



# Dakota County

## Physical Development Committee of the Whole Agenda

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Tuesday, July 23, 2024

9:00 AM

Conference Room 3A, Administration  
Center, Hastings

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If you wish to speak to an agenda item or an item not on the agenda, please notify the Clerk to the Board via email at [CountyAdmin@co.dakota.mn.us](mailto:CountyAdmin@co.dakota.mn.us)  
Emails must be received by 7:30am on the day of the meeting.  
Instructions on how to participate will be sent to anyone interested.

### 1. Call To Order And Roll Call

Note: Any action taken by this Committee of the Whole constitutes a recommendation to the County Board.

### 2. Audience

Anyone in the audience wishing to address the Committee on an item not on the Agenda or an item on the Consent Agenda may send comments to [CountyAdmin@co.dakota.mn.us](mailto:CountyAdmin@co.dakota.mn.us) and instructions will be given to participate during the meeting. Verbal comments are limited to five minutes.

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

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

### 4. Consent Agenda

#### 4.1 Approval Of Minutes Of Meeting Held On June 11, 2024

#### 4.2 *Physical Development Administration* - Update On Planning Commission

#### 4.3 *Physical Development Administration* - Approval Of Appraised Value And Authorization To Acquire Errington Property In Sciota Township

#### 4.4 *Environmental Resources* - Authorization To Submit Clean Water Fund Competitive Grant Application For Well Seal Grants And Authorization To Execute Grant Agreements

#### 4.5 *Environmental Resources* - Authorization To Execute Joint Powers Agreement With Vermillion River Watershed Joint Powers Organization For Water Conservation And Landscaping For Clean Water Marketing Campaign

- 4.6 *Parks, Facilities, and Fleet Management* - Authorization To Execute Contract Amendment With AVM Construction LLC For Law Enforcement Center 3100 And 7100 Cell Block Improvements Project And Authorization To Amend Budget
- 4.7 *Parks, Facilities, and Fleet Management* - Authorization To Execute Sixth Contract Amendment With Short-Elliott-Hendrickson, Incorporated For Professional Services For Minnesota River Greenway Fort Snelling Segment
- 4.8 *Parks, Facilities, and Fleet Management* - Authorization To Acquire Oliver Family Property In City Of Empire
- 4.9 *Parks, Facilities, and Fleet Management* - Authorization To Award Bid And Execute Contract With CJC Construction LLC To Provide General Contractor Services For Administration Center Atrium Fire Boundary Project And Authorization To Amend 2024 Facilities Capital Improvement Program Budget

**5. Regular Agenda**

- 5.1 *Environmental Resources* - Authorization To Release Draft 2024-2044 Dakota County Solid Waste Management Plan For Public Review And Comment
- 5.2 *Physical Development Administration* - Discussion On Preliminary 2025 Capital Improvement Program, Funding Sources And Project Delivery Considerations

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

**7. Future Agenda Items**

**8. Adjournment**

- 8.1 Adjournment

**For more information please call 952-891-7000.**  
**Physical Development agendas are available online at**  
**<https://www.co.dakota.mn.us/Government/BoardMeetings/Pages/default.aspx>**  
**Public Comment can be sent to [CountyAdmin@co.dakota.mn.us](mailto:CountyAdmin@co.dakota.mn.us)**



# Physical Development Committee of the Whole

## Request for Board Action

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**Item Number:** DC-3596

**Agenda #:** 3.1

**Meeting Date:** 7/23/2024

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Approval of Agenda (Additions/Corrections/Deletions)



# Physical Development Committee of the Whole

## Request for Board Action

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**Item Number:** DC-3595

**Agenda #:** 4.1

**Meeting Date:** 7/23/2024

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Approval Of Minutes Of Meeting Held On June 11, 2024



# Dakota County

## Physical Development Committee of the Whole

### Minutes

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Tuesday, June 11, 2024

9:00 AM

Conference Room 3A, Administration  
Center, Hastings

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

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

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

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

The audio recording of this meeting is available upon request.

#### 2. Audience

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

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

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

Motion: Liz Workman

Second: Joe Atkins

On a motion by Commissioner Workman, seconded by Commissioner Atkins, the agenda was unanimously approved. The motion carried unanimously.

Ayes: 6

#### 4. Consent Agenda

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

##### 4.1 Approval Of Minutes Of Meeting Held On May 14, 2024

Motion: Mary Hamann-Roland

Second: William Droste

Ayes: 6

**4.2** Update On Planning Commission

Motion: Mary Hamann-Roland

Second: William Droste

Information only; no action requested.

Ayes: 6

**4.3** Authorization To Amend And Restate Agricultural Conservation Easement On  
Former Delores Gergen Property In Hampton Township

Motion: Mary Hamann-Roland

Second: William Droste

WHEREAS, by Resolution No. 09-354 (July 21, 2009), the County Board directed staff to begin appraisals and negotiations to acquire permanent agricultural conservation easements on ten properties, including the 212.5-acre Delores Gergen property in Hampton Township; and

WHEREAS, by Resolution No. 10-352 (June 22, 2010), the County Board approved the expenditure of \$522,000 (\$290,000 of federal Farmland and Ranchland Protection Program funds and \$232,000 of County funds) to acquire a permanent 199.3-acre agricultural conservation easement (Easement) on the Delores Gergen property; and

WHEREAS, the Easement was acquired on January 13, 2011, and recorded on January 21, 2011, as Document No. 2780756; and

WHEREAS, the Stewardship Plan required by the Easement required 66 acres of cropland along Pine Creek be seeded with native species; and

WHEREAS, in June 2023, Ms. Gergen passed away, and her family sold the property to Paul Jr. and Lori Gergen, with their intention of then selling the property to their two sons and their spouses; and

WHEREAS, Paul Jr. and Lori Gergen have requested that the County consider allowing the subdivision of the property and the Easement, with Jason and Ashley Gergen owning the northern portion of the property (Property Identification Numbers 17-03400-02-010, 17-03400-01-010 and 17-02700-75-010) and Thomas and Jennifer Gergen owning the southern portion of the property (Property Identification Number 17-03400-76 -010); and

WHEREAS, areas of the southern portion of the property not included in the Easement would be further subdivided into four separate building sites for use of eligible building rights not acquired by the County through the Easement; and

WHEREAS, the Hampton Township Board approved the Paul Jr. and Lori

Gergen property subdivision at its January 22, 2024, meeting; and

WHEREAS, Section 4.5 of the Easement allows subdivision of the Easement with written approval of the County; and

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

WHEREAS, the proposed property and Easement division is based on existing tax parcels and does not change the intent and requirements of the existing Easement; and

WHEREAS, Jason and Ashley Gergen have also expressed interest in converting additional cropland to wetland and upland habitat on the portion of the property they plan to acquire; and

WHEREAS, the existing Easement would be amended and restated with language aligning more closely with the most recent agricultural easements acquired by the County and reflecting the proposed division of ownership; and

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the County Board Chair to execute the amended and restated agricultural conservation easement on the former Delores Gergen property in Hampton Township to include separate ownership by Jason and Ashley Gergen (Property Identification Numbers 17-03400-02-010, 17-03400-01-010 and 17-02700-75-010) and Thomas and Jennifer Gergen (Property Identification Number 17-03400-76 -010) of property within the easement area and updated language while maintaining its original conservation intent, subject to approval by the County Attorney's Office as to form.

This item was approved and recommended for action by the Board of Commissioners on 6/25/2024.

Ayes: 6

**4.4 Authorization To Execute Joint Powers Agreement With Goodhue County For Custodial And Reservations Services**

Motion: Mary Hamann-Roland

Second: William Droste

WHEREAS, by Resolution No. 18-056 (January 23, 2018), the Dakota County Board of Commissioners adopted the Lake Byllesby Regional Park Master plan; and

WHEREAS, this master plan project was coordinated with master planning for Byllesby Park in Goodhue County; and

WHEREAS, Goodhue County's Byllesby Park Master Plan was approved by the

Goodhue County Board of Commissioners on December 7, 2017; and

WHEREAS, a picnic pavilion with restrooms was identified in the approved master plan. Goodhue County received a Greater MN Regional Parks and Trails Legacy Grant for Byllesby Park Pavilion Project; and

WHEREAS, the project included the construction of an improved picnic pavilion and modern restrooms; and

WHEREAS, due to their limited staff resources, Goodhue County requested Dakota County's support in providing daily custodial services and online reservations support to facilitate the operations of the new pavilion in Byllesby Park; and

WHEREAS, staff recommends providing these custodial and reservation services to Goodhue County per an agreed-upon scope of services as a pilot effort through the recommended term; and

WHEREAS, a joint staff team has developed a scope of services; and

WHEREAS, predominant terms include term duration, payment for services, pavilion revenue, and roles and responsibilities.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a joint powers agreement with the County of Goodhue for custodial and reservation services provided by Dakota County for the recently constructed Pavilion and restroom facilities located in Byllesby Park, Goodhue County, subject to approval by the County Attorney's Office as to form.

This item was approved and recommended for action by the Board of Commissioners on 6/25/2024.

Ayes: 6

**4.5** Authorization To Submit Habitat Enhancement Landscape Program Competitive Grant Proposal, Execute Grant Agreement, And Amend Parks Capital Improvement Program Budget

Motion: Mary Hamann-Roland

Second: William Droste

WHEREAS, the Board of Water and Soil Resources' Habitat Enhancement Landscape Program grant is focused on restoring and enhancing diverse native habitats on conservation lands and natural areas to address declining pollinators and other beneficial insects; and

WHEREAS, dramatic declines of bees, butterflies, dragonflies, fireflies, and other beneficial insects that support ecosystems and food systems have been raising significant alarm among scientists and conservation professionals both locally and globally; and



WHEREAS, Dakota County's application will focus on establishing targeted, high-diversity pollinator and beneficial insect habitats on parkland and private conservation easements; and

WHEREAS, the grant request of \$126,410 will be used to offset plant material and labor costs that would otherwise be paid for by County Environmental Legacy Fund dollars; and

WHEREAS, the minimum ten percent match of non-state funds is required; and

WHEREAS, the proposed County match (\$12,641) will be derived from a combination of staff grant administrative time, Natural Resources base budget, and the market value of plant plugs produced at Dakota County's greenhouse; and

WHEREAS, subject to Board of Water and Soil Resources award, the Parks Capital Improvement Project budget, including the grant funds and local match, would be considered for amendment.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Parks, Facilities, and Fleet Manager to submit a Board of Water and Soil Resources Habitat Enhancement Landscape Program grant proposal for \$126,410 and, if awarded, execute a grant agreement with the Board of Water and Soil Resources; and

BE IT FURTHER RESOLVED, That the 2024 Parks Capital Improvement Program budget would be amended as follows, if awarded:

<b>Revenue</b>	
HELP Grant Revenue	\$126,410 (Amount based on award)
ELF Funding	<u>(\$126,410)</u>
<b>Total Revenue</b>	<b>\$0</b>

This item was approved and recommended for action by the Board of Commissioners on 6/25/2024.

Ayes: 6

**4.6** Authorization To Award Bid And Execute Contract With Northland Mechanical Contractors, Inc. For Lawshe Museum Roof Top Cooling Unit Replacement Project And Amend 2024 Facilities Capital Improvement Program Budget

Motion: Mary Hamann-Roland

Second: William Droste

WHEREAS, the 2024 Facilities Capital Improvement Program (CIP) Adopted Budget authorized the Lawshe Museum Roof Top Cooling Unit Replacement Project; and

WHEREAS, bid document and specifications were prepared by County staff and

EDI-Dolejs Inc.; and

WHEREAS, seven competitive bids were received on May 16, 2024; and

WHEREAS, Northland Mechanical Contractors, Inc. has submitted the low bid of \$132,700; and

WHEREAS, staff has reviewed the qualifications of the bidder and recommends award to Northland Mechanical Contractors, Inc. as the lowest responsive and responsible bidder in an amount not to exceed \$132,700 for the Lawshe Museum Roof Top Cooling Unit Replacement Project; and

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Parks, Facilities, and Fleet Management Director to execute a contract for the Lawshe Museum Roof Top Cooling Unit Replacement Project to Northland Mechanical Contractors, Inc., 9001 Science Center Drive, New Hope, MN 55428, in an amount not to exceed \$132,700, subject to approval by the County Attorney's office as to form; and

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

**Expense**

Prior Project Savings (1001646)	(\$105,000)
Lawshe Museum Roof Top Cooling Unit Replacement Project (2000245)	<u>\$105,000</u>
<b>Total Expense</b>	<b>\$0</b>

**Revenue**

Prior Project Savings (1001646)	(\$105,000)
Lawshe Museum Roof Top Cooling Unit Replacement Project (2000245)	<u>\$105,000</u>
<b>Total Revenue</b>	<b>\$0</b>

This item was approved and recommended for action by the Board of Commissioners on 6/25/2024.

Ayes: 6

**4.7 Authorization To Execute Joint Powers Agreement With City Of Apple Valley For North Creek Greenway Eastview Segment Feasibility Study**

Motion: Mary Hamann-Roland

Second: William Droste

WHEREAS, by Resolution No. 11-517 (October 18, 2011), the Dakota County Board of Commissioners adopted the North Creek Greenway Master Plan; and

WHEREAS, City of Apple (City) and County staff have identified a feasibility study needed to advance the Eastview segment of the corridor; and

WHEREAS, the proposed feasibility study will evaluate safe crossing designs of 147th and up to three alignment alternatives; and

WHEREAS, the proposed feasibility study will prepare 30 percent design and cost estimates for the recommended option; and

WHEREAS, the City will lead the project delivery, including management of the consulting engineering firm; and

WHEREAS, the total estimated cost of the study is \$100,000; and

WHEREAS, the County would contribute up to 85 percent and City up to 15 percent of total study costs; and

WHEREAS, sufficient revenues are available in the Greenway Collaborative set aside in the Adopted 2024 Parks Capital Improvement Program.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the County Manager, or their designee, to execute a joint powers agreement with the City of Apple Valley to fund the North Creek Greenway Eastview Segment Feasibility Study for the period July 1, 2024, through December 31, 2025, subject to approval by the County Attorney's Office as to form.

This item was approved and recommended for action by the Board of Commissioners on 6/25/2024.

Ayes: 6

**4.8** Authorization to Amend Agreements For Preliminary Design, Right Of Way, Final Design, And Construction For I-35W Interchange With County State Aid Highway 42, County Project 42-164 In Burnsville

Motion: Mary Hamann-Roland

Second: William Droste

WHEREAS, to promote a safe and efficient transportation system throughout Dakota County, the County is a major participant with the City of Burnsville and the Minnesota Department of Transportation (MnDOT) to implement County Project (CP) 42-164; and

WHEREAS, MnDOT awarded \$3,100,000 for the project under the Transportation Economic Development grant program; and

WHEREAS, preliminary engineering design work has been completed, with previous cost-sharing estimates addressed in an executed Joint Powers Agreement, Contract No. DCA20150, for participation in preliminary design contract costs and estimated right-of-way costs; and

WHEREAS, the City of Burnsville and MnDOT are cooperating with the County on all stages of CP 42-164; and

WHEREAS, the City of Burnsville previously expended 2022 and 2023 grant

funds from the Minnesota Department of Employment and Economic Development (DEED) to cover costs for preliminary engineering, reducing Dakota County's anticipated costs; and

WHEREAS, Dakota County Board Resolution No. 23-429 (September 26, 2023) approved a local cost share of Dakota County funds for 70 percent of net costs after the grant award to complete final engineering design, right of way, and construction, with City of Burnsville funds for 30 percent of the net costs, in accordance with adopted County Policy; and

WHEREAS, the project partners have determined a 1.74-acre parcel required for CP 42-164 right of way must be acquired in 2024 through condemnation to stay on schedule; and

WHEREAS, County and City staff have engaged in analysis of the anticipated 2024 cost shares based on appraised right-of-way costs, possible negotiated costs, and the City's plan to use \$415,000 in 2024 DEED funds for final right-of-way costs before the cost-share percentages; and

WHEREAS, planning has included the identification of a cost range for right of way considered reasonable for negotiations based on a completed appraisal and possible further negotiations.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes amending the previously completed Joint Powers Agreement for preliminary engineering, Contract No. DCA20150, to remove reference to right-of-way costs and supports consolidating anticipated 2024 right-of-way costs and the City of Burnsville 2024 Minnesota Department of Employment and Economic Development Grant amount into the Joint Powers Agreement for final engineering and construction costs, subject to approval by the County Attorney's Office as to form.

This item was approved and recommended for action by the Board of Commissioners on 6/25/2024.

Ayes: 6

**4.9** Approval Of Right Of Way Acquisition And Authorization To Initiate Quick-Take Condemnation For Multiuse Trail Along County State Aid Highway 28 In City Of Inver Grove Heights, County Project 28-69

Motion: Mary Hamann-Roland

Second: William Droste

WHEREAS, to provide a safe and efficient transportation system, Dakota County is proceeding with County Project (CP) 28-69; and

WHEREAS, CP 28-69 is the design and construction of multi-use trail and crossing improvements along County State Aid Highway (CSAH) 28 between Cahill Avenue and CSAH 56 which will complete an identified trail gap along the County highway system; 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 the summer of 2025; and

WHEREAS, the acquisition of temporary construction easements from four (4) private property parcels is necessary, as identified in Attachment: Acquisition Map; and

WHEREAS, the acquisition of the following four (4) parcels is necessary to move forward with the project:

20-58500-04-070 - Marilyn Ramirez & Luis T. Ramirez - Parcel 11

A temporary easement for transportation purposes over, under, and across the West 15.00 feet of the South 5.00 feet of Lot 7, Block 4, Prairie View Addition, according to the recorded plat thereof, Dakota County, Minnesota.

Said temporary easement area contains approximately 75 square feet

20-58500-04-080 - Robert H. Brown & Corinne E. Brown - Parcel 12

A temporary easement for transportation purposes over, under, and across the South 10.00 feet of Lot 8, Block 4, Prairie View Addition, according to the recorded plat thereof, Dakota County, Minnesota.

Said temporary easement area contains approximately 850 square feet

20-58500-04-090 - Marilu Snodgrass & Eugene W. Brown - Parcel 13

A temporary easement for transportation purposes over, under, and across the South 10.00 feet of Lot 9, Block 4, Prairie View Addition, according to the recorded plat thereof, Dakota County, Minnesota.

Said temporary easement area contains approximately 1,285 square feet

CIC# 100 - Simley Lake Condominium Association Inc - Parcel 14

A temporary easement for transportation purposes over, under, and across the south 10.00 feet of Lot 2, Block 4, Simley Lake Addition, according to the recorded plat thereof, Dakota County, Minnesota, together with that part of said Lot 2 lying northerly of said south 10.00 feet and southerly of the following described line:

Commencing at the southwest corner of said Lot 2; thence North 5 degrees 40 minutes 36 seconds East, assumed bearing along the west line of said Lot 2 a distance of 15.09 feet to the point of beginning; thence southeasterly a distance of 45.00 feet along a nontangential curve concave to the southwest having a radius of 1338.24 feet, a central angle of 1 degree 55 minutes 36 seconds, a chord that bears South 77 degrees 05 minutes 19 seconds East, and a chord length of 45.00 feet; thence South 13 degrees 52 minutes 29 seconds West, not

tangent to said curve, a distance of 5.00 feet to the north line of said south 10.00 feet and said line there terminating.

Said temporary easement area contains approximately 7,711 square feet

; and

WHEREAS, the parcels have been appraised, and offers are being prepared for a total appraised value of \$24,450.00; and

WHEREAS, the 2024 Transportation Capital Improvement Program Budget includes sufficient funds for CP 28-69 right of way acquisition; and

WHEREAS, in the event that timely acquisition by direct negotiation of all required parcels does not appear possible, it is necessary for the County Board to authorize the County Attorney's Office to initiate quick-take condemnation of the remaining parcels to allow for a summer 2025 start date.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the appraised values prepared by Valbridge Property Advisors for the acquisition of the right of way for County Project 28-69 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 28-69 at the approved appraised values and, in accordance with County policy, authorizes payment from the 2024 Transportation Capital Improvement Program Budget; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the County Attorney's Office to initiate quick-take condemnation of the remaining parcels to allow for a Summer 2025 start date in the event that timely acquisitions by direct negotiations of all parcels do not appear possible.

This item was approved and recommended for action by the Board of Commissioners on 6/25/2024.

Ayes: 5

Commissioner Atkins, Commissioner Halverson, Commissioner Droste, Commissioner Workman, and Commissioner Hamann-Roland

Nay: 1

Chairperson Holberg

- 4.10** Approval Of Right Of Way Acquisition And Authorization To Initiate Quick-Take Condemnation For Intersection Improvements On County State Aid Highway 56 (Concord Boulevard) In City Of Inver Grove Heights, County Project 56-14

Motion: Mary Hamann-Roland

Second: William Droste

WHEREAS, to provide a safe and efficient transportation system, Dakota County is proceeding with County Project (CP) 56-14; and

WHEREAS, CP 56-14 is the design and construction of intersection, crossing safety, and accessibility improvements along CSAH 56 from Poplar Street to Coffman Avenue in the City of Inver Grove Heights; 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 the summer of 2025; and

WHEREAS, the acquisition of temporary and permanent easements from eight private property parcels is necessary, as identified in Attachment: Acquisition Maps; and

WHEREAS, the acquisition of the following eight (8) parcels is necessary to move forward with the project:

20-01400-54-014 - CF MH Skyline Fee, LLC - Parcel 1

A permanent easement for transportation purposes over, under, and across that part of the following described property:

That part of the Southwest Quarter of the Northwest Quarter, the Northwest Quarter of the Southwest Quarter, the Southwest Quarter of the Southwest Quarter and Government Lots 5, 6 and 7, Section 11, Township 27 North, Range 22 West, and that part of the Northwest Quarter of the Northwest Quarter and Government Lot 7, Section 14, Township 27 North, Range 22 West, all according to the Government Survey thereof, and described as follows: Commencing at the West Quarter corner of said Section 11; thence easterly, along the east-west center line of said Section 11, a distance of 740.52 feet to the center line of S.T.H. No. 56, said point being the actual point of beginning of the property to be described; thence North 6 degrees 50 minutes 28 seconds East (assuming the West line of the Southwest Quarter of said Section 11 has a bearing of North 0 degrees 01 minutes 00 seconds West), along said centerline, a distance of 439.74 feet to the South line of the North 2/3 of said Southwest Quarter of the Northwest Quarter; thence South 89 degrees 06 minutes 42 seconds East, along said south line of the North 2/3 and said line extended east, a distance of 551.88 feet; thence South 4 degrees 34 minutes 07 seconds East a distance of 413.27 feet thence North 89 degrees 44 minutes 32 seconds East a distance of 312.25 feet, thence south 10 degrees 10 minutes 17 seconds East a distance of 120.00 feet; thence North 89 degrees 44 minutes 32 seconds East a distance of 172.00 feet to the center line of County Road No. 77; thence South 10 degrees 10 minutes 17 seconds East, along the center line of County Road No. 77, a distance of 152.97 feet; thence southerly and southwesterly a distance of 710.49 feet, along the center line of County Road No. 77, on a

tangential curve concave to the northwest, having a radius of 571.10 feet and a central angle of 71 degrees 16 minutes 46 seconds; thence South 61 degrees 06 minutes 29 seconds West, along the center line of County Road No. 77, tangent to said curve, a distance of 253.90 feet; thence South 59 degrees 41 minutes 28 seconds West, along the center line of County Road No. 77 a distance of 476.50 feet; thence South 59 degrees 41 minutes 28 seconds West, along the southwesterly production of the last course, a distance of 27.33 feet; thence southwesterly a distance of 152.26 feet, more or less, along a tangential curve, concave to the southeast, having a radius of 954.93 feet and a central angle of 9 degrees 08 minutes 09 seconds to the intersection with the south line of the Northwest Quarter of the Southwest Quarter of said Section 11; thence easterly, along said south line of the Northwest Quarter of the Southwest Quarter, a distance of 788.80 feet; thence South 10 degrees 23 minutes 42 seconds East a distance of 511.52 feet; thence South 89 degrees 06 minutes 52 seconds East a distance of 529.00 feet; thence South 10 degrees 23 minutes 42 seconds East a distance of 1172.66 feet; thence southeasterly a distance of 93.73 feet, more or less, along a tangential curve concave to the northeast, having a radius of 5809.78 feet and a central angle of 0 degrees 55 minutes 28 seconds to the intersection with the south line of the North 430.00 feet of Government Lot 7 of said Section 14, as said line was established and marked by Judicial Landmarks set in District Court Case No. 54161, filed January 11, 1960; thence North 89 degrees 05 minutes 49 seconds West, along said line per District Court Case No. 54161 and said line produced, a distance of 2020.11 feet to the center line of County Road No. 77, said point being on a 278.78 foot radius, non-tangential curve concave to the Southwest, the center of circle of which bears South 74 degrees 59 minutes 19 seconds West from said point; thence northwesterly a distance of 145.54 feet, central angle of 29 degrees 54 minutes 43 seconds along said curve and along the center line of County Road No. 77 to the center line of S.T.H. No. 56; thence North 6 degrees 50 minutes 28 seconds East, along the center line of S.T.H. No. 56, a distance of 2948.62 feet, more or less, to the point of beginning;

EXCEPTING THEREFROM the following described parcel: Commencing at the southwest corner of Section 11, Township 27 North, Range 22 West; thence east, along the south line of said Section, a distance of 430.00 feet to the center line of S.T.H. No. 56; thence North 6 degrees 47 minutes East (assumed bearing) along said center line, a distance of 700.00 feet; thence South 83 degrees 13 minutes East a distance of 70.00 feet to the point of beginning of the property to be described thence continuing South 83 degrees 13 minutes East a distance of 200.00 feet; thence North 6 degrees 47 minutes East a distance of 216.50 feet; thence North 83 degrees 13 minutes West a distance of 200.00 feet; thence South 6 degrees 47 minutes West a distance of 216.50 feet to the point of beginning.

AND FURTHER EXCEPTING THEREFROM, the following described parcel: That part of the Southwest Quarter of the Southwest Quarter and Government Lot 5, Section 11, Township 27 North, Range 22 West, and that part of the



Northwest Quarter of the Northwest Quarter and Government Lot 7, Section 14, Township 27 North, Range 22 West, all according to the Government Survey thereof, described as follows: Commencing at the southwest corner of said Section 11; thence East along the south line of said Section 11 a distance of 430.00 feet to the center line of S.T.H. No.56; thence North 6 degrees 50 minutes 28 seconds East (assuming the West line of the Southwest Quarter of said Section 11 has a bearing of North 0 degrees 01 minutes 00 seconds West), along said center line of S.T.H. No. 56, a distance of 700.00 feet to the point of beginning of the property to be described; thence South 83 degrees 09 minutes 32 seconds East a distance of 270.00 feet; thence North 6 degrees 50 minutes 28 seconds East a distance of 216.50 feet; thence South 83 degrees 09 minutes 32 seconds East a distance of 300.00 feet; thence South 50 degrees 38 minutes 38 seconds East a distance of 670.88 feet; thence South 35 degrees 36 minutes 24 seconds East a distance of 889.23 feet; thence South 0 degrees 54 minutes 11 seconds west a distance of 150.00 feet to the intersection with the south line of the North 430.00 feet of Government Lot 7 of Section 14 as said line was established and marked by Judicial Landmarks set in District Court Case No. 54161, filed January 11, 1960; thence North 89 degrees 05 minutes 49 seconds West, along said south line of the North 430.00 feet, a distance of 1674.17 feet to the center line of County Road No. 77, said point being on a 278.78 foot radius, non-tangential curve concave to southwest, the center of circle of which bears South 74 degrees 59 minutes 19 seconds West from said point; thence northwesterly a distance of 145.54 feet, central angle of 29 degrees 54 minutes 43 seconds along said curve, and along the center line of County Road No. 77, to the center line of S.T.H. No. 56; thence North 6 degrees 50 minutes 28 seconds East, along said center line of S.T.H. No. 56, a distance of 1007.43 feet to the point of beginning.

