



Dakota County

Board of Commissioners

Minutes

Tuesday, December 3, 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 Hamann-Roland

Absent: Commissioner Mary Liz Holberg

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. No comments were received for this agenda.

4. Agenda

4.1 Resolution No: 24-555
Approval of Agenda (Additions/Corrections/Deletions)

Motion: Mary Hamann-Roland

Second: William Droste

Ayes: 6

5. Public Hearing

5.1 Resolution No: 24-556
Public Hearing To Receive Comments On 2025 Off Sale Intoxicating Liquor License Applications And Approval Of All 2025 Intoxicating Liquor Licenses

Motion: Mike Slavik

Second: William Droste

The time being 9:04 a.m. and pursuant to public notice, a public hearing was

conducted to receive comments on 2025 Off Sale Intoxicating Liquor License Applications. Public Services and Revenue Deputy Director Teresa Mitchell 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 9:05 a.m.

WHEREAS, a public hearing is required for the purpose of receiving comments and informing the public on applications for off sale intoxicating liquor licenses; and

WHEREAS, all interested parties were notified of the date, time and location of the public hearing on the Simman LLC, dba Castle Rock Bar and Grill, On and Off Sale Intoxicating and Sunday Sales license application and the Woody's Liquor Box, Inc., Off Sale Intoxicating license application; and

WHEREAS, on December 3, 2024 at 9:00 a.m., the Dakota County Board of Commissioners conducted a public hearing on the Simman LLC, dba Castle Rock Bar & Grill, and Woody's Liquor Box, Inc. license applications; and

WHEREAS, a county may not issue or renew a retail license to sell any alcoholic beverages until the County Board has received a written certification from the Sheriff and County Attorney that to the best of their knowledge the application is eligible to be license under Minn. Stat. § 340A.402 and Minn. Rules § 7515.0410; and

WHEREAS, the applications have been approved by the Townships of Castle Rock, Douglas, Marshan, Nininger, Randolph and Ravenna; and

WHEREAS, in anticipation of receiving a renewal application from Hidden Greens, Inc, the County's action is contingent upon review by the Sheriff and County Attorney that the liquor license eligibility requirements are satisfied and review by Marshan Township at their meeting on December 17, 2024.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the following 2025 intoxicating liquor licenses and authorizes the Public Services and Revenue Division to issue the licenses upon payment of the fees:

Castle Rock Township:

Simman LLC, dba Castle Rock Bar and Gill: On and Off Sale Intoxicating and Sunday Sales

Douglas Township:

Gopher Hills, Inc.: On-Sale and Sunday Sale

Marshan Township:

Hidden Greens, Inc: On Sale and Sunday Sale

Little Log House Properties, Inc.: On Sale and Sunday Sale

Bellwood Oaks, Inc.: On Sale and Sunday Sale

Nininger Township:

Emerald Greens Golf, LLC: On Sale and Sunday Sale

Randolph Township:

Woody’s Liquor Box, Inc.: Off Sale Intoxicating

Cannon Golf Club, Inc.: On Sale and Sunday Sale

Ravenna Township:

Almquist Farm LLC: On Sale and Sunday Sale

Ayes: 6

5.2 Resolution No: 24-557
Public Hearing To Receive Comments On Eligible Projects For County
Transportation Sales And Use Tax Funds

Motion: William Droste

Second: Laurie Halverson

The time being 9:07 a.m. and pursuant to public notice, a public hearing was conducted to receive comments on eligible projects for County Transportation Sales and Use Tax Funds. Regional and Multi-Modal Transportation Manager Gina Mitteco 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 9:08 a.m.

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 transitway, transit expansion, 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 based on the needs identified in the Draft 2040 Transportation Plan and through the development of the 2025-2029 Draft Capital Improvement Program; 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; and

WHEREAS, the County Board held a public hearing on the date hereof following the publication of notice as required by the Act.

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

Commissioners dedicates the proceeds of the Dakota County Transportation Sales and Use Tax to the following projects:

1. Empire Transportation Maintenance Facility in Empire
2. County State Aid Highway (CSAH) 46 Expansion: Trunk Highway (TH) 3 to TH 52 in Rosemount, Coates, and Empire
3. CSAH 46 Reconstruction: 1,000 feet west of Pleasant Drive to TH 61 in Hastings
4. CSAH 32 Expansion: CSAH 71 to TH 52 in Inver Grove Heights
5. CSAH 42 Management Improvements: Western County line to TH 52 in Burnsville, Apple Valley, and Rosemount
6. CSAH 86 Reconstruction: Western County line to TH 3 in Greenvale, Eureka, and Castle Rock Townships
7. CSAH 88 Reconstruction: County Road (CR) 94 to TH 56 in Randolph Township
8. CSAH 88 Reconstruction: TH 56 to Finch Court in Randolph Township
9. CSAH 91 Reconstruction: Miesville Trail to TH 61 in Miesville and Douglas Township
10. CSAH 54 Reconstruction: Hastings east city limits to CSAH 68 in Ravenna Township
11. CSAH 31 Reconstruction: CSAH 74 to CSAH 50 in Farmington
12. CSAH 47 Reconstruction: TH 3 to CSAH 86 in Waterford, Sciota, and Castle Rock Townships
13. CSAH 47 Reconstruction: CSAH 86 to TH 50 in Castle Rock Township, Hampton Township, and Hampton
14. CSAH 60 Expansion: East of CSAH 50 to Ipava Avenue in Lakeville
15. CSAH 74 Reconstruction: CSAH 31 to Honeysuckle Lane in Farmington
16. TH 3 Safety and Mobility Improvements: 55th Street to TH 55 in Inver Grove Heights
17. TH 3 Safety and Mobility Improvements: TH 149 to downtown Rosemount in Eagan, Inver Grove Heights, and Rosemount
18. TH 55 Safety and Mobility Improvements: TH 52 to General Sieben Drive in Rosemount, Nininger Township, and Hastings
19. I-35/CSAH 50 Interchange in Lakeville
20. I-494 and Future CSAH 63 Interchange in Inver Grove Heights
21. TH 55 and CSAH 28 interchange in Inver Grove Heights
22. TH 13 Corridor Improvements, Grade Separation at Nicollet Avenue in Burnsville
23. Up to \$580,000 Annually for Non-Transitway Transit Service Expansion Capital and Operating Costs
24. Lake Marion Greenway in Burnsville, Lakeville, and Farmington
25. Lebanon Hills Greenway in Mendota Heights, Inver Grove Heights, and Eagan
26. Minnesota River Greenway in Burnsville, Eagan, Mendota Heights, Mendota, and Lilydale
27. Mississippi River Greenway in Hastings, Nininger, Rosemount, Inver Grove Heights, and South St. Paul
28. North Creek Greenway in Eagan, Apple Valley, Lakeville, Farmington, and

- Empire
- 29. River to River Greenway in Mendota Heights, West St. Paul, and South St. Paul
- 30. Rosemount Greenway in Eagan and Rosemount
- 31. Vermillion Highlands Greenway in Rosemount and Empire
- 32. Vermillion River Greenway in Farmington, Empire, and Hastings
- 33. Veterans Memorial Greenway in Eagan and Inver Grove Heights
- 34. Big Rivers Regional Trail in Eagan, Mendota Heights, Mendota, and Lilydale

Ayes: 6

5.3 Public Hearing To Receive Comments On 2025-2029 Capital Improvement Program Budget

The time being 9:11 a.m. and pursuant to public notice, a public hearing was conducted to receive comments on 2025-2029 Capital Improvement Program Budget. Physical Development Deputy Director Erin Stwora 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 9:12 a.m. This item was on the agenda to hold the public hearing and no additional action was taken.

Information only; no action requested.

6. Presentation

6.1 Inver Hills Community College and Dakota County Technical College Beginning Merger Process

Minnesota State President Michael Berndt gave a brief overview on the merger plans for Inver Hills Community College and Dakota County Technical College. The merger vision is for one college with two unique locations, offering the South Metro over 100 programs of study, robust and inclusive support services, and extensive business and community partnerships.

CONSENT AGENDA

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

7. County Administration - Approval of Minutes

**7.1 Resolution No: 24-558
Approval of Minutes of Meeting Held on November 12, 2024**

Motion: Mary Hamann-Roland Second: Mike Slavik

Ayes: 6

8. Items Recommended By Board Committee*

**8.1 Resolution No: 24-559
Approval Of 2025 Planning Commission Work Plan**

Motion: Mary Hamann-Roland

Second: Mike Slavik

WHEREAS, Dakota County Ordinance No. 118 establishes the powers and duties of the Planning Commission to make recommendations on plans, policies, and programs, as directed by the County Board; and

WHEREAS, County Policy No. 1015 provides direction regarding citizen advisory committees and states that the Planning Commission is required to consult annually with the County Board to seek concurrence regarding the topics they will study or on which they will advise the County Board; and

WHEREAS, the County Board has identified topics for 2025, including the preparation of plans for natural resources, parks, greenways, and transportation; and

WHEREAS, the Planning Commission's 2025 Work Plan is consistent with County Board projects.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the Planning Commission's 2025 Work Plan as presented to the Physical Development Committee of the Whole on November 19, 2024.

Ayes: 6

8.2 Resolution No: 24-560

Authorization To Execute Joint Powers Agreement With Minnesota Zoological Board To Provide Native Prairie Hay To Feed Zoo Animals

Motion: Mary Hamann-Roland

Second: Mike Slavik

WHEREAS, by Resolution No. 17-274 (May 9, 2017), Dakota County's Natural Resource Management System Plan (NRMSP) calls for increases in acres of parkland restored, actively managed, and maintained and expansion of partnerships and collaborations to effectively leverage external funding resources; and

WHEREAS, to meet these goals, the NRMSP recognized the need to augment the County's management tools; and

WHEREAS, the NRMSP directs staff to capitalize on potential revenue streams, specifically highlighting the sale of prairie hay (p. 97); and

WHEREAS, the Minnesota Zoological Board (Zoo) is a Minnesota State board; and

WHEREAS, the Zoo, authorized by Minn. Stat. § 471.59, is permitted to enter into a joint powers agreement (JPA) with Dakota County; and

WHEREAS, the Zoo and the County are desirous of entering into this

Agreement so that the County and the Zoo may share the actual costs for harvesting and transporting native prairie hay from the County and used by the Zoo; and

WHEREAS, a JPA has been prepared, which includes the following predominant terms: the Zoo will provide reimbursement for prairie hay to the County at the rate of \$210 per ton of native hay received; each year, the Zoo will provide the County with a letter indicating the amount of native hay the Zoo would like to receive from the County; the County makes no guarantees that the entirety of the estimated tonnage will be provided but will in good faith work to meet the amount of hay requested by the Zoo; and

WHEREAS, adequate funds are available within the Parks Natural Resources Capital Improvement Program to mow and gather the clippings into hay bales; and

WHEREAS, the proceeds from the sale of the hay will be used to reimburse the Parks Natural Resources Capital Improvement Program.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Parks, Facilities, and Fleet Management Director to execute a joint powers agreement with the Minnesota Zoological Board for the purpose of providing native prairie hay from the County to the Minnesota Zoological Board for animal feed and bedding, from January 1, 2025, through December 31, 2029, subject to approval as to form by the County Attorney's Office.

