners

Minutes

Tuesday, July 30, 2024

9:00 AM

Boardroom, Administration Center,
Hastings, MN

1. Call To Order And Roll Call

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

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

2. Pledge Of Allegiance

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

3. Audience

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

4. Agenda

4.1 Resolution No: 24-363
Approval of Agenda (Additions/Corrections/Deletions)

Motion: Laurie Halverson

Second: Mary Hamann-Roland

Ayes: 7

5. Presentation

5.1 Overview Of Government Building Exhibit At 2024 Dakota County Fair

Communications/Public Affairs Director Mary Beth Schubert gave a brief overview of the theme and activities in the Government building at the Dakota County Fair. The County's licenses, passports, assessments and property taxation services will be highlighted in the "License to Discover" exhibit.

5.2 Dakota County Agricultural Society Update

Dakota County Agricultural Society President Pete Storlie provided a short update on the progress and changes at the Dakota County fairgrounds. Pete also shared this years events at the fair, the first annual poster contest finishers, and new at the fair this year is Community Day and Hero's Appreciation Day.

5.3 Minnesota Inter-County Association (MICA)/Association of Minnesota Counties (AMC) Annual Update

The following agencies and representatives gave brief legislative overviews and responded to questions.

- Minnesota Inter-County Association (MICA) - Matt Massman
- Association of Minnesota Counties (AMC) - Matt Hilgart

CONSENT AGENDA

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

6. County Administration - Approval of Minutes

6.1 Resolution No: 24-364

Approval of Minutes of Meeting Held on July 9, 2024 and Special Meetings July 9, 2024 and July 23, 2024

Motion: Mary Hamann-Roland

Second: Laurie Halverson

Ayes: 7

7. Items Recommended By Board Committee*

7.1 Resolution No: 24-365

Adoption Of Reimbursement Resolution For Lebanon Hills Maintenance Facility Project

Motion: Mary Hamann-Roland

Second: Laurie Halverson

WHEREAS, Dakota County, Minnesota (County) is a public body corporate and politic of the State of Minnesota; and

WHEREAS, the Board of Commissioners (Board) of the County has determined that it is in the best interest of the County to make or have made on the County's behalf certain expenditures relating to the acquisition, construction, and improvement of a new Lebanon Hills Maintenance Facility (Project); and

WHEREAS, the Board currently intends and reasonably expects the County to participate in a tax-exempt lease purchase financing or municipal bond financing in a maximum principal amount that is not currently reasonably expected to exceed \$26,500,000 to finance the Project, including to reimburse the County in the maximum amount of \$26,500,000 for all or a portion of such expenditures

paid by the County or on the County's behalf, or to be paid subsequent to a period commencing 60 days prior to the date hereof, and ending prior to the later of 18 months of the date of such expenditures or the date on which the Project is placed in service (but in no event more than three years after the date of the original expenditure of such moneys); and

WHEREAS, the Board hereby desires to declare its official intent, pursuant to 26 CFR § 1.150-2 to reimburse the County for such expenditures with the proceeds of the County's lease-purchase or municipal bond financing.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby adopts the following:

Section 1. Declaration of Official Intent. The County presently intends and reasonably expects to initially finance all or a portion of the costs of the Project with legally available funds that do not represent the proceeds of a borrowing. The County also presently intends and reasonably expects that the initial expenditures paid by the County in connection with the financing of the Project, if not originally paid from the proceeds of the lease-purchase or municipal bond financing, will be originally paid from the general fund of the County or other legally available funds.

Section 2. Dates of Expenditures. All of the expenditures covered by this Resolution were or will be made on and after the date which is 60 days prior to the effective date of this Resolution.

Section 3. Tax-Exempt Financing. The County presently intends and reasonably expects to participate in a lease-purchase or municipal bond financing within 18 months of the date of the expenditure of the moneys on the Project or the date on which the Project is placed in service, whichever is later (but in no event more than three years after the date of the original expenditure of such moneys), and to allocate from such financing an amount not currently reasonably expected to exceed the maximum principal amount (or, if less, the sale proceeds) of the lease-purchase or municipal bond financing to reimburse the County for its expenditures paid in connection with the Project.

Section 4. Confirmation of Prior Acts. All prior acts and doings of the official agents and employees of the County which are in conformity with the purpose and intent of this Resolution, and in furtherance of the Project, shall be and the same hereby are in all respects ratified, approved, and confirmed.

Section 5. Effective Date of Resolution. This Resolution shall take effect immediately upon its passage.

Ayes: 6

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

Nay: 1
Mary Liz Holberg

7.2 Resolution No: 24-366
Authorization To Amend Joint Powers Agreement Establishing The Criminal Justice Network

Motion: Mary Hamann-Roland Second: Laurie Halverson

WHEREAS, Dakota County and the cities of Burnsville, Hastings, Farmington, Inver Grove Heights, Mendota Heights, Rosemount, South St. Paul, and West St. Paul approved a joint powers agreement in 2022 creating the Criminal Justice Network (CJN); and

WHEREAS, the CJN Board of Directors wishes to amend the joint powers agreement to address the issues of a change to the budget funding structure, add the City of Plymouth as a member to the CJN Board of Directors and establish Plymouth's contribution to the records management system project; and

WHEREAS, the CJN Board of Directors approved the First Amendment to the joint powers agreement establishing the Criminal Justice Network; and

WHEREAS, the joint powers agreement states that the joint powers agreement may be amended at any time by agreement of all members that have not previously withdrawn from the organization.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Enterprise Finance and Information Services Director to sign the First Amendment to the joint powers agreement establishing the Criminal Justice Network.

Ayes: 7

7.3 Resolution No: 24-367
Approval Of Appraised Value And Authorization To Acquire Errington Property In Sciota Township

Motion: Mary Hamann-Roland Second: Laurie Halverson

WHEREAS, County Project (CP) 59-005 was previously programmed to include the reconstruction of approximately 3.65 miles of County Road 59 (Alta Avenue) from County State Aid Highway 47 to Trunk Highway 19 in Sciota Township; and

WHEREAS, due to low traffic volumes, overall good roadway condition, and the condition of the Alta Avenue bridge over the Cannon River, the project was removed from the approved Transportation Capital Improvement Program; and

WHEREAS, the owner of the property located in the northwest corner of the County Road 59 and 302nd Street East intersection, David and Patricia Errington (Errington), expressed interest in the County acquiring property to

County staff and a County Commissioner at a township meeting; and

WHEREAS, the 2.29-acre Errington property includes 0.3 acres of right of way for an existing low-speed curve and future realignment would likely require significant future right of way acquisition involving most of the property; and

WHEREAS, a 1008-square foot house, constructed in 1910, on the Errington property is uninhabitable and vacant and therefore eliminates the need to provide relocation expenses; and

WHEREAS, staff determined that there may be financial advantages to acquiring the entire Errington property in advance of an eventual transportation improvement project at this location and hired an appraiser to complete the appraisal, including the removal of the existing buildings; and

WHEREAS, the approved Transportation Capital Improvement Program Budget contains sufficient CP 59-005 carryover budget for the proposed advanced acquisition of the Errington property; and

WHEREAS, the Errington property appraisal has been completed, and the appraisal information has been provided to the County Board of Commissioners in a confidential memorandum because the appraisal is classified as confidential, non-public data pursuant to Minn. Stat § 13.44, subd. 3; and

WHEREAS, staff recommends County Board approval for staff to present an offer to acquire the Errington property based on the appraised value; and

WHEREAS, if negotiations with the Erringtons are successful, staff recommends that the County Board approve the acquisition of the Errington property; and

WHEREAS, if negotiations with the Erringtons are not successful, staff recommends that acquisition by eminent domain not be pursued at this time.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the appraised value of the David and Patricia Errington property; and

BE IT FURTHER RESOLVED, That if negotiations are successful with David and Patricia Errington, the Dakota County Board of Commissioners hereby approves the advanced acquisition of the David and Patricia Errington property for County Project 59-005 at the approved appraised value, authorizes the Physical Development Division Director to execute the purchase agreement, approved as to form by the County Attorney's Office, and authorizes payment from the adopted Transportation Capital Improvement Program Budget for County Project 59-005.