Subject to the rights of the public in State Trunk Highway No. 56 (Concord Boulevard) and County Road No. 77 (a/k/a Dickman Trail).

Said permanent easement is described as follows:

Commencing at the northwest corner of the Southwest Quarter of the Southwest Quarter of said Section 11; thence South 89 degrees 44 minutes 25 seconds East, assumed bearing along the north line of said Southwest Quarter of the Southwest Quarter a distance of 633.23 feet to the easterly right of way line of County State Aid Highway No. 56 (formerly S.T.H. No. 56); thence South 06 degrees 12 minutes 53 seconds West along said easterly right of way line a distance of 26.31 feet to the southerly right of way line of Dickman Trail and the point of beginning; thence continuing South 06 degrees 12 minutes 53 seconds West along said easterly right of way line a distance of 54.54 feet; thence South 83 degrees 47 minutes 07 seconds East a distance of 5.00 feet; thence North 06 degrees 12 minutes 53 seconds East a distance of 55.00 feet to said southerly right of way line of Dickman Trail; thence westerly a distance of 5.02 feet along a non-tangential curve concave to the north having a radius of 688.45 feet, a central angle of 0 degrees 25 minutes 04 seconds, a chord that bears North 89 degrees 04 minutes 40 seconds West, and a chord distance of 5.02

feet to the point of beginning.

Said easement area contains approximately 274 square feet

A temporary easement for transportation purposes over, under, and across that part of the following described property:

That part of the Southwest Quarter of the Northwest Quarter, the Northwest Quarter of the Southwest Quarter, the Southwest Quarter of the Southwest Quarter and Government Lots 5, 6 and 7, Section 11, Township 27 North, Range 22 West, and that part of the Northwest Quarter of the Northwest Quarter and Government Lot 7, Section 14, Township 27 North, Range 22 West, all according to the Government Survey thereof, and described as follows: Commencing at the West Quarter corner of said Section 11; thence easterly, along the east-west center line of said Section 11, a distance of 740.52 feet to the center line of S.T.H. No. 56, said point being the actual point of beginning of the property to be described; thence North 6 degrees 50 minutes 28 seconds East (assuming the West line of the Southwest Quarter of said Section 11 has a bearing of North 0 degrees 01 minutes 00 seconds West), along said centerline, a distance of 439.74 feet to the South line of the North 2/3 of said Southwest Quarter of the Northwest Quarter; thence South 89 degrees 06 minutes 42 seconds East, along said south line of the North 2/3 and said line extended east, a distance of 551.88 feet; thence South 4 degrees 34 minutes 07 seconds East a distance of 413.27 feet thence North 89 degrees 44 minutes 32 seconds East a distance of 312.25 feet, thence south 10 degrees 10 minutes 17 seconds East a distance of 120.00 feet; thence North 89 degrees 44 minutes 32 seconds East a distance of 172.00 feet to the center line of County Road No. 77; thence South 10 degrees 10 minutes 17 seconds East, along the center line of County Road No. 77, a distance of 152.97 feet; thence southerly and southwesterly a distance of 710.49 feet, along the center line of County Road No. 77, on a tangential curve concave to the northwest, having a radius of 571.10 feet and a central angle of 71 degrees 16 minutes 46 seconds; thence South 61 degrees 06 minutes 29 seconds West, along the center line of County Road No. 77, tangent to said curve, a distance of 253.90 feet; thence South 59 degrees 41 minutes 28 seconds West, along the center line of County Road No. 77 a distance of 476.50 feet; thence South 59 degrees 41 minutes 28 seconds West, along the southwesterly production of the last course, a distance of 27.33 feet; thence southwesterly a distance of 152.26 feet, more or less, along a tangential curve, concave to the southeast, having a radius of 954.93 feet and a central angle of 9 degrees 08 minutes 09 seconds to the intersection with the south line of the Northwest Quarter of the Southwest Quarter of said Section 11; thence easterly, along said south line of the Northwest Quarter of the Southwest Quarter, a distance of 788.80 feet; thence South 10 degrees 23 minutes 42 seconds East a distance of 511.52 feet; thence South 89 degrees 06 minutes 52 seconds East a distance of 529.00 feet; thence South 10 degrees 23 minutes 42 seconds East a distance of 1172.66 feet; thence southeasterly a distance of 93.73 feet, more or less, along a tangential curve concave to the northeast,

having a radius of 5809.78 feet and a central angle of 0 degrees 55 minutes 28 seconds to the intersection with the south line of the North 430.00 feet of Government Lot 7 of said Section 14, as said line was established and marked by Judicial Landmarks set in District Court Case No. 54161, filed January 11, 1960; thence North 89 degrees 05 minutes 49 seconds West, along said line per District Court Case No. 54161 and said line produced, a distance of 2020.11 feet to the center line of County Road No. 77, said point being on a 278.78 foot radius, non-tangential curve concave to the Southwest, the center of circle of which bears South 74 degrees 59 minutes 19 seconds West from said point; thence northwesterly a distance of 145.54 feet, central angle of 29 degrees 54 minutes 43 seconds along said curve and along the center line of County Road No. 77 to the center line of S.T.H. No. 56; thence North 6 degrees 50 minutes 28 seconds East, along the center line of S.T.H. No. 56, a distance of 2948.62 feet, more or less, to the point of beginning;

EXCEPTING THEREFROM the following described parcel: Commencing at the southwest corner of Section 11, Township 27 North, Range 22 West; thence east, along the south line of said Section, a distance of 430.00 feet to the center line of S.T.H. No. 56; thence North 6 degrees 47 minutes East (assumed bearing) along said center line, a distance of 700.00 feet; thence South 83 degrees 13 minutes East a distance of 70.00 feet to the point of beginning of the property to be described thence continuing South 83 degrees 13 minutes East a distance of 200.00 feet; thence North 6 degrees 47 minutes East a distance of 216.50 feet; thence North 83 degrees 13 minutes West a distance of 200.00 feet; thence South 6 degrees 47 minutes West a distance of 216.50 feet to the point of beginning.

AND FURTHER EXCEPTING THEREFROM, the following described parcel: That part of the Southwest Quarter of the Southwest Quarter and Government Lot 5, Section 11, Township 27 North, Range 22 West, and that part of the Northwest Quarter of the Northwest Quarter and Government Lot 7, Section 14, Township 27 North, Range 22 West, all according to the Government Survey thereof, described as follows: Commencing at the southwest corner of said Section 11; thence East along the south line of said Section 11 a distance of 430.00 feet to the center line of S.T.H. No. 56; thence North 6 degrees 50 minutes 28 seconds East (assuming the West line of the Southwest Quarter of said Section 11 has a bearing of North 0 degrees 01 minutes 00 seconds West), along said center line of S.T.H. No. 56, a distance of 700.00 feet to the point of beginning of the property to be described; thence South 83 degrees 09 minutes 32 seconds East a distance of 270.00 feet; thence North 6 degrees 50 minutes 28 seconds East a distance of 216.50 feet; thence South 83 degrees 09 minutes 32 seconds East a distance of 300.00 feet; thence South 50 degrees 38 minutes 38 seconds East a distance of 670.88 feet; thence South 35 degrees 36 minutes 24 seconds East a distance of 889.23 feet; thence South 0 degrees 54 minutes 11 seconds west a distance of 150.00 feet to the intersection with the south line of the North 430.00 feet of Government Lot 7 of Section 14 as said line was established and marked by Judicial Landmarks set in District Court Case No.

54161, filed January 11, 1960; thence North 89 degrees 05 minutes 49 seconds West, along said south line of the North 430.00 feet, a distance of 1674.17 feet to the center line of County Road No. 77, said point being on a 278.78 foot radius, non-tangential curve concave to southwest, the center of circle of which bears South 74 degrees 59 minutes 19 seconds West from said point; thence northwesterly a distance of 145.54 feet, central angle of 29 degrees 54 minutes 43 seconds along said curve, and along the center line of County Road No. 77, to the center line of S.T.H. No. 56; thence North 6 degrees 50 minutes 28 seconds East, along said center line of S.T.H. No. 56, a distance of 1007.43 feet to the point of beginning.

Subject to the rights of the public in State Trunk Highway No. 56 (Concord Boulevard) and County Road No. 77 (a/k/a Dickman Trail).

Said temporary easement is described as follows:

Commencing at the northwest corner of the Southwest Quarter of the Southwest Quarter of said Section 11; thence South 89 degrees 44 minutes 25 seconds East, assumed bearing along the north line of said Southwest Quarter of the Southwest Quarter a distance of 633.23 feet to the easterly right of way line of County State Aid Highway No. 56 (formerly S.T.H. No. 56); thence South 06 degrees 12 minutes 53 seconds West along said easterly right of way line a distance of 80.85 feet to the point of beginning; thence continuing South 06 degrees 12 minutes 53 seconds West along said easterly right of way line a distance of 35.00 feet; thence South 83 degrees 47 minutes 07 seconds East a distance of 5.00 feet; thence North 06 degrees 12 minutes 53 seconds East a distance of 35.00 feet; thence North 83 degrees 47 minutes 07 seconds West a distance of 5.00 feet to the point of beginning.

Also, a temporary easement lying southerly of the southerly right of way line of Dickman Trail and 6.00 feet easterly of and parallel to the following described line:

Commencing at the northwest corner of the Southwest Quarter of the Southwest Quarter of said Section 11; thence South 89 degrees 44 minutes 25 seconds East, assumed bearing along the north line of said Southwest Quarter of the Southwest Quarter a distance of 633.23 feet to the easterly right of way line of County State Aid Highway No. 56 (formerly S.T.H. No. 56); thence South 06 degrees 12 minutes 53 seconds West along said easterly right of way line a distance of 26.31 feet to the southerly right of way line of Dickman Trail; thence east along said southerly right of way line a distance of 5.02 feet along a non-tangential curve concave to the north having a radius of 688.45 feet, a central angle of 0 degrees 25 minutes 04 seconds, a chord that bears South 89 degrees 04 minutes 40 seconds East, and a chord length of 5.02 feet to the point of beginning of the line to be described; thence South 06 degrees 12 minutes 53 seconds West, not tangent to said curve, a distance of 55.00 feet and said line there terminating.

Also a temporary easement described as follows:

Commencing at the northwest corner of the Southwest Quarter of said Section 11; thence South 89 degrees 44 minutes 22 seconds East, assumed bearing along the north line of said Southwest Quarter a distance of 791.09 feet to the easterly right of way line of County State Aid Highway No. 56 (formerly S.T.H. No. 56) and the point of beginning; thence North 06 degrees 12 minutes 53 seconds East along said easterly right of way line a distance of 53.40 feet; thence South 83 degrees 47 minutes 07 seconds East a distance of 20.00 feet; thence South 06 degrees 12 minutes 53 seconds West a distance of 94.57 feet; thence North 83 degrees 47 minutes 07 seconds West a distance of 20.00 feet to said easterly right of way line; thence North 06 degrees 12 minutes 53 seconds East along said easterly right of way line a distance of 41.17 feet to the point of beginning.

Said temporary easement areas contain approximately 2,398 square feet

20-01100-50-070 - Realty Income Properties 3, LLC. - Parcel 3

A temporary easement for transportation purposes over, under, and across that part of the following described property:

All that part of the North 1/3 of the N 1/2 of the SW 1/4, of Section 11, Township 27, Range 22, Dakota County, Minnesota, described as follows:

Commencing at a point on the North line of said North 1/3 of the North 1/2 of the Southwest 1/4 539.2 feet East from the West 1/4 corner of said Section 11, this point being the beginning of this description, thence South at an angle of 90 degrees for 159.2 feet; thence East at an angle of 90 degrees 135.5 feet to the Westerly right of way line of State Highway No. 56 as now established; thence North 6 degrees East along said right of way line 163.9 feet to the North line of above tract; thence West on said north line 151 feet to the point of beginning. Containing 0.53 acres more or less and subject to the Street along the North line being 30 feet in width.

Said temporary easement lies southerly of the southerly right of way line of 75th Street East, southeasterly of a Highway Easement per Document No. 3212372 and lies northeasterly of the following described line:

Commencing at the northwest corner of the above described parcel; thence easterly along the north line of said parcel a distance of 58.51 feet to the point of beginning; thence deflecting to the right 17 degrees 32 minutes 40 seconds a distance of 100.00 and said line there terminating.

Said Easement Areas contain approximately 100 square feet

20-36500-23-130 - Corey J. Bozich - Parcel 4

A temporary easement for transportation purposes over, under, and across that part of Lot 12, Block 23, Inver Grove Factory Addition, according to the recorded plat thereof, Dakota County, Minnesota, lying westerly of Parcel 1 as shown on Dakota County Road Right of Way Map No. 295, according to the recorded map

thereof, and easterly of the following described line:

Commencing at the southeast corner of said Lot 12; thence North 89 degrees 44 minutes 15 seconds West, assumed bearing along the south line of said Lot 12 a distance of 7.00 feet to the point of beginning of the line to be described; thence north a distance of 21.81 feet along a non-tangential curve concave to the west having a radius of 2018.05 feet, a central angle of 0 degrees 37 minutes 09 seconds, a chord that bears North 1 degree 24 minutes 26 seconds West, and a chord distance of 21.81 feet; thence North 88 degrees 16 minutes 59 seconds East a distance of 5.00 feet to the westerly line of said Parcel 1 and said line there terminating.

Said Temporary Easement Area contains approximately 109 square feet

36-45300-13-020 - Kent Douglas Bahner - Parcel 5

A permanent easement for transportation purposes over, under, and across that part of Lot 1, Block 13, Lincoln Park Addition, according to the recorded plat thereof, Dakota County, Minnesota, described as follows:

Beginning at the northeasterly corner of Parcel 86 as shown on Dakota County Road Right of Way Map No. 295, according to the recorded map thereof; thence southeasterly along the easterly line of said Parcel 86 a distance of 5.00 feet; thence northeasterly a distance of 5.00 feet on a line parallel with the northwesterly line of said Lot 1; thence northwesterly a distance of 5.00 feet along a line parallel to the easterly line of said Parcel 86, to the northwesterly line of said Lot 1; thence southwesterly along the northwesterly line of said Lot 1 a distance of 5.00 feet to the northeasterly corner of said Parcel 86 and the point of beginning.

Said permanent easement area contains approximately 25 square feet

A temporary easement for transportation purposes over, under, and across that part of Lot 1, Block 13, Lincoln Park Addition, according to the recorded plat thereof, Dakota County, Minnesota, described as follows:

Commencing at the northeasterly corner of Parcel 86 as shown on Dakota County Road Right of Way Map No. 295, according to the recorded map thereof; thence southeasterly along the easterly line of said Parcel 86 a distance of 5.00 feet to the point of beginning; thence continuing southeasterly along said easterly line a distance of 25.00 feet; thence deflecting to the left 90 degrees a distance of 5.00 feet; thence deflecting to the left 90 degrees a distance of 25.00 feet; thence deflecting to the left 90 degrees 04 minutes 36 seconds a distance of 5.00 feet to the point of beginning.

Said temporary easement area contains approximately 125 square feet

36-45300-12-120 - Tabitha and Marjorie Sailer - Parcel 6

A permanent easement for transportation purposes over, under, and across that part of Lot 12, Block 12, Lincoln Park Addition, according to the recorded plat

thereof, Dakota County, Minnesota, described as follows:

Beginning at the southeasterly corner of Parcel 85 as shown on Dakota County Road Right of Way Map No. 295, according to the recorded map thereof; thence North 19 degrees 28 minutes 56 seconds West, assumed bearing along the easterly line of said Parcel 85 a distance of 25.00 feet; thence North 70 degrees 26 minutes 28 seconds East a distance of 5.00 feet; thence South 19 degrees 28 minutes 56 seconds East a distance of 25.00 feet to the southerly line of said Lot 12; thence South 70 degrees 26 minutes 28 seconds West along said southerly line a distance of 5.00 feet to the southeasterly corner of Parcel 85 and the point of beginning.

Said permanent easement area contains approximately 125 square feet

36-45300-11-130 - Freeport Investments Inc. - Parcel 7

A temporary easement for transportation purposes over, under, and across that part of Lot 13, Block 11, Lincoln Park Addition, according to the recorded plat thereof, Dakota County, Minnesota, described as follows:

Beginning at the southwesterly corner of Parcel 54 as shown on Dakota County Road Right of Way Map No. 295, according to the recorded map thereof; thence North 19 degrees 28 minutes 56 seconds West, assumed bearing along the westerly line of said Parcel 54 a distance of 10.00 feet; thence South 70 degrees 26 minutes 28 seconds West a distance of 5.00 feet; thence South 19 degrees 28 minutes 56 seconds East a distance of 10.00 feet to the southerly line of said Lot 13; thence North 70 degrees 26 minutes 28 seconds East along said southerly line a distance of 5.00 feet to the southwesterly corner of Parcel 54 and the point of beginning.

Said temporary easement area contains approximately 50 square feet

CIC #220 - Parcel 8

That part of Lot 73, Block 1, Ashwood Ponds 2nd Addition, according to the recorded plat thereof, Dakota County, Minnesota, described as follows:

Commencing at the most southeasterly corner of said Lot 73; thence South 56 degrees 09 minutes 17 seconds West, assumed bearing along the southeasterly line of said Lot 73 a distance of 211.63 feet to the point of beginning; thence continuing South 56 degrees 09 minutes 17 seconds West along said southeasterly line a distance of 44.80 feet to the most easterly corner of Outlot A, Ashwood Ponds 2nd Addition; thence North 33 degrees 50 minutes 42 seconds West along the easterly line of said Outlot A; thence northerly a distance of 3.00 feet along a tangential curve concave to the southwest having a radius of 614.00 feet and a central angle of 0 degrees 16 minutes 48 seconds; thence North 56 degrees 09 minutes 18 seconds East, not tangent to said curve, a distance of 5.01 feet; thence South 33 degrees 50 minutes 42 seconds East a distance of 28.92 feet; thence North 56 degrees 09 minutes 17 seconds East a

distance of 39.80 feet; thence South 33 degrees 50 minutes 43 seconds East a distance of 10.00 feet to the point of beginning.

Also:

Commencing at the most southeasterly corner of said Lot 73; thence South 56 degrees 09 minutes 17 seconds West, assumed bearing along the southeasterly line of said Lot 73 a distance of 284.43 feet to the most southerly point of said Outlot A and the point of beginning; thence North 33 degrees 50 minutes 42 seconds West along the westerly line of said Outlot A a distance of 35.92 feet; thence northerly a distance of 3.00 feet along a tangential curve concave to the southwest having a radius of 586.00 feet and a central angle of 0 degrees 17 minutes 36 seconds; thence South 56 degrees 09 minutes 18 seconds West, not tangent to said curve, a distance of 4.99 feet; thence South 33 degrees 50 minutes 42 seconds East a distance of 28.92 feet; thence South 56 degrees 09 minutes 17 seconds West a distance of 29.20 feet; thence South 33 degrees 50 minutes 43 seconds East a distance of 10.00 feet to said southeasterly line of Lot 73; thence North 56 degrees 09 minutes 17 seconds East along said southeasterly line of Lot 73 a distance of 34.20 feet to said most southerly point of Outlot A and the point of beginning.

Said Easement Areas contain approximately 1,079 square feet

Two 5.00 foot wide temporary easements for construction purposes over, under, and across part of the following described property:

Outlot A, Ashwood Ponds 2nd Addition, according to the recorded plat thereof, Dakota County, Minnesota.

The first temporary easement being 5.00 feet northeasterly of and parallel and concentric to the following described line:

Beginning at the most southerly corner of said Outlot A, thence North 33 degrees 50 minutes 42 seconds West, assumed bearing along the westerly line of said Outlot A, a distance of 35.92 feet; thence northwesterly a distance of 3.00 feet along a tangential curve concave to the southwest having a radius of 586.00 feet and a central angle of 0 degrees 17 minutes 36 seconds and said line there terminating.

The second temporary easement being 5.00 feet southwesterly of and parallel and concentric to the following described line:

Beginning at the southeast corner of said Outlot A; thence North 33 degrees 50 minutes 42 seconds West, assumed bearing along the easterly line of said Outlot A, a distance of 35.92 feet; thence northwesterly a distance of 3.00 feet along a tangential curve concave to the southwest having a radius of 609.00 feet and an internal angle of 0 degrees 16 minutes 56 seconds and said line there



terminating.

Said Easement Areas contain approximately 389 square feet

20-11858-00-020 - Arbor Pointe Association, INC. - Parcel 10

A temporary easement for construction purposes over, under, and across that part of Outlot B, Arbor Pointe 8th Addition, according to the recorded plat thereof, Dakota County, Minnesota, described as follows:

Commencing at the most northerly corner of said Outlot B; thence South 33 degrees 50 minutes 42 seconds East, assumed bearing along the easterly line of said Outlot B a distance of 15.00 feet to the point of beginning; thence continuing South 33 degrees 50 minutes 42 seconds East a distance of 20.00 feet; thence South 56 degrees 09 minutes 18 seconds West a distance of 5.00 feet; thence North 33 degrees 50 minutes 42 seconds West a distance of 20.00 feet; thence North 56 degrees 09 minutes 17 seconds East a distance of 5.00 feet to the point of beginning.

Said Easement Areas contain approximately 100 square feet

; and

WHEREAS, the parcels have been appraised, and offers are being prepared for a total appraised value of \$65,450; and

WHEREAS, the 2024 Transportation Capital Improvement Program Budget includes sufficient funds for CP 56-14 right of way acquisition; and

WHEREAS, in the event that timely acquisition by direct negotiation of all required parcels does not appear possible, it is necessary for the County Board to authorize the County Attorney's office to initiate quick-take condemnation of the remaining parcels to allow for a summer 2025 start date.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the appraised values prepared by Valbridge Property Advisors for the acquisition of the right of way for County Project 56-14 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 56-14 at the approved appraised values and, in accordance with County policy, authorizes payment from the 2024 Transportation Capital Improvement Program Budget; and

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

hereby authorizes the County Attorney's Office to initiate quick-take condemnation of the remaining parcels t

This item was approved and recommended for action by the Board of Commissioners on 6/25/2024.

Ayes: 5

Commissioner Atkins, Commissioner Halverson, Commissioner Droste, Commissioner Workman, and Commissioner Hamann-Roland

Nay: 1

Chairperson Holberg

## **5. Regular Agenda**

### **5.1 Discussion And Direction On Parks, Greenways, And Natural Systems 2050 Vision For Connected Places**

Niki Geisler, Parks Director and Lil Leatham, Principal Planner, presented this item and responded to questions.

The commissioners asked staff to provide a detailed breakdown of the "existing local" greenways, showing the percentage of existing trails that meet Dakota County's Greenway Standards and the percentage that do not.

Commissioners engaged in a detailed discussion regarding the integration of electric bikes into the county's transportation infrastructure and deliberated on the strategic priority of establishing connections between the city trails and the Dakota County trail system.

Additionally, the commissioners deliberated on whether the staff should allocate more resources to the development of the 200-mile Greenway Backbone or dedicate additional time and effort to the establishment of smaller interconnected trail loops within the communities of Dakota County.

The discussion also explored the concept of interconnectedness, with a particular focus on the prospect of developing walkable neighborhoods within Dakota County and emphasizing the importance of parks being easily accessible from residential areas.

Commissioners recommended that Goal 7 could be rewritten to include "provide convenient and accessible transportation and recreational open space."

Information only; no action requested.

### **5.2 Discussion On Summary Of Preliminary 2025 Capital Improvement Program Costs And Funding Sources**

Georg Fischer, Physical Development Division Director, presented this item and responded to questions on the projects listed within the preliminary Capital Improvement Program (CIP). Jake Chapek, Assistant County Engineer, and David McKnight, Director of Enterprise Finance, and Information Services

Division, were in the audience and spoke to this item.

Staff will return in August 2024 to provide a recommended funding strategy and identify any additional resources required to deliver the preliminary CIP. This will include project prioritization and an assessment of which projects can be completed with current and projected resources (staff and funding).

Information only; no action requested.

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

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

## **7. Future Agenda Items**

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

## **8. Adjournment**

### **8.1 Adjournment**

Motion: Mary Hamann-Roland

Second: Laurie Halverson

On a motion by Commissioner Mary Hamann-Roland, seconded by Commissioner Laurie Halverson, the meeting was adjourned at 10:03 a.m.

Ayes: 6

Respectfully submitted,  
Liz Hansen  
Administrative Services Coordinator



# Physical Development Committee of the Whole

## Request for Board Action

Item Number: DC-3512

Agenda #: 4.2

Meeting Date: 7/23/2024

**DEPARTMENT:** Physical Development Administration

**FILE TYPE:** Consent Information

### TITLE

**Update On Planning Commission**

### PURPOSE/ACTION REQUESTED

Receive an update on the Planning Commission.

### SUMMARY

The Dakota County Planning Commission meeting scheduled for Thursday, June 27, 2024, was unable to convene due to lack of quorum.

The Planning Commissioners that were present requested that staff provide an overview of the materials that had been prepared for the meeting. Staff provided an overview on the Library Strategic Plan, 2050 Park Vision public engagement, and the Solid Waste Management Plan.

No official minutes were prepared. However, Planning Commission members provided individual comments (Attachment: Comments).

### RECOMMENDATION

Information only; no action requested.

### EXPLANATION OF FISCAL/FTE IMPACTS

None.

- |  |   |                                |
|--|---|--------------------------------|
| <input checked="" type="checkbox"/> None     | <input type="checkbox"/> Current budget       | <input type="checkbox"/> Other |
| <input type="checkbox"/> Amendment Requested | <input type="checkbox"/> New FTE(s) requested |                                |

### RESOLUTION

Information only; no action requested.

### PREVIOUS BOARD ACTION

None.

### ATTACHMENTS

Attachment: Comments

### BOARD GOALS

- |  |  |
|--|--|
| <input type="checkbox"/> A Great Place to Live | <input type="checkbox"/> A Healthy Environment |
|--|--|

☐ A Successful Place for Business and Jobs

☒ Excellence in Public Service

**CONTACT**

Department Head: Erin Stwora

Author: Kurt Chatfield



## Dakota County Planning Commission Advisory Committee Meeting Notes

*\*Quorum for this meeting was not reached and the meeting was not called to order\**

Date: 6/27/2024

Notes prepared by Liz Hansen

Location: Western Service Center

Time: 7:00 p.m. to 9:05 p.m.

### Attendance

#### Members Present

- Jerry Rich
- Amy Hunting
- James Guttman
- Tony Nelson
- Lori Hansen
- Barry Graham
- Mike Cahn

#### Member(s) Absent:

- Brady Folkestad
- Jill Smith
- Dennis Peine
- Kelly Kausel

#### Dakota County staff members attending:

- Kurt Chatfield, Planning Manager
- Liz Hansen, Administrative Coordinator
- Margaret Stone, Library Director
- Niki Geisler, Parks Director
- Lil Leatham, Principal Planner
- Katherine Priebe, Planner Intern
- Nikki Stewart, Environmental Resources Director
- Renee Burman, Environmental Initiatives Supervisor
- Gena Gerard, Sr. Environmental Specialist

A quorum was not reached. The meeting was not able to be convened.

Planning Commissioners requested that staff make their presentations and offered to provide individual comments.

## Library Strategic Plan – Information (Margaret Stone – Dakota County Library System)

Margaret Stone, Library Director, gave an informational presentation on Dakota County's library system's strategic plan.

Questions and comments below, along with responses from staff (*italics*):

One suggestion to increase visitation to Dakota County libraries is to engage local businesses or Homeowners' Associations by providing meeting spaces within the library for people to use, as it is difficult for these groups to find mutual places to meet.

A comment was made that the new self-service hours have been incredibly convenient and have made it much easier for everyone to access the resources they need.

In order to better engage youth, one suggestion was made for library staff to select a high school and create focus groups to gather information about how the library system can better serve students at this stage of their lives.

Another way to engage youth is to meet with each school's National Honor Society. The library could consider aligning with the National Honor Society's service hour requirements and collaborate on projects and activities.

A question was asked about whether people are checking out more online/electronic materials and fewer books. *Staff responded that approximately 30% of checkouts were ebooks or audiobooks and that staff hopes to reach that group through the survey.*

A comment was made that library meeting rooms are used for online meetings and interviews.