Ayes: 6

8.3 Resolution No: 24-561
Authorization To Award Bid And Execute Contract With RES Great Lakes, LLC
For Church's Woods Restoration And Enhancement Project

Motion: Mary Hamann-Roland

Second: Mike Slavik

WHEREAS, the Natural Resources Management System Plan adopted by Resolution No. 17-274 (May 23, 2017) determined that Parks Natural Resources shall restore Dakota County Parks System's natural areas per each Park Natural Resource Management Plan; and

WHEREAS, the Spring Lake Park Reserve Natural Resources Management Plan was adopted by Resolution No. 21-313 (June 22, 2021) and identified high-priority ecological restoration sites within the park; and

WHEREAS, the County Board authorized the submission of a 2022 Minnesota Legislature (ML22) Outdoor Heritage Fund (OHF) grant request to the Lessard-Sams Outdoor Heritage Council (LSOHC) by Resolution No. 21-265 (May 18, 2021); and

WHEREAS, the County Board authorized the acceptance of \$6,066,000 in

ML22 OHF grant funds with a County match of \$1,175,000 by Resolution No. 22-334 (August 23, 2022); and

WHEREAS, of this, \$910,400 in grant funds and \$145,664 in match funds were allocated for restoration/enhancement activities in Spring Lake Park Reserve, Miesville Ravine Park Reserve, and Lake Byllesby Regional Park; and

WHEREAS, a Request for Proposals was prepared and released on October 18th, 2024, for one of multiple project sites that will be restored with the ML22 OHF Grant Funds, which will restore 106 acres of Spring Lake Park Reserve at Church's Woods; and

WHEREAS, the proposal for this project was for initial restoration and enhancement tasks, and the alternates included prescribed burning and canopy gap enhancement throughout the project site; and

WHEREAS, the selected proposal was submitted by RES Great Lakes, LLC.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby awards the proposal to and authorizes the Physical Development Director to execute a contract with RES Great Lakes, LLC for the Church's Woods Restoration and Enhancement project at Spring Lake Park Reserve, subject to approval by the County Attorney's Office as to form.

Ayes: 6

8.4 Resolution No: 24-562

Authorization And Execution Of Real Property Declaration For Shade Tree Bonding Grant Reimbursement Of Thompson County Park Natural Resource Improvements

Motion: Mary Hamann-Roland

Second: Mike Slavik

WHEREAS, emerald ash borer (EAB) poses a significant threat to the forests of Dakota County and has resulted in a public safety concern in Thompson County Park; and

WHEREAS, the costs and priorities of ash tree removal within the County Park System were identified in the 2018 internal technical document, The Dakota County Emerald Ash Borer Management Plan; and

WHEREAS, the Dakota County Board of Commissioners adopted the Thompson County Park Natural Resources Management Plan by Resolution No. 20-037 (January 21, 2020), which made recommendations for ash tree removal; and

WHEREAS, by Resolution No. 21-495 (October 19, 2021), Dakota County executed a grant agreement with the Department of Natural Resources for a total reimbursement of \$42,250 for contracting labor to remove EAB-impacted trees and replace them with alternative tree species; and

WHEREAS, Dakota County has matched these grant funds with \$3,650 from the Natural Resources Base Fund for materials and supplies; and

WHEREAS, this grant imposes certain restrictions on the real property improved with grant funds, such that the improved property may not be sold or significantly altered for 37.5 years; and

WHEREAS, Dakota County may agree to these restrictions on real property by executing the General Obligation Bond Financed Declaration; and

WHEREAS, staff recommends the Dakota County Board of Commissioners authorize the Chair of the Dakota County Board of Commissioners to execute the General Obligation Bond Financed Declaration to reimburse Dakota County for Thompson County Park improvements.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Chair of the Dakota County Board of Commissioners to execute the General Obligation Bond Financed Declaration, subject to approval by the Dakota County Attorney's Office as to form.

Ayes: 6

- 8.5** Resolution No: 24-563
Authorization To Accept Funding From State Of Minnesota
Legislature-Appropriated Funds For State Fiscal Year 2025 Regional Parks And
Trails Tree Planting Grant Program And Amend 2024 Capital Improvement
Program

Motion: Mary Hamann-Roland

Second: Mike Slavik

WHEREAS, the Dakota County allocation of State Fiscal Year 2025 Regional Parks and Trails Tree Planting Program is \$140,153; and

WHEREAS, the tree planting program will support: the Natural Resources Base Funding budget within the Parks Capital Improvement Program; and

WHEREAS, the proposed appropriation is aligned with County Board approved park and greenway master plans.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Division Director, or their designee, to accept State of Minnesota-appropriated grant funds for the reimbursement of costs associated with the planting of trees with more diverse, climate-adapted species in the regional park and trail system within Dakota County Parks' jurisdiction; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners authorizes staff to amend the 2024 Parks Capital Improvement Program for this funding received through Met Council in State Fiscal Year 2025; and

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

Expense	
NR Base Program for Tree Planting	<u>\$140,153</u>
Total Expense	\$140,153
Revenue	
State Funding - NR Base	<u>\$140,153</u>
Total Revenue	\$140,153

Ayes: 6

- 8.6 Resolution No: 24-564
Approval Of Conceptual Phasing And To Amend Professional Services Contract With ALLiiANCE For Empire Maintenance Facility Redevelopment

Motion: Mary Hamann-Roland Second: Mike Slavik

WHEREAS, Phase One improvements were completed at the Empire Maintenance Facility in 2020, including only half of the proposed South Building; and

WHEREAS, an addition to the South Building was included in the 2024-2028 Building Capital Improvement Program Adopted Budget and funded in 2024; and

WHEREAS, a previously proposed project to develop a new maintenance facility in Hampton was not approved to proceed; and

WHEREAS, Capital Projects Management pledged to the Board to develop and present an alternate to the Hampton facility that would meet its objectives of closing the existing Hastings and Farmington Shops through a phased approach; and

WHEREAS, the Transportation Department requested to co-locate all department staff to the Empire Maintenance Facility to improve efficiency; and

WHEREAS, this project scope is trying to complete three goals: expand the South Building as previously planned and currently funded, incorporate that construction into a phased approach for maintenance facilities that were to be at Hampton, and explore co-locating all Transportation Department staff at the Empire Maintenance Facility; and

WHEREAS, ALLiiANCE was selected as the consultant firm to provide early phase design services for this project by Resolution No. 24-147 (March 26, 2024); and

WHEREAS, ALLiiANCE worked with a Core Planning Group to confirm the

programmatic needs and develop conceptual phases of construction; and

WHEREAS, three conceptual phases were developed to meet short- and long-term equipment storage and staff needs for the Transportation, Fleet, Facilities Management, and Sheriff's departments at the Empire Maintenance Facility; and

WHEREAS, two additional approaches were developed to meet Transportation Department staff needs to co-locate at the Empire Maintenance Facility; and

WHEREAS, staff recommends moving ahead with design for equipment storage Phase One and Two plus Transportation Department staff Approach A; and

WHEREAS, additional design efforts to confirm a project scope, schedule and budget are necessary; and

WHEREAS, ALLiiANCE has provided a fee proposal to provide full schematic design services for the recommended approach and to increase fees by \$390,000; for a new not to exceed contract value of \$529,050; and

WHEREAS, there are sufficient funds within the project budget to cover this contract increase.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves proceeding with the recommended conceptual designs as presented and authorizes the Facilities Management Director to execute a contract amendment to the professional services contract with ALLiiANCE, 400 Clifton Avenue S., Minneapolis, MN 55403 to increase professional design fees for the Empire Maintenance Facility Redevelopment, in an amount not to exceed \$390,000, subject to approval by the County Attorney's Office as to form.

Ayes: 6

8.7 Resolution No: 24-565
Authorization To Execute Second Contract Amendment With Schreiber Mullaney Construction Company, Inc., For Crisis And Recovery Center

Motion: Mary Hamann-Roland

Second: Mike Slavik

WHEREAS, the 2023 Capital Improvement Program (CIP) Adopted Budget as amended for the Crisis and Recovery Center project is a total of \$14,100,000; and

WHEREAS, by Resolution No. 23-380 (August 29, 2023), the County Board approved the original contract with Schreiber Mullaney Construction Company, Inc., in the sum of \$11,516,890; and

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

WHEREAS, to date, staff executed one contract amendment totaling \$199,728.82 to amend the work scope and to extend the substantial completion date by 15 working days; and

WHEREAS, a second contract amendment is being requested to add \$363,943.55 and 10 working days for additional work scope changes; and

WHEREAS, the total authorized contract amendments to this contract would then be \$563,672.37 for reimbursement of known construction change orders on the project; and

WHEREAS, the new substantial completion date of the construction contract will be December 16, 2024; and

WHEREAS, there are sufficient funds within the approved project budget for this amendment.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Facilities Management Director to execute a contract amendment with Schreiber Mullaney Construction Company, Inc., 1286 Hudson Road, Saint Paul, MN 55106, in an amount not to exceed \$363,943.55 and to add ten working days to the schedule, for a maximum contract total not to exceed \$12,080,562.37, subject to approval by the County Attorney's office as to form.

Ayes: 6

- 8.8** Resolution No: 24-566
Authorization To Execute Contract With Dynamic Lifecycle Innovations MN LLC For Residential And Business Electronics Collection And Recycling

Motion: Mary Hamann-Roland

Second: Mike Slavik

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

WHEREAS, as part of the Master Plan, the Dakota County Board of Commissioners encourages residents and businesses to properly manage hazardous wastes and recyclables; and

WHEREAS, electronics, which can contain lead, cadmium, mercury, and lithium, continue to be the largest hazardous waste stream collected at The Recycling Zone; and

WHEREAS, televisions and monitors are collected for a fee while other electronics are collected from residents at no charge at The Recycling Zone and at one-day household hazardous waste collection events; and

WHEREAS, electronics are collected from businesses at The Recycling Zone for a fee; and

WHEREAS, Dakota County's current electronics recycling vendor contract expires December 31, 2024; and

WHEREAS, Dakota County staff issued a request for proposals on August 19, 2024, seeking a vendor to provide for the pickup, transportation, and recycling of 1) residential electronics collected by the County at The Recycling Zone; 2) business electronics collected through the County business collection programs; and 3) electronics collected by the County at household hazardous waste collection events; and

WHEREAS, Dakota County requests services for recycling electronics for a two-year contract term, with a two-year extension option for recycling services; and

WHEREAS, one potential vendor submitted a proposal which was evaluated by staff; and

WHEREAS, Dynamic Lifecycle Innovations MN LLC currently services Dakota County and other county electronics collection sites in Minnesota, Wisconsin, Illinois, and Michigan; has a demonstrated tracking and reporting system; has strict data and facility security practices; and identified the ability to recycle all electronic materials and the capability to manage increasing amounts of electronics; and

WHEREAS, the \$100,000 annual contract cost is included in the household hazardous waste annual budget; and

WHEREAS, staff recommends execution of a contract with Dynamic Lifecycle Innovations MN LLC for recycling electronic wastes.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Environmental Resources Director to execute a contract with Dynamic Lifecycle Innovations MN LLC, Inc. for a term from January 1, 2025, to December 31, 2026, with a two-year extension option, subject to the approval of the County Attorney's Office as to form and subject to approval by the County's Risk and Homeland Security Manager.