Ayes: 7

7.4 Resolution No: 24-368
Authorization To Release Draft 2024-2044 Dakota County Solid Waste Management Plan For Public Review And Comment

Motion: Mary Hamann-Roland

Second: Laurie Halverson

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) released the adopted the 2022-2042 Metropolitan Solid Waste Management Policy Plan (Policy Plan) on January 30, 2024; and

WHEREAS, Policy Plan components were presented to the Physical Development Committee of the Whole on March 19 and April 16, 2024; and

WHEREAS, Minn. Stat. § 473.803 requires each metropolitan county to revise its current Solid Waste Management Plan (Plan) to implement the revised Policy Plan; and

WHEREAS, an initial round of stakeholder engagement was conducted September 1-October 15, 2023, and sought to identify waste management barriers and opportunities; and

WHEREAS, a second round of stakeholder engagement was conducted April 1-24, 2024, and gathered comments on timing and needs for a preliminary set of required and optional strategies from the MPCA Policy Plan; and

WHEREAS the Draft Plan was developed in accordance with Minn. Stat. § 473.803 and 115A; and

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

WHEREAS the Draft Plan includes Policy Plan-required strategies and recommended optional strategies to meet the minimum point value; and

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

WHEREAS, the Draft Plan will be posted on the Dakota County website and be made available to stakeholders from August 1 to August 21, 2024, for public review and comment period.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby releases the Draft 2024-2044 Dakota County Solid Waste Management Plan for a 21-day public review and comment period.

Ayes: 7

7.5 Resolution No: 24-369
Authorization To Submit Clean Water Fund Competitive Grant Application For Well Seal Grants And Authorization To Execute Grant Agreements

Motion: Mary Hamann-Roland

Second: Laurie Halverson

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

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

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

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

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

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

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

WHEREAS, the grant application deadline is August 22, 2024, and the grant expiration date is December 31, 2027.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes staff to submit a Clean Water Fund grant application to the Board of Water and Soil Resources to support the Well Seal Grant Program for an amount up to \$200,000; and

BE IT FURTHER RESOLVED, That, if the grant is awarded, the Dakota County Board of Commissioners hereby authorizes the Environmental Resources Department Director to execute a Clean Water Fund grant agreement with the Board of Water and Soil Resources, subject to approval by the County Attorney’s Office as to form, and will be included in the 2025 Environmental Resources Department Operations budget.

Ayes: 7

7.6 Resolution No: 24-370

Authorization To Execute Joint Powers Agreement With Vermillion River Watershed Joint Powers Organization For Water Conservation And Landscaping For Clean Water Marketing Campaign

Motion: Mary Hamann-Roland

Second: Laurie Halverson

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

WHEREAS, the Vermillion River Watershed Joint Powers Organization (VRWJPO) is a watershed management body consisting of Dakota and Scott Counties, which is governed by the Vermillion River Watershed Joint Powers Board (VRWJPB) and is charged with carrying out the duties set forth in Minn. Stat. § 103B.211 to 103B.255 and as otherwise provided by law; and

WHEREAS, the County of Dakota (County) is a governmental and political subdivision of the State of Minnesota; and

WHEREAS, over 90 percent of the County's water supply comes from groundwater; and

WHEREAS, increased water usage can become a regional, long-term issue if the demand for groundwater is consistently higher than aquifer recharge rates; and

WHEREAS, the 2020 - 2030 Dakota County Groundwater Plan identifies promoting water conservation in collaboration with cities, townships, watershed organizations, and large water users as a high priority (strategy 2A2); and

WHEREAS, the County proposes to collaborate with partners to raise awareness of groundwater and water conservation issues through a Water Conservation and Landscaping for Clean Water Marketing Campaign (Project); and

WHEREAS, the Project will include working with a consultant to develop and distribute professional grade videos promoting Landscaping for Clean Water programs and ways to reduce outdoor water use by increasing irrigation efficiencies; and

WHEREAS, the Project will be developed in collaboration with the VRWJPO, Black Dog Watershed Management Organization, Eagan-Inver Grove Heights Watershed Management Organization, Lower Mississippi River Watershed Management Organization, and the Dakota Soil and Water Conservation District as cost-share partners; and

WHEREAS, staff recommends executing a joint powers agreement with the VRWJPO to support the implementation of the Project; and

WHEREAS, Dakota County shall provide financial assistance to the VRWJPO; contribute staffing in collaboration with the VRWJPO for administration, coordination, and overseeing the development of the campaign materials associated with the Project; and regularly confer with partners regarding material content; and

WHEREAS, the VRWJPO will administer the consultant contract and act as the paying agent for all payments.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Division Director, or designee, to execute a joint powers agreement with the Vermillion River Watershed Joint Powers Organization for the County to provide up to \$10,000 towards completion of a Water Conservation and Landscaping for Clean Water Marketing Campaign for the period of July 31, 2024, to April 30, 2026, substantially as presented to the Physical Development Committee of the Whole on July 23, 2024, subject to approval by the County Attorney's Office as to form.

Ayes: 7

7.7 Resolution No: 24-371

Authorization To Execute Contract Amendment With AVM Construction LLC For Law Enforcement Center 3100 And 7100 Cell Block Improvements Project And Authorization To Amend Budget

Motion: Mary Hamann-Roland

Second: Laurie Halverson

WHEREAS, the 2021 Building Capital Improvement Program (CIP) Adopted Budget authorized the Law Enforcement Center (LEC) 3100 and 7100 Cell Block Upgrades project; and

WHEREAS, by Resolution No. 23-531 (November 28, 2023), AVM Construction LLC was awarded the project; and

WHEREAS, on December 21, 2023, Dakota County entered into a contract with AVM Construction LLC for general contracting services for a total amount not to exceed \$829,400; and

WHEREAS, with the original contract authorization, staff was also authorized to execute up to \$100,000 worth of post-award changes; and

WHEREAS, a total of \$63,733 in contract amendments has already been formally executed by that way of authorization; and

WHEREAS, an additional \$120,000 worth of post-award changes is requested for authorization to close-out the project with AVM Construction LLC; and

WHEREAS, a budget amendment is needed to move funding from the Prior Projects Savings Setaside to the LEC 3100 and 7100 Cell Block Improvements project in order to account for the increased scope and construction costs of the

renovation project.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Parks, Facilities, and Fleet Management Director to execute a contract amendment with AVM Construction LLC, located at 132 Hardman Court, South Saint Paul, MN 55075, in an amount not to exceed \$183,733, for the Law Enforcement Center 3100 and 7100 Cell Block Improvements project, subject to approval by the County Attorney’s office as to form; and

BE IT FURTHER RESOLVED, That the 2023 Buildings Capital Improvement Program budget is hereby amended as follows:

Expense

Prior Projects Savings Set-aside (1001646)	(\$120,000)
Law Enforcement Center 3100 and 7100 Cell Block (1000241)	<u>\$120,000</u>
Total Expense	\$0

Revenue

Prior Project Savings Set-aside (1001646)	(\$120,000)
Law Enforcement Center 3100 and 7100 Cell Block (1000241)	<u>\$120,000</u>
Total Revenue	\$0

Ayes: 7

7.8 Resolution No: 24-372

Authorization To Execute Sixth Contract Amendment With Short-Elliott-Hendrickson, Incorporated For Professional Services For Minnesota River Greenway Fort Snelling Segment

Motion: Mary Hamann-Roland

Second: Laurie Halverson

WHEREAS, the Minnesota River Greenway runs along the south side of the Minnesota River in Eagan and Burnsville, extending from I35-W 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, by Resolution No. 18-487 (October 11, 2018), the Dakota County Board of Commissioners authorized staff to proceed with consultant selection for the project to include 30 percent design for the river bottom trail (Project Component 1) and 100 percent design and engineering for the Union Pacific Railroad Bridge (Project Component 2); and

WHEREAS, by Resolution No. 20-163 (March 24, 2020), the Dakota County Board of Commissioners authorized staff to enter into a contract with Short-Elliott-Hendrickson, Incorporated, for design services for the river bottom trail for a not-to-exceed amount of \$279,988; and