A comment was made that 360 Communities would be a good group for the library to engage about library programming and new library materials/collections.

A comment was made that if Library staff are engaging students in schools it would be a good time to engage teachers as well. Teachers may have some good insight about the materials that students are interested in and how the library system can help children succeed. *Staff responded that teachers and school administrators will be engaged in the process.*

A comment was made that the Library System should keep on file hard copies of adopted plans, not just when they are out for public review, but once they have been adopted so that residents can have access to these documents.

A suggestion was made that the Library consider holding educational/extension classes, such as Artificial Intelligence for seniors and similar topics that bring in expert speakers to the community.

*Staff concluded by thanking Planning Commissioners for providing their individual comments and suggestions about how to engage Dakota County residents in the upcoming Library Strategic Plan process.*

## 2050 Park Vision Plan Public Engagement – Information (Lil Leatham, Katherine Priebe, - Planning)

Katherine Priebe, Planner Intern, gave an informational presentation on upcoming public engagement strategies for the 2050 Park Vision Plan and equitable representation in Dakota County Parks.

Questions and comments below, along with responses from staff (italics):

A comment was made that there are many industries that are not very diverse, using the example of the insurance industry and that it is a challenge to increase diversity. Often there are barriers such as affordable transportation that need to be overcome. Perhaps Dakota County can offer public transportation options from core areas to rural, regional park locations to make rural parks more accessible.

Being personally introduced to a new park is an effective way to help people unfamiliar with parks feel comfortable visiting for the first time.

Diamond Path Elementary is an international magnet school in District 196. This school may be a good location to connect with diverse students and their families and learn about their interests and ideas for activities in parks.

Tailoring volunteer opportunities to appeal to different cultural groups in Dakota County may help people become more familiar with parks and help Parks staff better understand the needs of its residents.

A suggestion was made to hold “activity/field days” as part of school programs to introduce students and parents from all cultures to parks. People who attend field days may return for future visits.

It is important that we talk to people from different cultures who live in Dakota County before we propose solutions. *Staff responded that Dakota County has hired a public engagement specialist to reach out to all Dakota County residents, including those that are traditionally underrepresented, to gather information about what people would like from their park system.*

A question was raised about whether city parks also have a lower percentage of visits from people of diverse cultural backgrounds. *Staff responded that lower park visitation from underrepresented populations is an industry-wide challenge, affecting cities, counties, and many park providers.*

A comment was made that it is important to consider the natural setting and site characteristics of a particular park in addition to what activities people desire from their park system when preparing the master plan for that particular park. It is important to exercise caution when introducing new park activities to ensure they are suitable for the location.

A comment was made that the Midwest is not unlike the rest of the country in that it continues to struggle with racism and segregation. This poses a challenge for the County’s park system.

A comment was made that camping and mountain biking can be expensive. Economic barriers may impact use. The County should offer free or reduced price gear to lower income visitors to lessen economic barriers to participation.



*Staff concluded their presentation by describing some of the upcoming Park Visioning public engagement events and forums that will be held this summer.*

## **Solid Waste Management Plan – Action (Renee Burman – Environment and Natural Resources)**

Renee Burman, Environmental Initiatives Supervisor, and Gena Gerard, Senior Environmental Specialist, presented Dakota County's draft Solid Waste Management Plan. Due to lack of a quorum, the Planning Commission was unable to vote on whether to recommend the release of the draft 2024-2044 Solid Waste Management Plan for public review.

Questions and comments below, along with responses from staff (italics):

A comment was made that the draft plan includes extensive information on the management and disposal of tree waste. *Staff responded that the state of Minnesota is having us look more at wood waste and ensure that it's properly managed and in response to the impacts of the Emerald Ash Borer.*

A comment was made that one of the challenges of the organic waste initiatives will be for residents to place their organic waste in the right disposal containers correctly.

A comment was made in support of the food rescue hierarchy described in the plan.

Staff did an excellent job with the broad-based engagement process, including common themes and competing interests.

A comment was made that one of the most effective strategies for increasing recycling has been to have stickers on the garbage cans for residents. A similar strategy may work for organics. Using multiple languages may also help.

A comment was made that the County should consider hiring contractors that strive to reuse building materials for new construction.

A suggestion was made to add strategies that remove plastics and nonrecyclable containers from the waste stream by placing fees on fast food restaurants and other businesses that use non-recyclable or non-compostable containers.

A comment was made that it is very important to have good reliable data to know if waste reduction and management strategies are working. *Staff responded in agreement and mentioned that regular waste sorts will be used to monitor progress and compliance.*

A Planning Commissioner complimented staff for a successful re-use program that directs second hand appliances to people in need and out of the landfill.

*Staff concluded their presentation by outlining the next steps for the presentation to the County Board at the Physical Development Committee, and the potential release of the Solid Waste Management Plan.*

## **Topics for next meeting (Thursday, July 25, 2024)**

Kurt Chatfield, Planning Manager, provided an overview of next month's meeting topics:

- 2050 Park Vision Plan, Goals and Strategies

**Next Meeting: Thursday, July 25, 2024, at 7:00 p.m., Dakota County  
Western Service Center, Apple Valley**

Respectfully submitted,

Liz Hansen, Administrative Coordinator



# Physical Development Committee of the Whole

## Request for Board Action

Item Number: DC-3520

Agenda #: 4.3

Meeting Date: 7/23/2024

**DEPARTMENT:** Physical Development Administration

**FILE TYPE:** Consent Action

### TITLE

**Approval Of Appraised Value And Authorization To Acquire Errington Property In Sciota Township**

### PURPOSE/ACTION REQUESTED

Approve the appraised value and authorize the acquisition of the David and Patricia Errington (Errington) property in Sciota Township for the future reconstruction of County Road 59 (Alta Avenue) as part of County Project (CP) 59-005 and authorize the Physical Development Division (PDD) Director to execute the purchase agreement (PA).

### SUMMARY

CP 59-005 is a future transportation project that would determine reconstruction needs for 3.65 miles of Alta Avenue from County State Aid Highway 47 south to Trunk Highway 19 in Sciota Township. This project had been previously programmed to reconstruct the existing gravel road to bituminous. However, due to low traffic volumes, overall good roadway condition, and condition of the Alta Avenue bridge over the Cannon River, the project was removed from the approved Transportation Capital Improvement Program. Staff will continue to monitor the condition of Alta Avenue and the bridge to ensure programming is appropriately based on need and is fiscally responsible.

The Erringtons, the owners of the property located at the northwest corner of County Road 59 and 302<sup>nd</sup> Street East intersection, expressed interest in the County acquiring property to County staff and a County Commissioner at a township meeting. The 2.29-acre Errington property includes 0.3 acres of right of way for an existing low-speed curve and future realignment that would likely require significant future right of way acquisition involving most of the property. A 1008-square foot house, constructed in 1910 on the Errington property is uninhabitable and vacant and eliminates the need to provide relocation expenses. The 2024 tax assessed value of the property is \$172,300. The legal description for the property is attached as Attachment: Legal Description of Errington Property. The general depiction of the Errington property is attached as Attachment: General Depiction of Errington Property.

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

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

**RECOMMENDATION**

Staff recommends County Board approval of the appraised value of the Errington property. If negotiations with the Erringtons are successful, staff recommends that the County Board approve the acquisition of the Errington property and authorize the PDD Director to execute the PA. If negotiations are not successful, acquisition by eminent domain would not be pursued at this time.

**EXPLANATION OF FISCAL/FTE IMPACTS**

The approved Transportation Capital Improvement Program Budget contains a carryover budget of \$1,152,000 for CP 59-005. Sufficient funds exist for the proposed advanced acquisition of the Errington property. The County would be responsible for all associated acquisition costs for this property, including future demolition and removal of existing structures.

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> None                | <input checked="" type="checkbox"/> Current budget | <input type="checkbox"/> Other                |
| <input type="checkbox"/> Amendment Requested |  | <input type="checkbox"/> New FTE(s) requested |

**RESOLUTION**

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

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

WHEREAS, the owner of the property located in the northwest corner of the County Road 59 and 302<sup>nd</sup> Street East intersection, David and Patricia Errington (Errington), expressed interest in the County acquiring property to County staff and a County Commissioner at a township meeting; and

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

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

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

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

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

WHEREAS, staff recommends County Board approval for staff to present an offer to acquire the

Errington property based on the appraised value; and

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

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

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

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

#### **PREVIOUS BOARD ACTION**

None.

#### **ATTACHMENTS**

Attachment: Legal Description of Errington Property

Attachment: General Depiction of Errington Property

#### **BOARD GOALS**

☒ A Great Place to Live

☐ A Healthy Environment

☐ A Successful Place for Business and Jobs

☐ Excellence in Public Service

#### **CONTACT**

Department Head: Erin Stwora

Author: Al Singer

## **Legal Description of the Errington Property**

Tract No. \_\_\_\_

That part of the Northeast Quarter of the Northeast Quarter of Section 15, Township 112, Range 19, Dakota County, Minnesota, described as follows: Commencing at the Northeast corner of said Northeast Quarter of the Northeast Quarter; thence South 00 degrees 03 minutes 48 seconds West (assumed bearing) along the East line thereof 1030.78 feet to the point of beginning; thence North 89 degrees 56 minutes 12 seconds West 342.69 feet to the East line of the West 975.86 feet of said Northeast Quarter of the Northeast Quarter; thence South 00 degrees 07 minutes 27 seconds West along said East line of the West 975.86 feet a distance of 292.50 feet to the South line of said Northeast Quarter of the Northeast Quarter; thence North 89 degrees 22 minutes 03 seconds East along said South line 343.02 feet to the Southeast corner of said Northeast Quarter of the Northeast Quarter; thence North 00 degrees 03 minutes 48 seconds East along said East line of the Northeast Quarter of the Northeast Quarter 288.33 feet to the point of beginning.

## **Attachment: Legal Description on the Errington Property**

### **Legal Description of the Errington Property**

That part of the Northeast Quarter of the Northeast Quarter of Section 15, Township 112, Range 19, Dakota County, Minnesota, described as follows:

Commencing at the Northeast corner of said Northeast Quarter of the Northeast Quarter; thence South 00 degrees 03 minutes 48 seconds West (assumed bearing) along the East line thereof 1030.78 feet to the point of beginning; thence North 89 degrees 56 minutes 12 seconds West 342.69 feet to the East line of the West 975.86 feet of said Northeast Quarter of the Northeast Quarter; thence South 00 degrees 07 minutes 27 seconds West along said East line of the West 975.86 feet a distance 292.50 feet to the South line of the Northeast Quarter of the Northeast Quarter; thence North 89 degrees 22 minutes 03 seconds East along said South line 343.02 feet to the Southeast corner of said Northeast Quarter of the Northeast Quarter; thence North 00 degrees 03 minutes 48 seconds East along said East line of the Northeast Quarter of the Northeast Quarter 288.33 feet to the point of the beginning.



# Physical Development Committee of the Whole

## Request for Board Action

Item Number: DC-2922

Agenda #: 4.4

Meeting Date: 7/23/2024

**DEPARTMENT:** Environmental Resources

**FILE TYPE:** Consent Action

### TITLE

**Authorization To Submit Clean Water Fund Competitive Grant Application For Well Seal Grants And Authorization To Execute Grant Agreements**

### PURPOSE/ACTION REQUESTED

Authorize submission of a \$200,000 Clean Water Fund (CWF) Competitive Grant application to the Minnesota Board of Soil and Water Resources (BWSR) to support the Dakota County Well Seal Grant Program. If awarded, authorize the Environmental Resources Department Director to execute grant agreements.

### SUMMARY

The State CWF was established with the purpose of protecting, enhancing, and restoring water quality in lakes, rivers, and streams, in addition to protecting groundwater and drinking water sources from degradation. Dakota County is eligible to receive this grant because of the adopted 2020-2030 Dakota County Groundwater Plan.

Staff proposes to apply for the CWF grant to support the established Dakota County Well Seal Grant Program. Grant funds will be used for staff time in project development (well inventories), program management, and administration costs. The grant will also provide up to 50 percent cost-share funding to reimburse property owners for sealing unused wells. The CWF grant will reduce the reliance on County Environmental Legacy Funds for the Well Seal Grant Program.

Unsealed water supply wells not in use pose a threat to health, safety, and the environment by providing a potential conduit for contamination from the surface down to drinking water aquifers. MN Statute 103I requires well owners to seal unused wells. A well must be sealed by a licensed well contractor. The costs associated with well sealing can be a financial burden for the well owner, so well sealing grants provide an incentive for well owners to bring their properties into compliance with the law.

This effort is in support of the Dakota County Groundwater Plan strategy 1C2 to “prevent groundwater contamination by getting unused, unsealed wells sealed.” The required non-state, ten percent grant match will be achieved through landowner 50 percent cost-share match; therefore, additional funding from Dakota County is not anticipated. The application deadline is August 22, 2024. Grant awards are expected mid-December 2024. Grant projects must be completed by December 31, 2027.

### RECOMMENDATION



Staff recommends the County Board authorize staff to submit a \$200,000 CWF grant application to BWSR to support the Well Seal Grant Program and authorize the Environmental Resources Department Director to execute agreements with BWSR if awarded.

**EXPLANATION OF FISCAL/FTE IMPACTS**

The ten percent CWF grant match will be covered by the landowner 50 percent well seal cost-share match. County funds for program implementation are not requested. If the County is awarded the grant, the funding will be included in the 2025 Environmental Resources Department Operations budget.

☐ None      ☐ Current budget      ☒ Other  
☐ Amendment Requested      ☐ New FTE(s) requested

**RESOLUTION**

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

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

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

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

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

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

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

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

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

BE IT FURTHER RESOLVED, That, if the grant is awarded, the Dakota County Board of Commissioners hereby authorizes the Environmental Resources Department Director to execute a Clean Water Fund grant agreement with the Board of Water and Soil Resources, subject to approval

by the County Attorney's Office as to form, and will be included in the 2025 Environmental Resources Department Operations budget.

**PREVIOUS BOARD ACTION**

21-042; 1/19/21

**ATTACHMENTS**

None.

**BOARD GOALS**

- |   |  |
|---|--|
| <input type="checkbox"/> A Great Place to Live                    | <input checked="" type="checkbox"/> A Healthy Environment        |
| <input type="checkbox"/> A Successful Place for Business and Jobs | <input checked="" type="checkbox"/> Excellence in Public Service |

**CONTACT**

Department Head: Nikki Stewart

Author: Valerie Neppl



# Physical Development Committee of the Whole

## Request for Board Action

Item Number: DC-3501

Agenda #: 4.5

Meeting Date: 7/23/2024

**DEPARTMENT:** Environmental Resources

**FILE TYPE:** Consent Action

### TITLE

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

### PURPOSE/ACTION REQUESTED

Request authorization to execute a joint powers agreement (JPA) with the Vermillion River Watershed Joint Powers Organization (VRWJPO) to support implementation of a Water Conservation and Landscaping for Clean Water Marketing Campaign.

### SUMMARY

Over 90 percent of Dakota County's water supply comes from groundwater. While groundwater in the county is plentiful, it is not unlimited. Increased water usage can become a regional, long-term issue if the demand for groundwater is consistently higher than aquifer recharge rates. Climate change, increasing water demand, and the standard of constructing homes and businesses with Kentucky bluegrass landscapes coupled with irrigation systems pose a threat to providing diverse populations equitable access to reliable drinking water. Programs and practices exist within Dakota County to help transition to a more drought-tolerant landscape and to educate residents on water-efficient irrigation practices, but general awareness about these initiatives is lacking.

The 2020 - 2030 Dakota County Groundwater Plan identifies promoting water conservation in collaboration with cities, townships, watershed organizations, and large water users as a high priority (strategy 2A2). Dakota County proposes to collaborate with partners to raise awareness of groundwater and water conservation issues through a Water Conservation and Landscaping for Clean Water Marketing Campaign (Project). The Project will include working with a consultant to develop and distribute professional-grade videos promoting Landscaping for Clean Water programs and ways to reduce outdoor water use by increasing irrigation efficiencies.

The Project will be developed in collaboration with the VRWJPO, Black Dog Watershed Management Organization (BDWMO), Egan-Inver Grove Heights Watershed Management Organization (E-IGHWMO), Lower Mississippi River Watershed Management Organization (LMRWMO), and the Dakota Soil and Water Conservation District (SWCD) as cost-share partners. The VRWJPO also received a grant from the Minnesota Department of Health (MDH) to support Project implementation.

The Vermillion River Watershed Joint Powers Board (VRWJPB) approved execution of the JPA with partners, and execution of a contract with the consultant for the Water Conservation and Landscaping for Clean Water Marketing Campaign at the May 23, 2024 JPB meeting.

Proposed JPA Responsibilities:

Dakota County shall contribute staffing in collaboration with the VRWJPO for administration, coordination, and overseeing the development of the campaign materials associated with the Project. Dakota County, by and through the Environmental Resources Department, shall regularly confer with partners regarding material content. The VRWJPO will administer the consultant contract and act as the paying agent for all payments. Partners will make contributions towards the Project balance in accordance with the following cost-share breakdown:

Partner	Estimated Cost-Share Amount
VRWJPO - MDH Grant Funding	\$50,000
VRWJPO	\$10,000
Dakota County	\$10,000
Dakota SWCD	\$7,500
BDWMO	\$7,500
E-IGHWMO	\$7,500
LMRWMO	\$7,500
Total	\$100,000

**RECOMMENDATION**

Staff recommends executing a JPA (Attachment: Draft JPA) with the VRWJPO to support implementation of the Project for the period of July 31, 2024, to April 30, 2026.

**EXPLANATION OF FISCAL/FTE IMPACTS**

The JPA provides reimbursement to the VRWJPO to support related expenses for the Project up to \$10,000. Sufficient funding has been authorized in the approved 2024 Environmental Resources Department operating budget.

☒ None      ☐ Current budget      ☐ Other  
☐ Amendment Requested      ☐ New FTE(s) requested

**RESOLUTION**

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

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

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

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

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

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

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

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

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

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

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

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

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

#### **PREVIOUS BOARD ACTION**

None.

#### **ATTACHMENTS**

Attachment: Draft JPA

#### **BOARD GOALS**

☐ A Great Place to Live

☒ A Healthy Environment

☐ A Successful Place for Business and Jobs

☐ Excellence in Public Service

**CONTACT**

Department Head: Nikki Stewart

Author: Valerie Neppl

**JOINT POWERS AGREEMENT  
BETWEEN THE VERMILLION RIVER WATERSHED JOINT POWERS ORGANIZATION,  
COUNTY OF DAKOTA, THE DAKOTA COUNTY SOIL AND WATER CONSERVATION DISTRICT,  
THE BLACK DOG WATERSHED MANAGEMENT ORGANIZATION, THE EAGAN-INVER GROVE  
HEIGHTS WATERSHED MANAGEMENT ORGANIZATION AND THE LOWER MISSISSIPPI RIVER  
WATERSHED MANAGEMENT ORGANIZATION  
FOR WATER CONSERVATION AND LANDSCAPING FOR CLEAN WATER MARKETING CAMPAIGN**

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

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

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

**WHEREAS**, the Dakota County Soil and Water Conservation District (Dakota County SWCD) is a governmental and political subdivision of the State of Minnesota; and

**WHEREAS**, the Black Dog Watershed Management Organization (BDWMO) is a watershed management body consisting of Dakota County, which is governed by the Black Dog Watershed Board of Commissioners and is charged with carrying out the duties set forth in Minn. Stat. § 103B.211 to 103B.255 and as otherwise provided by law; and

**WHEREAS**, the Eagan-Inver Grove Heights Watershed Management Organization (E-IGHWMO) is a watershed management body consisting of Dakota County, which is governed by the Eagan-Inver Grove Heights Watershed Board of Managers and is charged with carrying out the duties set forth in Minn. Stat. § 103B.211 to 103B.255 and as otherwise provided by law; and

**WHEREAS**, the Lower Mississippi River Watershed Management Organization (LMRWMO) is a watershed management organization consisting of a portion of northern Dakota County, which is governed by the Lower Mississippi River Watershed Management Organization Board of Managers and is charged with carrying out the duties set forth in Minn. Stat. § 103B.211 to 103B.255 and as otherwise provided by law; and

**WHEREAS**, Dakota County sources over 90 percent of drinking water from groundwater aquifers; and

**WHEREAS**, due to increased water usage during three years of drought (2021-2023) Dakota County municipalities exceeded Department of Natural Resources water appropriation permits; and

**WHEREAS**, maintaining a sustainable water supply is identified as a goal in the adopted Vermillion River Watershed Management Plan; and

**WHEREAS**, promoting water conservation by partnering on a county-wide water supply/conservation initiative is identified in the Dakota County Groundwater Plan; and

**WHEREAS**, improving public awareness of water resource goals is identified in the Dakota County SWCD Comprehensive Management Plan; and

**WHEREAS**, coordinating with partners to distribute educational information related to water conservation is identified in the adopted Black Dog Watershed Management Plan; and

**WHEREAS**, collaborating with partners to raise awareness of groundwater and water conservation issues is identified in the adopted Eagan-Inver Grove Heights Watershed Management Organization Watershed Management Plan; and

**WHEREAS**, participating in regional groundwater planning efforts and sharing resources with Dakota County for groundwater protection is identified in the Lower Mississippi River Watershed Management Organization Watershed Management Plan; and

**WHEREAS**, programs and practices exist to help Dakota County transition to a more drought-tolerant landscape and to educate landowners on efficient irrigation practices; and

**WHEREAS**, digital algorithms exist which are placing priority on paid advertisement over traditional local government unit organic outreach; and

**WHEREAS**, the VRWJPO applied for and received a grant from the Minnesota Department of Health (Grant) to develop and distribute professional grade videos promoting Landscaping for Clean Water programs and ways to reduce outdoor water use by increasing irrigation efficiencies (Project); and

**WHEREAS**, the VRWJPB obtained two quotations for the Project and negotiated a contract with Tunheim Acquisitions, Inc. d/b/a Tunheim Partners (Tunheim) in accordance with Minn. Stat. § 471.345, subd. 4 (Tunheim Contract); and

**WHEREAS**, the total contract amount for the services to be provided Tunheim pursuant to the Tunheim Contract is \$95,080, of which VRWJPO shall apply all Grant funds received (up to \$50,000), leaving a balance of \$45,080 (Project Balance); and

**WHEREAS**, the VRWJPO, SWCD, County, BDWMO, E-IGHWMO and the LMRWMO (collectively Partners) will contribute funds towards the Project Balance in accordance with Article 6 and/or staffing in accordance with Article 5.

**NOW, THEREFORE**, in consideration of the mutual promises and benefits that the Partners shall derive from this Agreement, the Partners hereby enter into this Agreement for the purposes stated herein.

## **ARTICLE 1 PURPOSE**

This Agreement defines the Project responsibilities and Project cost-sharing obligations of the Partners.

## **ARTICLE 2 PARTIES**

The parties to this Agreement are the VRWJPO, the County of Dakota, by and through its Environmental Resources Department (County), SWCD, BDWMO, E-IGHWMO and the LMRWMO.

## **ARTICLE 3 TERM**

This Agreement is effective upon the date of the signatures of the parties to this Agreement and shall remain in effect until April 30, 2026, or until completion by all parties of their respective obligations under this Agreement, whichever occurs first, unless earlier terminated by law or according to the provisions of this Agreement.



## **ARTICLE 4 COOPERATION**

The Partners agree to cooperate and use their reasonable efforts to ensure prompt implementation of the various provisions of this Agreement and to, in good faith, undertake resolution of any dispute in an equitable and timely manner.

## **ARTICLE 5 MARKETING CAMPAIGN DEVELOPMENT**

The County shall contribute staffing in collaboration with the VRWJPO for the administration, coordination and overseeing of the development of marketing campaign materials associated with the Project. The County, by and through its Environmental Resources Department in collaboration with the VRWJPO, shall regularly confer with the Partners regarding material content. The VRWJPO will administer the Tunheim Contract and act as the paying agent for all payments thereunder.

## **ARTICLE 6 PAYMENT**

**6.1** The Partners shall make the following contributions towards the Project Balance in accordance with the following payment schedule in consideration for the benefit provided by the Project's professional grade videos promoting Landscaping for Clean Water programs and ways to reduce outdoor water use by increasing irrigation efficiencies, and use of the materials provided by the Project:

- 6.1.1 The County, by and through its Environmental Resources Department, shall contribute \$10,000 in 2024 towards the Project Balance.
- 6.1.2 The SWCD shall contribute \$7,500 in 2024 towards the Project Balance.
- 6.1.3 The BDWMO shall contribute \$7,500 in 2024 towards the Project Balance.
- 6.1.4 The E-IGHWMO shall contribute \$7,500 in 2025 towards the Project Balance.
- 6.1.5 The LMRWMO shall contribute \$7,500 in 2025 towards the Project Balance.
- 6.1.6 The VRWJPO shall contribute \$10,000 in 2024 or 2025 towards the Project Balance.

**6.2** The SWCD, County, BDWMO, E-IGHWMO and the LMRWMO shall make their contribution payments made payable to the VRWJPO with thirty-five (35) days or receipt of an invoice from the VRWJPO in the years identified in Section 6.1. Upon request, VRWJPO shall provide the Partners with all itemized Project receipts and invoices.

**6.3** Partners reserve the right to be repaid for any overpayment of their contribution.

**6.4** The Partners contribution obligations shall be subject to Article 11.

## **ARTICLE 7 OBLIGATIONS**

**7.1 AUTHORIZED PURPOSE.** The funds provided under the terms of this Agreement may only be used by the VRWJPO for the payment of costs directly related to the Project.

**7.2 CONTENT AND MARKETING REQUIREMENTS.** The Project shall be carried out according to the objectives outlined in the Tunheim Contract. The Partners and VRWJPO shall approve any modifications to the scope of the Project.

**7.3 MATERIALS FAILURES.** Any failure of Tunheim to adhere to Project responsibilities outlined within the Tunheim Contract shall be addressed in the Tunheim Contract.

**7.4 OWNERSHIP OF MATERIALS.** "Materials" is defined as videos, works, drawings, products, audio, media content, other recorded materials, and all other materials in whatever form conceived, created or otherwise arising out of the performance of the Tunheim Contract. The VRWJPO shall own rights, title and interest in all of the materials conceived, created or otherwise arising out of the performance of the Tunheim Contract.

**7.5 COMPLIANCE WITH LAWS/STANDARDS.** The VRWJPO and Partners shall abide by all federal, state, or local laws, statutes, ordinances, rules, and regulations in completing the Project, including following all requirements outlined within the Minnesota Department of Health Grant Agreement.

**7.6 PUBLICITY.** VRWJPO grants the Partners a royalty-free irrevocable, non-exclusive, non-transferable, non-assignable, perpetual license on all work or materials created pursuant to Tunheim Contract. The Partners may prepare, copy, use, and distribute these works on materials and create derivative works or materials for the benefit of each Partner for use in publications, promotional material or on their websites. The only restriction on the Partners' use of works or materials and derivative works or materials related to this Agreement are those specifically stated in this section. The Partners shall appropriately acknowledge the funding provided by the Partners and the Grant in any promotional materials, signage, reports, publications, notices, and presentations related to the Project. This section shall survive the expiration or termination of this Agreement.

## **ARTICLE 8 INDEMNIFICATION**

Each party to this Agreement shall be liable for the acts of its officers, employees or agents and the results thereof to the extent authorized by law and shall not be responsible for the acts of the other parties, or officers, employees or agents or the other parties. The provisions of the Municipal Tort Claims Act, Minn. Stat. Ch. 466 and other applicable laws govern liability of the Partners. Each party warrants that it can comply with the aforementioned indemnity requirements through an insurance or self-insurance program and that each has minimum coverage consistent with liability limits contained in Minn. Stat. Ch. 466. In the event of any claims or actions filed against any party, nothing in this Agreement shall be construed to allow a claimant to obtain separate judgments or separate liability caps from the individual parties. This section shall survive the expiration or termination of this Agreement.