Ayes: 6

- 8.9** Resolution No: 24-567
Authorization To Submit Solid Waste Infrastructure For Recycling Grant Application And Execute Grant Agreement For Proposed Recycling Zone Plus

Motion: Mary Hamann-Roland

Second: Mike Slavik

WHEREAS, the United States Environmental Protection Agency (EPA) has the Solid Waste Infrastructure for Recycling (SWIFR) grant available through the

Infrastructure Investment and Jobs Act, also known as the Bipartisan Infrastructure Law, to provide funding to improve local post-consumer materials management programs including municipal recycling and make improvements to local waste management systems; and

WHEREAS, staff proposes to apply for the SWIFR grant and use the funds for a portion of the proposed Dakota and Scott counties regional household hazardous waste and recycling facility, called the Recycling Zone Plus; and

WHEREAS, the grant would meet the following funding requirements: establish, increase, expand, or optimize collection and improve materials management infrastructure, establish, increase, expand, or optimize capacity for materials management, and demonstrate a significant and measurable increase in the diversion, recycling rate, and quality of materials collected for municipal solid waste; and

WHEREAS, this grant request helps meet the Dakota County 2018 - 2038 Solid Waste Management Plan strategy 12.1 to increase opportunities for proper management of problem materials, hazardous waste, and household hazardous waste, strategy 12.3 to provide drop-off opportunities for problem materials and hazardous waste management, and strategy 12.4 to provide consistent and cost-effective household hazardous waste, hazardous waste, and problem management services; and

WHEREAS, the grant application deadline is December 20, 2024.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes staff to submit a Solid Waste Infrastructure for Recycling grant application to the United States Environmental Protection Agency to fund a portion of the Recycling Zone Plus for an amount up to \$5,000,000; 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 Solid Waste Infrastructure for Recycling grant agreement with the United States Environmental Protection Agency, subject to approval by the County Attorney's Office as to form and the funding will be included in the 2025 Facilities Capital Improvement Program budget.

Ayes: 6

- 8.10** Resolution No: 24-568
Authorization To Execute Grant Agreement With Legal Assistance Of Dakota County, Ltd.

Motion: Mary Hamann-Roland

Second: Mike Slavik

WHEREAS, Legal Assistance of Dakota County, Ltd., (LADC) is a non-profit agency that provides legal assistance services using both staff and volunteer attorneys; and

WHEREAS, the target population for these services is income-eligible adult residents of Dakota County who are unable to afford representation in non-fee generating civil legal issues; and

WHEREAS, the services support Dakota County residents with appropriate use of the legal system to maintain or improve stability in their lives; and

WHEREAS, legal services provided focus on family law problems, including, but not limited to, divorce, domestic abuse, establishing or defending child custody or visitation rights, and assistance with child support matters; and

WHEREAS, while the County is not mandated to provide or fund these services, funding of these services helps prevent the need for more costly services and improves access to existing services; and

WHEREAS, appropriating County funds to a non-profit to provide legal assistance to persons who are unable to afford private legal counsel is authorized by Minn. Stat. § 375.167.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to execute a grant agreement with Legal Assistance of Dakota County, Ltd., in an amount not to exceed \$70,995 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; and

BE IT FURTHER RESOLVED, That the grant agreement shall contain a provision that allows the County to immediately terminate the grant agreement 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: 6

8.11 Resolution No: 24-569
Authorization To Execute Contract With Cantata Health Solutions LLC For Electronic Health Records System

Motion: Mary Hamann-Roland

Second: Mike Slavik

WHEREAS, Dakota County Social Services solicited proposals on January 8, 2024, from qualified vendors for an Electronic Health Record (EHR) System Solution; and

WHEREAS, the software solution is required to improve quality, safety, efficiency, care coordination for Social Service's mobile crisis response, crisis stabilization, mental health and substance use disorder services; and

WHEREAS, this software will create efficiencies in operations for administrative functions, care documentation and coordination, fiscal and data tracking options as well as technology solutions for integrated health, exporting of data, outcome measurement and audit tools; and

WHEREAS, the software will also allow trained staff to customize existing and develop reports leveraging the data within the system; and

WHEREAS, Dakota County received a total of eight proposals, of which three were requested to provide online demonstrations of the software; and

WHEREAS, a panel consisting of Dakota County staff members viewed and scored the demonstrations using evaluation criteria developed by the panel as well as the Information Technology (IT) Department; and

WHEREAS, IT determined that the cloud software, Arize EHR Enterprise, Software as a Service (SaaS) by Cantata Health Solutions LLC is best suited to meet Social Service's needs; and

WHEREAS, Cantata Health Solutions LLC shall furnish the necessary software, equipment, and resources for project management, configuration, installation, software modification, system integrations, documentation, training, and software maintenance and support to provide a complete solution for Dakota County.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to execute a contract with Cantata Health Solutions LLC effective January 1, 2025 through December 31, 2029, in an amount not to exceed \$365,000; 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: 6

8.12 Resolution No: 24-570
Ratification Of Grant Application For Children's Mental Health Respite Care Services And Authorization To Accept Grant Funds And Execute Grant Agreement

Motion: Mary Hamann-Roland

Second: Mike Slavik

WHEREAS, families of children receiving Rule 79 children mental health (CMH) county case management services are caring for children with a severe emotional disturbance (SED) who have special needs and often have challenging behaviors; and

WHEREAS, respite care services are a frequently requested support service for these families and research has indicated that families who received respite care have fewer out-of-home placements and significantly better service plan outcomes; and

WHEREAS, the grant continues to be used to develop and/or expand planned and emergency respite care services for families and their children receiving Rule 79 children's mental health county case management services; and

WHEREAS, respite care can be provided by a social service or mental health agency, day care provider, family, friends or neighbors, foster care, or other, including inclusive settings such as camps, after school recreation, the YMCA, et cetera; and

WHEREAS, on September 4, 2024, Dakota County Social Services - Children and Family Services submitted an application for CMH Respite Care Services to the Minnesota Department of Human Services in the requested amount of \$203,890 beginning January 1, 2025 through June 30, 2027.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby ratifies the Children's Mental Health Respite Care Services grant application with the Minnesota Department of Human Services for the period of January 1, 2025 through June 30, 2027 for a total grant amount of \$203,890; and

BE IT FURTHER 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 Respite Care Services grant award of \$203,890 and execute a grant agreement for the period of January 1, 2025 through June 30, 2027, 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: 6

8.13 Resolution No: 24-571
Authorization To Execute Contract With Nexus Family Healing

Motion: Mary Hamann-Roland

Second: Mike Slavik

WHEREAS, the Children and Families section in the Social Services department and the Juvenile Corrections section in the Community Corrections department require a vendor to provide services at a Dakota County owned facility, 24 hours a day, 7 days a week, 365 days a year, for youth who are placed by county child protection, community corrections, children's mental health, crisis response teams, local law enforcement, or other applicable agencies; and

WHEREAS, Minnesota Statutes, Chapter 245A and Minnesota Rules, parts 2960.0010 to 2960.0710 state the requirement to provide services and the framework by which to provide those services for youth aged 12 to 17; and

WHEREAS, Aspen House provides short-term housing for up to 90 days for up to 12 residents, ages 12-18; and

WHEREAS, County mobile crisis response, juvenile justice, child protection, and children's mental health teams utilize this program when youth temporarily need a safe place to stay away from home while service professionals (social workers, probation officers, therapists) work on reunification or longer-term solutions for the family; and

WHEREAS, the services and programming at Aspen House include family engagement, maintaining family and cultural connections, family therapy, transition planning, and psychoeducation; and

WHEREAS, educational services are provided on-site in partnership with Independent School District 197; and

WHEREAS, Nexus Family Healing has provided these youth shelter support services for Dakota County since Aspen House opened in October 2022; and

WHEREAS, a Request for Proposal (RFP) was released on July 23, 2024, for youth shelter support services and Nexus Family Healing was selected; and

WHEREAS, staff is requesting a contract with Nexus Family Healing for youth shelter support services in a not to exceed amount of \$1,900,000, 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 with Nexus Family Healing for emergency shelter with support

services for youth funded in a not to exceed amount of up to \$1,900,000 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 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(s) due.

Ayes: 6

8.14 Resolution No: 24-572

Authorization To Accept Grant Funds From Minnesota Department Of Human Services For Workforce Shortage Efforts, Execute Grant Agreement, And Amend 2024 Social Services Budget

Motion: Mary Hamann-Roland

Second: Mike Slavik

WHEREAS, Dakota County created a time limited Workforce and Provider Shortage workgroup from November 2022 through June 2023 to work collaboratively with stakeholders to address the shortage of workers impacting people with disabilities; and

WHEREAS, the workgroup was led by Commissioner Laurie Halverson and Commissioner Mary Liz Holberg along with Social Services Leadership and consisted of people with disabilities, their family members, state agency leaders and private sector leaders; and

WHEREAS, the workgroup focused on learning about the impact the workforce shortage is having on people with disabilities through listening sessions, learning about what others are doing at a local and statewide level to address the workforce shortage, and brainstorming potential solutions that Dakota County could implement; and

WHEREAS, as part of this work thirteen recommendations were identified; and

WHEREAS, Dakota County's 2024 legislative priorities included a request for a direct appropriation to support the implementation of these recommendations; and

WHEREAS, during the 2024 legislative session the legislature approved MN Law Chapter 125; Article 8; Sec.2; Subd 14; paragraph b that awards Dakota County with the following: \$500,000 in fiscal year 2025 is for a grant to Dakota County for innovative solutions to the disability services workforce shortage; and

WHEREAS, up to \$250,000 of this amount must be used to develop and test an online application for matching requests for services from people with disabilities to available staff and up to \$250,000 of this amount must be used to develop a communities-for-all program that engages businesses, community organizations, neighbors, and informal support systems to promote community inclusion of people with disabilities; and

WHEREAS, staff anticipates this grant will be executed in 2024 and the funds will be immediately available.

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 grant funds for a total amount up to \$500,000 for Workforce Shortage efforts; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to execute a grant agreement effective from date of execution through June 30, 2027, 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 Dakota County Board of Commissioners hereby amends the 2024 Social Services Budget as follows:

Expense

Program Expense	<u>\$500,000</u>
Total Expense	\$500,000

Revenue

Workforce Shortage Grant	<u>\$500,000</u>
Total Revenue	\$500,000

Ayes: 6

8.15 Resolution No: 24-573
Authorization To Execute Joint Powers Agreements For Sentence To Service Program

Motion: Mary Hamann-Roland

Second: Mike Slavik

WHEREAS, the Sentence to Service (STS) program is for lower-risk adults receiving probation services as an alternative to being ordered to jail; and

WHEREAS, STS is used as a way for clients to pay back the community for the crimes they have committed and it is also used as a response to their non-compliance to court-ordered conditions; and

WHEREAS, joint powers agreements (JPA)s are in place with public entities that purchase work crew services through the STS program for non-violent adults receiving probation services as an alternative to being ordered to jail; and

WHEREAS, staff is requesting that JPAs are executed for the period of January 1, 2025 through December 31, 2025, at a cost of \$481.00 per day for five or more workers per crew, and \$240.50 per day for work crew with less than five workers, with the following public entities:

- City of Apple Valley in an amount not to exceed \$27,417
- City of Burnsville in an amount not to exceed \$9,620
- City of Farmington in an amount not to exceed \$2,405
- Minnesota Department of Transportation (MnDOT) in an amount not to exceed \$45,000

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to execute joint powers agreements as presented for the purchase of guaranteed Sentence to Service work crew days at a rate of \$481.00 per day for five or more workers per crew, and \$240.50 per day for work crews with less than five workers, for the following public entities:

- City of Apple Valley in an amount not to exceed \$27,417
- City of Burnsville in an amount not to exceed \$9,620
- City of Farmington in an amount not to exceed \$2,405
- Minnesota Department of Transportation (MnDOT) in an amount not to exceed \$45,000,

for the period of January 1, 2025 through December 31, 2025, or until completion by the parties of their respective obligations under the joint powers agreements, whichever occurs first, unless earlier terminated by law or according to the provisions of the joint powers agreements, substantially as presented to the Community Services Committee of the Whole on November 19, 2024, subject to approval by the County Attorney's Office as to form.