WHEREAS, on August 12, 2020, the contract's not-to-exceed amount was amended by \$27,500 to \$307,488 to complete the required environmental documentation for the project; and

WHEREAS, by Resolution No. 21-441 (September 7, 2021), the contract's not-to-exceed amount was amended by \$62,000 to \$369,488 to complete final design and construction planning tasks; and

WHEREAS by Resolution No. 22-056 (February 1, 2022), a contract amendment to expand the scope to cover tree-clearing oversight and federal review and authorization work was authorized, amending the budget to the not-to-exceed amount of \$31,500, totaling \$400,988; and

WHEREAS, by Resolution No. 23-046 (January 24, 2023), a contract amendment to extend the end date of the contract was authorized, extending the contract to March 31, 2024; and

WHEREAS, by Resolution No. 24-027 (January 2, 2024), a contract amendment was authorized to allow for continued assistance during greenway construction, amending the not-to-exceed amount to \$410,988 and extending the term of the contract to August 31, 2025; and

WHEREAS, multiple needs for assistance and design revisions to the greenway trail have arisen to date, with additional assistance anticipated; and

WHEREAS, staff recommends the continuation of the design contract with Short-Elliott-Hendrickson, Incorporated, for the duration of the trail construction process to advise on design potential modifications due to challenges encountered within the project area.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Parks, Facilities, and Fleet Management Director to amend a contract with Short-Elliott-Hendrickson, Incorporated, in an amount not to exceed \$430,988 to allow for continued design consulting services during construction of the Minnesota River Greenway.

Ayes: 6

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

Nay: 1

Mary Liz Holberg

7.9 Resolution No: 24-373
Authorization To Acquire Oliver Family Property In City Of Empire

Motion: Mary Hamann-Roland

Second: Laurie Halverson

WHEREAS, the 22.43-acre Susan and James Berdahl, Amy Severson, Frederick M. and Mary C. Severson, and Charlotte Oliver (Oliver Family) property, located immediately northeast of the intersection of State Highway 3 and County State Aid Highway (CSAH) 66 in the City of Empire, is included in the approved master plan for the North Creek Greenway; and

WHEREAS, the Oliver Family had been marketing their property through a real estate broker and were willing to work with the County to protect the property for public benefits if the County would provide \$20,000 in earnest money during such time as it took the County to appraise the property and make an offer; and

WHEREAS, by Resolution No. 24-088 (February 27, 2024), the County Board of Commissioners authorized the Physical Development Division Director to execute a \$20,000 Option to Purchase Agreement with the Oliver Family that was fully executed on April 8, 2024; and

WHEREAS, an independent appraisal of the Oliver Family property was completed, reviewed, and approved by County staff; and

WHEREAS, the Oliver Family has agreed to sell their property for \$147,000 (5% more than the \$140,000 appraised value) and have requested that the County pay the five percent broker fee, or \$7,350; and

WHEREAS, the estimated closing costs are \$2,500; and

WHEREAS, the Physical Development Division Director is required to sign the purchase agreement (PA) to acquire the Oliver Family property; and

WHEREAS, the Oliver Family property acquisition and closing costs are eligible for a 75 percent Acquisition Opportunity Fund (AOF) grant through the Metropolitan Council (MC), and the \$7,350 broker fee is not eligible for AOF reimbursement; and

WHEREAS, an AOF grant can be submitted to the MC after a PA is signed by the PDD Director and the Oliver Family members; and

WHEREAS, if the County is awarded an AOF grant by the MC for the Oliver Family property, the Chair of the County Board of Commissioners is required to sign an Agreement and Restrictive Covenant (ARC) with the MC; and

WHEREAS, there is adequate MC and County AOF matching funds in the approved 2024 Parks Capital Improvement Program budget for the proposed Oliver Family property acquisition; and

WHEREAS, the final acquisition costs of the Oliver Family property will be determined after the settlement statement is finalized and all associated acquisition expenses have been invoiced.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the expenditure of up to \$156,850 to acquire the Susan and James Berdahl, Amy Severson, Frederick M. and Mary C. Severson, and Charlotte Oliver (Oliver Family) property, including \$147,000 for acquisition, \$2,500 in estimated closing costs, and \$7,350 for broker fees; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Division Director to execute a purchase agreement with the Oliver Family to acquire their property, 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 staff to submit an Acquisition Opportunity Fund grant request to the Metropolitan Council to receive up to 75 percent of the Oliver Family property acquisition costs; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Board Chair to execute an Agreement and Restrictive Covenant with the Metropolitan Council, which is required by the Metropolitan Council as part of an Acquisition Opportunity Fund grant agreement; and

BE IT FURTHER RESOLVED, That following acquisition of the Oliver Family property, staff will submit the necessary forms and documentation to the Metropolitan Council to receive approximately \$112,125 of reimbursement funds that will be returned to the 2024 Parks Capital Improvement Program.

Ayes: 7

7.10 Resolution No: 24-374

Authorization To Award Bid And Execute Contract With CJC Construction LLC To Provide General Contractor Services For Administration Center Atrium Fire Boundary Project And Authorization To Amend 2024 Facilities Capital Improvement Program Budget

Motion: Mary Hamann-Roland

Second: Laurie Halverson

WHEREAS, during demolition for the Administration Center Service Counter Remodel Project, it was discovered that the existing conditions of the atrium boundary is not in fire code compliance in multiple locations, which differs from the as-built record drawing; and

WHEREAS, the fire code official from Authority Having Jurisdiction (AHJ) requires improvement to bring the boundary into compliance as a condition to approve the Administration Center Service Counter Remodel Project; and

WHEREAS, the County contracted with Kodet Architectural Group to prepare

final design documents; and

WHEREAS, two competitive bids were received on July 9, 2024; and

WHEREAS, CJC Construction LLC submitted a bid of \$338,000; and

WHEREAS, staff and Kodet reviewed the qualifications of the bidder and recommend award to CJC Construction LLC as the lowest responsive and responsible bidder in an amount not to exceed \$338,000 for the Administration Center Atrium Fire Boundary Project.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes Parks, Facilities, and Fleet Management Director to execute a contract with CJC Construction LLC Hanover, MN 55341, in an amount not to exceed \$338,000 for the Administration Center Atrium Fire Boundary Project and establish a budget of \$480,000.

BE IT FURTHER RESOLVED, That the 2024 Facilities Management Capital Improvement Program budget be amended as follows. Funding is ready in the Prior Projects Saving Set-aside:

Expense

Prior Projects Savings Set-aside (1001646)	(\$480,000)
ADC Atrium Fire Boundary Project (200318)	<u>\$480,000</u>
Total Expense	\$0

Revenue

Prior Project Savings Set-aside (1001646)	(\$480,000)
ADC Atrium Fire Boundary Project (200318)	<u>\$480,000</u>
Total Revenue	\$0

Ayes: 7

7.11 Resolution No: 24-375
 Authorization To Execute Grant Agreement For State Dislocated Worker Program Services And Execute Related Contracts

Motion: Mary Hamann-Roland

Second: Laurie Halverson

WHEREAS, the Workforce Innovation and Opportunity Act (WIOA) requires each Workforce Development Area (WDA) to submit an annual plan describing how employment and training services will be provided to eligible program participants; and

WHEREAS, by Resolution No. 23-302 (July 18, 2023), the Dakota County Board of Commissioners authorized the execution of a grant agreement with DEED for employment and training programs in the Dakota-Scott WDA for the State Dislocated Worker (DW) program in the amount of \$1,384,786 for the period of July 1, 2023 through June 30, 2024, based on the allocation formula used by DEED, and execution of contracts with DEED Job Service and HIRED for the

period of July 1, 2023 through June 30, 2024; and

WHEREAS, the funding allocation for the State DW program for July 1, 2024 through June 30, 2025, is \$1,407,141 (\$1,066,613 Dakota County; \$340,528 Scott County); and

WHEREAS, a Request for Proposals (RFP) was issued on March 1, 2024, in which one joint proposal was received from HIRED/DEED Job Service for services; and