## **ARTICLE 9 AUTHORIZED REPRESENTATIVES AND LIAISONS**

**9.1 AUTHORIZED REPRESENTATIVES.** The following named persons are designated the authorized representatives of the parties for this Agreement. These persons have authority to bind the party they represent and to consent to modifications, except that the authorized representative shall have only the authority specifically or generally granted by their respective governing boards. Notice required to be provided pursuant to this Agreement shall be made to the following named persons and addresses unless otherwise stated in this Agreement, or an amendment of this Agreement:

TO THE VRWJPO: Mike Slavik, Chair, or successor  
Vermillion River Watershed Joint Powers Organization  
4100 220<sup>th</sup> St. W #103  
Farmington, MN 55024  
Telephone: (651) 438-4427  
[mike.slavik@co.dakota.mn.us](mailto:mike.slavik@co.dakota.mn.us)

TO THE COUNTY: Georg Fischer, or successor  
Physical Development Division Director  
14955 Galaxie Avenue  
Apple Valley, MN 55124-8579  
Telephone: (952) 891-7007  
[georg.fischer@co.dakota.mn.us](mailto:georg.fischer@co.dakota.mn.us)

TO THE SWCD: Kevin Chamberlain, Chair, or successor  
Dakota County Soil and Water Conservation District  
4100 220<sup>th</sup> St. W  
Farmington, MN 55024  
Telephone: (651) 480-7777  
[swcd@co.dakota.mn.us](mailto:swcd@co.dakota.mn.us)

TO THE BDWMO: Curt Enestvedt, Chair, or successor  
Black Dog Watershed Management Organization  
13713 Frontier Court  
Burnsville, MN 55337  
Telephone: (952) 895-4531  
Email: [daryl.jacobson@burnsvillemn.gov](mailto:daryl.jacobson@burnsvillemn.gov)

TO THE E-IGHWMO: Monica Foss, Chair, or successor  
Eagan-Inver Grove Heights Watershed Management  
Organization  
3830 Pilot Knob Road  
Eagan, MN 55122  
Telephone: (651) 688-0171  
[fossme@gmail.com](mailto:fossme@gmail.com)

TO THE LMRWMO: Sharon Lencowski, Chair, or successor  
Lower Mississippi River Watershed Management Organization  
4100 220<sup>th</sup> St W  
Farmington, MN 55024  
Telephone: (651) 480-7784  
[joe.barten@co.dakota.mn.us](mailto:joe.barten@co.dakota.mn.us)

In addition, regarding termination of this Agreement by the shall be provided to the Office of the Dakota County Attorney, Civil Division, 1560 Highway 55, Hastings, MN 55033.

**9.2 LIAISONS.** To assist the parties in the day-to-day performance of this Agreement and to ensure compliance and provide ongoing consultation, a liaison shall be designated by each Partner. The Partners shall keep each other continually informed, in writing, of any change in the designated liaison. At the time of execution of this Agreement, the following persons are the designated liaisons:

VRWJPO Liaison: Kelly Perrine  
Senior Watershed Specialist  
Telephone: (952) 891-7002  
Email: [kelly.perrine@co.dakota.mn.us](mailto:kelly.perrine@co.dakota.mn.us)

County Liaison: Valerie Neppl  
Groundwater Protection Unit Supervisor  
Telephone: (952) 891-7019  
Email: [valerie.neppl@co.dakota.mn.us](mailto:valerie.neppl@co.dakota.mn.us)

SWCD Liaison: Lindsey Albright  
Water Resources Specialist  
Telephone: (651) 480-7783  
Email: [lindsey.albright@co.dakota.mn.us](mailto:lindsey.albright@co.dakota.mn.us)

BDWMO Liaison: Daryl Jacobson  
Natural Resources Manager  
Telephone: (952) 895-4531  
Email: [daryl.jacobson@burnsvillemn.gov](mailto:daryl.jacobson@burnsvillemn.gov)

E-IGHWMO Liaison: Ashley Gallagher  
Senior Resource Conservationist  
Telephone: (651) 480-7781  
Email: [Ashley.gallagher@co.dakota.mn.us](mailto:Ashley.gallagher@co.dakota.mn.us)

LMRWMO Liaison: Joe Barten  
Senior Resource Conservationist  
Telephone: (651) 480-7784  
Email: [joe.barten@co.dakota.mn.us](mailto:joe.barten@co.dakota.mn.us)

## **ARTICLE 10 MODIFICATIONS**

Any alterations, variations, modifications, or waivers of the provisions of this Agreement shall only be valid when they have been reduced to writing, approved by the parties' respective Boards, or as delegated by the parties' respective Boards, and signed by the Authorized Representatives, or delegated authority, of the Partners.

## **ARTICLE 11 TERMINATION**

**11.1 IN GENERAL.** Any party may terminate this Agreement for cause by giving seven days' written notice or pursuant to Section 11.2 by giving 30 days' written notice, of its intent to terminate, to the other parties. Such notice to terminate for cause shall specify the circumstances warranting termination of the Agreement. Cause shall mean a material breach of this Agreement and any supplemental agreements or amendments thereto. Termination of this Agreement shall not discharge any liability, responsibility or right of any party, which arises from the performance of or failure to adequately perform the terms of this Agreement prior to the effective date of termination.

**11.2 TERMINATION FOR LACK OF FUNDING.** Notwithstanding any provision of this Agreement to the contrary, any Partner may immediately terminate their obligations and right to the benefits of this Agreement by providing written notice to the other Partners if it does not obtain funding from the Minnesota Legislature, Minnesota Agencies, or other funding sources, or if its funding cannot be continued at a level sufficient to allow payment of the amounts due under this Agreement. A terminating Partner shall remain obligated to pay for any invoices received prior to VRWJPO's receipt of written notice of termination for lack of funding. The remaining Partners shall determine by majority vote whether to continue this Agreement upon receipt of termination pursuant to this Section 11.2.

## **ARTICLE 12 MINNESOTA LAW TO GOVERN**

This Agreement shall be governed by and construed under the substantive and procedural laws of the State of Minnesota, without giving effect to the principles of conflict of laws. All proceedings related to this Agreement shall be venued in the County of Dakota, State of Minnesota. This section shall survive the expiration or termination of this Agreement.

**ARTICLE 13  
MERGER**

This Agreement is the final expression of the agreement of the parties and the complete and exclusive statement of the terms agreed upon and shall supersede all prior negotiations, understandings, or agreements.

**ARTICLE 14  
SEVERABILITY**

The provisions of this Agreement shall be deemed severable. If any part of this Agreement is rendered void, invalid, or unenforceable, such rendering shall not affect the validity and enforceability of the remainder of this Agreement unless the part or parts that are void, invalid or otherwise unenforceable shall substantially impair the value of the entire Agreement with respect to any party.

**ARTICLE 15  
GOVERNMENT DATA PRACTICES**

The VRWJPO and Partners must comply with the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13, as it applies to all data provided, created, collected, received, stored, used, maintained, or disseminated under this Agreement. The civil remedies of Minn. Stat. § 13.08 apply to the release of the data referred to in this clause by the VRWJPO and any of the Partners.

**ARTICLE 16  
SURVIVABILITY**

The provisions of articles 8 (Indemnification) and 15 (Government Data Practices) survive the expiration or termination of this Agreement.

**[Signatures on the following page]**

**IN WITNESS WHEREOF**, the parties hereto have executed this Agreement on the date(s) indicated below.

**VERMILLION RIVER WATERSHED  
JOINT POWERS ORGANIZATION**

By: \_\_\_\_\_  
Mike Slavik or successor, Chair

Date of Signature: \_\_\_\_\_

**DAKOTA COUNTY**

By: \_\_\_\_\_  
Georg T. Fischer, Director  
Physical Development Division

Date of Signature: \_\_\_\_\_

**DAKOTA COUNTY SOIL AND WATER  
CONSERVATION DISTRICT**

By: \_\_\_\_\_  
Kevin Chamberlain or successor, Chair

Date of Signature: \_\_\_\_\_

**BLACK DOG WATERSHED  
MANAGEMENT ORGANIZATION**

By: \_\_\_\_\_  
Curt Enestvedt or successor, Chair

Date of Signature: \_\_\_\_\_

**EAGAN-INVER GROVE HEIGHTS  
WATERSHED MANAGEMENT ORGANIZATION**

By: \_\_\_\_\_  
Monica Foss or successor, Chair

Date of Signature: \_\_\_\_\_

**LOWER MISSISSIPPI RIVER WATERSHED  
MANAGEMENT ORGANIZATION**

By: \_\_\_\_\_  
Sharon Lencowski or successor, Chair

Date of Signature: \_\_\_\_\_

Approved as to form:

/s/ Brian J. Wisdorf      6/13/2024  
Assistant Dakota County Attorney/Date  
KS-24-284  
VRW Res. No. 24-24



# Physical Development Committee of the Whole

## Request for Board Action

Item Number: DC-3519

Agenda #: 4.6

Meeting Date: 7/23/2024

**DEPARTMENT:** Parks, Facilities, and Fleet Management

**FILE TYPE:** Consent Action

### TITLE

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

### PURPOSE/ACTION REQUESTED

Authorize execution of a contract amendment with AVM Construction, LLC (AVM) for Law Enforcement Center (LEC) 3100 and 7100 cell block improvements. Board action is required as the value of total amendments after initial authorization with the contract execution exceeds a policy limit of \$100,000. Authorize a budget amendment.

### SUMMARY

On November 28, 2023, Dakota County entered into a contract with AVM for general contracting services on the LEC 3100 and 7100 Cell Block Improvements Project by Resolution 23-531 No. (November 28, 2023).

The project is approximately 70 percent complete. Large unforeseen costs incurred and pending include: plumbing changes to seven existing showers to meet code (\$41,653), relocating a new ADA shower after demolition began due to structural conditions (\$30,604), and door hardware changes (\$17,857).

\$63,733 in contract amendments have already been authorized by way of initial contract execution. Additional construction changes are necessary to complete the project. Staff projects the value of the additional future changes to be \$120,000

### RECOMMENDATION

\$63,733 in contract amendments have already been authorized by way of initial contract execution. Staff recommends authorizing a budget amendment in the sum of \$120,000 to cover future contract amendments with AVM.

### EXPLANATION OF FISCAL/FTE IMPACTS

The amended 2023 Building Capital Improvement Program Adopted Budget for the Project includes total funding of \$1,143,028.07 by Resolution No. 23-531 (November 28, 2023). A budget amendment is needed to move funding from the Prior Projects Savings Set-aside to the LEC 3100 and 7100 Cell Block Improvements project in order to account for the increased scope and construction costs of the renovation project. The funding in the set-aside is available and has been confirmed in the account.

☐ None
 ☐ Current budget
 ☐ Other  
☒ Amendment Requested
 ☐ New FTE(s) requested

## RESOLUTION

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

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

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

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

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

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

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

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

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

### Expense

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

### Revenue

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

## PREVIOUS BOARD ACTION

23-531; 11/28/23



## ATTACHMENTS

None

## BOARD GOALS

- |   |  |
|---|--|
| <input type="checkbox"/> A Great Place to Live                    | <input type="checkbox"/> A Healthy Environment                   |
| <input type="checkbox"/> A Successful Place for Business and Jobs | <input checked="" type="checkbox"/> Excellence in Public Service |

## CONTACT

Department Head: Taud Hoopingarner

Author: Joe Lexa



# Physical Development Committee of the Whole

## Request for Board Action

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Item Number: DC-3528

Agenda #: 4.7

Meeting Date: 7/23/2024

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**DEPARTMENT:** Parks, Facilities, and Fleet Management

**FILE TYPE:** Consent Action

### TITLE

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

### PURPOSE/ACTION REQUESTED

Authorize the Parks, Facilities and Fleet Management Director to execute a sixth contract amendment for professional services for the Minnesota River Greenway Fort Snelling Segment.

### SUMMARY

Dakota County is proceeding with the Minnesota River Greenway Fort Snelling Segment (P00127) to construct 3.7 miles of the Minnesota River Greenway between trailheads located near Nicols Road and Lone Oak Road in Eagan, including a bridge to cross over railroad owned by Union Pacific (Attachment: Project Map).

By Resolution No. 20-163 (March 24, 2020), the Dakota County Board of Commissioner approved the schematic design for the project and authorized execution of a contract with Short-Elliott-Hendrickson, Incorporated for \$297,988 for the final design of the trail portion of the greenway project. In August 2020, this contract was amended to increase the not-to-exceed amount to \$307,488 to allow for the completion of environmental documentation required by the Minnesota Department of Natural Resources (DNR). By Resolution No. 21-441 (September 7, 2021), this contract was further amended to a not-to-exceed amount of \$369,488 for completion of design and construction plans. By Resolutions No. 22-056 (February 1, 2022) and No. 23-046 (January 24, 2023), the contract was amended to a not-to-exceed amount of \$400,988 and to extend the effective date to March 31, 2024, respectively.

Construction for the Greenway has begun, and the County has retained WSB, Inc., to provide construction administration services. Significant challenges encountered during construction have required design revisions by Short-Elliott-Hendrickson, Incorporated to several elements of the greenway; their assistance is expected to be needed through the duration of the construction process.

### RECOMMENDATION

Staff recommends authorizing an amendment to the contract with Short-Elliott-Hendrickson, Incorporated in the amount of \$20,000.

### EXPLANATION OF FISCAL/FTE IMPACTS

The 2023 Parks Capital Improvement Program includes a total project budget of \$20,173,020. There is sufficient budget for the proposed contract amendment.

☐ None      ☒ Current budget      ☐ Other  
☐ Amendment Requested      ☐ New FTE(s) requested

## RESOLUTION

WHEREAS, the Minnesota River Greenway runs along the south side of the Minnesota River in Eagan and Burnsville, extending from I35-W in Burnsville to Lilydale Regional Park in Saint Paul; and

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

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

WHEREAS, by Resolution No. 18-487 (October 11, 2018), the Dakota County Board of Commissioners authorized staff to proceed with consultant selection for the project to include 30 percent design for the river bottom trail (Project Component 1) and 100 percent design and engineering for the Union Pacific Railroad Bridge (Project Component 2); and

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

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

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

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

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

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

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

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

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

**PREVIOUS BOARD ACTION**

20-163; 3/24/20

21-441; 9/7/21

22-056; 2/1/22

23-046; 1/24/23

24-027; 1/2/24

**ATTACHMENTS**

Attachment: Project Map

**BOARD GOALS**

☒ A Great Place to Live

☐ A Successful Place for Business and Jobs

☐ A Healthy Environment

☐ Excellence in Public Service

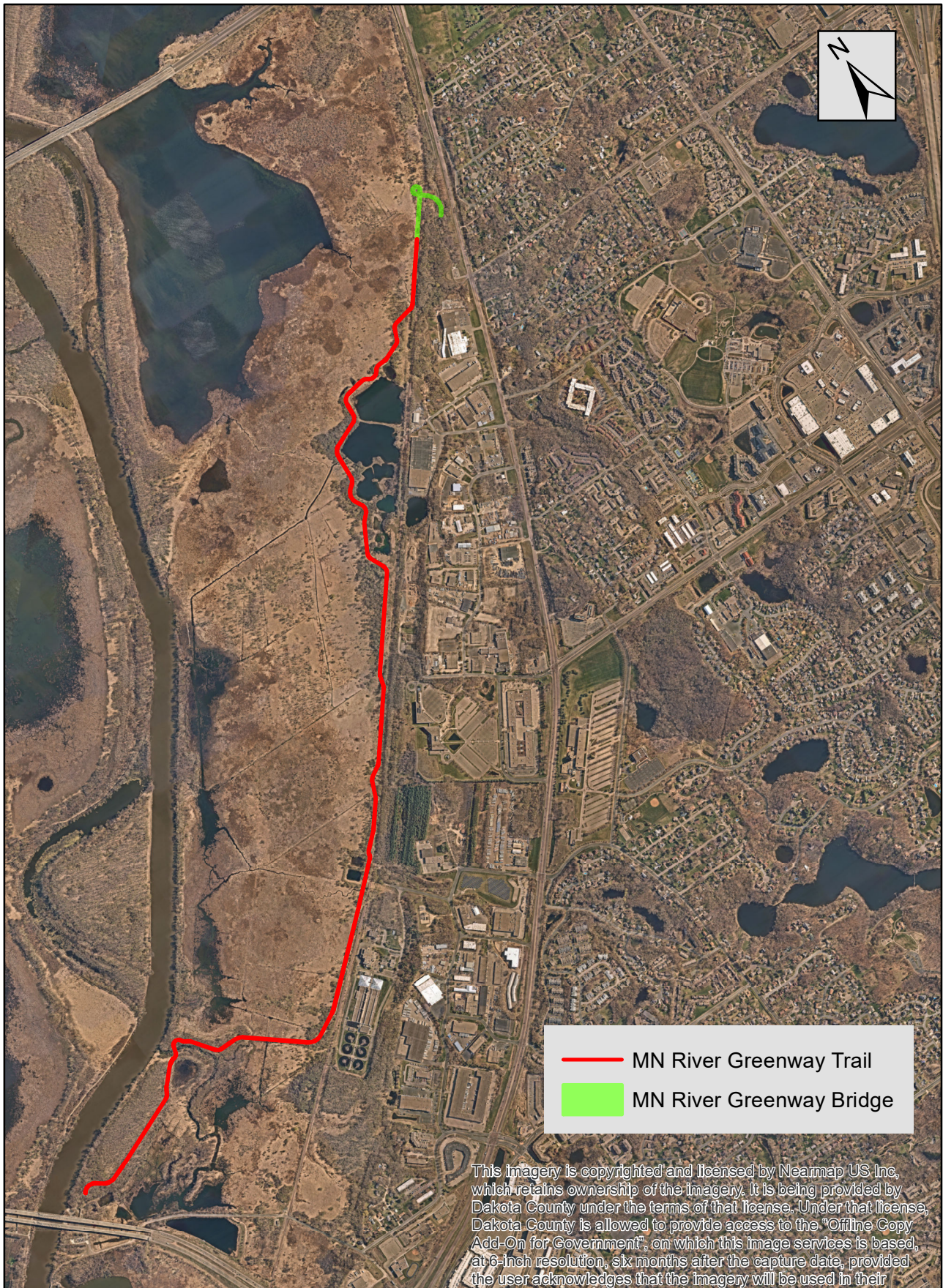
**CONTACT**

Department Head: Taud Hoopingarner

Author: Joe Morneau



## Attachment: Project Map







# Physical Development Committee of the Whole

## Request for Board Action

Item Number: DC-3535

Agenda #: 4.8

Meeting Date: 7/23/2024

**DEPARTMENT:** Parks, Facilities, and Fleet Management

**FILE TYPE:** Consent Action

### TITLE

**Authorization To Acquire Oliver Family Property In City Of Empire**

### PURPOSE/ACTION REQUESTED

Authorize expenditure of up to \$156,850 to acquire the Susan and James Berdahl, Amy Severson, Frederick M. and Mary C. Severson, and Charlotte Oliver, (Oliver Family) property located in the City of Empire (City); authorize the Physical Development Division Director (PDD) to sign a purchase agreement (PA); authorize submission of an Acquisition Opportunity Fund (AOF) funding request to the Metropolitan Council (MC); and authorize the Chair of the County Board of Commissioners to execute an AOF-required Agreement and Restrictive Covenant (ARC).

### SUMMARY

The Oliver Family owns a 22.43-acre property located in the northeast corner of the intersection of State Highway 3 and County State Aid Highway (CSAH) 66 in the City and is included in the approved master plan for the North Creek Greenway. The Oliver Family had been marketing the property through a real estate broker and were willing to work with the County to protect the property for public benefits.

By Resolution No. 24-088 (February 27, 2024), the County Board of Commissioners authorized execution of an Option to Purchase Agreement (Agreement), which included \$20,000 of earnest money to take the Oliver Family property off the market and allow the County time to appraise and negotiate acquisition of the property. The Agreement was executed on April 8, 2024, and \$20,000 was deposited in the broker's trust account. The legal description (Attachment: Legal Description of the Oliver Family Property) and general depiction (Attachment: General Depiction of the Oliver Family Property) of the Oliver Family property are attached.

An independent appraisal of the Oliver Family property was completed, reviewed, and approved by County staff. During negotiations, the Oliver Family agreed to sell the property to the County for \$147,000 (5% above the appraised value) which is substantially below the original \$189,900 asking price. In addition, the Oliver Family has requested that the County pay an additional \$7,350 for broker fees. The previously deposited \$20,000 in earnest money will be credited towards the purchase price. The PDD Director is required to sign the PA.

This Oliver family property acquisition and closing costs are eligible for 75 percent MC AOF funding. However, the broker fees are not. The MC AOF requires the County Board Chair to sign an ARC.

The financial summary of the project is as follows:

Fee Title Acquisition	Appraised Value	Purchase Price	Broker Fees	Estimated Closing Costs	Estimated MC Funding	Estimated County Cost
	\$140,000	\$147,000	\$7,350	\$2,500	\$112,125	\$44,725

**RECOMMENDATION**

Staff recommends authorization to expend up to \$156,850 to acquire the Oliver Family property; authorization for the PDD Director to execute the PA; authorization to submit an AOF funding request to the MC; and authorization for the County Board Chair to execute a required ARC

**EXPLANATION OF FISCAL/FTE IMPACTS**

Currently, there are available AOF and County AOF matching funds in the approved 2024 Parks Capital Improvement Program budget for this acquisition. If AOF funds are not available, Environmental Legacy Funds are available for this acquisition.

- ☐ None      ☒ Current budget      ☐ Other  
☐ Amendment Requested      ☐ New FTE(s) requested

**RESOLUTION**

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

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

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

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

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

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

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

WHEREAS, the Oliver Family property acquisition and closing costs are eligible for a 75 percent

Acquisition Opportunity Fund (AOF) grant through the Metropolitan Council (MC), and the \$7,350 broker fee is not eligible for AOF reimbursement; and

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

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

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

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

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

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Division Director to execute a purchase agreement with the Oliver Family to acquire their property, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes staff to submit an Acquisition Opportunity Fund grant request to the Metropolitan Council to receive up to 75 percent of the Oliver Family property acquisition costs; and

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

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

## **PREVIOUS BOARD ACTION**

24-088; 02/27/24

## **ATTACHMENTS**

Attachment: Legal Description of the Oliver Family Property

Attachment: General Depiction of the Oliver Family Property

## **BOARD GOALS**



☐ A Great Place to Live

☒ A Healthy Environment

☐ A Successful Place for Business and Jobs

☐ Excellence in Public Service

**CONTACT**

Department Head: Niki Geisler

Author: Alan Singer

**Attachment: Legal Description of the Oliver Family Property**

**Dakota County Parks**

**Legal Description of the Oliver Family Property to be Acquired by the  
County of Dakota**

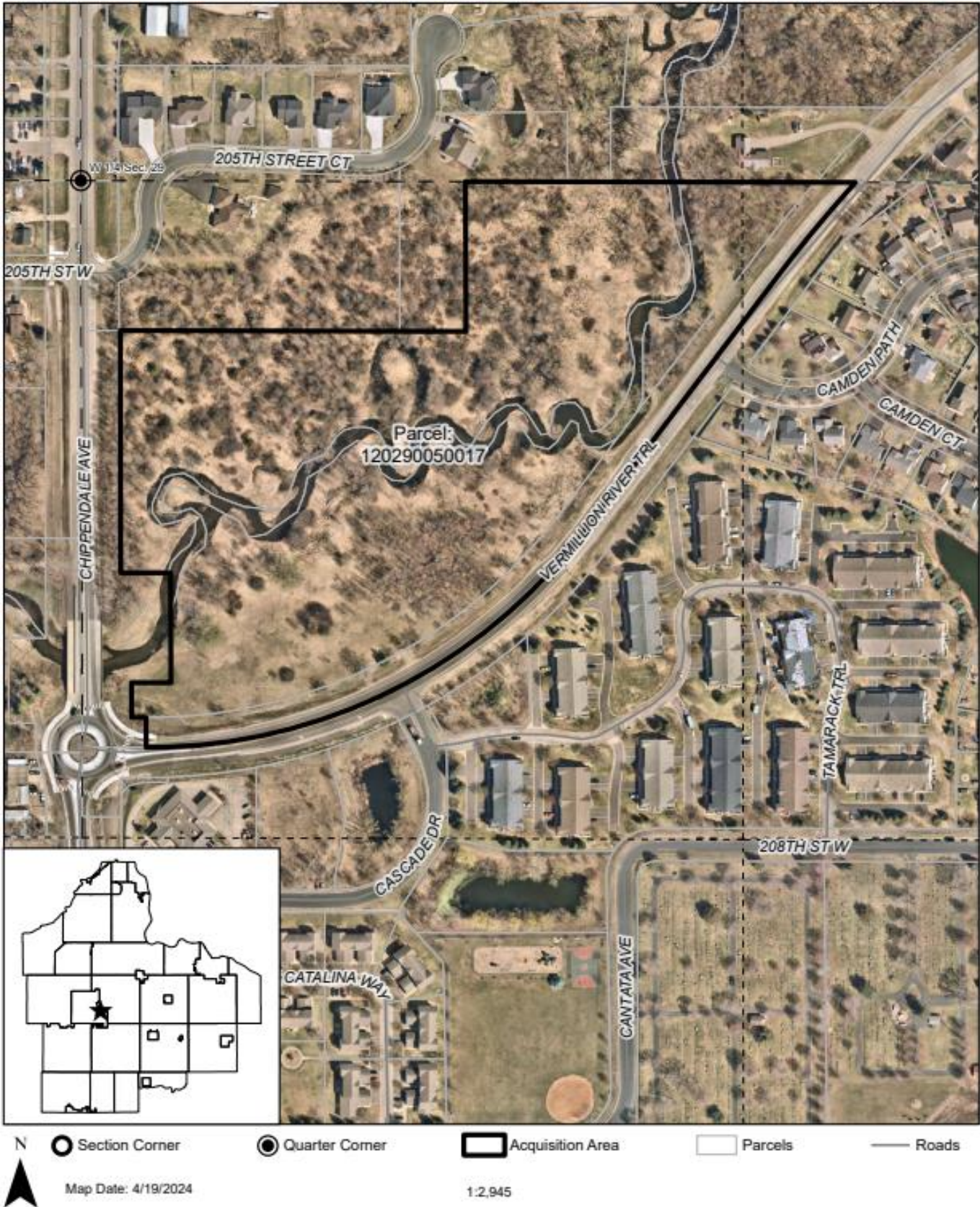
**Tract No. 485**

All that part of the North Half of the Southwest Quarter of Section 29, Township 114 North, Range 19 West, lying North and West of the centerline of County State Aid Highway No. 66 except the North 300.00 feet of the West 770.00 feet thereof, Dakota County, Minnesota.

Except that part of the North Half of the Southwest Quarter of Section 29, Township 114 North, Range 19 West, shown as Parcel 225 on Minnesota Department of Transportation Right of Way Plat Numbered 19-188 as the same is on file and of record in the office of the County Recorder in and for Dakota County, Minnesota.

Area = 20.43 acres

Attachment: General Depiction of the Oliver Family Property





# Physical Development Committee of the Whole

## Request for Board Action

Item Number: DC-3552

Agenda #: 4.9

Meeting Date: 7/23/2024

**DEPARTMENT:** Parks, Facilities, and Fleet Management

**FILE TYPE:** Consent Action

### TITLE

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

### PURPOSE/ACTION REQUESTED

Authorize award and execution of contract with CJC Construction LLC to provide general contractor services for the Administration Center Atrium (ADC) Fire Boundary Project and amend the 2024 Facilities Capital Improvement Plan to establish a budget of \$480,000.

### SUMMARY

The Administration Center Service Counter Remodel Project, a 2023 Facilities Capital Improvement Project (CIP), was recently completed. The project modified the service counters in the building to be ADA-accessible while also preserving the integrity of the smoke evacuation system in its three-story atrium.

During demolition for this project, it was discovered that the existing conditions of the atrium boundary do not match the as-built drawings from the original 1990 building construction. The current design team, Kodet Architecture Group, based their design on those as-built drawings, and the fire code official and the Authority Having Jurisdiction (AHJ) approved the project based on the original building being constructed as planned. So, to get fire code approval for the original Service Counter project, these non-conforming, existing conditions are required to be brought into compliance.