Ayes: 6

8.16 Resolution No: 24-574

Authorization To Execute Contract With Avivo For Minnesota Family Investment Program Employment Services

Motion: Mary Hamann-Roland

Second: Mike Slavik

WHEREAS, the County is required to administer the Minnesota Family Investment Program (MFIP) program for eligible Dakota County residents; and

WHEREAS, MFIP is funded through Temporary Assistance to Needy Families (TANF) funds and provides public financial assistance, supportive services, and employment and training services with the goal of helping clients achieve sustainable self-sufficiency; and

WHEREAS, the Dakota-Scott Workforce Development Board (WDB) provides a recommendation to the County Board on the MFIP program to better coordinate all training and employment services, including Workforce Innovation and Opportunity Act (WIOA) and TANF programs; and

WHEREAS, a Request for Proposal (RFP) of MFIP employment services was issued on September 22, 2023, and two proposals were received; and

WHEREAS, upon careful review of the proposals, the WDB Evaluation Committee members selected the proposal for Avivo, and the WDB approved the committee's recommendation at its November 17, 2023, meeting; and

WHEREAS, by Resolution No. 23-571 (December 19, 2023), the Dakota County Board of Commissioners authorized execution of a contract with Avivo for MFIP services in an amount not to exceed \$1,043,244 for the period of January 1, 2024 through December 31, 2024.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to execute a contract with Avivo for Minnesota Family Investment Program employment services in an amount not to exceed \$1,200,000 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 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: 6

8.17 Resolution No: 24-575

Authorization To Execute Joint Powers Agreement With City Of Hastings For Wellness Initiatives Funded Through Minnesota Department Of Health Statewide Health Improvement Partnership

Motion: Mary Hamann-Roland

Second: Mike Slavik

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

WHEREAS, in 2008, the state of Minnesota legislature passed a health reform law that created a comprehensive and coordinated health prevention strategy that spans across all of Minnesota's 87 counties and 10 tribal nations; and

WHEREAS, a key component of this reform was to create a Statewide Health Improvement Partnership (SHIP), which invests in preventing chronic disease; and

WHEREAS, SHIP is overseen by the Minnesota Department of Health (MDH) and is administered by local public and tribal health partners and Dakota County Public Health receives an annual grant allocation through MDH to coordinate and fund SHIP strategies; and

WHEREAS, human milk is an infant's first source of healthy nutrition, which supports lifelong positive public health outcomes for both mother and child; and

WHEREAS, an employer is an important support system in achieving sustained lactation goals; and

WHEREAS, adequate lactation accommodations via an employer are a federal legal requirement, but limited resources exist to support employers in accessing technical assistance and other resources to meet this mandate; and

WHEREAS, this initiative with the City of Hastings will support the development of three lactation space(s) for employees and other residents that may need to utilize a lactation space; and

WHEREAS, the initiative will include technical assistance in policy, systems and environmental change to better serve the needs of new parents; and

WHEREAS, SHIP supports community-driven solutions to achieve four main goals including increasing physical activity, improving access to healthy foods, improving mental wellbeing, and reducing the use of, and exposure to, tobacco; and

WHEREAS, SHIP specifically supports and funds community neighborhood organizations, school districts and childcare organizations, health care settings, and other government worksites in wellness policy, systems, and environmental change initiatives; and

WHEREAS, for the past several years, grants have been awarded through a contract process with grantees and this year, Dakota County will enter into a joint powers agreement (JPA) for wellness initiatives via the SHIP grant with the City of Hastings for Worksite Wellness Lactation Support; and

WHEREAS, staff recommends authorization to execute a JPA with the City of Hastings for Worksite Wellness, for the term upon date of execution of the JPA through October 31, 2025, with a total agreement amount not to exceed \$6,000.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to execute a joint powers agreement with the City of Hastings for worksite wellness lactation support, for the term upon execution of the joint powers agreement through October 31, 2025, with a total agreement amount not to exceed \$6,000, subject to approval by the County Attorney's Office as to form.

Ayes: 6

8.18 Resolution No: 24-576

Authorization To Execute Joint Powers Agreement With Independent School District 196 For Facility Use For Parent Coach Training, And Registration And Advertisement Support

Motion: Mary Hamann-Roland

Second: Mike Slavik

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

WHEREAS, substance use prevention requires education at an early age and Dakota County Public Health is committed to supporting school districts and parents in the common mission of disrupting misinformation that can lead young people to engage with illegal substances; and

WHEREAS, parents are often a first line of defense when it comes to recognizing warning signs and ensuring healthy communication with young people and this training is part of a larger, more comprehensive, goal of parent engagement that creates a strong ecosystem of support around students and encourages healthful practices; and

WHEREAS, Independent School District 196 (ISD 196) will create the registration for this event and will help advertise the opportunity to the

community, inviting all Dakota County residents; and

WHEREAS, the trainer will speak at Eastview High School in 2025; and

WHEREAS, staff recommends authorization to enter into a joint powers agreement with ISD 196 for the use of facility space for training and support registration and advertisement.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to execute a joint powers agreement with Independent School District 196 for the use of facility space for training and support with registration and advertisement for Parent Coach training.

Ayes: 6

8.19 Resolution No: 24-577
Authorization To Provide One-Time Base Equity Adjustment To Non-Temporary, Non-Union County Staff

Motion: Mary Hamann-Roland

Second: Mike Slavik

WHEREAS, during 2021 and 2022, the County adopted a non-union merit compensation plan and merit matrix which included a combination of base and lump sum merit payments for all non-union employees; and

WHEREAS, the lump sum payments were established due to the economic uncertainty caused by the on-going COVID 19 pandemic; and

WHEREAS, as a result of the lump sum payments, employee advancement through the salary ranges were somewhat stagnated; and

WHEREAS, County staff hired after that time received initial wage rates that were constrained by current staff wages due to internal equity considerations; and

WHEREAS, to reconcile the impact of the lump sum payments in 2021 and 2022, the Human Resources Director recommends a one-time two percent (2%) base increase for all non-temporary, non-union County employees employed as of the first pay period in January 2025.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes a one-time two percent (2%) equity adjustment to all non-temporary, non-union employees, employed by the County as of the first pay period of 2025.

Ayes: 6

8.20 Resolution No: 24-578
Adoption Of 2025 Merit Compensation Policy And Plan Provisions

Motion: Mary Hamann-Roland

Second: Mike Slavik

WHEREAS, market competitive compensation and pay policy administration are essential to effective and efficient government; and

WHEREAS, the 2024 Merit Compensation Policy and Plan provisions should be amended for application in 2025.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby adopts the 2025 Merit Compensation Policy and Plan to include the following provisions:

- Non-union salary ranges increased 4.25 percent above 2024 non-union salary ranges
- The merit matrix provides for a combination of 0.0 percent to 8.25 percent base adjustments

; and

BE IT FURTHER RESOLVED, That participating employees' 2025 salaries shall be established in the context of and consistent with these provisions; and

BE IT FURTHER RESOLVED, That the Human Resources Director is hereby authorized to update, edit and amend the 2024 Merit Compensation Policy and Plan for application in 2025.

Ayes: 6

9. County Board/County Administration

9.1 Resolution No: 24-579

Authorization To Execute 2025-2026 Labor Agreement With AFSCME Local 306 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 AFSCME Local 306 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 December 3, 2024, and subject to approval by the County's contracted labor counsel as to form.

Ayes: 6

9.2 Resolution No: 24-580

Authorization To Execute 2025-2026 Labor Agreement With AFSCME Local 450 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 AFSCME Local 450 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 December 3, 2024, and subject to approval by the County's contracted labor counsel as to form.

Ayes: 6

- 9.3** Resolution No: 24-581
Authorization To Execute 2025-2026 Labor Agreement With AFSCME Local 693 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 AFSCME Local 693 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 December 3, 2024, and subject to approval by the County's contracted labor counsel as to form.

Ayes: 6

- 9.4** Resolution No: 24-582
Authorization To Execute 2025-2026 Labor Agreement With Law Enforcement Labor Services Licensed Deputies 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 Law Enforcement Labor Services Licensed Deputies 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 December 3, 2024, and subject to approval by the County's contracted labor counsel as to form.

Ayes: 6

10. Enterprise Finance and Information Services

- 10.1** Report On Invoices Paid In October 2024

Information only; no action requested.

- 10.2** Resolution No: 24-583
Scheduling Of Public Hearing To Receive Comments On Capital Improvement Program (CIP) Bonds

Motion: Mary Hamann-Roland

Second: Mike Slavik

WHEREAS, Dakota County (County) has prepared its Five-Year Capital Improvement Program (CIP), as a multi-year guide to the construction and/or

improvement of county roads, county ditches, county facilities, county parks and the acquisition of capital equipment and technology; and

WHEREAS, the CIP has been developed in accordance with the provisions of Minn. Stat. § 373.40, and (i) covers the five-year period beginning with the date of its adoption; and (ii) sets forth the estimated schedule, timing, and details of specific capital improvements by year, together with the estimated cost, the need for the improvement, and sources of revenues to pay for the improvement; and

WHEREAS, the CIP and annual amendments to the CIP are not effective until approved by the County Board of Commissioners after public hearing; and

WHEREAS, Dakota County intends to issue its capital improvement program bonds (Bonds) in an amount not to exceed \$36,700,000 to finance the construction of various capital improvements, as described in the CIP, pursuant to Minn. Stat. § 373.40, including the Lebanon Hills Maintenance Facility Project, Wentworth Library Renovation Project, and Burnhaven Library Renovation Project; and

WHEREAS, the Board, following a published notice in the official county newspaper, will conduct a public hearing at 9:00 a.m. on January 7, 2025, in the Boardroom, at the Dakota County Administration Center, 1590 Highway 55, Hastings, Minnesota, to receive public comment on the CIP and the issuance of the Bonds.

NOW, THEREFORE, BE IT RESOLVED, That the Finance department is hereby authorized and directed to cause notice of the public hearing to be published in the official County newspaper not less than fourteen days nor more than twenty-eight days prior to the date of the hearing.