WHEREAS, on June 21, 2024, the Dakota-Scott Workforce Development Board approved the execution of the grant agreement with DEED in an amount not to exceed \$1,407,141 and execution of contracts with DEED Job Service and Hired for the period of July 1, 2024 through June 30, 2025.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes execution of a grant agreement with the Minnesota Department of Employment and Economic Development (DEED) to provide State Dislocated Worker (DW) Program Services in an amount not to exceed \$1,407,141 for the period of June 1, 2024 through July 31, 2025, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes execution of a contract with DEED in an amount not to exceed \$200,000 and with HIRED in an amount not to exceed \$200,000 for the period of June 1, 2024 through July 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; and

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

BE IT FURTHER RESOLVED, That the contracts shall contain a provision that allows the County to immediately terminate the contracts 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

7.12 Resolution No: 24-376

Authorization To Execute Grant Agreement For Workforce Innovation And Opportunity Act Adult Services And Dislocated Worker Services And Execute Related Contracts

Motion: Mary Hamann-Roland

Second: Laurie Halverson

WHEREAS, Workforce Innovation and Opportunity Act (WIOA) requires each Workforce Development Area (WDA) to submit an annual plan describing how employment and training services will be provided to eligible program participants; and

WHEREAS, by Resolution No. 18-049 (January 23, 2018), the Dakota County Board of Commissioners authorized the execution of a restated and amended joint powers agreement between Dakota County and Scott County for delivery of employment services; and

WHEREAS, by Resolution No. 23-301 (July 18, 2023), the Dakota County Board of Commissioners authorized execution of a grant agreement with the Minnesota Department of Employment and Economic Development (DEED) for employment and training programs in the Dakota-Scott Workforce WDA for the WIOA Adult in the amount of \$345,851 and WIOA Dislocated Worker (DW) programs in the amount of 539,023 for the period of July 1, 2023 through June 30, 2024, based on the allocation formula used by DEED; and

WHEREAS, the Dakota County Board of Commissioners authorized execution of contracts with DEED Job Service and HIRED for the period of July 1, 2023 through June 30, 2024, based on a solicitation that was issued in 2019; and

WHEREAS, a solicitation was issued on March 8, 2024, in which a thorough review of proposals was completed; and

WHEREAS, the funding allocation for WIOA Act Adult is \$343,056 (\$260,036 for Dakota County and \$83,020 for Scott County) and WIOA DW programs is \$563,755 (\$427,326 for Dakota County and \$136,429 for Scott County) for the period of July 1, 2024 through June 30, 2025; and

WHEREAS, on April 19, 2024, the Dakota-Scott Workforce Development Board approved the execution of the grant agreement and execution of contracts with DEED Job Service and HIRED for the period of July 1, 2024 through June 30, 2025.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes execution of a grant agreement with the Minnesota Department of Employment and Economic Development for employment and training programs in the Dakota-Scott Workforce Development Area for the Workforce Innovation and Opportunity Act Adult in an amount of \$343,056 (\$260,036 for Dakota County and \$83,020 for Scott County) and Workforce Innovation and Opportunity Act Dislocated Worker program in the

amount of \$563,755 (\$427,326 for Dakota County and \$136,429 for Scott County) for the period of July 1, 2024 through June 30, 2025, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes execution of contracts with DEED Job Service in an amount not to exceed \$160,000 for the period of June 1, 2024 through July 31, 2025, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes execution of a contract with HIRED in an amount not to exceed \$160,000 for the period of June 1, 2024 through July 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; and

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

BE IT FURTHER RESOLVED, That the contracts shall contain a provision that allows the County to immediately terminate the contracts 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

7.13 Resolution No: 24-377

Ratification Of Unified Local Youth Plan Submission For Workforce Innovation And Opportunity Act Youth Program 2024 And Authorization To Accept Funds, Execute Grant Agreement And Execute Related Contracts

Motion: Mary Hamann-Roland

Second: Laurie Halverson

WHEREAS, the Workforce Innovation and Opportunity Act (WIOA) requires local service areas to provide services to low-income, at-risk youth to promote educational and employment success; and

WHEREAS, the Minnesota Department of Employment and Economic Development (DEED) fulfills this requirement through grants to local Workforce Development Boards (WDB) for the WIOA Youth Program; and

WHEREAS, the WIOA Youth Program grant is allocated between Dakota and Scott Counties based on the DEED formula and anticipated needs; and

WHEREAS, a Request for Proposal (RFP) is issued for Dakota County WIOA Youth Program services every five years, the last being on November 30, 2020; and

WHEREAS, a new solicitation will be completed in 2025; and

WHEREAS, Dakota-Scott Workforce Services received official notification of Program Year (PY) 2023 funding on April 25, 2023; and

WHEREAS, WIOA Youth Program funding was \$405,786 for Dakota and Scott Counties; and

WHEREAS, by Resolution No. 23-274 (June 20, 2023), the Dakota County Board of Commissioners authorized execution of a contract with HIRED to provide WIOA Youth Program services for the period of April 1, 2023 through March 31, 2024; and

WHEREAS, Dakota-Scott Workforce Services submitted the 2024 Unified Local Youth Plan to DEED for WIOA Youth PY 2024 funds for the grant period of April 1, 2024 through March 31, 2026; and

WHEREAS, official notification of WIOA Youth PY 2024 funding in the amount of \$359,788 for Dakota and Scott Counties was received on June 7, 2024; and

WHEREAS, ten percent of the amount allocated will be retained for administrative expenses.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves ratification of the submission of the Unified Local Youth Plan to the Minnesota Department of Employment and Economic Development (DEED) for the Workforce Innovation and Opportunity Act (WIOA) Youth Program 2024 funds; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the acceptance of the WIOA Youth Program funds as awarded, and execution of the grant agreement with DEED, for the period of April 1, 2024 through March 31, 2025, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes execution of the related contract with HIRED to provide WIOA Youth Program services in the not to exceed amount of \$259,047 for the period of April 1, 2024 through March 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; and

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

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

Ayes: 7

7.14 Resolution No: 24-378

Ratification Of Grant Application To Health Resources And Services Administration For Healthy Tomorrow's Partnership For Children Program Grant, And Authorization To Accept Grant Funds, Execute Grant Agreement, And Amend 2024 Public Health Budget

Motion: Mary Hamann-Roland

Second: Laurie Halverson

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

WHEREAS, the Dakota County Public Health Department (DCPH) has been awarded the Healthy Tomorrow's Partnership for Children Program (HTPCP) grant through the Health Resources and Services Administration (HRSA); and

WHEREAS, HRSA is the primary federal agency for improving access to health care services for people who are uninsured, isolated, or medically vulnerable; and

WHEREAS, the grant is a four-year grant with \$50,000 awarded annually (totaling \$200,000 for the entire grant period); and

WHEREAS, the HTPCP grant focuses on funding "innovative, community-based initiatives to improve the health status of infants, children, adolescents and families in rural and other underserved communities by increasing their access to preventive care and services"; and

WHEREAS, DCPH’s goal with this funding is: to strengthen the healthcare ecosystem in Dakota County by supplementing capacity to provide preventive care for families through collective work and enhanced coordination between DCPH, local healthcare organizations, and school districts.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby ratifies the submission of the Healthy Tomorrow’s Partnership for Children Program grant application to the Health Resources and Services Administration (HRSA) in the amount of \$200,000 for the period of March 1, 2024 through February 29, 2028; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to accept grant funds, and execute a grant agreement with HRSA in the amount of \$200,000 for the period of March 1, 2024 through February 29, 2028, 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; and

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

Expense

Public Health Budget	<u>\$50,000</u>
Total Expense	\$50,000

Revenue

HRSA Grant	<u>\$50,000</u>
Total Revenue	\$50,000

Ayes: 7

7.15 Resolution No: 24-379
Update On Housing Business Plan And Affordable Housing Aid Spending Options And Authorization To Accept State And Local Affordable Housing Aid Funds

Motion: Mary Hamann-Roland Second: Laurie Halverson

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 that staff presented to the County Board on October 19, 2021: shelter, homelessness prevention, and affordable housing; and

WHEREAS, 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 at which 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 overview of Affordable Housing Aid uses and propose eligible activities that can be launched quickly; 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 refreshed Housing Business Plan; and

WHEREAS, this presentation will provide an update on the eligible uses of the Affordable Housing Aid funding and will also include several funding scenarios based on these eligible uses for feedback from the Board of Commissioners; and

WHEREAS, in 2024, Dakota County will receive a total of \$516,862 in State

Affordable Housing Aid and \$4,103,737.26 in Local Affordable Housing Aid, as certified by the Minnesota Department of Revenue.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to accept \$516,862 in 2024 State Affordable Housing Aid and \$4,103,737.26 in 2024 Local Affordable Housing Aid, as certified by the Minnesota Department of Revenue.