This compliance construction project will be run as a separate project immediately following the original Counter Service Remodel Project. Bringing the existing conditions in the atrium up to original code will consist of fire caulking all above-ceiling penetrations, replacing unrated door and window assemblies, adding new doors, adding fire dampers in some ductwork, and other miscellaneous items.

Staff has worked with Kodet Architecture Group to complete a full building survey and to create bid documents to address the modifications. Request for Bids was advertised on June 6, June 13, June 20, June 27, and July 4, and bids were received on July 9, 2024. Two bids were received with the bid amounts as follows:

CJC Construction LLC,	Hanover MN,	\$338,000
Construction Result Corporation,	Plymouth MN,	\$553,340

**RECOMMENDATION**

Staff recommends the construction contract for the ADC Atrium Fire Boundary project be awarded to CJC Construction LLC in an amount not to exceed \$338,000. Staff is requesting a budget amendment to establish the project budget of \$480,000 to include construction and all soft costs (e.g., fees, design).

**EXPLANATION OF FISCAL/FTE IMPACTS**

The 2024 Facilities Capital Improvement Program budget did not contain funding for this unforeseen project. A total project budget of \$480,000 is being requested from Prior Projects Savings Set-aside (1001646). The funding is ready in the Prior Projects Saving Set-aside.

- ☐ None
 ☐ Current budget
 ☐ Other  
☒ Amendment Requested
 ☐ New FTE(s) requested

**RESOLUTION**

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

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

WHEREAS, the County contracted with Kodet Architectural Group to prepare final design documents; and

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

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

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

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

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

**Expense**

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

**Revenue**



---

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

**PREVIOUS BOARD ACTION**

None

**ATTACHMENTS**

None.

**BOARD GOALS**

- |   |  |
|---|--|
| <input type="checkbox"/> A Great Place to Live                    | <input type="checkbox"/> A Healthy Environment                   |
| <input type="checkbox"/> A Successful Place for Business and Jobs | <input checked="" type="checkbox"/> Excellence in Public Service |

**PUBLIC ENGAGEMENT LEVEL**

- |  |                                  |                                  |   |
|--|----------------------------------|----------------------------------|---|
| <input type="checkbox"/> Inform and Listen | <input type="checkbox"/> Discuss | <input type="checkbox"/> Involve | <input checked="" type="checkbox"/> N/A |
|--|----------------------------------|----------------------------------|---|

**CONTACT**

Department Head: Taud Hoopingarner

Author: Yao Xiao



# Physical Development Committee of the Whole

## Request for Board Action

Item Number: DC-3019

Agenda #: 5.1

Meeting Date: 7/23/2024

**DEPARTMENT:** Environmental Resources

**FILE TYPE:** Regular Action

### TITLE

**Authorization To Release Draft 2024-2044 Dakota County Solid Waste Management Plan For Public Review And Comment**

### PURPOSE/ACTION REQUESTED

Authorize release of the Draft 2024-2044 Dakota County Solid Waste Management Plan (Draft Plan) for a 21-day public review and comment period (Attachment: Draft Plan).

### SUMMARY

In Minnesota, counties are responsible for developing projects and programs to achieve state goals for waste management. The Minnesota Pollution Control Agency (MPCA) released the adopted the 2022-2042 Metropolitan Solid Waste Management Policy Plan (Policy Plan) on January 30, 2024. Minn. Stat. § 473.803 requires each metropolitan county to revise its current Solid Waste Management Plan (Plan) to implement the revised Policy Plan. The Policy Plan directs county plans to include required strategies and a selection of optional strategies to meet a minimum required point threshold. Topic areas include source reduction/reuse, recycling and organics, sustainable material management, and wood waste. Policy Plan components were presented to the Physical Development Committee of the Whole on March 19 and April 16, 2024.

Stakeholder Engagement: Two rounds of stakeholder engagement were conducted to develop the Draft Plan. An initial round of public engagement (September 1-October 15, 2023) sought to identify waste management barriers and opportunities. A second round of engagement (April 1-24, 2024) gathered comments on implementation timing and needs for a preliminary set of required and optional strategies from the MPCA Policy Plan. Approximately 1,300 people participated in the second round of engagement (Attachment: Round Two Engagement Summary).

Draft Plan: The Draft Plan was developed in accordance with Minn. Stat. § 473.803 and 115A. The Draft Plan communicates Dakota County's vision, policies, strategies, tactics, and timing for solid waste management over the next 20 years. The Draft Plan includes a revised County policy, Policy Plan required strategies, recommended optional strategies to meet the minimum point value, and implementation timelines based on the Policy Plan and stakeholder feedback. Draft tactics for each strategy provide implementation details as required by Minn. Stat. § 115A.46. The Draft Plan and stakeholder engagement findings were also presented to individual members of the Dakota County Planning Commission on June 27, 2024, as the Commission was unable to convene due to lack of quorum.

Next Steps: The Draft Plan will be posted on the Dakota County website and be made available to

stakeholders for a 21-day public review and comment period. The Draft Plan will be revised as necessary based on public comment and presented to the Planning Commission. County Board approval and submittal to the MPCA is anticipated in October 2024 for MPCA review and approval. Plan implementation and prioritization for strategies and tactics are subject to County Board approval through annual budgeting and work planning processes and require continued stakeholder engagement.

### RECOMMENDATION

Staff recommends release of the Draft Plan for a 21-day (August 1-21, 2024) public review and comment period.

### EXPLANATION OF FISCAL/FTE IMPACTS

None.

- |  |   |   |
|--|---|---|
| <input checked="" type="checkbox"/> None     | <input type="checkbox"/> Current budget | <input type="checkbox"/> Other                |
| <input type="checkbox"/> Amendment Requested |   | <input type="checkbox"/> New FTE(s) requested |

### RESOLUTION

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

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

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

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

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

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

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

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

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

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



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

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

**PREVIOUS BOARD ACTION**

None.

**ATTACHMENTS**

Attachment: Draft Plan

Attachment: Round Two Engagement Summary

**BOARD GOALS**

☐ A Great Place to Live

☒ A Healthy Environment

☐ A Successful Place for Business and Jobs

☐ Excellence in Public Service

**CONTACT**

Department Head: Nikki Stewart

Author: Renee Burman



Dakota County, Minnesota

# DRAFT 2024-2044 Solid Waste Management Plan

Approved by the Minnesota Pollution Control Agency on [insert date].

Adopted by the Dakota County Board of Commissioners on [insert date].



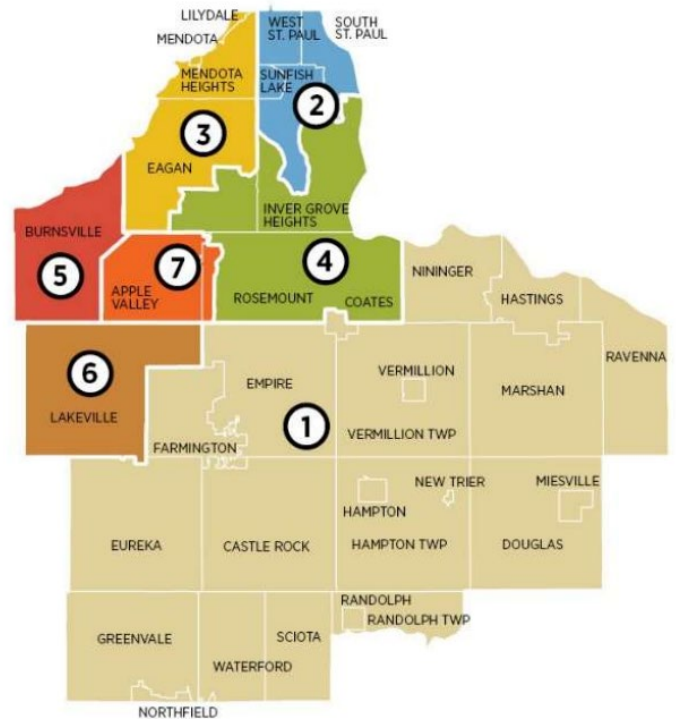
## Acknowledgements

### 2024 Dakota County Board of Commissioners

District 1 - Commissioner Mike Slavik  
District 2 - Commissioner Joe Atkins  
District 3 - Commissioner Laurie Halverson  
District 4 - Commissioner William Droste  
District 5 - Commissioner Liz Workman  
District 6 - Commissioner Mary Liz Holberg  
District 7 - Commissioner Mary Hamann-Roland

### 2024 Dakota County Planning Commission

District 1 – Dennis Peine  
District 1 – Jerry Rich  
District 2 – Amy Hunting  
District 2 – Lori Hansen  
District 3 – Jill Smith  
District 3 – Vacant  
District 4 – Mike Cahn  
District 4 – Barry Graham  
District 5 – Brady Folkestad  
District 5 – Vacant  
District 6 – James Guttman  
District 6 – Vacant  
District 7 – Anthony Nelson  
District 7 – Kelly Kausel



### Prepared By

Dakota County Environmental Resources and Planning Department Staff  
with public engagement assistance from HDR Engineering, Inc. and Zan Associates



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## Acronyms and Initialisms

**CLIF** Closed Landfill Investment Funds

**EAB** Emerald ash borer

**ELF** Environmental Legacy Fund

**GHG** Greenhouse Gas

**HHW** Household hazardous waste

**JPA** Joint powers agreement

**LRDG** Local Recycling Development Grant

**MDA** Minnesota Department of Agriculture

**MLAA** Funding and Metropolitan Landfill Abatement Account

**MLCAT** Metropolitan Landfill Contingency Action Trust Account

**MNCC** Minnesota Composting Council

**MnDOT** Minnesota Department of Transportation

**MPCA** Minnesota Pollution Control Agency

**MRF** Materials recovery facility

**MSW** Mixed municipal solid waste/municipal solid waste

**Non-MSW** non-municipal solid waste (industrial, construction and demolition waste)

**PP** Metropolitan Solid Waste Management Policy Plan

**REC** Recycling Education Committee

**SCORE** Select Committee on Recycling and the Environment

**SSOM** Source separated organics materials

**TCMA** Twin Cities Metropolitan Area

**TPD** Tons per day

**VSQG** Very Small Quantity Generator

**WTE** Waste-to-energy



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## EXECUTIVE SUMMARY

The purpose of the Dakota County 2024-2044 Solid Waste Management Plan (Plan) is to guide solid waste management activities in the county. This revised Plan replaces and builds on the strengths of the 2018-2038 Solid Waste Master Plan.

The Plan includes prescribed strategies to implement the Metropolitan Solid Waste Management Policy Plan 2024-2044 (Policy Plan) adopted by the Minnesota Pollution Control Agency in January 2024. Minnesota statute requires Twin Cities Metropolitan Area (TCMA) counties to update county solid waste plans every six years with strategies that implement the waste management goals and objectives in the MPCA's revised Policy Plan. The Policy Plan includes key themes, policies, goals, strategies, and numeric objectives that guide counties in reducing unnecessary disposal of mixed municipal solid waste to support improved waste management in accordance with Minnesota's Waste Management Act. The four key themes from the metropolitan Policy Plan include:

- Sustainable material management is a holistic and systematic approach to use and reuse materials more productively over their entire life cycle.
- There are potential greenhouse gas reductions to be found throughout the solid waste management system.
- The benefits and burdens of the waste management system must flow equally to everyone.
- Extended producer responsibility presents great opportunities for shifting the burden of management from the counties to the producers.

The Policy Plan also sets new Plan focus areas for metropolitan counties, including:

- Increased emphasis on waste reduction and reuse to achieve the 15% target for reducing overall mixed municipal waste generation by 2042. Special emphasis is placed on food waste prevention.
- Sustainable building materials: Counties must focus on sustainable management of construction and demolition materials, which previously have not had state-established reduction targets.
- Wood waste: Anticipating a substantial increase in tree waste related to the Emerald Ash Borer, the Policy Plan has new emphasis on managing trees to delay the need for removal and on expanding regional capacity for handling wood waste. Counties must develop tree waste management plans.
- Organics (Food Scraps) diversion is not new to the Policy Plan, although expectations for implementation are more definite. The Policy Plan requires residential curbside organics collection to be available in cities with a population greater than 5,000 by 2030.

The following table lists the Policy Plan waste objectives in percentages for the MSW management system in the TCMA region through 2042. These objectives are intended to maximize the upper end of the hierarchy, emphasizing product stewardship, source reduction, and reuse, and achieving the legislative goals for recycling and organics recovery.





	2022 7 Metro Counties (Actual)	2022 Dakota County (Actual)	2025 Goals	2030 Goals	2036 Goals	2042 Goals
<b>Waste Reduction</b>	--*	--*	2.9%	6.4%	10.7%	15.0%
<b>Recycling</b>	28.6%	24%	36.9%	47.4%	47.4%	47.4%
<b>Organics Recovery</b>	16.6%	30%	21.5%	27.6%	27.6%	27.6%
<b>Resource Recovery</b>	21.4%	2%	24.0%	20.0%	20.0%	20.0%
<b>Landfilled</b>	33.4%	43%	17.6%	5.0%	5.0%	5.0%

\*Actual reduction and reuse measures have not yet been defined for measurement and reporting purposes.

Comprehensive stakeholder engagement informed the Plan update, with more than 2,000 residents, businesses, public officials, and others providing insights on solid waste issues, barriers, and potential strategies.

This Plan is intended to guide waste management in the county through 2044, but the Plan is revised every six years so most of the strategies focus on making progress toward the 2030 objectives established by the MPCA in the Policy Plan. Other strategies lay the foundation for achieving the long-term goals. The Plan is organized into two main chapters with multiple appendices.

- **Part One: Introduction** – consists of the Plan introduction, purpose, and framework.
- **Part Two: Solid Waste Management Plan** – consists of Dakota County’s solid waste vision and policies; specific strategies, tactics, and timing; and Plan implementation details. includes 62 strategies to meet MPCA requirements and manage waste more sustainably. Strategy types include:
  1. Policy Plan required strategies (32 strategies) that the MPCA prescribed must be included in all metropolitan county plans for regional consistency.
  2. Selected Policy Plan optional strategies (12 strategies, 82 points) were chosen from the list of strategy options identified as best management practices in the Policy Plan that counties needed to select from to reach a minimum of 75 points.
  3. Continuing county strategies (18 strategies) that are existing county programs and practices that will be continued and refined, as necessary, not incorporated under Policy Plan strategies.
- **Appendices** – consist of an overview of Dakota County’s existing waste management systems and programs; a Plan development summary; environmental justice information; performance and accountability details; strategy tables; and cross-referenced statutory Plan requirements.

# PART ONE: INTRODUCTION

## A. Introduction

The Dakota County 2024-2044 Solid Waste Management Plan (Plan) defines Dakota County’s guide for managing solid waste. Dakota County adopted its first Plan in 1982 in accordance with Minnesota Statute (Minn. Stat. §§ 473.803 and 115A) and updated it five times since then. This revised Plan replaces and builds on the strengths of the 2018-2038 Solid Waste Master Plan and incorporates prescribed strategies in the state’s Metropolitan Solid Waste Management Policy Plan 2024-2044 (Policy Plan) as required by the Minnesota Pollution Control Agency (MPCA).

State statute requires Twin Cities Metropolitan Area (TCMA) counties (Figure 1) to update county solid waste plans every six years with strategies that implement the waste management goals and objectives in the state’s Policy Plan. The Commissioner of the Minnesota Pollution Control Agency (MPCA) adopted the revised Policy Plan on January 30, 2024, establishing the framework for managing solid waste in the TCMA through 2044. The Policy Plan includes key themes, policies, goals, strategies, and numeric objectives that guide counties in reducing unnecessary disposal of mixed municipal solid waste.

Comprehensive stakeholder engagement informed update. More than 2,000 responses from residents, business and industry representatives, public officials (city, township, school), and others provided insights on solid waste issues, barriers, and solutions and feedback on potential strategies. See Appendix B for information on engagement.

This Plan is consistent with Dakota County’s Strategic Plan goal: “A healthy environment with quality natural areas” and the Environmental Resources Department’s mission to “Protect, preserve, and enhance the environment for the health, enjoyment, and benefit of current and future generations.” This Plan will inform the 2050 Dakota County Comprehensive Plan and city comprehensive plans in Dakota County (Figure 2).

**Figure 1: Counties in the TCMA**



**Figure 2: Relationship of Waste Plans to Local Plans**



**County Comprehensive Plan:** Dakota County’s Comprehensive Plan establishes the long-range vision and high-level guidelines for key systems in Dakota County, including transportation, land use, environment and natural resources, and parks. The next major update to the Comprehensive Plan is due in 2028. The Plan provides the next level of detail for solid waste management.

**City Comprehensive Plans:** The Solid Waste Management Plan and Dakota County’s Comprehensive Plan serve as a framework to inform revisions to comprehensive plans for cities in Dakota County. City Comprehensive Plans are amended as needed and the next major update will be due in 2028.

**Connections to Other County Plans and Key Initiatives:** The Solid Waste Management Plan intersects with other Dakota County plans and county program areas (Figure 3).

Figure 3: Solid Waste Management Plan Connections to County Plans and Key Initiatives



The first part of this Plan describes the Plan purpose and framework, including statutory waste management goals and requirements. The second part presents the County’s vision, policies, goals, and strategies for solid waste management in accordance with the Policy Plan. Appendices at the end of the Plan provide an overview of the solid waste management system, the Plan update process and stakeholder engagement, environmental justice, performance and accountability, and a crosswalk of this Plan against statutory requirements.

This Plan is intended to guide waste management in the county through 2044, but most of the strategies focus on meeting the 2030 objectives established by the state in the Policy Plan. Other strategies lay the foundation for achieving the long-term goals. Implementation progress will be reviewed regularly, and revisions and new strategies will be developed as appropriate to continue progress towards achieving the primary outcomes.

## **B. Plan Purpose and Framework**

### **1. Plan Purpose**

The Plan communicates Dakota County’s vision, policies, strategies, and tactics for solid waste management over the next twenty years, with revisions every six years following Policy Plan revisions.

### **2. Plan Framework**

Dakota County’s Solid Waste Management Plan provides a framework for county residents, businesses, municipalities, waste industry and others to properly manage solid waste; performance measures to assess progress; and reporting mechanisms for accountability. The Plan identifies Dakota County’s approaches toward Policy Plan objectives, the statutory 75 percent recycling rate goal, and achieving other statutory requirements.

The county’s Plan was developed to align with the Policy Plan adopted by the MPCA in January 2024. The MPCA’s Policy Plan that metropolitan counties must follow supports improved waste management in accordance with Minnesota’s Waste Management Act (Minn. Stat. § 115A) and puts more emphasis on the following:

- Pollution prevention
- Sustainable materials management
- Conservation of natural resources
- Reduced reliance on landfills and waste-to-energy facilities
- Reduced toxicity of waste
- Equitable improvement public health for all residents
- Supporting the economy
- Reduce impacts from climate change

The following key themes in the Policy Plan underlie all elements for TCMA counties to follow:

1. Sustainable material management is a holistic and systematic approach to use and reuse materials more productively over their entire life cycle.
2. There are potential greenhouse gas reductions to be found throughout the solid waste management system.
3. The benefits and burdens of the waste management system must flow equally to everyone.
4. Extended producer responsibility presents great opportunities for shifting the burden of management from the counties to the producers.

The state’s Policy Plan objectives (Table 1) are intended to maximize the upper end of the hierarchy, emphasizing product stewardship, source reduction, and reuse, and achieving the legislative goals for recycling and organics recovery. The objectives are percentages of total TCMA mixed municipal solid waste (MSW). Percentages generated in 2022 by the TCMA and Dakota County are provided as a comparison and baseline. All stakeholders, including the MPCA, Dakota County, municipalities, waste generators, and system operators, will be held accountable for meeting these objectives. Objectives were not set for toxicity reduction or non-MSW, including construction and demolition waste.



**Table 1: Policy Plan MSW Management System Objectives for the TCMA, 2025 - 2042**

	2022 7-Metro Counties (Actual)	2022 Dakota County (Actual)	2025 Goals	2030 Goals	2036 Goals	2042 Goals
<b>Waste Reduction</b>	--*	--*	2.9%	6.4%	10.7%	15.0%
<b>Recycling</b>	28.6%	24%	36.9%	47.4%	47.4%	47.4%
<b>Organics Recovery</b>	16.6%	30%	21.5%	27.6%	27.6%	27.6%
<b>Resource Recovery</b>	21.4%	2%	24.0%	20.0%	20.0%	20.0%
<b>Landfilled</b>	33.4%	43%	17.6%	5.0%	5.0%	5.0%

\*Actual reduction and reuse measures have not yet been defined for measurement and reporting purposes.

The Policy Plan also sets new Plan focus areas for metropolitan counties, including:

- Increased emphasis on waste reduction and reuse to achieve the 15% target for reducing overall waste generation by 2042. Special emphasis is placed on food waste prevention.
- Sustainable building materials: Counties must focus on sustainable management of construction and demolition materials, which previously have not had state-established reduction targets.
- Wood waste: Anticipating a substantial increase in tree waste related to the Emerald Ash Borer, the Policy Plan has new emphasis on managing trees to delay the need for removal and on expanding regional capacity for handling wood waste. Counties must develop tree waste management plans.
- Organics (Food Scraps) diversion is not new to the Policy Plan, although expectations for implementation are more definite. The Policy Plan requires residential curbside organics collection to be available in cities with a population greater than 5,000 by 2030.

### 3. Statutory Waste Management Goal and Requirements

The Waste Management Act (Minn. Stat. § 115A) was passed in 1980 to protect the state's land, air, water, natural resources, and public health. It requires the county to reduce solid waste generation (Minn. Stat. § 115A.55). In 2014, State law was changed to require TCMA counties to achieve a 75 percent recycling rate goal (up from 50 percent) by 2030 (Minn. Stat. § 115A.551). Additional waste management statutory requirements for counties that are addressed in this Plan include:

- Ensure that residents have the opportunity to recycle (Minn. Stat. § 115A.552);
- Ensure at least one recycling center is available in the county to collect recyclable materials (Minn. Stat. § 115A.552);
- Provide information on how, when, and where materials may be recycled (Minn. Stat. § 115A.552);
- Develop a promotional program that publishes notices at least once every three months and encourages separation of recyclable materials (Minn. Stat. § 115A.552);
- Implement a Household Hazardous Waste (HHW) management plan including broad-based HHW education, reduction, separation from trash and collection, storage, and proper management (Minn. Stat. § 115A.96);
- Encourage building owners and managers to provide appropriate recycling services (Minn. Stat. § 115A.552);
- Ensure that materials separated for recycling are taken to markets for sale or to recyclable material processing centers (Minn. Stat. § 115A.553);



- Develop a solid waste plan to implement the Policy Plan (Minn. Stat. § 473.803);
- Develop and implement – or require political subdivisions to develop and implement – programs, practices, or methods designed to meet the state-established recycling goal (Minn. Stat. § 115A.551).
- Include in its solid waste management plan a recycling implementation strategy for meeting the state-established recycling goal (Minn. Stat. § 115A.551);
- Provide for the recycling of problem materials and major appliances (Minn. Stat. § 115A.552);
- Develop and implement a permanent program to manage household hazardous waste (Minn. Stat. § 473.804);
- Include in its solid waste management plan a hazardous waste management plan with a public education component, household hazardous waste reduction strategy, and a strategy for separation and proper management of household hazardous waste (Minn. Stat. § 115A.96);
- Establish and revise ordinances, rules, regulations, and standards for solid waste facilities within the county and ensure compliance (Minn. Stat. § 473.811); and
- Submit an annual certification report to the MPCA (Minn. Stat. § 473.848).

Waste management in the TCMA is an integrated system of many public and private entities with varying roles and responsibilities, ranging from direct service provision to regulation. Dakota County does not provide direct waste management services but has regulatory oversight and waste abatement programs to protect the environment and public health, and support waste management at the highest and best use in accordance with Minnesota’s waste management hierarchy.

Substantial progress has been made since Dakota County issued its first solid waste plan in the 1980s; however, recycling is not at the level it could and should be. The MPCA conducted a statewide waste characterization study in 2013 to assist with planning efforts. Results identified diversion opportunities based on the largest quantities of recoverable materials found in the waste stream, including organics (31 percent), paper (25 percent), and plastics (18 percent).

This revised Plan focuses on providing the strong start needed for better resource conservation and environmental protection, and to achieve, or make significant progress toward, the aggressive Policy Plan objectives and statutory waste management requirements.

## PART TWO: SOLID WASTE MANAGEMENT PLAN

This section outlines Dakota County’s solid waste vision, policies, strategies, tactics, and timing. Policies, strategies, and tactics in the Plan are intended to implement the Policy Plan and advance the MSW management system objectives for the region (i.e., TCMA counties).

### A. County Solid Waste Vision

The following vision defines Dakota County’s desired solid waste management system to be implemented by the public and private sectors through efforts identified in the Plan:

*A comprehensive waste management system that protects, preserves, and enhances the environment and public health.*

### B. County Solid Waste Policies

The following policies define the position on specific issues and roles or actions the county generally will take:

1. Prioritize waste management in preferred order: waste and toxicity reduction, reuse, recycling and organics recovery/diversion (prevention, consumable food rescue for people, food scraps for livestock, food for industrial uses, and then composting), resource recovery, land disposal.
2. Regulate waste in accordance with county ordinances.
3. Implement projects and programs toward achieving state laws, rules, and Metropolitan Solid Waste Management Policy Plan goals and objectives.
4. Employ multiple approaches including educational, regulatory, and financial to efficiently and effectively meet the Metropolitan Solid Waste Management Policy Plan goals and objectives.
5. Collaborate with the private and public sectors to address waste management issues.
6. Hold all persons, including waste generators and waste system operators, accountable for proper waste management and for following the Plan.
7. Advocate for practical State and Federal product stewardship laws that create effective, producer-led toxicity and source reduction, reuse and recycling.
8. Seek external sources of funding to implement this Plan and for long-term and post-closure care of landfills.
9. Strive for just treatment, meaningful involvement, and equitable implementation of the Solid Waste Management Plan for all community members.

The vision and policies align with the Environmental Resources Department’s mission to “Protect, preserve and enhance the environment for the health, enjoyment and benefit of current and future generations.”

### C. Strategies and Tactics by Topic

**Strategies** are steps that will be taken to meet Policy Plan and statutory requirements.

This Plan includes three types of strategies:

1. **Required Policy Plan Strategies** that must be included in all TCMA county plans. The MPCA’s Policy Plan identifies these 32 prescribed strategies as relatively simple to implement or have significant environmental benefit. All 32 required strategies are included in this Plan.
2. **Selected Policy Plan Optional Strategies** that total a minimum of 75 points (of available 194 points) in optional strategies that must be included in all TCMA county plans. The Policy Plan identifies 28 optional



strategies for counties to select from with assigned point values based on level of difficulty and environmental benefit. This Plan consists of 12 selected optional strategies that total 82 points, exceeding the 75-point minimum.

3. **Continuing County Strategies** are existing county programs and practices that will be continued and refined, as necessary, not incorporated under Policy Plan strategies. Appendix A provides detailed program descriptions about all county solid waste programs and practices. This Plan includes 18 continuing strategies.

Table 2 identifies the strategy topics, the number of strategies TCMA counties are required to include in each topic, and optional strategies included in the Plan with their corresponding point values.

**Table 2: Policy Plan Strategies Incorporated into the Solid Waste Management Plan**

Strategy Topics	# of Required Strategies	# of Optional Strategies Selected	Point Value of Optional Strategies Selected
1. Improve the Reliability of the Data	2	1	7
2. Education and Regional Planning	5	-	-
3. Waste Reduction and Reuse	8	4	27
4. Recycling and Organics Management with Collection Best Practices	8	2	14
5. Waste-to-Energy	1	-	-
6. Landfilling	1	-	-
7. Household Hazardous Waste and Toxicity Reduction	3	1	9
8. Sustainable Building and Deconstruction	1	2	16
9. Wood Waste	3	1	5
10. Cost and Finance	-	1	4
<b>Total Strategies</b>	<b>32</b> (32 required)	<b>12</b>	
<b>Total Point Value of Optional Strategies</b>			<b>82</b> (75 required)

**Tactics** are specific actions or activities that will be taken to implement strategies. Strategies include a range of tactics that vary in degree of specificity. This reflects the uncertainty in predicting future conditions often seen with a long-range plan. For example, a more specific tactic identifies how it will be implemented if the mechanism for implementation is evident (e.g., county ordinance update), while other tactics are written more broadly to allow evaluation and implementation of the most effective implementation method (e.g., a county ordinance versus a city code versus new programs).