Ayes: 6

10.3 Resolution No: 24-584

Authorization To Execute Contract With SFM Risk Solutions, Inc. For Administration Of Workers' Compensation Claims

Motion: Mary Hamann-Roland

Second: Mike Slavik

WHEREAS, Dakota County purchases services for the administration of workers' compensation claims; and

WHEREAS, the current contract with SFM Risk Solutions, Inc. will expire on December 31, 2024; and

WHEREAS, the staff from the Office of Risk Management evaluated available services through a review of the marketplace for third party administration services (TPA); and

WHEREAS, the results of the review showed that SFM Risk Solutions, Inc.

continues to be cost competitive for workers' compensation claim TPA services; and

WHEREAS, the Risk and Homeland Security Manager recommends SFM, Inc. as the Dakota County's provider of workers' compensation claims management services.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Enterprise Finance and Information Services Director to execute a contract with SFM Risk Solutions, Inc., for a five-year term, January 1, 2025, through December 31, 2029, in an amount not to exceed \$239,498, subject to approval by the County Attorney's Office as to form.

Ayes: 6

11. Physical Development

11.1 Resolution No: 24-585

Ratification Of Quarterly Entitlement And Special Funding Requests To U.S. Department Of Housing And Urban Development

Motion: Mary Hamann-Roland

Second: Mike Slavik

WHEREAS, the Dakota County Community Development Agency (CDA) administers the entitlement funds of the Community Development Block Grant (CDBG) program, HOME Investment Partnerships (HOME) program, Emergency Solutions Grant (ESG) program for Dakota County, special allocations of the CDBG and ESG programs for activities that prevent, prepare for and respond to the coronavirus, and a special allocation of HOME American Rescue Plan Act funds; and

WHEREAS, funds expended from previously approved projects for Fiscal Years 2019-2024 of the CDBG, HOME, and ESG programs and special allocations must be ratified by the Dakota County Board of Commissioners; and

WHEREAS, the CDBG entitlement and special allocation expenses during the timeframe of July 1, 2024-September 30, 2024, totaled \$290,061.33; and

WHEREAS, the HOME entitlement and special allocation expenses during the timeframe of July 1, 2024-September 30, 2024, totaled \$357,819.58; and

WHEREAS, the ESG entitlement and special allocations expenses during the timeframe of July 1, 2024-September 30, 2024, totaled \$20,742.42; and

WHEREAS, the CDA has paid the requests for payment associated with the CDBG, HOME, and ESG programs.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby ratifies the requisitions to the U.S. Department of

Housing and Urban Development for \$809,434.71 for July 1, 2024-September 30, 2024, as presented.

Ayes: 6

11.2 Resolution No: 24-586

Authorization To Execute Subrecipient Agreement Between Dakota County And Dakota County Community Development Agency For HOME-ARP Funds

Motion: Mary Hamann-Roland

Second: Mike Slavik

WHEREAS, the counties of Anoka, Dakota, Ramsey, Washington and the City of Woodbury (referred together as the “Dakota County HOME Consortium”) created a consortium under Title I of the Cranston-Gonzalez National Affordable Housing Act (Act) for purposes of acting as a participating jurisdiction under the Act and HOME Investment Partnerships Program Final Rule 24 CFR Part 92 as amended, which sets forth regulations governing the applicability and use of funds under Title II (HOME Program); and

WHEREAS, Dakota County is designated as the Lead Agency for the Dakota County HOME Consortium and is responsible for certain administrative and reporting functions of the HOME Program as required by the U.S. Department of Housing and Urban Development (HUD); and

WHEREAS, the Dakota County Community Development Agency (CDA) administers the HOME Program for Dakota County; and

WHEREAS, the American Rescue Plan Act of 2021 was signed into law on March 11, 2021, and appropriated \$5 billion in ARP funds to be administered through the HOME Program at the local level to respond to the COVID-19 pandemic; and

WHEREAS, the Dakota County HOME Consortium HOME Investment Partnerships American Rescue Plan Program (HOME-ARP) allocation is \$8,762,411, and the Dakota County portion is \$3,253,282; and

WHEREAS, HOME-ARP funds can only be used for four activities: acquisition and development of non-congregate shelter units, development and support of affordable housing, tenant based rental assistance, and provision of supportive services; and

WHEREAS, HOME-ARP activities must primarily benefit four qualifying populations including individuals and families who are homeless or at risk of becoming homeless, fleeing or attempting to flee domestic violence, dating violence, sexual assault, stalking, or human trafficking, and other vulnerable populations, including individuals and families with incomes at or below 30 percent Area Median Income; and

WHEREAS, HUD has approved the Dakota County HOME Consortium HOME-ARP Plan, which allocates the HOME-ARP funds to the development of

a future non-congregate shelter, future affordable housing projects at sites to be determined, and grant administration.

NOW, THEREFORE, BE IT RESOLVED, That the Chair of the Dakota County Board of Commissioners is hereby authorized to execute a subrecipient agreement with the Dakota County Community Development Agency for the administration of the Dakota County HOME Consortium HOME Investment Partnerships American Rescue Plan Program, subject to approval by the County Attorney's Office as to form.

Ayes: 6

11.3 Resolution No: 24-587
Approval Of Substantial Amendments To 2021 Dakota County HOME Consortium Program

Motion: Mary Hamann-Roland

Second: Mike Slavik

WHEREAS, Dakota County is a Participating Jurisdiction for the HOME Investment Partnerships (HOME) Program; and

WHEREAS, the counties of Anoka, Dakota, Ramsey, and Washington and the City of Woodbury (referred to together as the "Dakota County HOME Consortium") created a consortium under Title I of the Cranston-Gonzalez National Affordable Housing Act (Act) for purposes of acting as a participating jurisdiction under the Act and HOME Investment Partnerships Program Final Rule 24 CFR Part 92, which, as amended, sets forth regulations governing the applicability and use of funds under Title II; and

WHEREAS, Dakota County is designated as the Lead Agency for the Dakota County HOME Consortium, responsible for certain administrative and reporting functions of the HOME Program; and

WHEREAS, the Dakota County Community Development Agency (CDA) administers the HOME funds on behalf of Dakota County; and

WHEREAS, the HOME Program requires that 15 percent of a jurisdiction's HOME allocation be used for eligible activities by nonprofit organizations that qualify as Community Housing Development Organizations (CHDO); and

WHEREAS, three types of substantial amendments to the HOME Program are permissible by the US Housing and Urban Development Department (HUD): creation of a new activity or cancellation of an activity, increase or decrease of an activity budget by \$100,000 or more at one time, and change to the location and/or national objective of an activity; and

WHEREAS, CDA staff recommends substantial amendments to the 2021 Dakota County HOME Consortium Program to decrease the budget of the 2021 CHDO Rental activity by \$300,000, create and fund the 2021 CHDO Homeowner activity with a budget of \$300,000, cancel the 2021 Tenant-Based

Rental Assistance activity, and reallocate the funds totaling \$18,000 to the 2021 Rental activity; and

WHEREAS, public notice of the substantial amendments was placed in the *Star Tribune* on November 1, 2024, and on the CDA and Dakota County websites, in accordance with the approved Citizen Participation Plan process, and no public comments were received on the proposed amendments.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the substantial amendments to the 2021 Dakota County Consortium HOME Investment Partnerships Program.

Ayes: 6

11.4 Resolution No: 24-588

Authorization To Execute Detour Agreement No. 1057869 With Minnesota Department Of Transportation For Trunk Highway 3 In City Of Rosemount

Motion: Mary Hamann-Roland

Second: Mike Slavik

WHEREAS, to provide a safe and efficient transportation system, Dakota County is partnering with the Minnesota Department of Transportation (MnDOT) on State Project (SP) No. 1921-107; and

WHEREAS, construction work will begin in 2025 on Trunk Highway (TH) 3 to construct a roundabout and associated work on Trunk Highway (TH) 3 at 142nd Street West; and

WHEREAS, detours will divert TH 3 traffic onto County State Aid Highway (CSAH) 38 (McAndrews Road), CSAH 31 (Pilot Knob Road), and CSAH 42 (150th Street West); and

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

WHEREAS, MnDOT Agreement No. 1057869 allows the State to reimburse the County approximately \$39,390 for the road life consumed by the detour based on the income determined by the "Gas Tax Method" in accordance with the Detour Management Study Final Report; and

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

WHEREAS, the \$39,3900 will be deposited in the Transportation Capital Improvement Program fund; and

WHEREAS, staff recommends executing Agreement No. 1057869 with MnDOT

to accept reimbursement for SP 1921-107 TH 3 detour on CSAHs 38, 31, and 42.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute Agreement No. 1057869 with the Commissioner of Transportation of the State of Minnesota for the County to receive the State's reimbursement of \$39,390 for the road life consumed by the Trunk Highway 3 detour through State Project 1921-107, subject to approval by the County Attorney's Office as to form.

Ayes: 6

11.5 Resolution No: 24-589

Authorization To Amend 2024 Transportation Capital Improvement Program Budget, Execute Joint Powers Agreement With City Of Rosemount And Advance Acquisition For Intersection Improvement At County State Aid Highway 42 And Biscayne Avenue In Rosemount, County Project 42-179

Motion: Mary Hamann-Roland

Second: Mike Slavik

WHEREAS, to provide a safe and efficient transportation system, Dakota County and the City of Rosemount (City) are incorporating County Project (CP) 42-179 into respective 2025 Capital Improvement Program documents; and

WHEREAS, CP 42-179 is the reconstruction and signalization of the County State Aid Highway (CSAH) 42 and Biscayne Avenue intersection and restricted access conversion of the CSAH 42 and Business Parkway intersection in the City of Rosemount; and

WHEREAS, CP 42-179 is the result of coordination with the City and Independent School District 196 for the proposed Rosemount Middle School at the southeast quadrant of CSAH 42 and Biscayne Avenue; and

WHEREAS, County staff evaluated the proposed middle school traffic impact assessment in conjunction with the County Highway 42 Management Plan (2022) and the area growth in development to determine recommendations for the improvements of CP 42-179; and

WHEREAS, CP 42-179 requires realignment of Biscayne Avenue to eliminate the skewed intersection and correct deficient sight lines and safety standards needed for the installation of a traffic signal; and

WHEREAS, the geometry improvements will require right of way acquisition from Parcel ID 34-64851-02-040; and

WHEREAS, Parcel ID 34-64851-02-040 is currently on the open market as a 1.5-acre commercial property with a list price of \$948,710; and

WHEREAS, the parcel has received interest from a developer to install a carwash with intentions to build in 2025, but a purchase agreement has not

been executed; and

WHEREAS, the parcel is owned by KJ Walk, who has indicated willingness to work with the County and City on an open market acquisition for the entire 1.5-acre parcel but is not interested in a partial acquisition; and

WHEREAS, an advanced right of way acquisition of the entire 1.5-acre parcel at the asking price of \$948,710 is recommended to prevent the development of the parcel and higher acquisition costs in the future; and

WHEREAS, County Real Estate staff conducted a market analysis of recent commercial property sales that were of similar location and size and determined the asking price of \$948,710 (\$12.84/acre) to be fair and justified; and

WHEREAS, staff recommends authorization to enter into a purchase agreement with KJ Walk for Parcel ID 34-64851-02-040 at the asking price of \$948,710; and

WHEREAS, a budget amendment to the 2024 Transportation Capital Improvement Program Budget is necessary to establish budget for CP 42-179 in 2024 to proceed with the advanced right of way acquisition; and

WHEREAS, sufficient funds exist in the Transportation Sales and Use Tax account to proceed with the budget amendment; and

WHEREAS, staff recommends a budget amendment of \$948,710 for CP 42-179 to allow the advanced acquisition of Parcel ID 34-64851-02-040; and

WHEREAS, a joint powers agreement is necessary to establish roles, responsibilities, and cost share for the right of way acquisition with the City to ensure the project follows the 2040 Dakota County Transportation Plan Cost Share Policy.