Ayes: 7

8. County Board/County Administration

- 8.1** Resolution No: 24-380
Authorization To Amend 2024 Budget Workshop Dates For 2025 Budget Discussion And Schedule Budget Workshop

Motion: Mary Hamann-Roland Second: Laurie Halverson

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby amends the 2024 County Board budget workshop dates to discuss the 2025 budget schedule and schedules a Budget Workshop for 9:30 a.m. (or following Physical Development Committee of the Whole), on August 20, 2024, in Conference Room 3A, Administration Center, Hastings, MN.

Ayes: 7

9. Enterprise Finance and Information Services

- 9.1** Report On Invoices Paid In June 2024
Information only; no action requested.
- 9.2** Resolution No: 24-381
Authorization To Execute Joint Powers Agreement For Multi-County Residential Opinion Survey Project

Motion: Mary Hamann-Roland Second: Laurie Halverson

WHEREAS, Dakota, Olmsted, St. Louis, and Washington Counties propose to survey residential households in the four counties in order to assess residential opinions and the performance of county government; and

WHEREAS, the counties have agreed to collaborate on a joint Residential Survey in 2025, selecting Polco Confluence / National Research Center (NRC) to conduct the survey and compile results; and

WHEREAS, the cost to Dakota County will be under \$60,000 and these funds are contained in the adopted budget for the Office of Performance and Analysis; and

WHEREAS, the counties must enter into a joint powers agreement in order to carry out the Residential Survey initiative; and

WHEREAS, Dakota County will serve as the fiscal agent for the joint powers agreement.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Enterprise Finance and Information Services Director to execute a joint powers agreement with Olmsted, St. Louis and Washington Counties to conduct a residential survey of households in the four counties and to analyze the results, subject to approval by the County Attorney's Office as to form.

Ayes: 7

10. Physical Development

10.1 Resolution No: 24-382

Authorization To Acquire Easements On The McLaughlin Holdings Inc. And Kenneth Lee Property In City Of Eagan

Motion: Mary Hamann-Roland

Second: Laurie Halverson

WHEREAS, by Resolution No. 23-170 (April 25, 2023), the County Board of Commissioners authorized a professional services contract to provide architectural and engineering design services for the schematic design of the new maintenance facility in Lebanon Hills Regional Park (LHRP); and

WHEREAS, by Resolution No. 23-381 (August 29, 2023), the County Board of Commissioners approved the design for the LHRP maintenance facility; and

WHEREAS, the approved LHRP maintenance facility design requires a new sanitary sewer connection and associated 4,440-square-foot permanent sanitary sewer easement (Sewer Easement) and a 1,200-square-foot temporary construction easement (TE) on the adjacent McLaughlin Holdings Inc. and Kenneth Lee (McLaughlin/Lee) property; and

WHEREAS, the location of the Sewer Easement and TE are within existing Dakota Electric Cooperative (DEC) and Great River Energy (GRE) easements which will require encroachment agreements with both DEC and GRE; and

WHEREAS, County staff contracted an independent appraiser to appraise the value of the Sewer Easement and TE on the McLaughlin/Lee property; and

WHEREAS, the appraisal of the Sewer Easement and TE on the McLaughlin/Lee property was completed, reviewed, and approved by County staff; and

WHEREAS, McLaughlin/Lee have accepted the \$4,000 appraised value for the Sewer Easement and the \$50 appraised value for the TE; and

WHEREAS, authorization for the Physical Development Division Director to sign the purchase agreement to acquire the Sewer Easement and TE on the

McLaughlin/Lee property and for the County Board Chair to execute the Sewer Easement by the County Board of Commissioners is requested.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the expenditure of up to \$4,050 to acquire a 4,440-square-foot, permanent sanitary sewer easement and a 1,200-square-foot temporary construction easement on the McLaughlin Holdings Inc. and Kenneth Lee property; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Division Director to sign the purchase agreement to acquire a permanent sanitary sewer easement and temporary construction easement on the McLaughlin Holdings Inc. and Kenneth Lee property, approved as to form by the County Attorney's Office; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the County Board Chair to execute the sanitary sewer easement on the McLaughlin Holdings Inc. and Kenneth Lee property, approved as to form by the County Attorney's Office.

Ayes: 7

10.2 Resolution No: 24-383
Authorization To Execute Revised Joint Powers Agreement Between Dakota And Scott Counties For Vermillion River Watershed

Motion: Mary Hamann-Roland Second: Laurie Halverson

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

WHEREAS, pursuant to Minn. Stat. § 103B.231, a watershed management plan is required for watersheds comprising all minor watershed units wholly or partly within the metropolitan area, in accordance with the requirements of § 103B.205 to § 103B.255; and

WHEREAS, the Vermillion River Watershed is a watershed comprising minor watershed units wholly within the metropolitan area, specifically within Dakota County and Scott County; and

WHEREAS, effective September 5, 2002, Dakota County and Scott County entered into a joint powers agreement ("2002 JPA") to cooperatively carry out their responsibilities and duties pursuant to Minn. Stat. §§ 103B. 211 to 103B.255; and

WHEREAS, the Vermillion River Watershed Joint Powers Organization ("VRWJPO"), an independent joint powers entity organized under Minn. Stat. § 471.59 and was created by the 2002 JPA to carry out Dakota County's and Scott County's responsibilities and duties pursuant to Minn. Stat. §§ 103B. 211 to 103B.255; and

WHEREAS, Dakota County and Scott County desire to update the terms and conditions of their joint powers agreement to cooperatively carry out their responsibilities and duties pursuant to Minn. Stat. §§ 103B. 211 to 103B.255 pursuant to the authority granted to them pursuant to Minn. Stat. § 471.59; and

WHEREAS, Dakota County and Scott County desire that the terms and conditions of this Agreement replace the terms and conditions of the 2002 JPA moving forward, effective upon the full execution of this Agreement by the parties to this Agreement.

NOW, THEREFORE, BE IT RESOLVED, That the County Board of Commissioners hereby authorizes the Board Chair to execute the Joint Powers Agreement between Dakota County and Scott County for Vermillion River Watershed as substantially presented and subject to approval as to form by the County Attorney's Office to replace the 2002 Joint Powers Agreement for the Vermillion River Watershed.

Ayes: 7

10.3 Resolution No: 24-384

Authorization To Execute Contract With Short Elliott Hendrickson Inc., Execute Joint Powers Agreement With City Of Rosemount, And Amend 2024 Transportation Capital Improvement Program Budget For County State Aid Highway 42 At Trunk Highway 52 Interchange In City Of Rosemount, County Project 42-174

Motion: Mary Hamann-Roland

Second: Laurie Halverson

WHEREAS, to provide a safe and efficient transportation system, Dakota County, in partnership with the City of Rosemount and the Minnesota Department of Transportation (MnDOT), is proceeding with County Project (CP) 42-174; and

WHEREAS, CP 42-174 is the final engineering design for the improvement of the existing interchange located at the intersection of County State Aid Highway (CSAH) 42 and US Trunk Highway (TH) 52; and

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

WHEREAS, the primary needs identified include lane continuity/capacity, lowering crash rates, and the mitigation of failing freeway service levels in peak hours based on short- and long-term forecasts; and

WHEREAS, improvement of the CSAH 42/TH 52 interchange area will enhance traffic safety and intersection operations; and

WHEREAS, staff sent a request for proposal to seven qualified professional consultants; and

WHEREAS, three proposals were received and evaluated by MnDOT, City, and Dakota County staff; and