**Projected** timing is provided for each selected Policy Plan strategy and county-continuing strategy in Appendix E. Strategy implementation timelines align with the general timelines identified in the Policy Plan.

**Implementation of a given strategy or tactic is subject to County Board approval through annual budgeting and work planning processes.**

The implementation framework was developed to allow flexibility in executing the different strategies and tactics, and to provide options for the county board to choose from when developing annual budgets and work plans. For example, some tactics would only be implemented if the funding and staff were available to execute.





Non-county funds will be leveraged as much as possible through grants, fees, or other funding sources to support implementation.

The county will coordinate with state and regional partners to develop annual priorities and work plans. The MPCA and county will annually evaluate progress. Other influences, such as changes in industry and market conditions for materials, may also influence strategy timing and implementation. Therefore, the actual timing of strategy implementation may be different than presented in this Plan based on approved approaches, strategy phasing, future conditions, and interactions with other implemented strategies.

## 1. Topic: Improving the Reliability of the Data

The MPCA desires to “accelerate the availability of data and information in a self-service format.” One of the best ways to accomplish this is to ensure that data is consistently collected through the most reliable sources and that all waste and waste reduction be tracked.

Dakota County must include two strategies in this category, as listed below. The Plan also includes one selected Policy Plan optional strategy, worth a total of seven points toward the 75-point required minimum. Continuing county strategies will support ongoing education, research, planning, implementation, evaluation, and reporting of waste management projects and programs.

### Required Policy Plan Strategies

#### 1. Increase compliance with hauler reporting per Minn. Stat. § 115A.93. (PP 1)

- a. Continue to implement county requirements for hauler reporting.
- b. Inform haulers of reporting requirements at least once per quarter.

#### 2. Provide required county reporting. (PP 2)

- a. Continue to annually submit required reporting to the MPCA (e.g., SCORE, certification, annual reports).
- b. Continue to collaborate with the MPCA, TCMA counties, and regulated parties to improve waste management data collection and reporting.
- c. Collaborate with the MPCA and TCMA counties to identify and implement an effective measurement tool for source reduction and reuse.

### Optional Policy Plan Strategies

#### 3. Improve recycling data collection at businesses within the county. (PP 4 – 7 points)

- a. Continue to implement Dakota County Ordinance No. 110 requirements for commercial entities (e.g., business, schools) to annually report recycling data to the county to improve waste management data.

## 2. Topic: Education and Regional Planning

Counties are responsible to provide education to the public on how, when, and where materials can be recycled and promote activities to encourage recycling at least quarterly (Minn. Stat. § 115A.552). The Policy Plan states that it is practical to implement certain strategies at the regional level by collaboratively designing and modernizing a materials management system will benefit all TCMA counties, and requires five specific strategies for regional solutions, as listed below.

A continuing county strategy will support ongoing landfill waste abatement education efforts.



## **Required Policy Plan Strategies**

- 4. Participate in an annual joint commissioner/staff meeting on solid waste. (PP 9)**
  - a. Collaborate with partners (e.g., MPCA, TCMA counties) to implement meetings with the MPCA, county staff and a county commissioner to support effective solid waste policies in the region.
- 5. Commit to standardized outreach and education. (PP 10)**
  - a. Continue to provide information on how, when, and where to properly manage solid waste and encourage source-separation of materials to support management of materials and waste at the highest levels of the State of Minnesota's Hierarchy and the EPA Food Recovery Hierarchy to all persons in Dakota County.
  - b. Continue to provide consistent, broad-based education to the community on proper waste management (e.g., solid waste, problem materials, household hazardous waste) using county-standardized educational, outreach, and communication resources.
  - c. Continue to collaborate with partners (e.g., MPCA, TCMA counties, Recycling Education Committee, recycling and composting associations) to leverage existing resources by incorporating state and regionally developed materials in county communications.
  - d. Update Dakota County Ordinance No. 110 to require haulers to provide customers feedback when they are not sorting recycling correctly and provide standardized messaging to customers on a quarterly basis at minimum.
  - e. Continue to promote county programs and collection services (e.g., The Recycling Zone) and drop off opportunities (e.g., plastic bag and film recycling) to promote proper management of solid waste.
  - f. Promote the benefits of the use of compost.
- 6. Engage in efficient and value-added infrastructure planning. (PP 11)**
  - a. Continue to collaborate with the state, TCMA counties and the private sector on planning efforts for infrastructure development (e.g., organics, wood waste).
- 7. Develop plans for large facility closures to reduce landfill reliance. (PP 12)**
  - a. Develop plans for potential closures at large facilities (e.g., recycling facilities, food waste compost facilities, transfer stations) located in the county.
  - b. Continue to collaborate with the state, landfill owners/operators, and municipalities that host landfills to develop post-closure monitoring and mitigation plans.
  - c. Continue to enforce Dakota County Ordinance No. 110 requirements that prohibit source-separated materials, including recyclables and food waste, from landfilling.
  - d. Continue to ensure facilities maintain closure and pre-closure plans and adequate financial assurance to implement those plans, as required by Dakota County Ordinance No. 110.
- 8. Participate with the Product Stewardship Committee under the Solid Waste Administrators Association (SWAA). (PP 60)**
  - a. Continue to participate in a regional product stewardship committee to develop and expand practical product stewardship initiatives.
  - b. Continue to provide data for legislative changes that improve product stewardship initiatives (e.g., for paint, electronics).



## **Continuing County Strategies**

The following strategy is an existing county practice not incorporated in above Policy Plan strategies. The strategy will be sustained and refined, as necessary.

### **9. Provide messages and education programs to all audiences using communication methods most effective for the intended audience.**

- a. Develop engagement methods using innovative, evidence-based approaches proven to motivate behavior change.
- b. Deliver messages using mass communications methods (e.g., print, online, mobile) most effective for each intended audience.
- c. Use a variety of learning engagement methods (e.g., presentations, tours, multilingual/multicultural outreach).
- d. Require municipalities to use elements of county outreach, educational, and promotional program materials.
- e. Use the Recycling Ambassador program to engage more audiences (e.g., teachers, municipal staff) to increase waste management awareness and waste diversion actions in the community.

## **3. Topic: Waste Reduction and Reuse**

Counties are responsible for advancing prevention and reuse along with other solid waste management strategies. Waste reduction means not generating any materials that require further recycling, composting, disposal, or other management. The Policy Plan Waste Reduction objective is 2.9 percent by 2025 and 15 percent by 2042 for TCMA counties.

Dakota County is required to include eight specific strategies in this category, as listed below. The Plan also includes four selected optional strategies, worth a total of 27 points toward the 75-point required minimum.

## **Required Policy Plan Strategies**

### **10. Provide grants for access to software that can track food waste. (PP 13)**

- a. Continue to provide support (e.g., funding, technical assistance, best management tools) to schools and commercial kitchens for tracking tools and equipment (e.g., LeanPath, Phood) to prevent food waste in their purchasing and practices.

### **11. Establish partnerships between food rescue organizations and restaurants/stores to increase food rescue. (PP 14)**

- a. Provide support (e.g., funding, technical assistance) to organizations (e.g., food shelves, restaurants, grocery stores, schools) to improve collection, safe storage and transportation of surplus edible food to food rescue organizations.
- b. Collaborate with food rescue organizations to provide education to donors on donation opportunities, including donation liability protections.
- c. Provide resources (e.g., educational materials) to businesses and schools on food rescue options during county waste regulation inspections.

### **12. Launch bi-annual sustainable consumption challenges for residents. (PP 15)**

- a. Conduct bi-annual sustainable low-waste living challenges (e.g., plastic reduction) for residents and provide tools (e.g., reusable containers) to reduce barriers to sustain low-waste actions.
- b. Continue to provide information on waste reduction and reuse opportunities for residents (e.g., donation, curbside collection, lending, renting, repairing).



- 13. Implement a formal county sustainable purchasing policy using MPCA guidance. (PP 16)**
- Continue to implement standards and practices for environmentally preferable products and services in accordance with County Policy 2740 (Procurement) and educate employees on practices that reduce waste in county operations.
  - Adopt and implement a county policy that allows donation of assets to non-profit organizations.
- 14. Participate in Responsible Public Purchasing Council meetings. (PP 17)**
- Continue to participate in MPCA-led Responsible Purchasing Council meetings and host at least two meetings by 2030.
  - Continue to provide resources (e.g., funding, technical assistance) to public entities to participate in the MPCA's Responsible Purchasing Council meetings and implement waste reduction and reuse in their operations.
- 15. Offer grants or rebates for organizations to transition to reusable food and beverage service ware. (PP 19)**
- Continue to implement county business and municipal waste abatement programs that provide resources (e.g., funding, technical assistance) to improve waste reduction and reuse within internal operations, including for supplies and reusable service ware.
  - Modify the existing school program to expand support (e.g., funding, technical assistance) to increase use of reusable service ware, including for infrastructure (e.g., washing and collection equipment).
- 16. Offer grants for waste reduction, reuse, and repair. (PP 20)**
- Continue to provide resources (e.g., funding, technical assistance) through the business, schools, multifamily, and municipal waste abatement programs to improve waste reduction within internal operations.
  - Provide start-up resources (e.g., funding, technical assistance) to businesses and organizations to implement waste reduction with large-scale community-wide impact.
  - Use non-county funding opportunities (i.e., grants or additional state funding) to research best practices and pilot opportunities to increase deconstruction and use of reusable building materials.
- 17. Implement a green meeting policy. (PP 21)**
- Continue to implement standards for green meetings in accordance with County Policy 2740 (Procurement) and educate employees on green meeting practices.
  - Explore and implement additional opportunities (e.g., food donation, reusable serviceware, select use of dishwashers) to reduce waste at county meetings.

#### **Selected Policy Plan Optional Strategies**

- 18. Work with health inspectors to educate restaurants and other establishments that have excess prepared food to donate. (PP 18 – 7 points)**
- Collaborate with the Minnesota Department of Health to educate state-licensed food establishments about food rescue opportunities.
- 19. Join and/or actively participate in a reuse network, like Reuse Minnesota, to provide county and city staff with learning opportunities to broaden their reuse expertise. (PP 24 – 6 points)**
- Continue to be a member of and participate in Reuse Minnesota and implement learnings in county operations.



- b. Continue to provide resources (e.g., funding, technical assistance) for municipalities to participate in reuse networks and implement reuse in their operations.

**20. Establish a Repair Ambassador program, like the Recycler/Composters (RCAs) Ambassador programs. (PP 25 – 7 points)**

- a. Continue to implement the Fix-it Clinic Program with a volunteer base to support repair of broken household items.
- b. Implement a repair ambassador program to recruit and provide trainings for new volunteers to support Fix-it Clinics.

**21. Establish a reuse location for residential drop-off and pick-up (PP 26 – 7 points)**

- a. Increase residential reuse opportunities using county collection facilities (e.g., Recycling Zone, Recycling Zone Plus) for household items that are challenging to reuse (e.g., household hazardous waste, problem materials, bicycles, and mattresses).

**Continuing County Strategies**

The following strategies are existing county programs and practices not incorporated in above Policy Plan strategies. These strategies will be sustained and refined, as necessary.

**22. Implement residential waste reduction and reuse programs and opportunities.**

- a. Provide food waste prevention education and resources (e.g., prevention tools) and information about food shelf donation opportunities to residents.
- b. Promote existing building materials reuse opportunities and services for residents.

**23. Implement municipal, school and commercial waste reduction and reuse programs and opportunities.**

- a. Provide reuse opportunities (e.g., partnerships with non-profits for on-site collections) for multifamily residents.
- b. Provide support (e.g., technical assistance, funding) to municipalities to increase access to reuse and repair opportunities for residents in their community, including reuse opportunities at clean up events.
- c. Provide support (e.g., funding, technical assistance) and education through current municipality, business, and schools programs to increase reuse, food waste prevention, and food rescue.

**4. Topic: Recycling and Organics Management with Collection Best Practices**

The Policy Plan prioritizes recycling and organics management, along with collection best practices, to increase the recycling rates in the region. The Policy Plan Recycling objective is 36.9 percent by 2025 and 47.4 percent by 2042 for TCMA counties. The Policy Plan Organics Recovery objective is 21.5 percent by 2025 and 27.6 percent by 2042 for TCMA counties. The Policy Plan recycling and organics objectives are intended to achieve the statutory recycling goal (includes organics) of 75% by 2030 for TCMA counties.

Dakota County is required to include eight specific strategies related to recycling management, organics management, and collection best practices, as listed below. The Plan also includes two selected optional strategies, worth a total of 14 points toward the 75-point required minimum, along with several continuing strategies.

**Required Policy Plan Strategies**

**24. Collect recyclables, organics and trash on the same day. (PP 30)**



- a. Update Dakota County Ordinance No. 110 to require haulers to collect recyclables, trash and organics (if collected) on the same day from residential customers.
  - b. Provide resources (e.g., technical assistance, model language) for municipalities to update local codes.
- 25. Recruit a minimum of 12 commercial businesses a year to recycle at least three materials from their operations and promote the environmental and resource benefits. (PP 35)**
- a. Continue to provide standardized resources (e.g., education materials, labels, training) and technical assistance to commercial entities through the business recycling program to improve recycling within their operations.
  - b. Modify the business recycling program to focus funding support for recycling infrastructure (e.g., containers) on small commercial entities.
  - c. Inform businesses about and enforce Dakota County Ordinance No. 110 commercial recycling requirements.
- 26. Establish mandatory pre-processing of waste at resource recovery facilities and landfills by 2030. (PP 36)**
- a. Update Dakota County Ordinance No. 110 to require upfront processing of a minimum of aluminum and steel at resource recovery facilities and MSW and non-MSW landfills, including that facilities demonstrate effectiveness and preparedness prior to implementation.
- 27. Provide assistance to multifamily properties to improve recycling (4 or more units with a shared wall). (PP 37)**
- a. Continue to provide standardized resources (e.g., education materials, labels, training), funding support for infrastructure (e.g., containers), and technical assistance to multifamily properties to improve recycling within their operations.
  - b. Continue to provide support (e.g., funding, technical assistance, educational resources) to municipalities to implement the county's multifamily recycling program.
  - c. Continue to work with municipalities to ensure building planning and construction supports recycling and to develop multifamily mechanisms (e.g., rental licenses, inspections) consistent with city codes and County Dakota County Ordinance No. 110.
- 28. Make residential curbside organics collection available in cities with a population greater than 5,000 by 2030. (PP 40)**
- a. Update Dakota County Ordinance No. 110 to make curbside organics collection available for residential customers in suburban cities (e.g., require hauler implementation plan, prohibit container delivery charge).
  - b. Provide start-up resources (e.g., compostable bags, educational materials) to residents and municipalities to remove participation barriers.
  - c. Provide support (e.g., funding, technical assistance, educational resources) to interested municipalities that implement organized collection for organics collection.
  - d. Continue food waste credits in county landfill host agreements to encourage adequate capacity for organics generated in Dakota County.
- 29. Expand backyard composting outreach and resources for residents. (PP 41)**
- a. Continue to provide educational resources to municipalities to support residential backyard composting.

- b. Increase resident education about backyard composting and provide resources (e.g., compost spreading equipment) to reduce barriers to use of compost.
- c. Continue to provide incentives (e.g., discounts) to residents to participate in regional compost bin sales (e.g., RAM) and provide distribution locations in the county.
- d. Provide compost bin sale opportunities at county drop off sites (e.g., Recycling Zone Plus).

**30. Require management of organics from large commercial food generators by 2033. (PP 42)**

- a. Continue to implement Dakota County Ordinance No. 110 requirements for large generators of organics.
- b. Modify the business recycling program to focus funding support for organics infrastructure (e.g., containers) on small commercial entities to improve back-of-house organics recovery within their operations.
- c. Continue to provide standardized resources (e.g., education materials, labels, training) to all interested commercial entities (e.g., businesses, schools) to improve organics recovery within their operations.

**31. Require food-derived compost in county construction and landscaping projects. (PP 55)**

- a. Collaborate with regional partners (e.g., MPCA, MNCC, TCMA counties) to revise MnDOT specifications for separate yard waste and food derived compost standards.
- b. Develop a county policy to use MnDOT specifications for compost to expand use of yard waste and food waste derived compost in county earthworks projects (e.g., transportation, stormwater, landscaping).
- c. Provide support (e.g., educational materials, compost product) to residents and community partners that participate in county landfill abatement programs to increase use of compost in earthworks projects.

**Selected Policy Plan Optional Strategies**

**32. Collect recycling weekly by 2030. (PP 31 – 7 points)**

- a. Continue to implement Dakota County Ordinance No. 110 requirements for haulers to provide weekly recycling to residential customers and update requirements to include a variance for rural parts of the county if additional recycling opportunities are provided.

**33. Establish additional organics recycling drop off sites. (PP 43 – 7 points)**

- a. Continue to provide drop off opportunities (e.g., drop sites) to collect organics from residents and expand to areas that will not be served by curbside organics collection (e.g., apartment complexes, rural areas).
- b. Continue to provide resources (e.g., compostable bags, educational materials) to residents to remove participation barriers.
- c. Continue to collaborate with municipalities and other partners and provide assistance (e.g., start-up funding, resident education, training) for residential organics drop-off sites.

**Continuing County Strategies**

The following strategies are existing county programs and practices not incorporated in above Policy Plan strategies. These strategies will be sustained and refined, as necessary.

**34. Improve the consistency and accountability of waste materials collection.**

- a. Promote a standardized list of traditional recyclables with proven markets to be collected.





- b. Provide research (e.g., economic, efficiency, GHG emissions) and funding for municipalities to consider best management collection options (e.g., zoned contract areas, hauler franchise agreements).

**35. Support the collection of household items that are challenging to recycle.**

- a. Promote opportunities for residents to recycle challenging materials (e.g., mattresses).
- b. Provide municipalities with implementation resources (e.g., funding, technical assistance, model contracts) to increase opportunities to recycle challenging household items such as mattresses through city collections events.
- c. Support collection of waste agricultural and marina film plastic until private sector efforts are widely available.

**36. Ensure the opportunity to recycle.**

- a. Provide a year-round drop-off facility/ies (e.g., The Recycling Zone) to collect recyclables (e.g., paper, plastic, metal/scrap metal, glass) from residents.
- b. Require MSW haulers to offer recycling collection to their customers in accordance with Dakota County Ordinance No. 110.

**37. Provide support to schools to improve recycling and organics recovery in their operations through the school recycling and organics program.**

- a. Provide resources (e.g., funding, labels, technical assistance, education) to implement best management practices to increase recycling and recover organics at schools including for outdoor recycling infrastructure.

**38. Implement recycling and organics diversion at events.**

- a. Implement Dakota County Ordinance No. 110 requirements for recycling and back-of-house organics diversion.
- b. Provide support (e.g., technical assistance, funding, educational resources) to municipalities to continue collection of recyclable and organics materials at events and enhance event check-out program for residents.
- c. Provide a check-out container program and assistance (e.g., technical assistance, infrastructure, educational resources) to implement a uniform system of well-labeled and paired trash and recycling containers at community events.
- d. Facilitate a group of volunteers to implement recycling, organics, and waste reduction best management practices at community events and document event diversion results.

**39. Provide recycling and organics recovery/diversion opportunities in county operations, including in public and employee areas.**

- a. Use model contracts, such as a resource management contracts, to manage waste from county operations.
- b. Implement a uniform system of well-labeled, paired trash, recycling, and organics containers in county operations.

## **5. Topic: Waste-to-Energy**

The Waste Management Act identifies that waste-to-energy (WTE) is preferred over landfills. The Policy Plan identifies that WTE recovers more materials and energy compared to landfills. The Policy Plan Resource





Recovery objective is 24 percent by 2025 and 20 percent by 2042 for TCMA counties. Progress toward this objective will remain difficult until new capacity is reasonably available for Dakota County waste.

Dakota County is required to include one Policy Plan strategy in this category, as listed below.

#### **Required Policy Plan Strategies**

##### **40. Counties must continue to support the implementation of Minn. Stat. § 473.848 Restriction on Disposal. (PP 58)**

- a. Continue to support state efforts to maximize the use of existing resource recovery facility capacity serving the TCMA while considering geography and environmental impacts.
- b. Work cooperatively with the MPCA as the State enforces provisions found in Minn. Stat. § 473.848 while considering distance to resource recovery facilities, sustainable materials management principles, and related environmental impacts (e.g., facility air quality permits, GHG emissions/equivalent).
- c. Continue to annually gather and submit information and data for the MPCA's annual certification report.
- d. Continue to manage the lease for county-owned land in Empire to support transfer capacity to a resource recovery facility through 2027, with possible extensions available through 2037.

#### **6. Topic: Landfilling**

The Policy Plan includes system objectives to reduce land disposal to 5% of MSW generation within the next ten years, recognizing that some MSW is not processible. According to the Policy Plan, if MSW cannot be prevented, reduced, reused, recycled, or composted, it should first go to a resource recovery facility and only be landfilled if it is not processible. The Policy Plan Landfilled objective is 17.6 percent by 2025 and 5 percent by 2042 for TCMA counties. The Policy Plan does not have numeric targets for non-municipal solid waste (non-MSW). Non-MSW includes industrial, construction, and demolition debris.

Dakota County is required to include one Policy Plan strategy in this category, as listed below. This section also includes several continuing county strategies focused on regulation and proper management of non-MSW.

#### **Required Policy Plan Strategies**

##### **41. Require waste composition study at least once every five years at all landfills that are located within your county. (PP 3)**

- a. Review and update Dakota County Ordinance No. 110 requirements for MSW and non-MSW disposal facilities to conduct waste composition studies to be consistent with state law and MPCA implementation mechanisms (e.g., facility permit schedules), including a start date no sooner than 2029.
- b. Collaborate with the MPCA on the waste composition schedule and methodology at landfills.

#### **Continuing County Strategies**

The following strategies are existing county programs and practices not incorporated in the above Policy Plan strategy. These strategies will be sustained and refined, as necessary.

##### **42. Regulate solid waste generators, haulers, facilities, generators to achieve compliance and protect public health and the environment, in accordance with County Ordinances.**

- a. Regulate solid waste generators, solid waste facilities, and waste haulers to achieve compliance with county licenses and ordinances.



- b. Enforce waste and material bans and restrictions.

**43. Regulate hazardous waste generators and facilities to protect public health and the environment, in accordance with County Ordinances.**

- a. Regulate hazardous waste generators and facilities.
- b. Prohibit licensed haulers from mixing source-separated materials with MSW.
- c. Continue partnerships with the County Sheriff's Department and public entities (e.g., rural towns, townships) to reduce toxic releases caused by mismanagement of waste (e.g., burning waste).

**44. Provide opportunities to recycle and properly manage non-MSW that is banned from disposal.**

- a. Collect tires at county collection sites (e.g., The Recycling Zone) and encourage municipalities to offer tire collections at community clean-up events.

**45. Regulate non-MSW haulers and facilities in accordance with County Ordinance.**

- a. Regulate waste haulers that collect and transport non-MSW and work with the region to evaluate licensing of non-MSW waste haulers as part of the regional hauler licensing program and implement findings.
- b. Regulate facilities that manage non-MSW.

## **7. Topic: Household Hazardous Waste and Toxicity Reduction**

Household hazardous waste (HHW) facilities reduce the toxicity of the solid waste stream by providing households with an opportunity to bring pesticides, drain cleaners, mercury thermometers, stains, or varnishes, and other such products to drop-off sites. County HHW collection programs are statutorily mandated to remove hazardous materials from the solid waste stream.

Dakota County is required to include three specific Policy Plan strategies in this category, as listed below. The Plan also includes an alternative strategy as a substitution for one Policy Plan optional strategy, worth a total of 9 points toward the 75-point required minimum. The alternative strategy to build and operate a second permanent HHW and recycling drop off facility in partnership with Scott County will exceed the intended benefits of the original optional strategy to host monthly drop-off sites. A continuing county strategy is also included in this section for sustained HHW, problem material and recycling services at The Recycling Zone.

### **Required Policy Plan Strategies**

**46. Encourage retailers to increase consumer awareness of responsible end-of-life handling for products containing lithium-ion batteries. (PP 61)**

- a. Continue to promote safe disposal of batteries to residents including county and private sector HHW drop-off opportunities.
- b. Collaborate and provide resources (e.g., funding, educational materials) to municipalities to provide tobacco retailers that are licensed by municipalities with information on county HHW drop-off options for responsible resident lithium-ion batteries management, such as from vaping products.

**47. Continue participation in the reciprocal use agreement for HHW collection sites. (PP 62)**

- a. Continue to use reciprocal use agreements to recover funds for household hazardous waste that is generated in other counties and managed by the county.
- b. Continue to participate in agreements, partnerships, or both with private and public sectors to reduce costs, liability for managing hazardous waste and problem materials, or both (e.g., Department of Agriculture, PaintCare, Dakota Electric, Xcel Energy, State).



**48. Partner with cities to increase participation in HHW collection. (PP 63)**

- a. Provide support (e.g., technical assistance, funding) to municipalities for education on county HHW drop off opportunities to their residents.
- b. Continue to collaborate with municipalities to provide interim collection opportunities for proper management of materials (e.g., pharmaceutical waste) as state and private sector product stewardship initiatives develop.
- c. Continue to collaborate with cities to provide year-round collection of limited HHW (e.g., CFL bulbs) and problem materials (e.g., string lights).

**Selected Policy Plan Optional Strategy**

**49. In partnership with Scott County, increase drop off opportunities for problem materials, household hazardous waste management (HHW) and business hazardous waste at a second permanent county facility by 2029. (PP 64 Alternative Strategy – 9 points)**

- a. Continue to collaborate with Scott County to develop a joint permanent year-round hazardous and household hazardous waste, recycling and problem material collection facility (i.e., The Recycling Zone Plus).
- b. Provide opportunities for proper hazardous waste management for public entities, commercial entities, and hazardous waste generators.
- c. Work to secure additional state funding to assist with building and construction costs.

**Continuing County Strategies**

The following strategy is an existing county program not incorporated in above Policy Plan strategies. The strategy will be sustained and refined, as necessary.

**50. Continue to provide year-round drop-off site (e.g., The Recycling Zone) to collect problem materials and hazardous and household hazardous waste from residents.**

- a. Continue to provide consistent and cost-effective household hazardous waste, hazardous waste, and problem material management services.
- b. Continue to provide reuse opportunities at the county year-round drop-off site (e.g., The Recycling Zone) and household hazardous waste/problem material collections to reduce the amount of hazardous waste disposal.

**8. Topic: Sustainable Building and Deconstruction**

The Policy Plan notes that traditional demolition of buildings is wasteful and destroys usable, valuable materials and that better handling and preservation of existing materials reduces unnecessary waste. For example, materials like concrete, wood, and metals can be diverted for reuse or recycling.

Dakota County is required to include one specific Policy Plan strategy in this category, as listed below, focused on developing plans for Dakota County's buildings and projects. The Plan also includes two selected optional strategies, worth a total of 16 points toward the 75-point required minimum.

**Required Policy Plan Strategies**

**51. Implement the use of a Building Material Management Plan. (PP 65)**

- a. Continue to use the county's High Performance Design and Construction Standards for county building construction, demolition, and remodeling projects.



- b. Share information regarding waste reduction, reuse, and recycling opportunities with public entities and encourage public entity adoption of such practices.
- c. Utilize existing resources to implement a building material management plan for county-owned buildings to document the destination of materials in projects during and after project completion when non-county funding opportunities (i.e., grants or additional state funding) are available.