NOW, THEREFORE BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a purchase agreement with KJ Walk for the advanced right of way acquisition of Parcel ID 34-64851-02-040 for a purchase price of \$948,710, in accordance with County Policy and 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 the joint powers agreement with the City of Rosemount to define roles and responsibilities for advanced right of way acquisition and cost sharing for County Project 42-179, in accordance with County Policy, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the 2024 Transportation Capital

Improvement Program Budget is hereby amended as follows:

Expense	
County Project 42-179	<u>\$948,710</u>
Total Expense	\$948,710

Revenue	
Transportation Sales and Use Tax	<u>\$948,710</u>
Total Revenue	\$948,710

Ayes: 6

- 11.6** Resolution No: 24-590
Sponsorship Of Snowmobile Club Grant-In-Aid Program Applications To Minnesota Department Of Natural Resources And Authorization To Execute Related Agreements

Motion: Mary Hamann-Roland Second: Mike Slavik

WHEREAS, Dakota County area snowmobile clubs are eligible for State grants for assistance in developing, maintaining, and grooming snowmobile trails located within Dakota County; and

WHEREAS, sponsorship by a local government unit is required by the Minnesota Department of Natural Resources (DNR) for State grants for local snowmobile trail development and maintenance; and

WHEREAS, the Dakota Trail Association, Inc., the Inver Grove Heights Connections Snowmobile Club, and the Waterford Warriors Snowmobile Club, Inc. (Clubs) have requested that Dakota County sponsor grant applications for the 2024-2025 grant year and subsequent years unless the grant program requirements are changed; and

WHEREAS, the Clubs agree to provide maintenance and grooming for their respective trails and meet benchmarks or pay for penalties imposed for failing to satisfy any benchmarks, in accordance with the DNR's snowmobile trail program, with the County serving primarily as a pass-through agency; and

WHEREAS, this approach bases payments upon County certification that program benchmarks, including having the trails prepared and ready to be opened, adequate grooming, post-season closure, and the submission of required paperwork, are achieved; and

WHEREAS, DNR staff has agreed to give written consent for the County to assign the certification of benchmarks from the County to the Clubs, including allowing the County to assign the tasks and duties required by the grants to the respective snowmobile clubs and on condition that the snowmobile clubs execute assignment agreements with the County.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves sponsorship of the Snowmobile Club Grant-in-Aid Program applications of Dakota Trail Association, Inc., the Inver Grove Heights Connections Snowmobile Club, and the Waterford Warriors Snowmobile Club, Inc., for the 2024-2025 grant year and subsequent years, unless the grant program requirements are changed by the Minnesota Department of Natural Resources for trail development and maintenance funds, under the same sponsorship terms as the County has agreed to in the past; and

BE IT FURTHER RESOLVED, That unless the grant program requirements change, the Dakota County Board of Commissioners hereby authorizes the Transportation Director to execute assignment agreements with the Dakota Trail Association, Inc., the Inver Grove Heights Connections Snowmobile Club, and the Waterford Warriors Snowmobile Club, Inc., subject to approval by the County Attorney's Office as to form, with the County serving primarily as a pass-through agency; and

BE IT FURTHER RESOLVED, That unless the Snowmobile Club Grant-in-Aid Program requirements change, the Dakota County Board of Commissioners hereby authorizes the Transportation Director to execute grant agreements with the Minnesota Department of Natural Resources to receive trail development and maintenance funds as a sponsor for the Dakota Trail Association, Inc., the Inver Grove Heights Connections Snowmobile Club, and the Waterford Warriors Snowmobile Club, Inc., subject to approval of the County Attorney's Office as to form.

Ayes: 6

11.7 Resolution No: 24-591

Authorization To Award Construction Contract And Execute Joint Powers Agreement With City Of Inver Grove Heights For Safe Routes To School Improvements On County State Aid Highway 28 In Inver Grove Heights, County Project 28-66

Motion: Mary Hamann-Roland

Second: Mike Slavik

WHEREAS, to provide a safe and efficient transportation system, Dakota County is proceeding with County Project (CP) 28-66; and

WHEREAS, CP 28-66 in Inver Grove Heights will include the preliminary design for pedestrian and bicycle safety, Safe Routes to School (SRTS) improvements, and traffic signal improvements along CSAH 28 (80th Street East) between Babcock Avenue and Boyd Avenue in Inver Grove Heights; and

WHEREAS, the SRTS crossing improvements were separated into an independent construction project to meet funding deadlines; and

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

WHEREAS, the Minnesota Department of Transportation selected CP 28-66 to

receive \$250,000 of SRTS grant funds; and

WHEREAS, a grant agreement for the SRTS funds must be completed by the end of 2024 or funds will be withdrawn; and

WHEREAS, to allow for CP 28-66 to complete a grant agreement before the end of 2024, staff is requesting the County Board authorize the County Manager the authority to award the construction contract to the lowest responsible bidder, consistent with County Policies, provided the award does not require a budget amendment; and

WHEREAS, a joint powers agreement (JPA) between the County and the City of Inver Grove Heights is necessary to outline cost participation, preliminary and final design responsibilities, future maintenance responsibility, and construction for CP 28-66; 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 delegates authority to the County Manager to award the construction contract for CP 28-66 to the lowest responsible bidder, consistent with County Policies, provided sufficient funds are available for the project; 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 Inver Grove Heights for the design and construction of County Project 28-66.

Ayes: 6

11.8 Resolution No: 24-592
Award Of Bid And Authorization To Execute Contract With Ultimate One Transportation, Inc., For Interoffice And Library Mail Delivery Services

Motion: Mary Hamann-Roland

Second: Mike Slavik

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

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

WHEREAS, the current contract ends on December 31, 2024; and

WHEREAS, the request for bid(s) was publicly advertised on October 11, 2024; and

WHEREAS, bids were received and tabulated on October 25, 2024; and

WHEREAS, the current vendor has submitted the lowest responsive and responsible bid using their current service and staffing model; and

WHEREAS, the 2025 rates reflect a six percent decrease from the current 2024 rates; and

WHEREAS, staff recommends that the County Board award a contract to Ultimate One Transportation, Inc., for interoffice and library mail delivery services in an amount not to exceed \$95,000.

NOW, THEREFORE, BE IT RESOLVED, That the County Board hereby authorizes the Facilities Management Director to execute a contract with Ultimate One Transportation, Inc., 2978 Cleveland Avenue North, Roseville, Minnesota 55113, for interoffice and library mail delivery services in an amount not to exceed \$95,000, from January 1, 2025, through December 31, 2025, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Facilities Management Director to execute up to two additional one-year contract extensions provided that: (1) the County determines that the Contractor has satisfactorily performed the contracted services; (2) the total contract price is included in the County's budget for the applicable year; and (3) the cost of services are consistent with the 2026 and 2027 bid amounts of \$97,800 and \$102,600 respectively, subject to approval by the County Attorney's Office as to form.

Ayes: 6

11.9 Resolution No: 24-593
Authorization To Execute License Agreement Between Dakota County And
Nexus Family Healing For Space Located At Aspen House

Motion: Mary Hamann-Roland

Second: Mike Slavik

WHEREAS, in 2022, Dakota County acquired a 5,787-square-foot property to be used as a youth shelter for up to 12 individuals per night, now referred to as the Aspen House; and

WHEREAS, Community Services staff has again contracted with Nexus Family Healing to manage the operation of the shelter; and

WHEREAS, for Nexus Family Healing to operate in a County-owned facility, a license agreement for use of that space is required; and

WHEREAS, the Dakota County Board of Commissioners must approve all leases and licenses for space use; and

WHEREAS, the Aspen House will be used entirely by Nexus Family Healing to provide services; and

WHEREAS, Nexus Family Healing will manage all aspects of youth care in addition to most of the day-to-day operations, including maintenance and utilities; and

WHEREAS, Dakota County will retain management of three key items, including property insurance through Risk Management, the parking lot access agreement with the neighboring church through Facilities Management, and life/safety requirements through Facilities Management; and

WHEREAS, staff from Facilities Management, Community Services, and Nexus Family Healing have agreed to license terms for their space; and

WHEREAS, the license terms provide for a 90-day notice of termination to align with the contract for services term; and

WHEREAS, the County Board finds that the license is consistent with the County’s interest in cooperating with Nexus Family Healing to provide space in the Dakota County Aspen House.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Facilities Management Director to execute a license agreement, substantially as attached, with Nexus Family Healing for use of approximately 5,787 square feet of space in the Aspen House for the period of January 1, 2025, through December 31, 2026, at the following rates, subject to the approval of the County Attorney’s Office as to form:

January 1, through December 31, 2025 \$5,280 per year or \$440 per month

January 1, through December 31, 2026 \$5,280 per year or \$440 per month

Ayes: 6

11.10 Resolution No: 24-594

Approval Of Right Of Way Acquisition For Trail Easement For Veterans Memorial Greenway In City Of Eagan, County Project P00147

Motion: Mary Hamann-Roland

Second: Mike Slavik

WHEREAS, to provide a safe and efficient regional greenway transportation system, Dakota County is proceeding with the Veterans Memorial Greenway County Project (CP) P00147; and

WHEREAS, CP P00147, Phase II, will entail the construction of about two miles of shared-use trail in Eagan and Inver Grove Heights, including a bridge over State Trunk Highway 3; and

WHEREAS, Dakota County is the lead agency for design, construction

administration, and right of way acquisition necessary in 2024 for construction to begin in 2025; and

WHEREAS, the acquisition of permanent and temporary construction easements from four private property parcels is necessary; and

WHEREAS, the acquisition of the following four parcels is necessary to move forward with the project:

20-58500-04-070 - Jacquelynne and Scott Baker - Parcel 3

A permanent easement for greenway purposes over, under, and across the north 60.27 feet of Lot 16, Block 1, Lakeside Estates, according to the recorded plat thereof, Dakota County, Minnesota.

Said greenway easement contains approximately 6,027 square feet.

10-44300-01-170 - Robert Snyder - Parcel 4

A temporary easement for greenway purposes over, under, and across the south 15.00 feet of the north 75.27 feet of Lot 17, Block 1, Lakeside Estates, according to the recorded plat thereof, Dakota County, Minnesota.

A permanent easement for greenway purposes over, under, and across the north 60.27 feet of Lot 17, Block 1, Lakeside Estates, according to the recorded plat thereof, Dakota County, Minnesota.

Said temporary easement contains approximately 1,500 square feet.
Said greenway easement contains approximately 6,027 square feet.