WHEREAS, Short Elliott Hendrickson Inc. was unanimously selected as the preferred professional design engineering consultant based on the following criteria: best value cost proposal, project approach, project understanding, key project personnel expertise, quality management plan, and past performance on similar projects; and

WHEREAS, staff recommends the execution of a contract with Short Elliott Hendrickson Inc. for final engineering design consulting services for CP 42-174 for actual costs not to exceed \$349,340; and

WHEREAS, the City of Rosemount and MnDOT staff concur with the consultant selection; and

WHEREAS, the adopted 2024 Transportation Capital Improvement Program Budget includes \$157,5000 in Local Funds and \$192,500 in County Transportation Sales Tax funds, totaling \$350,000, for County Project 42-174 for final design services; and

WHEREAS, the County has secured the State funding of \$2.4M through the Minnesota Department of Transportation's Transportation Economic Development (TED) program, which covers a part of the construction budget; and

WHEREAS, a joint powers agreement with the City of Rosemount is necessary to establish project responsibilities and cost share; and

WHEREAS, the budget for CP 42-174 requires an amendment to modify the cost-share and to allow for right of way appraisal services to occur in late 2024.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute the contract with Short Elliott Hendrickson Inc. to perform final design engineering for County Project 42-174 in the amount not to exceed \$349,340.00, including reimbursables, 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 Rosemount, subject to approval by the County Attorney's Office as to form; and

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

Expense

CP 42-174	<u>\$43,340</u>
Total Expense	\$43,340

Revenue

Local	(\$87,999)
Transportation Sales Tax	<u>\$131,339</u>
Total Revenue	\$43,340

Ayes: 7

10.4 Resolution No: 24-385

Award Of Bid And Authorization To Execute Construction Contract With Fitzgerald Excavating & Trucking Incorporated For Construction Of County State Aid Highway 88 In Randolph Township, County Project 88-24

Motion: Mary Hamann-Roland

Second: Laurie Halverson

WHEREAS, Dakota County and Randolph Township are partnering on County Project (CP) 88-24 (Project); and

WHEREAS, the Project includes the segment of County State Aid Highway (CSAH) 88 from Trunk Highway (TH) 52 to TH 56; and

WHEREAS, the purpose and need for the Project is to improve safety, operations, and capacity along the Project corridor; and

WHEREAS, to address the purpose and need for the Project, the County is proposing to reconstruct CSAH 88 to address pavement quality, safety, and operational issues by improving drainage, modifying access, improving sight angles, and adding turn lanes; and

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

WHEREAS, the 2024 Transportation Capital Improvement Program (CIP) Adopted Budget contains \$12,788,387 for CP 88-24, including carry-over from previous years for design, right of way acquisition, construction, and construction administration; and

WHEREAS, the Transportation CIP Adopted Budget contains adequate funds to construct CP 88-24; and

WHEREAS, the bid of Fitzgerald Excavating & Trucking Incorporated in the amount of \$4,959,116.91 was the lowest responsive and responsible bid received; and

WHEREAS, staff recommends awarding the bid to Fitzgerald Excavating & Trucking Incorporated.

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 Incorporated, for County Project 88-24, in the amount of \$4,959,116.91 based on their low bid, subject to approval by the County Attorney's Office as to form.

Ayes: 7

10.5 Resolution No: 24-386

Authorization To Execute Second Contract Amendment With Bolton & Menk, Inc., To Provide Final Design Engineering Services For County State Aid Highway 26 (Lone Oak Road) Roadway Improvements In City Of Eagan, County Project 26-67

Motion: Mary Hamann-Roland

Second: Laurie Halverson

WHEREAS, to provide a safe and efficient transportation system, Dakota County (County) is proceeding with County Project (CP) 26-67, the reconstruction of County State Aid Highway (CSAH) 26 from Trunk Highway (TH) 13 to CSAH 31 and a lane reduction of CSAH 26 from CSAH 31 to I- 35E in the City of Eagan; and

WHEREAS, County Project 26-67 includes a trail as part of the School Area Safety Assessment recommendations for Pilot Knob STEM School from TH 13 to CSAH 31; and

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

WHEREAS, the County utilized public engagement for this project, including public open houses, project websites, and project mailings; and

WHEREAS, by Resolution No. 22-043 (January 18, 2022), the County executed contract C0034983 with Bolton & Menk, Inc., in an amount of \$381,381 for preliminary engineering of CSAH 26 from TH 13 to CSAH 31 corridor improvements; and

WHEREAS, by Resolution No. 23-426 (September 26, 2023), the County Board authorized the first contract amendment with Bolton & Menk, Inc. to add final design engineering consulting services to the contract in an amount of \$488,985, bringing the total contract value to \$870,366; and

WHEREAS, since the first contract amendment was executed with Bolton & Menk, Inc., the project scope and complexity evolved to include items not in the original scope due to unanticipated changes related to new environmental coordination needs, complexities in public engagement and challenges with roadway design and geometric configuration changes needed to complete the design; and

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

WHEREAS, staff negotiated an amount of \$92,000 with Bolton & Menk, Inc. to complete final design engineering of CSAH 26 from TH 13 to CSAH 31; and

WHEREAS, the adopted 2024 Transportation CIP Budget includes sufficient funding for County Project 26-67 to execute the second contract amendment; and

WHEREAS, the County Engineer recommends execution of a contract amendment with Bolton & Menk, Inc., for design engineering services for CP 26-67 in an amount of \$92,000 for a new contract amount not to exceed \$962,366, including reimbursable items.

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 Bolton & Menk, Inc., for additional engineering services necessary for County Project 26-67 in an amount of \$92,000 resulting in a total amended contract not to exceed \$962,366, including reimbursable items, subject to approval by the County Attorney's Office as to form.

Ayes: 7

10.6 Resolution No: 24-387

Authorization To Execute Contract With Sir Lines-A-Lot Holdco, Inc. For Latex Markings At Locations On County Highway System And Amend 2024 Transportation Capital Improvement Program Budget, County Project 99-035

Motion: Mary Hamann-Roland

Second: Laurie Halverson

WHEREAS, to provide a safe and efficient transportation system, Dakota County (County) utilizes latex pavement markings for centerline, edge-line, pavement marking arrows, crosswalks, and messages on higher-volume County highways; and

WHEREAS, applying latex pavement markings on lower-volume highways cost-effectively provides a higher level of marking presence and durability; and

WHEREAS, the County utilizes contract services for specialty latex pavement marking application; and

WHEREAS, the estimated quantities for County Project (CP) 99-035, based on an assessment of the highway system, including a nighttime pavement-marking survey, completed the following roadway sweeping in early May 2024; and

WHEREAS, to provide local agencies flexibility, the contract allows for other political subdivisions that have signed a joint powers agreement with Dakota County by Resolution No. 04-140 (March 23, 2004) to purchase services utilizing pricing from this contract; and

WHEREAS, pursuant to the advertisement, one bid was received on June 11,

2024, for CP 99-035; and

WHEREAS, the bid by Sir Lines-A-Lot Holdco, Inc., in the amount of \$91,845.00, is the lowest responsive and responsible bid received based on estimated quantities; and

WHEREAS, depending on the County’s specific needs, the County may increase or decrease quantities of any contract item or may choose not to utilize the contract at all, without any fee or penalties, to provide flexibility to utilize markings when and where markings are most advantageous; and

WHEREAS, staff recommends that a contract for CP 99-035 be executed with Sir Lines-A-Lot Holdco, Inc. for latex pavement markings in an amount not to exceed \$91,845 with County flexibility to determine the highway segments requiring new pavement markings and to address unforeseen needs that arise on the County highway system in 2024; and

WHEREAS, sufficient funds for CP 99-035 are included in the 2024 Transportation Capital Improvement Program Adopted Budget.