### **Selected Policy Plan Optional Strategy**

#### **52. Host a building material collection event or swap. (PP 67 – 8 points)**

- a. Provide support (e.g., funding, technical assistance) to municipalities to partner with building materials reuse organizations to provide building material collection events for residents.
- b. Provide support (e.g., funding, technical assistance) to promote building material collection opportunities and events for residents when non-county funding opportunities (i.e., grants or additional state funding) are available.

#### **53. Provide deconstruction training. (pp 69 – 8 points)**

- a. Provide assistance (e.g., funding, technical assistance) to organizations to provide education (e.g., presentations, classes) to the deconstruction workforce (e.g., contractors, builders) to increase proper sorting and reuse of building materials.
- b. Participate in state and regional information-sharing and coordination for deconstruction training to the region.

## **9. Topic: Wood Waste**

According to the Policy Plan, Emerald Ash Borer (EAB) infestation combined with more frequent, severe storms have led to large volumes of wood waste in Minnesota. The state projects a trajectory of five to ten years to reach peak volumes of wood waste in TCMA counties.

Dakota County is required to include three specific strategies in this category, as listed below. The Plan also includes one selected optional strategy, worth a total of five points toward the 75-point required minimum.

### **Required Policy Plan Strategies**

#### **54. Develop plans to prevent and manage wood waste in each county and throughout the region. (PP 45)**

- a. Continue to license yard waste and wood waste processing facilities and require reporting of wood and yard waste received, managed, stored and processed.
- b. Participate in the MPCA Wood Waste Task Force to plan for potential volumes of wood waste from diseased tree species in the county and to identify facilities and industries (e.g., mulch producers, tree care companies) that manage wood waste from county generators.
- c. Identify and implement opportunities to manage wood waste from county operations to the greatest environmental benefit (e.g., preservation, biochar).
- d. Collaborate with partners (e.g., state, municipalities, wood waste industry, SWCD) to promote information on existing tree management resources (e.g., tree care to prevent tree diseases, funding assistance for tree removal).

#### **55. Promote existing programs that use EAB-affected wood for furniture, home goods, flooring and other purposes. (PP 46)**

- a. Promote opportunities for residents and businesses to use products made from EAB-affected trees.
- b. Use EAB-affected wood in county operations as relevant.



**56. Composting and mulching operations must continue to be supported. (PP 47)**

- a. Continue to manage the lease for county-owned land in Empire to support regional capacity of yard waste and food waste composting through 2027, with extensions available through 2037.
- b. Provide public education on yard waste and wood waste management options, including drop off and pick up options.
- c. Update Dakota County Ordinance No. 110 to require haulers to provide customer education and labels on yard waste containers that follow county standardized messaging requirements.
- d. Continue to regulate yard waste and wood waste to ensure proper waste management in accordance with Dakota County Ordinance No. 110.
- e. Collaborate with partners (e.g., municipalities, private sector) and provide support (e.g., funding, technical assistance) to expand drop off opportunities for residents to properly manage yard waste and tree waste when non-county funding opportunities (i.e., grants or additional state funding) are available.

**Selected Optional Policy Plan Strategies**

**57. Expand composting and mulching capacity beyond existing markets. (PP 52 – 5 points)**

- a. Allow the lease for county-owned land in Empire to support organics operations (e.g., source-separated organics, yard waste composting) and allow operations to include biochar production.
- b. Allow beneficial use of biochar at landfills through the county licensing process.
- c. Increase biochar generation in county operations and explore opportunities to use biochar in county earthworks projects (e.g., Transportation, Parks).

**10. Topic: Cost and Finance**

The Policy Plan does not include a numeric objective related to this category. This section is included because the county is committed to making effective use of public resources and allocating costs equitably to waste generators while ensuring environmental protection. This section of the Plan includes one optional strategy, worth a total of four points toward the 75-point required minimum, in addition to several continuing county strategies for continued management of fees and use of county and external funding for abatement programs.

**Selected Optional Policy Plan Strategies**

**58. Implement additional fees to better account for the externalities of land disposal. (PP 59 – 4 points)**

- a. Continue to implement a fee structure to fully fund regulatory hazardous and solid waste programs and activities.
- b. Continue to negotiate host fee agreements with waste management facilities to influence waste generators to manage waste in priority order: reduce, reuse, recycle, organics recovery, resource recovery, land disposal and support waste abatement activities, including to charge more for out of county waste in host agreements at MSW landfills.
- c. Continue to manage and use state funding (e.g., SCORE, LRDG) and other outside grant opportunities to implement waste abatement programs and practices.

**Continuing County Strategies**

The following strategies are existing county programs and practices not incorporated in above Policy Plan strategies. These strategies will be sustained and refined, as necessary.

**59. Collect and manage waste fees to implement waste management programs.**

- a. Negotiate and collect host fees for MSW and non-MSW facilities during the operational life of the facilities to support waste abatement activities.



- b. Implement a fee structure to fully fund regulatory hazardous and solid waste programs and activities.
- c. Use state funding (e.g., SCORE, LRDG) to implement waste abatement programs.

**60. Provide performance-based grant funding and resources to municipalities to implement landfill abatement programs within their operations and in the community.**

- a. Annually provide funding, technical assistance, and infrastructure and educational resources to support city and township recycling and waste abatement programs in accordance with Dakota County Ordinance No. 110.

**61. Institute funding incentives to divert waste from landfill disposal.**

- a. Provide support (e.g., technical assistance) to encourage proposals from private and public entities to add or expand landfill diversion capacity in the county.

**62. Implement long-term revenue sources for landfill abatement programs that encourage waste diversion.**

- a. Evaluate non-levy revenue models (e.g., generator fees) that sufficiently support solid waste programs and support waste management at the highest and best levels, anticipating facility closures and resulting host fee reduction or elimination.
- b. Advocate that all collected Solid Waste Management Tax that is distributed to the State's general fund be redistributed to counties for landfill abatement.
- c. Advocate to fully fund the Metropolitan Landfill Contingency Action Trust Account (MLCAT) and Closed Landfill Investment Funds (CLIF).
- d. Advocate for continued funding from the Local Recycling Development Grant (LRDG).

## **D. Plan Implementation**

### **1. Public Education**

Public education will be critical in implementing each strategy in the Plan, whether it is a continuing, expanded, or new effort, as identified in Appendix E. Public education is shifting beyond traditional information-sharing to a more robust engagement that develops community awareness of solid waste issues and individual roles and responsibilities to properly manage waste. To move more waste up the waste management Hierarchy, community outreach will need to leverage partnerships more effectively, use proven science-based educational messages and methods, enhance message delivery and consistency, and apply multiple communication methods that best reach the intended audience.

A communications work plan will be developed annually by the Environmental Resources Department and County Communications to identify priority messages and venues to promote waste messages to the community.

### **2. Environmental Justice**

Environmental justice is the fair treatment and meaningful involvement of all people as environmental laws, rules, and policies are developed, implemented, and enforced. This Plan establishes a framework to incorporate equity and environmental justice in solid and hazardous waste program areas upon which Dakota County can continuously improve. The Policy Plan requires this Plan be developed with an environmental justice review lens. See Appendix C for more details on Dakota County's environmental justice review for how the Plan was developed and plans for continued equity as Plan strategies are implemented.



### 3. Phasing and Collaboration

Collaboration between county staff and stakeholder groups will be fundamental for successful strategy implementation. In Dakota County there has been a long history of solid waste service provided by private businesses and nonprofits. Therefore, the private sector, nonprofits, and other stakeholders play a significant role in implementing the Plan. County staff will build on stakeholder engagement approaches developed during the Plan revision process, continuing to nurture existing and develop new relationships so the county can consider additional tools to influence change. County staff will engage stakeholders on the Plan strategies to develop implementation approaches that are achievable, consider stakeholder perspectives, and help the county meet state objectives. County staff will apply multiple methods to engage stakeholders in a meaningful and equitable way, such as through local community cultural events.

County staff recognizes the need to phase in certain approaches over multiple years (see proposed timing in Appendix E). Collaborative efforts with interested stakeholders are anticipated to help develop time-phased approaches, refine and strengthen existing programs, and develop new programs.

Stakeholders include:

**State:** The county will actively work with the MPCA on emerging technology efforts, recycling and organics market development approaches, continued waste reduction measurement, support for product stewardship initiatives, and efforts to improve Non-MSW management data and increase reuse and recycling of construction and demolition waste. The county will collaborate with the MPCA on work planning and annual priority setting.

**Region:** The county will work with TCMA counties to strengthen and refine regional programs (e.g., hauler licensing and reporting, HHW reciprocal use) and collaborate with interested counties on implementation phasing for similar program approaches. The county will actively look for stakeholder groups to participate in that improve regional consistency and advance the objectives of the Plan.

**Waste Industry:** The waste industry provides collection and management services. It will be essential to engage haulers and facility operators as new or expanded approaches are being considered to address potential collection and capacity issues, develop effective implementation approaches, and implement effective transitions in program approaches.

**Municipalities (Cities and Townships):** The county will actively work with cities and townships to explore strategy approaches and timing that addresses the needs of each community. The county will work to engage decision-makers to further identify roles and responsibilities that best align with municipal goals while also meeting county goals. The county will continue collaborating with municipal staff for waste abatement work planning, project implementation, and to share information.

**Waste Generators:** The county will engage underserved (e.g., using environmental justice framework) and interested waste generators (e.g., residents, businesses, public entities, multi-unit dwellings) to refine plans for new strategy approaches and implementation timing.

### 4. Performance and Accountability

Proper waste management and successfully meeting Policy Plan and statutory requirements requires new strategies and increased accountability. Because everyone makes decisions about and produces waste, the Plan includes strategies to be implemented in whole or in part by various stakeholders, including the state, county, public entities, residents, businesses, non-profit organizations, and the waste community.

Performance evaluation is undertaken at the project/program level (e.g., pounds of materials reused and number of participants at a Fix-It Clinic; number of inspections and compliance actions). Formal performance evaluation and reporting is required annually at the program level (e.g., diverted tons, costs, participants in the





Business Recycling Incentive Program) to establish work plans and budgets, from regulated parties (e.g., hauler and facility reports) and through multiple state reports to measure progress on Policy Plan and statutory requirements. Appendix D describes the required annual reports, program reporting requirements, and contains tables with the Plan strategies, key entities for implementation, measures, and primary mechanisms for measurement.

Additionally, the county measures performance annually through Program and Service Inventory (PSI) reporting, which is an outcomes-based accountability framework. The county's PSI serves as a key component in providing transparency to the work carried out by providing a list of key county services key solid waste program and regulatory activities, serving as a reference point for staff, the County Board, and residents to understand the work of the county.

PSI reporting is used to assess the effectiveness of programs and initiatives by focusing on outcomes rather than outputs. It involves asking specific questions to determine the impact of actions taken, including for solid waste programming:

- "How much did we do?" refers to measuring outputs, such as the number of people served, pounds diverted, or people educated.
- "How well did we do it?" evaluates the quality and efficiency of county solid waste programs.
- "Is anyone better off?" examines the broader impact and outcomes achieved, assessing whether desired changes or improvements have occurred to meet the county's solid waste goals.

This framework provides a structured approach for Dakota County to measure and improve performance across our programs, leading to more accountable and impactful decision-making.



## Appendix A: Existing Waste Management System and County Programs

This appendix identifies waste management roles and responsibilities, demographics, waste projections and composition, waste amounts and management methods, facilities, and Dakota County's programs and activities.

### A. Waste Management Governance, Roles, and Responsibilities

State and local government and the private sector all have roles in implementing solid waste policies and operating the TCMA waste management system. The public sector is responsible for establishing policies, quantifiable waste management objectives, and programs to conserve natural resources and protect public health and the environment. The private sector largely owns and operates the Twin Cities Metropolitan Area (TCMA) solid waste service provisions and infrastructure. The extent and complexity of the TCMA's solid waste system has required coordination among the following groups:

**State – Minnesota Pollution Control Agency (MPCA):** The MPCA regulates solid waste facilities and sets solid waste policy through the Policy Plan to meet goals and requirements prescribed in State law. The Policy Plan establishes waste management objectives and the framework for TCMA counties and municipalities to follow. The MPCA reviews and approves county plans to ensure the Policy Plan is implemented. The MPCA also distributes State funding to TCMA counties for solid waste abatement activities.

**Region:** Joint Power Agreements between TCMA counties continue for household hazardous waste (HHW) reciprocity and regional hauler licensing. The TCMA counties staff gather informally to discuss program and policy issues and share information to build on successes, reduce redundancy in the system, and maximize capacity.

**County:** In accordance with State law (Minn. Stat. §§ 115A and 473), county governments play the primary role in planning, implementing, and maintaining solid waste programs for proper management of waste generated within their jurisdictions. Dakota County collaborates with the state, region, public entities, residents, businesses, community groups, and the waste industry to develop the Plan and programs to meet state goals. Dakota County licenses and regulates haulers and facilities for collection, management, and related services. Dakota County does not own or operate waste management facilities; however, does lease land in Empire Township for waste management purposes.

**Municipalities (Cities and Townships):** Cities and townships play an integral role in implementing local waste management programs and providing education to residents and businesses. Minn. Stat. § 115A.551 allows political subdivisions within the county to develop and implement programs and practices designed to meet Plan requirements. Dakota County Ordinance No. 110 Section 16 requires cities to implement programs and activities for local abatement and to report on achievement of performance standards. Municipalities are required to comply with the Plan, ensure solid waste collection in their community, and have authority to license waste haulers for collection of waste and recycling.

**Rural Solid Waste Abatement Grant Program:** Because the rural area of the county has unique needs, Dakota County established the Rural Solid Waste Abatement Grant Program in 2019 to support waste abatement projects that align with the Plan. County-coordinated services provide rural residents with standardized waste abatement education and a collection event for non-traditional recyclable materials.

**Public Entities:** State laws hold public entities, including counties, cities, townships, and public schools to a higher standard in managing their waste. Public entities are responsible for carrying out proper waste reduction, recycling, and disposal activities as part of business operations. Public entities are required by statute to recycle a minimum of three materials and manage their MSW in accordance with the Plan's preferred MSW management method(s).

**Waste Industry (Private Sector):** For decades, State law has included a preference for private-sector waste management and waste facility operation. In Dakota County, the private sector is primarily responsible for the



collection, processing, and brokering of waste and materials. The private sector establishes fees for these services.

**Waste Generators (Residents, Businesses, and Organizations):** Residents, businesses, and organizations generate waste either as private individuals or as contributors to business, industrial, construction, or demolition activities. Waste management choices reflect various influences and situations, including having the opportunity for waste management options, cost, knowledge, and responsibility. Residents and businesses drive the amount of waste that is generated and discarded, and thus needs to be managed.

**B. Demographics**

With a population of 444,985, as estimated by the Metropolitan Council for 2022, Dakota County remains Minnesota’s third most populous county, growing just over one percent since the 2020 Census (439,882). Between 2020 and 2022, cities in Dakota County with the largest population increases were Lakeville (4,338 new residents, 6.2 percent growth), Rosemount (1,293 new residents, 5.0 percent growth), and West St. Paul (554 new residents, 2.7 percent growth). The State Demographer projects Dakota County’s population at over half a million by 2040.

Because this is a long-range plan, it is important to recognize demographic changes that are underway and consider their potential implications for waste management. Dakota County’s waste management system and programs will need to respond to projected growth and changes in population.

**Demographic Summary (U.S. Census Bureau, 2022 American Community Survey Five-Year Estimates)**

<u>Land area:</u>	587 square miles
<u>Land Use:</u>	1/3 urban/suburban, with 96 percent of the county population; 2/3 rural, with 4 percent of the county population
<u>Median age:</u>	38.4 years, a slight increase over the 2010 Census
<u>Populations of Color:</u>	22.0 percent
<u>Total households:</u>	169,404
<u>Median annual household income:</u>	\$101,360

As the county’s population grows, increased waste generation will place additional stress on the waste management system, requiring an aggressive focus on waste reduction and reuse. Population changes include a shift from a young, family-centric population to an older retiree population. It is possible that waste composition could be somewhat different than projected (e.g., increased pharmaceuticals). Dakota County’s population is also becoming more diverse. For the 2022-2023 school year, the Minnesota Department of Education reported that 20.9 percent of students enrolled in Dakota County schools spoke one of 161 different non-English languages as their primary language at home. As the trend for growing diversity continues through this Plan horizon, it is important to understand audience language and cultural needs when developing effective communications on waste management.

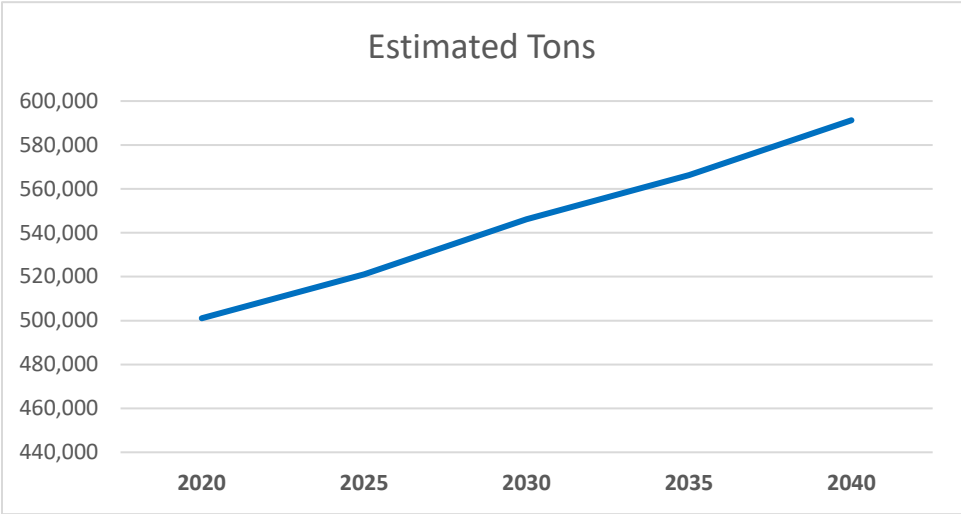
**C. Waste Projection and Composition**

For this Plan, mixed municipal solid waste (MSW) includes garbage, refuse, and other solid waste from residential, commercial, and community activities, with exclusions as defined in State law. To effectively plan solid waste management to address the expected increases in waste generation, it is necessary to project the amount of MSW likely to be generated in the future. It is also important to have complete and current data on the types and quantities of waste for good planning, implementation, and evaluation of solid waste programs.

**Projected MSW Growth:** Dakota County’s waste projection is shown in Figure 4, with 2020 annual reporting data as the base year. Assuming the MSW per capita rate remains fairly constant with minor yearly fluctuations, waste generation is expected to increase by roughly 18 percent from 2020-2040, driven by an anticipated

population increase of 18 percent (from 439,882 to 520,980), based on Metropolitan Council population forecasts. In 2020, 501,060 tons of MSW was managed. MSW is projected to increase to 591,251 tons by 2040.

Figure 4: Projected Growth of MSW Managed in Dakota County 2020-2040

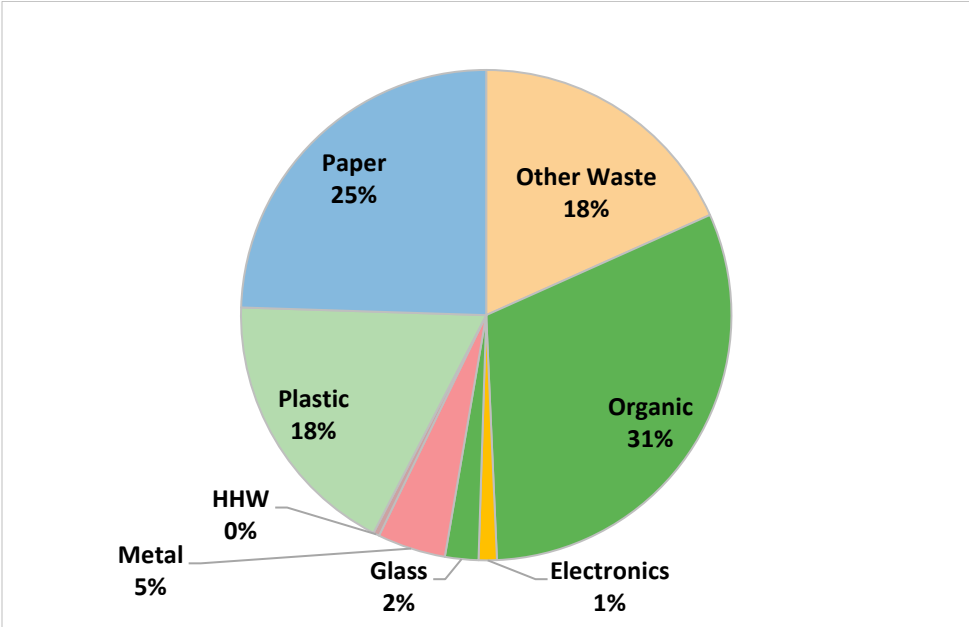


Composition of Municipal Solid Waste

The MPCA conducted a statewide waste characterization study in 2013 to assist with planning efforts for managing MSW. Results of the waste composition study are shown in Figure 5.

The study identified potential diversion opportunities based on the largest quantities of recoverable materials found in the waste stream, including organic waste (food, non-recyclable paper, yard waste), paper, and plastic.

Figure 5: Statewide MSW Composition (2013)



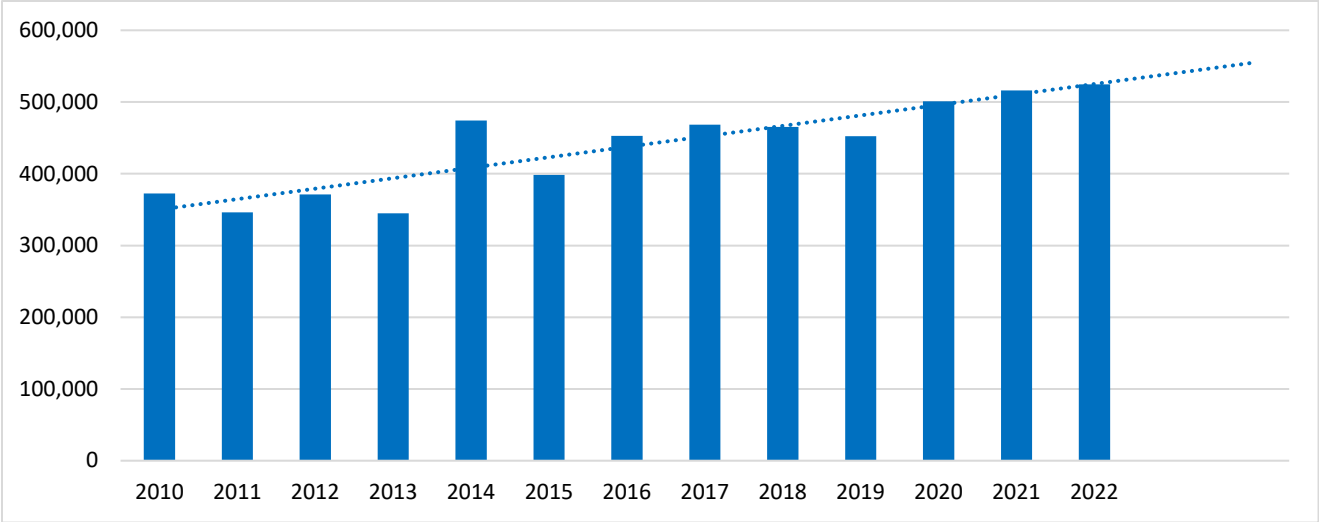
D. Waste Management in Dakota County

This section looks at the amount of MSW generated in the county from residents, businesses, and public entities over time and how it has been managed.

**Total MSW Managed**

Total Dakota County MSW managed fluctuates from year to year and has increased over the past decade at a pace similar to population growth. (Figure 6).

**Figure 6: Total Dakota County MSW Managed (Tons)**

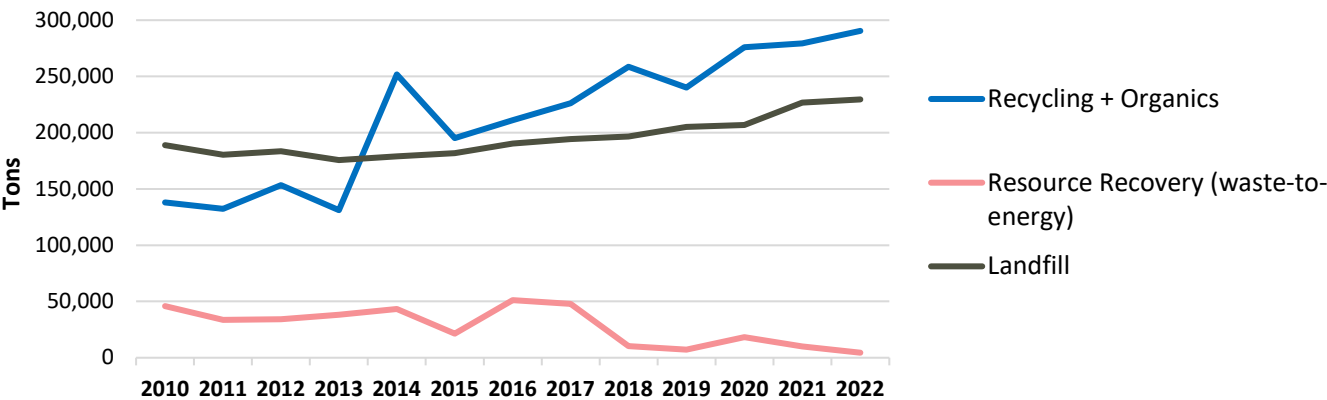


Annual variations in the amount of waste managed may be due to several factors, such as the COVID-19 pandemic, prevailing economic conditions or reporting methods provided by haulers and facilities. The consistent increase in waste managed may be related to Dakota County’s nearly 11 percent growth in population between 2010 and 2022.

**Waste Managed by Predominant Management Method**

Dakota County tracks the amount of recycling, organics recovery, resource recovery, and land disposal. The amount of MSW managed by each method is calculated from data reported by licensed organics and recycling facilities, MSW landfills, and resource recovery facilities. Data accuracy relies on waste haulers properly claiming county-of-origin when they deliver waste to each facility. Figure 7 provides trend data over the past thirteen years for recycling (includes organics), resource recovery, and land disposal for waste generated in the county.

**Figure 7: Management of MSW Generated by Dakota County Residents and Businesses (Tons)**



**County Progress Toward Policy Plan Objectives**

Waste management in the TCMA is an integrated system with many public and private entities having varying roles and responsibilities, ranging from direct service provision to regulation. Dakota County does not provide direct waste management services but has regulatory oversight and waste abatement programs to protect the

environment and public health, and support waste management at the highest and best use in accordance with Minnesota’s waste management hierarchy.

Substantial progress has been made since Dakota County issued its first solid waste plan in the 1980s; however, recycling is not at the level it could and should be. The MPCA conducted a statewide waste characterization study in 2013 to assist with planning efforts. Results identified diversion opportunities based on the largest quantities of recoverable materials found in the waste stream, including organics (31 percent), paper (25 percent), and plastics (18 percent).

The following graphs show how waste generated in Dakota County was managed from 2014 to 2023 by management method.