10-44300-01-180 - Nicole Medin - Parcel 5

A temporary easement for greenway purposes over, under, and across the south 15.00 feet of the north 75.27 feet of Lot 18, Block 1, Lakeside Estates, according to the recorded plat thereof, Dakota County, Minnesota.

A permanent easement for greenway purposes over, under, and across the north 60.27 feet of Lot 18, Block 1, Lakeside Estates, according to the recorded plat thereof, Dakota County, Minnesota.

Said temporary easement contains approximately 1,467 square feet.
Said greenway easement contains approximately 5,894 square feet.

10-66400-01-010 - St. Thomas Becket Church - Parcel 6

A temporary easement for greenway purposes over, under, and across that part of Lot 1, Block 1, St. Thomas Becket Addition, according to the recorded plat thereof, Dakota County, Minnesota, described as follows:

Commencing at the northwest corner of said Lot 1; thence South 00 degrees 06 minutes 18 seconds West, assumed bearing along the west line of said Lot 1 a

distance of 92.82 feet; thence North 89 degrees 57 minutes 28 seconds East a distance of 245.63 feet; thence easterly a distance of 60.75 feet along a tangential curve concave to the north having a radius of 250.00 feet and an internal angle of 13 degrees 55 minutes 23 seconds; thence North 76 degrees 02 minutes 05 seconds East, tangent to said curve, a distance of 33.38 feet; thence easterly a distance of 18.60 feet along a tangential curve concave to the south having a radius of 80.62 feet and a central angle of 13 degrees 13 minutes 17 seconds; thence North 89 degrees 15 minutes 22 seconds East, tangent to said curve, a distance of 26.40 feet; thence southeasterly a distance of 38.69 feet along a tangential curve concave to the southwest having a radius of 58.24 feet and a central angle of 38 degrees 03 minutes 35 seconds; thence South 52 degrees 41 minutes 03 seconds East, tangent to said curve, a distance of 49.61 feet; thence easterly a distance of 84.39 feet along a tangential curve concave to the north having a radius of 151.51 feet and a central angle of 31 degrees 54 minutes 47 seconds to the point of beginning; thence northeasterly a distance of 152.56 feet along a tangential curve concave to the northwest having a radius of 151.51 feet and an internal angle of 57 degrees 41 minutes 36 seconds; thence North 37 degrees 42 minutes 33 seconds East, tangent to said curve, a distance of 3.56 feet; thence northeasterly a distance of 19.21 feet along a tangential curve concave to the southeast having a radius of 24.00 feet and a central angle of 45 degrees 51 minutes 51 seconds; thence North 83 degrees 34 minutes 24 seconds East, tangent to said curve, a distance of 115.65 feet to the east line of said Lot 1; thence South 04 degrees 20 minutes 18 seconds West along said east line a distance of 46.03 feet; thence South 04 degrees 06 minutes 40 seconds West along said east line a distance of 77.50 feet; thence North 82 degrees 32 minutes 58 seconds West a distance of 119.07 feet; thence North 05 degrees 40 minutes 19 seconds East a distance of 31.66 feet; thence North 88 degrees 19 minutes 06 seconds West a distance of 16.33 feet; thence westerly a distance of 35.87 feet along a non-tangential curve concave to the south having a radius of 175.92 feet, a central angle of 11 degrees 40 minutes 52 seconds, and a chord that bears South 89 degrees 48 minutes 11 seconds West; thence southwesterly a distance of 85.61 feet along a non-tangential curve concave to the southeast having a radius of 256.05 feet, a central angle of 19 degrees 09 minutes 25 seconds, and a chord that bears South 76 degrees 24 minutes 44 seconds West; thence North 33 degrees 50 minutes 28 seconds West, not tangent to said curve a distance of 15.43 feet to the point of beginning.

A permanent easement for greenway purposes over, under, and across that part of Lot 1, Block 1, St. Thomas Becket Addition, according to the recorded plat thereof, Dakota County, Minnesota, lying northerly of the following described line:

Commencing at the northwest corner of said Lot 1; thence South 00 degrees 06 minutes 18 seconds West, assumed bearing along the west line of said Lot 1 a distance of 92.82 feet to the point of beginning of the line to be described; thence North 89 degrees 57 minutes 28 seconds East a distance of 245.63 feet; thence easterly a distance of 60.75 feet along a tangential curve concave to the

north having a radius of 250.00 feet and an internal angle of 13 degrees 55 minutes 23 seconds; thence North 76 degrees 02 minutes 05 seconds East, tangent to said curve, a distance of 33.38 feet; thence easterly a distance of 18.60 feet along a tangential curve concave to the south having a radius of 80.62 feet and a central angle of 13 degrees 13 minutes 17 seconds; thence North 89 degrees 15 minutes 22 seconds East, tangent to said curve, a distance of 26.40 feet; thence southeasterly a distance of 38.69 feet along a tangential curve concave to the southwest having a radius of 58.24 feet and a central angle of 38 degrees 03 minutes 35 seconds; thence South 52 degrees 41 minutes 03 seconds East, tangent to said curve, a distance of 49.61 feet; thence easterly a distance of 236.95 feet along a tangential curve concave to the north having a radius of 151.51 feet and a central angle of 89 degrees 36 minutes 23 seconds; thence North 37 degrees 42 minutes 33 seconds East, tangent to said curve, a distance of 3.56 feet; thence northeasterly a distance of 19.21 feet along a tangential curve concave to the southeast having a radius of 24.00 feet and a central angle of 45 degrees 51 minutes 51 seconds; thence North 83 degrees 34 minutes 24 seconds East, tangent to said curve, a distance of 115.65 feet, more or less, to the east line of said Lot 1 and said line there terminating.

Said temporary easement contains approximately 15,353 square feet.
Said greenway easement contains approximately 68,014 square feet.

; and

WHEREAS, the parcels have been appraised, and offers are being prepared for a total appraised value of \$198,100; and

WHEREAS, the Veterans Memorial Greenway Phase II property acquisition and closing costs are eligible for a 75 percent Acquisition Opportunity Fund (AOF) grant through the Metropolitan Council (MC); and

WHEREAS, an AOF grant can be submitted to the MC after a purchase agreement is signed by the Physical Development Director and the property owners; and

WHEREAS, if the County is awarded an AOF grant by the MC for the properties, 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 property acquisition; and

WHEREAS, the 2024 Parks Capital Improvement Program Budget includes sufficient funds for CP P00147 right of way acquisition.

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

Commissioners hereby approves the appraised values prepared by Patchin Messner Valuation Counselors for the acquisition of the right of way for County Project P00147 and authorizes County staff, in its discretion, to share the appraisal data with the respective landowners, including all or portions of the completed appraisals as part of the negotiations process; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby approves the acquisition of right of way for County Project P00147 at the approved appraised values and, in accordance with County policy, authorizes payment from the 2024 Parks Capital Improvement Program Budget; 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 respective owners to acquire easements on 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 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 properties, staff will submit the necessary forms and documentation to the Metropolitan Council to receive approximately \$148,575 of reimbursement funds that will be returned to the 2024 Parks Capital Improvement Program.

Ayes: 6

11.11 Resolution No: 24-595

Authorization To Accept Donation Of Regional Greenway Trail Easement From City Of Eagan For Veterans Memorial Greenway, County Project P00147

Motion: Mary Hamann-Roland

Second: Mike Slavik

WHEREAS, by Resolution No. 17-493 (September 26, 2017), the Dakota County Board of Commissioners approved the Rich Valley Regional Greenway Master Plan, now known as the Veterans Memorial Greenway (Greenway) Master Plan since its 2020 renaming; and

WHEREAS, the Greenway Master Plan identified the land within the existing Lakeside Park, in Eagan as the preferred alignment for a segment of the Greenway trail location; and

WHEREAS, the 2024 Parks Capital Improvement Program has adequate fund balance to construct a new section of the Greenway trail on the City of Eagan's

property; and

WHEREAS, Eagan is supportive of granting an easement to the County and for the County to construct a new regional greenway trail on its property; and

WHEREAS, the City held a public hearing on the proposed regional trail easement on November 5, 2024, and the City Council approved donating the Eagan property easement on November 5, 2024.

NOW, THEREFORE, BE IT RESOLVED, the Dakota County Board of Commissioners hereby authorizes acceptance of a 37,855 square foot regional greenway trail easement from the City of Eagan, which is located on their property in Lakeside Park for a section of the Veterans Memorial Greenway Regional Trail, approved as to form by the County Attorney's Office.

Ayes: 6

11.12 Resolution No: 24-596

Authorization To Accept Donation Of Regional Greenway Trail Easements From City Of Inver Grove Heights For Veterans Memorial Greenway, County Project P00147

Motion: Mary Hamann-Roland

Second: Mike Slavik

WHEREAS, by Resolution No. 17-493 (September 26, 2017), the Dakota County Board of Commissioners approved the Rich Valley Regional Greenway Master Plan, now known as the Veterans Memorial Greenway (Greenway) Master Plan since its 2020 renaming; and

WHEREAS, the Greenway Master Plan identified the land within the existing Southern Lakes Park and Rich Valley Park, in Inver Grove Heights as the preferred alignment for various segments of the Greenway trail location; and

WHEREAS, the 2024 Parks Capital Improvement Program has adequate fund balance to construct a new section of the Greenway trail on the City of Inver Grove Heights's property; and

WHEREAS, Inver Grove Heights is supportive of granting an easement to the County and for the County to construct a new regional greenway trail on its property; and

WHEREAS, the City Council approval for donating a regional greenway trail on the Rich Valley Park property and a greenway corridor easement on the Southern Lakes Park City properties will be determined early 2025.

NOW, THEREFORE, BE IT RESOLVED, the Dakota County Board of Commissioners hereby authorizes acceptance of a 267,808 square-foot regional greenway trail easement and a 3,453 square-foot regional greenway corridor easement from the City of Inver Grove Heights, on their property in Rich Valley Park and Southern Lakes Park for sections of the Veterans Memorial Greenway

Regional Trail, approved as to form by the County Attorney's Office.

Ayes: 6

11.13 Resolution No: 24-597

Authorization To Enter Into Cooperative Agreement For Construction To Build New Bridge Over Trunk Highway 3 In City Of Eagan With Minnesota Department Of Transportation, Veterans Memorial Greenway, County Project P00147

Motion: Mary Hamann-Roland

Second: Mike Slavik

WHEREAS, by Resolution No. 17-493 (September 26, 2017), the Dakota County Board of Commissioners approved the Rich Valley Regional Greenway Master Plan, now known as the Veterans Memorial Greenway (Greenway) Master Plan since its 2020 renaming; and

WHEREAS, the Greenway Master Plan identified a grade-separated crossing of TH 3 land within the MnDOT right of way, in Eagan as the preferred alignment for the Greenway trail location; and

WHEREAS, the 2024 Parks Capital Improvement Program has adequate fund balance to construct a new section of the Greenway trail on the City of Inver Grove Heights's property; and

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

WHEREAS, execution of Agreement No. 1057627 will define right of way use, contract award and construction, and maintenance responsibilities for County Project P00147.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute Agreement No. 1057627 with the Minnesota Department of Transportation to define right of way use, contract award, construction, and maintenance responsibilities for the new Veterans Memorial Greenway Regional Trail bridge at Trunk Highway 3, subject to approval by the County Attorney's Office as to form.