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 Sir Lines-A-Lot Holdco, Inc. for County Project 99-035 for latex pavement markings in the amount not to exceed \$91,845, subject to approval by the County Attorney’s Office as to form; and

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

Expense	
County Project 99-035	\$91,845
Latex Pavement Markings	<u>(\$91,845)</u>
Total Expense	\$0
Revenue	
County Project 99-035 - County Funds	\$91,845
Latex Pavement Markings - County Funds	<u>(\$91,845)</u>
Total Revenue	\$0

Ayes: 7

10.7 Resolution No: 24-388

Authorization To Execute Contract With Sir Lines-A-Lot Holdco, Inc. For Durable Markings At Locations On County Highway System, County Project 99-034, And Amend 2024 Transportation Capital Improvement Program Budget

Motion: Mary Hamann-Roland

Second: Laurie Halverson

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

County (County) utilizes durable pavement markings for centerline, edge-line, pavement marking arrows, cross-walks, and messages on higher-volume County highways; and

WHEREAS, applying epoxy pavement markings on higher-volume highways cost-effectively provides a higher level of marking presence and durability; and

WHEREAS, the County utilizes contract services for specialty durable pavement marking application; and

WHEREAS, the estimated quantities for County Project (CP) 99-034, based on an assessment of the highway system, including a nighttime pavement marking survey, completed the following roadway sweeping in early May 2024; and

WHEREAS, to provide local agencies flexibility, the contract allows for other political subdivisions that have signed a joint powers agreement with Dakota County by Resolution No. 04-140 (March 23, 2004), to purchase services utilizing pricing from this contract; and

WHEREAS, pursuant to the advertisement, one bid was received on June 11, 2024, for CP 99-034; and

WHEREAS, the bid by Sir Lines-A-Lot Holdco, Inc., in the amount of \$228,765.00, is the lowest responsive and responsible bid received based on estimated quantities; and

WHEREAS, depending on the County's specific needs, the County may increase or decrease quantities of any contract item or may choose not to utilize the contract at all, without any fee or penalties, to provide flexibility to utilize markings when and where markings are most advantageous; and

WHEREAS, staff recommends that a contract for CP 99-034 be executed with Sir Lines-A-Lot, for latex pavement markings in an amount not to exceed \$228,765 with County flexibility to determine the highway segments requiring new pavement markings and to address unforeseen needs that arise on the County highway system in 2024; and

WHEREAS, sufficient funds for CP 99-034 are included in the 2024 Transportation Capital Improvement Program Adopted Budget.

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 Sir Lines-A-Lot Holdco, Inc. for County Project 99-034 for latex pavement markings, in the amount not to exceed \$91,845, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the 2024 Transportation Capital

Improvement Program adopted budget is hereby amended as follows :

Expense	
County Project 99-034	\$228,765
Durable Pavement Markings	<u>(\$228,765)</u>
Total Expense	\$0
Revenue	
County Project 99-034 - CSAH	\$228,765
Durable Pavement Markings	<u>(\$228,765)</u>
Total Revenue	\$0

Ayes: 7

- 10.8** Resolution No: 24-389
Authorization To Purchase Salt Materials Through 2024-2025 State Road Salt Contract

Motion: Mary Hamann-Roland Second: Laurie Halverson

WHEREAS, in order to provide a safe and efficient transportation system and secure the lowest prices for road salt, the County purchases road salt from the vendor selected pursuant to the State Road Salt Contract (SRSC) process; and

WHEREAS, the SRSC for the 2024 snow and ice season was issued in May 2024; and

WHEREAS, the county may participate in the solicitation by committing to an estimated quantity of road salt to purchase to assist with winter snow and ice control on County Highways, and

WHEREAS, the County proposed salt use was reduced from 13,000 tons to 10,000 tons in 2018; and

WHEREAS, due to only 19 snow events last season only 3,500 tons is proposed for County use; and

WHEREAS, the estimated cost of 3,500 tons for County’s use is \$360,500 with an estimated unit price of \$103 per ton through the SRSC, and

WHEREAS, it is estimated that the other units of government that the County has cooperative purchasing agreements with for salt will purchase 1500 tons of salt from the County, totaling \$154,500 which will be paid for by those agencies; and

WHEREAS, staff recommends authorization of participation in the 2024-2025 SRSC process to purchase 3,500 tons of road salt for County’s use at an estimated cost of 360,500 and 1,500 tons of salt for other agencies’ at an estimated cost of \$154,500.

NOW, THEREFORE BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to purchase 5,000 tons of road salt from June 2024 to May of 2025, in the amount of \$515,000 through the State Road Salt Contract.

Ayes: 7

10.9 Resolution No: 24-390
Approval Of Final Plats Recommended By Plat Commission

Motion: Mary Hamann-Roland Second: Laurie Halverson

WHEREAS, new subdivisions adjoining County highways are reviewed under the Dakota County Contiguous Plat Ordinance No. 108; and

WHEREAS, the Plat Commission examines plats prior to County Board approval; and

WHEREAS, the Plat Commission has reviewed and recommends approval of the final plats by the County Board; and

WHEREAS, the final plat approval by the County Board is subject to the conditions established by the Plat Commission review; and

WHEREAS, the following plats below require approval by their respective City Council prior to the recording of the plats.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the following final plats:

DAKOTA STATION FIRST ADDITION	Burnsville
VERMILLION RIVER CROSSINGS THIRD ADDITION	Farmington
THOMPSON SQUARE EAST	West St. Paul
EAGLE VIEW ADDITION	Apple Valley
SUNDANCE LAKEVILLE	Lakeville

Ayes: 7

10.10 Resolution No: 24-391
Authorization To Execute Railroad Flaggers Contract First Amendment On Railroad Bridge In Castle Rock Township, County Project 86-34

Motion: Mary Hamann-Roland Second: Laurie Halverson

WHEREAS, to promote a safe and efficient transportation system throughout the county, Dakota County is reconstructing the segment of County State Aid Highway (CSAH) 86 from CSAH 23 (Galaxie Avenue) to Trunk Highway 3; and

WHEREAS, this project includes the replacement of the existing timber railroad bridge; and

WHEREAS, by Resolution No. 24-271 (June 11, 2024), the County Board

approved a contract with National Railroad Safety Services (NRSS) to provide the job of flagging (monitoring trains on the active track) while working in the railroad right of way; and

WHEREAS, work on the bridge began in March 2024 and is ongoing; and

WHEREAS, while the bridge is under construction, Union Pacific Railroad approved flaggers are required; and

WHEREAS, staff recommends authorizing execution of an amendment to the contract with NRSS, in the amount of \$100,000 for additional flagging needs; and

WHEREAS, the amended contract amount is \$275,000; and

WHEREAS, sufficient funds are available in the 2020 Transportation Capital Improvement Program Adopted Budget for the recommended contract amendment.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a first amendment to the contract with National Railroad Safety Services in the amount of \$100,000 for additional anticipated flagging costs, subject to approval by the County Attorney's Office as to form.

Ayes: 7

10.11 Resolution No: 24-392

Authorization To Execute Sublease Agreement Amendment No. 3 Between Dakota County And State Of Minnesota Department Of Administration For Office Space Located In Burnsville Workforce Center

Motion: Mary Hamann-Roland

Second: Laurie Halverson

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

WHEREAS, the State of Minnesota Department of Administration, acting for the benefit of the Department of Employment and Economic Development (DEED), has entered into a lease with 2800 Holding LLC for office space in Burnsville, MN; and

WHEREAS, the Dakota County Department of Employment and Economic Assistance entered into a sublease with DEED to use approximately 1,292 square feet of space to provide employment-related services from June 1, 2013, through May 31, 2018; and

WHEREAS, the Dakota County Department of Employment and Economic Assistance entered into a sublease agreement amendment with DEED to use approximately 1,292 square feet of space to provide employment-related

services for the period from June 1, 2018, through May 31, 2023; and

WHEREAS, when that term ended, the current landlord and DEED were working toward future space considerations; and

WHEREAS, DEED and County staff negotiated a space reduction that took two steps to implement; and

WHEREAS, combined, these brought the sublease terms to December 31, 2023, which was authorized by the County Board on May 21, 2024; and

WHEREAS, since that time, staff has negotiated terms for the 2024 period; and

WHEREAS, Facilities Management, along with Employment and Economic Assistance staff and the State of Minnesota Department of Administration, acting for the benefit of DEED, have agreed to the 2024 sublease agreement amendment terms for the space; and

WHEREAS, the rental rate is based on the negotiated rate between DEED and the Landlord of \$21.55 per square foot; and

WHEREAS, the space reduction has reduced the County space from 708 to 696 square feet; and

WHEREAS, the rent for the period will be \$1,249.90 per month, or \$14,998.80 per year; and

WHEREAS, the County Board finds that the lease is consistent with the County's interest in providing employment-related services.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Parks, Facilities, and Fleet Director to execute a sublease agreement amendment with the State of Minnesota Department of Administration, acting for the benefit of the Department of Employment and Economic Development, according to the following rental rates, subject to approval by the County Attorney's Office as to form:

January 1, 2024, through December 31, 2024, \$1,249.90 per month

Ayes: 7

10.12 Resolution No: 24-393

Authorization To Execute License Agreement With HIRED For Office Space At Northern Service Center

Motion: Mary Hamann-Roland

Second: Laurie Halverson

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

WHEREAS, two private non-profit agencies (Avivo and HIRED) and the State of Minnesota Department of Employment and Economic Development use space in the Northern Service Center to provide Workforce Center and related services; and

WHEREAS, HIRED has used space in the Northern Service Center since 2007; and

WHEREAS, HIRED desires to use space and execute a license agreement to do so; and

WHEREAS, staff from Facilities Management, the County Attorney's Office, and HIRED have agreed to license terms for the space use in accordance with the attached agreement; and

WHEREAS, the 2024/2025 license rates are \$24.18 per square foot and \$4,328.22 annually, with a 1.5 percent increase each year over the prior year, consistent with comparable County space; and

WHEREAS, the license rates cover costs associated with the cleaning, maintenance, phones/telecommunications, and utilities within the space.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Parks, Facilities, and Fleet Management Director to execute a license agreement with HIRED for approximately 179 rentable square feet of office space located at the Northern Service Center in West St. Paul, Minnesota, substantially as presented, for the period from July 1, 2024, through June 30, 2025, with the option of four one-year extensions, subject to approval by the County Attorney's Office as to form.

Ayes: 7

11. Public Services and Revenue

11.1 Resolution No: 24-394

Approval Of Application For Temporary Intoxicating On-Sale Liquor License For Hacienda La Paz, Inc.

Motion: Mary Hamann-Roland

Second: Laurie Halverson

WHEREAS, an application was received from Hacienda La Paz, Inc. for a temporary on-sale intoxicating liquor license for an event held August 10, 2024 at Simons Arena in Randolph Township; and

WHEREAS, Randolph Township approved the application on July 16, 2024; and

WHEREAS, the Minnesota Department of Public Safety, Alcohol and Gambling Enforcement Division will not issue a temporary on-sale intoxicating liquor license without prior approval by the County Board.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the application from Hacienda La Paz, Inc. for a temporary on-sale intoxicating liquor license on August 10, 2024 for an event held at Simons Arena in Randolph Township; and

BE IT FURTHER RESOLVED, That the Public Services and Revenue Division is authorized to approve the application and upon payment of the proper fees, submit it to the Minnesota Department of Public Safety, Alcohol and Gambling Enforcement Division to issue the license.

Ayes: 7

REGULAR AGENDA

12. Enterprise Finance and Information Services

12.1 Resolution No: 24-395

Declaration Of State Of Emergency For 2024 Summer Flood Event

Motion: Mike Slavik

Second: William Droste

Emergency Management Manager Kelly Miller briefed this item and responded to questions. She shared slides of the damage throughout the County.

WHEREAS, Dakota County has experienced abnormal weather patterns since June 2024, including heavy rainfalls well above monthly averages that have resulted in saturated soil and elevated river levels; and

WHEREAS, on June 28, 2024, the Minnesota Homeland Security and Emergency Management Division declared the Minnesota Severe Storms and Flooding Disaster DR-4797 with an incident period of June 16, 2024 - July 4, 2024; and

WHEREAS, the Minnesota Severe Storms and Flooding Disaster impacted the Dakota County population and caused a significant amount of public infrastructure and property damage; and

WHEREAS, the flood damages continue to become apparent as the flooding subsides and the overall impacts can be observed; and

WHEREAS, the Dakota County Director of Emergency Management requests the Dakota County Board of Commissioners to declare the existence of a State of Emergency in Dakota County as a result of the summer flooding event of 2024.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby declares Dakota County in a State of Emergency based on the 2024 summer flood conditions; and

BE IT FURTHER RESOLVED, That this resolution is written and supported by

the authority provided by Minn. Stat. § 12.29; and

BE IT FURTHER RESOLVED, That the State of Emergency will continue in effect for 30 days, or until such time that emergency response or recovery efforts are no longer required.

Ayes: 7

13. Physical Development

13.1 Update On 2024 Transportation Capital Improvement Construction Projects

Construction Engineer Jeannine Briol briefed this item and responded to questions. This item was on the agenda for informational purposes only. No action was taken.

Information only; no action required

14. Closed Executive Session

14.1 Resolution No: 24-396

Settlement Authority For Acquisition Of Certain Property Rights Necessary For County Project 26-54 And County Project 63-27 - Parcel 70

Motion: Mike Slavik

Second: William Droste

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

WHEREAS, in 2023, Dakota County (County) completed construction of County Project (CP) 26-54 and CP 63-27 (collectively the "Project") in the Cities of Inver Grove Heights and Eagan to provide a safe and efficient transportation system; and

WHEREAS, CP 26-54 expanded approximately two miles of County State Aid Highway (CSAH) 26 (Lone Oak Road in Eagan, 70th Street in Inver Grove Heights) from Trunk Highway (TH) 55 to TH 3 from a then two-lane roadway rural section to a four-lane divided urban roadway. CP 63-27 included the construction of a new alignment of CSAH 63 (Argenta Trail) from CSAH 28 (Amana Trail) north to 65th Street and from 65th Street to old Argenta Trail (CSAH 63) to the north of CSAH 26; and

WHEREAS, by Resolution No. 20-399, the Dakota County Board of Commissioners authorized the acquisition of certain properties identified in the resolution and Dakota County Road Right of Way Map No. 471 and initiation of quick-take eminent domain pursuant to Minn. Stat. §117.042, if necessary, to construct the recommended improvements; and

WHEREAS, to accomplish the Project, the County acquired certain easements over real property from Anthony Abbott and Jeanne Abbott (collectively the "Landowner"), identified by Dakota County Right of Way Map No. 471 as Parcel

70; and

WHEREAS, the Landowner alleged certain claims against the County concerning encroachment as part of the Project; and

WHEREAS, the parties in this action have agreed to settle all damages caused by the taking whereby the County pays Landowner \$92,000; and

WHEREAS, On July 25, 2024 the Dakota County Attorney's Office provided a confidential memorandum to the Dakota County Board of Commissioners explaining the legal strategy accomplishing Dakota County's acquisition of the property rights identified by Dakota County Right of Way Map No. 471 as Parcel 70; and

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

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the full and final settlement with Anthony Abbott and Jeanne Abbott, for acquisition of property identified in Dakota County Right of Way Map 471 as Parcel 70 in the total amount of \$92,000 as being in the best interest of Dakota County and authorizes the County Attorney to arrange for final payment of the acquisition amount and to effectuate final settlement of the acquisition.

Ayes: 7

15. Interagency Reports/Commissioner Updates

Interagency reports and Commissioner updates were presented.

16. County Manager's Report

Interim County Manager Tom Novak noted the following:

- Dakota County Fair is August 5-11, 2024
- A parks virtual tour demonstration was shared
- Parks, Facilities, Fleet Management Director Taud Hoopingarner is retiring and his last day is August 2, 2024.

17. Information

17.1 Information

See Attachment for future Board meetings and other activities.

18. Adjournment

18.1 Resolution No: 24-397 Adjournment

Motion: Mike Slavik

Second: Mary Hamann-Roland

On a motion by Commissioner Slavik, seconded by Commissioner Hamann-Roland, the meeting was adjourned at 10:31 a.m.

Ayes: 7

Joe Atkins
Chair

ATTEST

Tom Novak
Interim County Manager