Ayes: 6

12. Public Safety

12.1 Resolution No: 24-598

Authorization To Amend Joint Powers Agreement With Goodhue County To Board Inmates At Goodhue County Jail

Motion: Mary Hamann-Roland

Second: Mike Slavik

WHEREAS, the Dakota County Sheriff's Office experiences high turnover and a shortage of jail staff placing a strain on operations; and

WHEREAS, the Sheriff's Office continues to board inmates to ease the burden

while staffing numbers recover; and

WHEREAS, Goodhue County has agreed to house Dakota County male and female inmates at the increased cost of \$65 per day, per bed, plus medical and dental costs during the period of January 1, 2025, through December 31, 2025; and

WHEREAS, the term of the agreement is September 1, 2025, through December 31, 2025, with one, one-year optional renewal upon written agreement with the parties.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Sheriff to amend the joint powers agreement with Goodhue County to house male and female inmates at the Goodhue County Jail at the increased rate of \$65 per inmate, per day from January 1, 2025, through December 31, 2025, with one, one-year optional renewal upon written agreement with the parties, subject to approval as to form by the Dakota County Attorney’s Office.

Ayes: 6

13. Public Services and Revenue

13.1 Resolution No: 24-599

Approve Exempt Gambling Permit For Hiawatha Valley Chapter 8 Ducks Unlimited

Motion: Mary Hamann-Roland

Second: Mike Slavik

WHEREAS, gambling licenses are issued by the Minnesota Gambling Control Board; and

WHEREAS, the Minnesota Gambling Control Board requires County approval of an application when the gambling premises are located in a township; and

WHEREAS, as application for an Exempt Permit to hold a raffle at Gopher Hills Golf Course in Douglas Township has been submitted by Hiawatha Valley Chapter 8 Ducks Unlimited; and

WHEREAS, the Dakota County Board of Commissioners is the local governing body having jurisdiction over the proposed gambling activity.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the application from Hiawatha Valley Chapter 8 Ducks Unlimited to hold an Exempt Permit for a raffle at Gopher Hills Golf Course in Douglas Township on January 13, 2025.

Ayes: 6

REGULAR AGENDA

14. Community Services

14.1 Women, Infant, And Children Program Update

Public Health Director Coral Ripplinger and Public Health Supervisor Katie Galloway briefed this item and responded to questions. This item was on the agenda for informational purposes only.

Informational only; no action requested.

15. Enterprise Finance and Information Services

15.1 Update On December Changes To 2025 County Manager’s Recommended Budget

Finance Director Paul Sikorski briefed this item and responded to questions. This item was on the agenda for informational purposes only.

Information only; no action requested.

16. Closed Executive Session

16.1 Resolution No: 24-600

Settlement Authority For Acquisition Of Certain Property Rights Necessary For County Project 9-56

Motion: Mike Slavik

Second: Liz Workman

This item did not go into closed session.

WHEREAS, in 2023, Dakota County (County) completed County Project (CP) 9-56 in the City of Lakeville to provide a safe and efficient transportation system; and

WHEREAS, CP 9-56 was a joint project between Dakota County and the City of Lakeville which included the reconstruction of County State Aid Highway (CSAH) 9 and the construction of 179th Street between Highview Avenue and CSAH 23 (Cedar Avenue), and pavement preservation and intersection improvements along CSAH 23 between 179th Street and CSAH 9 in the City of Lakeville; and

WHEREAS, to construct the project, the County acquired certain property rights by eminent domain proceedings from Lakeville 2004, LLC (Owner) identified by Dakota County Right of Way Map No. 490 as Parcel 13; and

WHEREAS, on November 21, 2024, the Dakota County Attorney's Office provided a confidential memorandum to the Dakota County Board of Commissioners explaining the legal strategy for accomplishing Dakota County's acquisition of the property rights identified in Dakota County Right of Way Map No. 490 as Parcel 13; and

WHEREAS, the County Attorney and Transportation Department staff

recommend approval of the settlement agreement as being a fair and equitable settlement of the action in view of the impacts to the property, real estate market data, the time, additional expense and risk involved in continued litigation and belief that the settlement represents an appropriate allocation of the prospects for success if the matter is allowed to proceed to a commissioners' hearing.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the full and final settlement with Lakeville 2004, LLC for the acquisition of property rights identified by Dakota County Right of Way Map No. 490 as Parcel 13 for a total amount of \$72,259.97 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: 6

16.2 Resolution No: 24-601
Settlement Authority For Acquisition Of Certain Property Rights Necessary For County Project 32-65 (Parcel 1, TE 1, DU 14 and TE 14)

Motion: Liz Workman

Second: William Droste

This item did not go into closed session.

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

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

WHEREAS, by Resolution No. 24-111, the County Board of Commissioners (Board) authorized the acquisition of certain properties identified in the resolution 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 fee title to a portion of real property owned by R & M Holdings, LLC and a temporary construction easement over the remaining real property of R & M Holdings, LLC, identified by Dakota County Right of Way Map No. 516 as Parcel 1 and T.E. PAR. 1; and

WHEREAS, R & M Holdings, LLC alleged market higher values for Parcel and T.E. PAR. 1 from those offered by the County; and

WHEREAS, the County and R & M Holdings, LLC have agreed, subject to Board approval, to settle all damages caused by the taking of Parcel 1 and T.E. PAR. 1 whereby the County pays R & M Holdings, LLC \$810,000; and

WHEREAS, to accomplish the Project, the County also acquired a permanent drainage and utility easement and a temporary construction easement over a portion of real property owned by 10900 Rich Valley, LLC identified by Dakota

County Right of Way Map No. 516 as D&U PAR. 14 and T.E. PAR. 14; and

WHEREAS, 10900 Rich Valley, LLC alleged certain claims against the County concerning the cost to cure resulting from the encroachment as part of the Project; and

WHEREAS, the County and 10900 Rich Valley, LLC have agreed, subject to Board approval, to settle all damages caused by the taking of D&U PAR. 14 and T.E. PAR. 14 whereby the County pays 10900 Rich Valley, LLC \$35,000; and

WHEREAS, on November 25, 2024, the Dakota County Attorney's Office provided a confidential memorandum to the Board explaining the legal strategy accomplishing Dakota County's acquisition of the property rights identified by Dakota County Right of Way Map No. 516 as Parcel 1, T.E. PAR. 1, D&U PAR. 14, and T.E. PAR. 14; and

WHEREAS, the County Attorney and Transportation Department staff recommend approval of the settlement agreements as being fair and equitable settlements of the actions in view of the impacts to the properties, real estate market data, the time, additional expense and risk involved in continued litigation and believe the settlements represent appropriate allocation of the prospects for success if the matters are allowed to proceed to commissioners' hearings.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the full and final settlement with R & M Holdings, LLC, for acquisition of property identified in Dakota County Right of Way Map 516 as Parcel 1 and T.E. PAR. 1 in the total amount of \$810,000 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; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby approves the full and final settlement with 10900 Rich Valley, LLC, for acquisition of property identified in Dakota County Right of Way Map 516 as D&U PAR. 14 and T.E. PAR. 14 in the total amount of \$35,000 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: 6

16.3 Resolution No: 24-602

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

Motion: Mary Hamann-Roland

Second: Liz Workman

The time being 10:34 a.m. and pursuant to public notice, the County Board recessed to Conference Room 3A, Administration Center, to conduct in accordance with Minnesota Statutes sections 13D.021 and 13D.03 a Closed

Executive Session to discuss the legal strategy in Tory Hart v. Dakota County et al.

The following were present:

Commissioner Mike Slavik, District 1

Commissioner Joe Atkins, District 2

Commissioner Laurie Halverson, District 3

Commissioner Bill Droste, District 4

Commissioner Liz Workman, District 5

Commissioner Mary Hamann-Roland, District 7

Kathy Keena, County Attorney

Tom Donely, First Assistant County Attorney

Will Topka, Attorney/Civil

Lucie O'Neill, Attorney/Civil

Alexis Zimmer, Civil Division Law Clerk

Sarah Fenske, Risk Management Coordinator

Jenny Groskopf, Risk and Homeland Security Manager

Marti Fischbach, Community Services Director

Nikki Conway, Social Services Children and Family Services Director

Heid Welsch, County Manager

Jeni Reynolds, Clerk to the Board

The Closed Executive Session continued until 11:20 a.m., at which time the Board reconvened the County Board meeting with all members present.

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

WHEREAS, the parties engaged in mediation on November 21, 2024; and

WHEREAS, the plaintiff provided the defendants with a settlement offer at mediation for presentation to the County Board; and

WHEREAS, the County Board seeks legal advice from the County Attorney with respect to litigation strategy, the public disclosure of which would be detrimental to the County's defense of this matter; and

WHEREAS, pursuant to Minn. Stat. § 13D.0, subd. 3(b), the County Board by resolution may close a meeting as permitted by the attorney-client privilege.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby closes the Dakota County Board meeting on December 3, 2024, to recesses to Conference Room 3A, Administration Center, Hastings, MN to discuss with the Dakota County Attorney the legal strategy in Tory Hart, trustee for the heirs and next-of-kin of E.K.A.H. v. Dakota County, et al.

Ayes: 6

16.4 Resolution No: 24-603
Settlement Approval In Tory Hart v. Dakota County et. al.

Motion: Laurie Halverson Second: Mike Slavik

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

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

WHEREAS, the parties mediated the case on November 21, 2024; and

WHEREAS, the mediator made a mediator’s proposal on November 21, 2024, of \$2,250,000 for a full, final, and complete settlement and release of all claims; and

WHEREAS, Plaintiff accepted the proposal and the County Attorney’s Office agreed to bring the proposal to the Dakota County Board of Commissioners (Board); and

WHEREAS, on November 25, 2024, the County Attorney's Office provided a confidential memorandum to the Board explaining the legal strategy in this matter; and

WHEREAS, the Board discussed the matter with the County Attorney’s Office in a closed executive session on December 3, 2024.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the full and final settlement and release of claims in Tory Hart, trustee for the heirs and next of kin of Eli Hart v. County of Dakota et al., Case No. 22-CV-02035, Federal District Court, District of Minnesota, for a total amount of \$2,250,000, and authorizes the County Attorney’s Office to arrange for final payment of \$2,250,000 and to effectuate final settlement of the acquisition.

Ayes: 5

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

Nay: 1

Liz Workman

17. Interagency Reports/Commissioner Updates

Interagency reports and Commissioner updates were presented.

18. County Manager's Report

County Manager Heidi Welsch shared with the Board that Employment and Economic Assistance Deputy Director Mark Jacobs will be honored with an Association of Minnesota

Counties (AMC) Award at the annual conference next week.
Community Services Director Marti Fischbach introduced the new Social Services Children and Family Director Nikki Conway.

19. Information

19.1 Information

See Attachment for future Board meetings and other activities.

20. Adjournment

**20.1 Resolution No: 24-604
Adjournment**

Motion: Mary Hamann-Roland

Second: William Droste

On a motion by Commissioner Hamann-Roland, seconded by Commissioner Droste, the meeting was adjourned at 11:24 a.m.

Ayes: 6

Joe Atkins
Chair

ATTEST

Heidi Welsch
County Manager