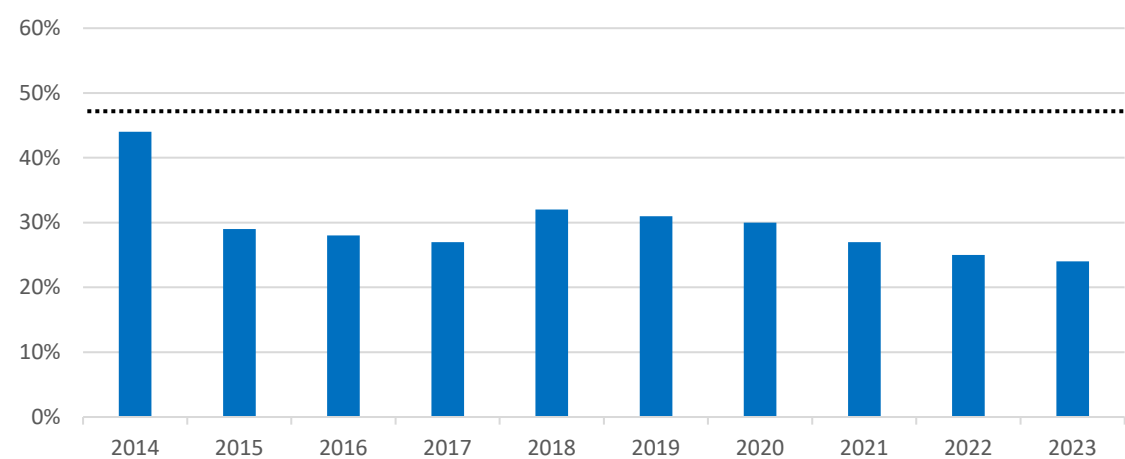
**2042 Policy Plan TCMA Reduction and Reuse Objective: 15 Percent**

A Policy Plan objective for the TCMA counties is to reduce waste fifteen percent by 2042; however, the MPCA has not defined actual reduction and reuse measures for reporting purposes. Measuring changes in the total amount of MSW managed is not sufficient in tracking progress for source reduction efforts because it does not take into account increases in the county’s population or trends in how much American households are purchasing.

**2042 Policy Plan TCMA Recycling Objective (excludes organics): 47.4 Percent**

Figure 8 shows that the county’s recycling rate (excludes organics) is not going in the direction needed to achieve the TCMA Recycling objective of 47.4 percent by 2042. The recycling rate is defined as total tons recycled divided by the total tons of MSW managed. Despite new technologies and processes that have improved the ability to handle, sort, and recycle materials, the recycling rate in Dakota County is declining. This is partly due to state changes in the recycling rate calculation methodology (e.g., removed source reduction and yard waste credits, no longer allowed to estimate commercial tonnages). It is also due to changes in the waste stream such as changes in material mix and packaging getting lighter. For example, recyclables such as plastics are becoming lighter so there is less weight being generated and less weight being recycled. In addition, less paper is being generated and therefore recycled as more information is consumed digitally. New approaches and greater system capacity are needed to maintain and maximize separation of recoverable materials from trash.

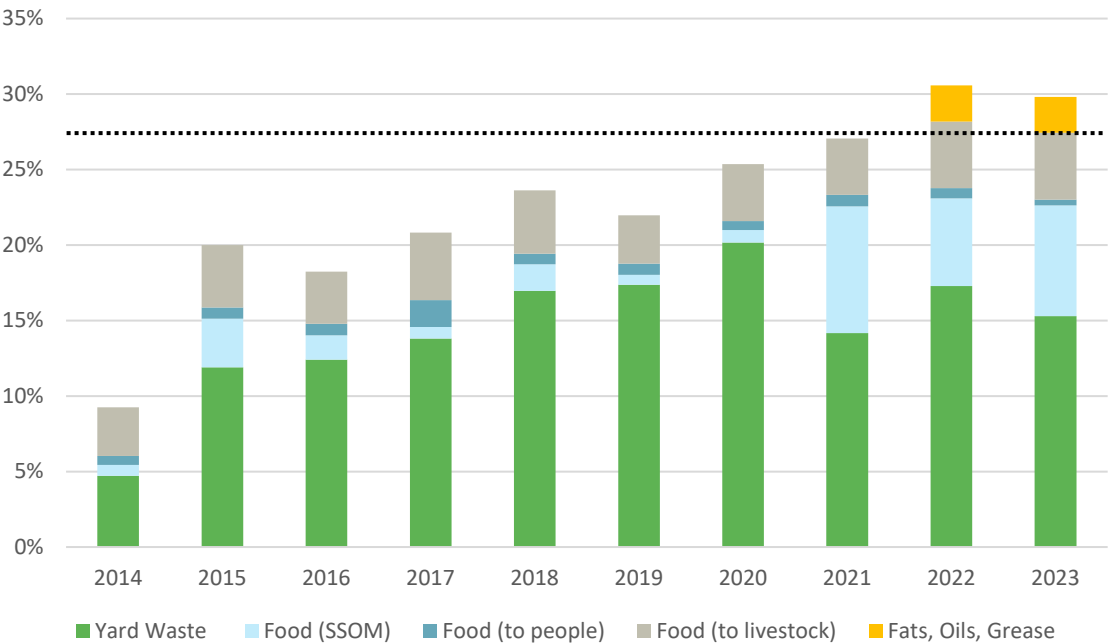
**Figure 8: 2014-2023 Recycling Rate, Compared to 2042 TCMA Recycling Objective of 47.4%**



**2042 Policy Plan TCMA Organics Recovery Objective: 27.6 Percent**

Figure 9 shows that the county’s organics recovery rate increased from 2014 to 2023. Organics material include food waste, compostable products (e.g., non-recyclable paper), and yard waste. Organics are currently managed in five different ways: food-to-people (donation of excess food); food-for-livestock (animal feed); source-separated for composting (source-separated organics materials for commercial composting or SSOM); yard waste composting; and fats/oils/greases (animal feed). The organics recovery rate has increased significantly from nine percent in 2014 to 30 percent in 2023. Since 2022, the county’s organics recovery rate has exceeded the TCMA Organics Recovery objective of 27.6 percent by 2042; however, this is largely due to the MPCA’s decision to allow counties to count yard waste composted at commercial composting sites toward the organics recovery rate beginning in 2014. The intent of the TCMA objective is to increase the amount of organics managed through source-separated programs (e.g., food-to-people, food-to-livestock, and food for composting). In 2023, fifteen percent of the MSW in Dakota County was managed through source-separated programs.

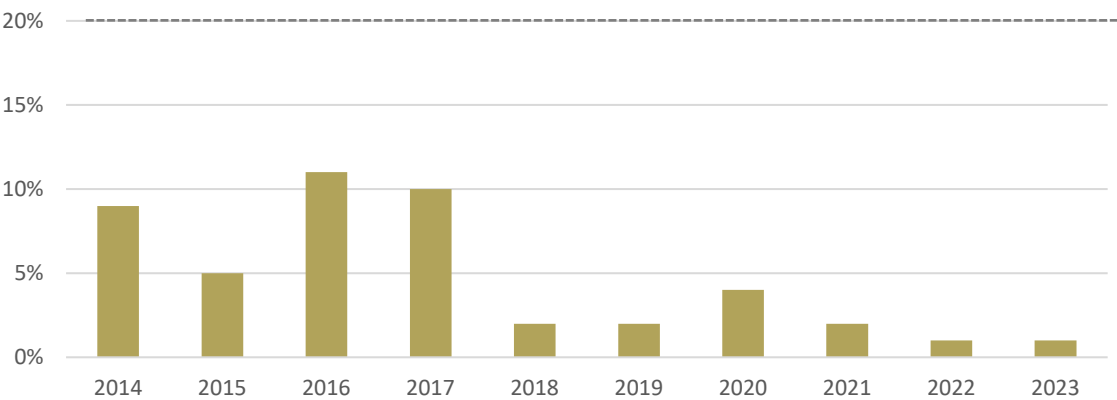
**Figure 9: 2014-2023 Organics Recovery Rate, Compared to 2042 TCMA Organics Objective of 27.6%**



**2042 Policy Plan TCMA Resource Recovery Objective: 20 Percent**

The county’s resource recovery rate (for energy recovery) remains low at one percent (Figure 10). The county is not on track to make significant progress toward the TCMA Resource Recovery objective of 20 percent by 2042. Progress will remain difficult until new capacity is reasonably available for Dakota County waste.

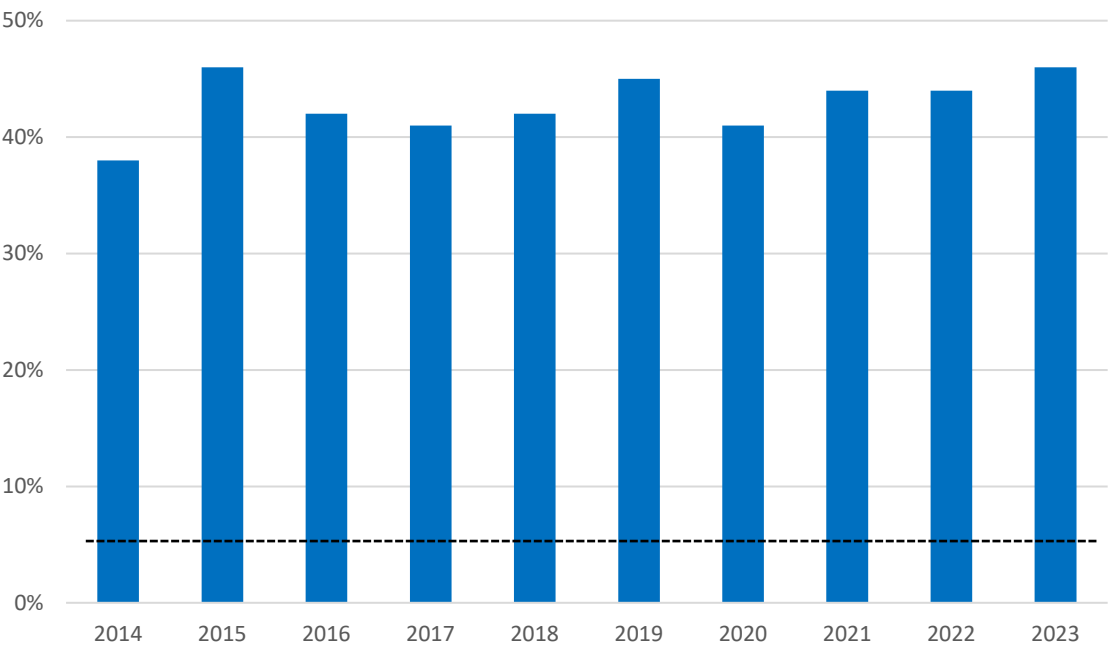
**Figure 10: 2014-2023 Resource Recovery Rate, Compared to the 2042 TCMA Recovery Objective of 20% (dotted line)**



**2042 Policy Plan TCMA Landfill Objective: 5 Percent**

The county’s landfill disposal rate is at 46 percent (Figure 11). Achieving the TCMA landfill objective of five percent by 2042 will be extremely challenging, unless aggressive, new approaches can influence and shift waste management to methods higher in the State’s waste hierarchy.

**Figure 11: 2014-2023 Landfill Disposal Rate, Compared to the 2042 TCMA Maximum Landfill Objective of 5% (dotted line)**



**E. Dakota County’s Waste Programs and Activities**

Dakota County’s Environmental Resources Department has responsibility for developing and implementing waste management programs to protect, preserve, and enhance the environment and public health in the county. Department responsibilities include:

- Providing communications, education, and outreach on waste management with county, municipality, hauler, and community partners.
- Providing technical assistance to cities, partners, and the regulated community.
- Providing financial assistance, infrastructure, or both to support municipalities, schools, businesses and non-profit community organizations.

- Coordinating the collection and management of recyclables and household and business hazardous waste at The Recycling Zone.
- Develop and implement waste reduction and reuse programs.
- Establishing and collecting solid waste landfill host fees, license, and other fees.
- Leasing county-owned land as a transfer station, yard waste composting site, and a fully permitted source-separated organics composting facility that serves the region.
- Enforcing county ordinances covering licensing and disposal restrictions for solid waste facilities, hazardous and solid waste generators, and waste haulers.

## 1. Regional Solutions

**Regional Resources Promoted by the County:** County staff works with TCMA county peers, the Recycling Education Committee (REC), ReuseMN and the Association of Recycling Managers to share ideas, techniques, and successes. Members of these organizations have developed terminology for recycling and organics to provide consistent education across the TCMA, making it easier for residents and businesses to learn and understand the messages.

**Reciprocal Residential Use:** Convenience is inherent to a successful household hazardous waste (HHW) collection program. Although The Recycling Zone is within 10 miles of 70 percent of Dakota County residents, it can be more convenient to use another regional HHW facility during business hours. Dakota County maintains reciprocal use agreements with all TCMA counties to accept hazardous waste from TCMA residents at any TCMA facility.

**County Hauler Licensing System:** Dakota County participates in a regional hauler licensing program with Anoka, Carver, Hennepin, Ramsey, Scott, and Washington counties. Approximately 90 haulers are licensed to haul MSW in Dakota County. Of these, 35 are based in Dakota County, and the others are based in other metro counties.

## 2. Source Reduction and Reuse Programs and Activities

Dakota County's efforts in reduction and reuse have focused on reuse opportunities at The Recycling Zone, demonstrating waste reduction and reuse in county operations, and providing education and resources on reuse to residents and businesses.

### Projects and Programs in the Community

**Reuse at The Recycling Zone:** Residents and businesses can drop off or take usable materials, such as paint, fertilizers, household cleaners, and other household items at no charge. Reuse reduces county costs by offering materials that would otherwise need to be managed through disposal methods.

**Fix-It Clinics:** Dakota County began sponsoring monthly Fix-It Clinics in 2016. The county offers them monthly at varying locations to improve access for residents. Residents bring clothes, small electronics, and other household items that need repair and receive free guided assistance from skilled volunteers.

**Reduce and Reuse Business Locator Map:** In 2021, Dakota County launched an interactive online map to help residents find locations to sell or drop off gently used items, rent or repair items, and to donate or buy used items. Items include clothing, household goods, building materials, books, furniture, tools and more. Users select filters to home in on their specific needs, have their own specific map of locations, and can click-through for location hours and information.

**Outdoor Gear Swaps:** Since 2019, Dakota County Environmental Resources and Parks staff have partnered to provide residents with opportunities to take old gear they no longer need and swap for a new-to-them item. Gently-used items not claimed during Swaps are donated to local reuse organizations.

**Food Waste Challenge:** Food is the largest single component of waste delivered to landfills with typical households throwing away about a quarter of the food that was purchased. Wasted food costs consumers and





wastes the water, fuel, land, and labor that went into growing it. In 2019, Dakota County launched its Food Waste Challenge to help residents understand what foods they throw away and why. Through this program, residents receive educational tools to simplify meal planning, shopping, food storage and kitchen inventories.

### **Projects and Programs in County Operations**

Waste reduction and reuse are emphasized in county buildings and on county grounds, including:

- Promoting reuse as a first step in county asset disposal.
- Providing a green meeting toolkit, guidance, and resources to help reduce waste at county-sponsored events.
- Providing recurring reuse messages for employees on DakotaWorks (employee website).
- Promoting the Employee Reuse, Recycling, and Disposal Guide to educate employees on reusing office items.
- Using an Electronic Document Management System (EDMS) to convert many processes from paper-based to electronic-based applications. EDMS manages contracts, financial documents, employee benefits, and other types of documents.
- Using a Managed Print Service program throughout the county to reduce paper use and wasted supplies. MPS allows the county to define processes, run reports, and optimize supply and service fulfillment.
- Applying environmentally preferable practices: the county's Procurement Policy (2740) requires purchasing of environmentally preferable products beyond what State statute requires, including acquiring products and services that reduce waste or reduce toxins and pollution, reusing, supporting recycling markets, rewarding manufacturer responsibility, and reducing water and energy use. The county implements the policy through standards for recycled content products, contract requirements with vendors and other practices that minimize the use of virgin materials in products and supplies or service life cycle. Whenever practical, products and supplies with a specific minimum amount or percent of recycled content based on criteria established by governmental or widely respected third party authority will be specified and procured buy reusable or certified compostable tableware (plates, cups, bowls, service ware).
- Dakota County auctions surplus county property. The county uses Public Surplus to sell surplus furniture and office equipment. Items are posted on an as-needed basis.

## **3. Collection Best Practices**

**Solid Waste Hauler Licenses:** Hauling companies that collect MSW generated in the county or transport MSW within county boundaries must obtain a MSW hauler license. Dakota County participates in a regional MSW hauler licensing program.

**Cost and Finance:** Dakota County's waste abatement activities, including the Hazardous Waste and Solid Waste regulatory programs, are funded through a variety of programs. Specific amounts budgeted toward waste abatement activities within each of these funding categories can vary widely from year to year.

## **4. Revenue Sources**

Dakota County's waste abatement and HHW management programs are funded by a combination of state grants, negotiated landfill host fees, waste-related fees, reimbursements, and property taxes.

- **Select Committee on Recycling and the Environment (SCORE) Funding:** SCORE funds are derived from a percentage of the State tax for MSW and non-MSW management services (Solid Waste Management Tax-SWMT). Services subject to this tax include collection, transportation, processing, and disposal of waste materials. Service providers (haulers and disposal facility operators) who directly bill generators or customers are responsible for collecting and remitting the tax to the State. Over \$70 million is generated



annually through the tax statewide. SCORE funds are administered by the MPCA. In 2023, Dakota County received \$1,290,777 in SCORE funding and provided the required 25 percent match.

- **Local Recycling Development Grant (LRDG) Funding and Metropolitan Landfill Abatement Account (MLAA):** LRDG is a grant program (Minn. Stat. § 473.844) funded by the MLAA and used for landfill abatement projects in the TCMA. The focus of the program is consistent with the Waste Management Act, and implements the policies and programs outlined in the Policy Plan. Funding for the MLAA program is generated from a \$2.00 per cubic yard (or \$6.66 per ton) surcharge on MSW disposed of at Metropolitan landfills. The MLAA funds the LRDG program, with grants offered to the TCMA counties. The LRDG Program is designed for planning, developing, and implementing new, enhanced, or more effective waste reduction, yard waste composting, and recycling programs for residential, commercial, industrial, and institutional generators of MSW. Counties must support and maintain effective municipal recycling as a condition of receiving LRDG funds and must match LRDG funds with an equal county contribution. LRDG funds are distributed from the MLAA and administered by the MPCA. In 2023, Dakota County received \$307,627.12 in LRDG funding and provided the required 100 percent match.
- **Landfill Host Fees:** In accordance with negotiated agreements, Dakota County collects host fees from the six landfills located in the county, including two MSW Landfills, an industrial waste landfill, and three construction/demolition landfills. Host Fee revenues are deposited in Dakota County's Environmental Legacy Fund (ELF) along with Gravel Tax revenues. The ELF was established by the Dakota County Board of Commissioners on December 15, 2015, to protect, preserve, or enhance the environment (Resolution No. 15-663). ELF supports environmental activities related to brownfield redevelopment, environmental capital projects, Environmental Resources Department operations, gravel pit remediation, natural area and shoreland conservation, Parks/Greenway Management Plan improvements, and implementation of the Natural Resources Management Plan and Solid Waste Management Plan.
- **Fees:** The county collects fees from solid and hazardous waste facilities and haulers that it regulates. Fees vary depending on the facility type, and the type and volume of waste managed. Additional fees are collected for specific services, such as electronics recycling and use of the business services at The Recycling Zone.
- **Reimbursements:** Reimbursements include payments from organizations for product stewardship initiatives (e.g., architectural paint) and through agreements with organizations (e.g., Excel Energy for fluorescent bulbs, MN Department of Agriculture for pesticides, TCMA counties for HHW reciprocity).
- **Property Taxes:** Property taxes support essential County functions, including transportation and transit, safety, parks, libraries, and waste management programs all to support and improve the health of residents and protect the environment.

## 5. Recycling Management Programs and Activities

Dakota County launched its recycling program in 1988 to ensure that residents would have the opportunity to recycle.

### a. Projects and Programs in the Community

**Curbside Collection:** Dakota County's residential curbside recyclables collection program began in 1989. Curbside recycling collection programs generally are provided by subscription service (e.g., open hauling system). Residents of Hastings and Farmington are served by a city/hauler contract-provided service (e.g., organized hauling system). In 2019, Dakota County Ordinance No. 110 began identifying a minimum list of recyclable materials that haulers must collect in single-stream recycling and generators must place into properly labeled carts or dumpsters. The designated list of recyclable materials includes paper, cardboard, cartons, metal cans, glass bottles and jars, and plastic bottles, containers and jugs with SPI Codes #1, #2, or #5. Some haulers have expanded the list of materials accepted when markets become available. Residential curbside pickup of



recyclable materials occurs in all cities and townships. Waste haulers must offer weekly recycling service to all residential customers (limited exemptions apply in rural parts of the county). In addition, waste haulers must provide standardized solid waste abatement messaging that is consistent with county standards to all customers from which they collect recyclables. Messaging (print or electronic) must be delivered to each customer at initial service acquisition and annually thereafter.

**Community Waste Abatement Grant Program:** Dakota County partners with the 14 largest cities to advance Plan objectives through programs, practices, or methods designed to meet waste abatement requirements. Dakota County provides performance-based funding for waste abatement education and recycling infrastructure and enters into formal agreements with communities. These agreements require that a specified level of service be offered to residents, and that communities annually submit a work plan, itemized budget, and final report. The purpose of the Community Waste Abatement Grant Program is to help implement the Dakota County Solid Waste Management Plan objectives including to ensure that residents have the opportunity to recycle; and to develop, implement, and maintain projects, programs, practices, and methods to meet waste abatement objectives as described in the Plan. The program supports the County's efforts for broad-based education and implementation of local programs and projects for waste reduction, reuse, recycling, hazardous waste management, and organics diversion as described in the Plan.

Eligible activities relate to government leadership, operational needs, community education, and targeted priorities identified by the county. Dakota County provides waste abatement education to residents in collaboration with the cities and townships using electronic and print newsletters, websites, utility bill inserts, educational presentations, and pilot projects. The county also provides best practices guidance, assistance with measuring diversion weights and rates, and other types of technical assistance to support municipal waste abatement activities. In 2022 Dakota County distributed approximately \$494,000 to the cities and townships. Some communities also contribute their own funds to support their recycling programs and thereby increase the total amount spent on recycling programs.

**Recycling at Municipal Parks:** Beginning in 2014, Dakota County emphasized municipal park and public area recycling. The Community Waste Abatement Grant Agreement between Dakota County and each city requires use of a consistent set of best practices to help park visitors know what to recycle and to meet Dakota County Ordinance No. 110 requirements. As a result, 341 city parks, buildings, and other facilities meet Dakota County recycling requirements.

**Recycling at Municipal Events:** Dakota County enhances recycling at community events held on city property through technical assistance, education, and on-site support, in partnership with city staff and volunteers. Dakota County requires event organizers to provide recycling and implement recycling best management practices and encourages them to collect waste diversion data for reporting.

**Multifamily Recycling Program:** Since 2018, the Multifamily Recycling Program has assisted property owners, managers, staff, and residents with recycling and waste prevention at apartments, condominiums, townhomes, and independent senior living centers. Up to \$10,000 per location is available to eligible sites for containers, labels, signage, and training sessions.

**Self-Service Checkout System:** Dakota County offers free event recycling containers and educational resources to residents and community partners throughout the year to help reduce waste, increase recycling, and educate other. Resources include education kits, activities, and external recycling containers for events. In 2021, Pickup Point was introduced on the county's website. Pickup Point is a designated shed located at the Western Service Center where resources can be temporarily housed awaiting pickup and return. An online platform was developed allowing users to request items, notifies them when items are available for pickup, and provides a keycode for access.

**School Recycling Workshops:** Since 2015, Dakota County has provided an annual School Recycling Workshop. All school personnel, including administrators, building and grounds personnel, food service staff, teachers and



Green Team leaders are encouraged to participate. Industry updates and creative solutions are provided to learn and share ways to reduce waste and improve recycling and organics programs. New panelists and topics are covered each year with a breakout session and attendee interactions.

#### **b. Recycling Drop-Off Locations**

**The Recycling Zone:** As required by Minn. Stat. § 115A.552, the county provides for at least one recycling center – The Recycling Zone. At no charge, residents can drop off traditional recyclable materials such as paper, cardboard, cans, and bottles and non-traditional materials such as cooking oil, and holiday lights. Businesses can also drop off recyclables at no charge.

**Hastings Paper and Cardboard Drop-Off:** Since 2006, the waste hauler for the City of Hastings has provided a centrally located recycling container for businesses and residents to drop off paper materials, including cardboard, magazines, newspapers, junk mail, and box board.

**Commercial, Industrial, Institutional (CII):** CII entities include businesses, manufacturers, schools, and local governments. Private waste haulers serve CII entities and collect recyclable materials, such as newspaper, glass, metal cans, magazines, cardboard, mixed paper, and plastics.

**Curbside Mattress Pickup:** Mattress recycling is challenging for some residents who face transportation barriers or physical limitations that make it difficult to take these bulky items to drop-off events or recycling sites. Since 2020, Dakota County has collaborated with Certified Recycling and Bridging to offer affordable curbside pickups for Dakota County residents, making it more convenient and accessible for single-family and multifamily residents to recycle or reuse their unwanted mattresses at the curb.

#### **Projects and Programs in County Operations**

Recycling is emphasized in county buildings and on county grounds, including:

- Providing standardized, paired, and labeled containers. All recycling and trash containers on building grounds, both indoors and out, must be paired and properly labeled according to county labeling requirements.
- Providing recurring recycling messages for employees on DakotaWorks (employee website).
- Promoting the Employee Recycling and Disposal Guide to educate staff on what to recycle. Required waste abatement and recycling training is provided to new employees during onboarding and to staff several times per year.
- Providing campground visitors with a paper bag to collect recyclables during their visit. The paper bag includes standardized messaging, images of acceptable materials and preparation instructions.
- Dakota County’s Resource Management program allows collaboration between county staff and the county’s hauler to evaluate data and implement changes to reduce waste and increase diversion.

### **6. Organics Management Programs and Activities (Includes Programs Combined With Recycling)**

The county’s primary roles in supporting organics recovery include regulation, providing residential organics drop-off sites, managing a lease on county-owned land for waste management purposes, education, technical assistance, and promoting back-of-house collection at community events.

**Organics Regulation:** The county regulates organics and yard waste management and facilities. The county prohibits land disposal of yard waste, Christmas trees, and holiday plant decorations. Collected yard waste must be placed in a compostable bag, and yard waste self-hauled to a facility must be dropped off in a reusable container or in a compostable bag. The state and county prohibit mixing yard waste with MSW; however, yard waste can be collected by MSW haulers using separate collection vehicles or by special yard waste collectors, such as lawn services, and delivered to yard waste sites.



**Lease for Food and Yard Waste Capacity:** County-owned land in Empire Township is actively managed through a lease with a private firm to operate both source-separated organics composting and yard waste composting facilities. This lease was recently extended for another five year period with extensions possible through June of 2037.

#### **a. Projects and Programs in the Community**

**Composting at Home:** Dakota County promotes residential backyard composting. The county website informs residents where to purchase a backyard composting bin or how to build their own, a recipe to create the right mix of materials, and how to use compost in home projects.

**Compost Bin and Rain Barrel Sale:** Each Spring, the Recycling Association of Minnesota partners with local governments and other organizations to provide quality compost bins and rain barrels made from 100% recycled materials at low cost to Minnesota residents. Dakota County supports these sales through promotion and by providing additional discounts to county residents.

**Residential Organics Drop-Off:** In October 2016, Dakota County launched its first residential organics drop site at Thompson County Park in West St. Paul. Since that time, the county and city partners have added an additional 10 drop sites throughout the county. The county provides education and compostable bags to participating residents. Collected organics are delivered to a local commercial compost facility.

**Yard Waste Disposal:** Yard waste, such as grass clippings, leaves, and twigs are prohibited from weekly trash collection. Residents have several options for managing yard waste, including composting, collection by a licensed hauler, or delivery to a yard waste compost facility.

**Zero Waste at Public Space Venues:** Dakota County was awarded an Environmental Assistance Grant through the MPCA for a zero waste pilot project at four municipal ice arenas and three high school stadiums to assess and implement organics collection; update containers, labels and signage following best management practices; introduce certified compostable food service supplies; and educate staff and patrons. The project goal was to increase total waste diversion from baseline to 60 percent. The project concluded that school stadiums may have greater zero waste potential than arenas, as post-program diversion findings show that 37-56 percent of overall arena waste generated is true trash.

**School Waste Prevention & Recycling Grant Program:** In 2009, the County initiated an Enhanced School Recycling Program to improve recycling in public schools. In 2013, the Program was expanded to include organics diversion and was extended to private schools. In 2020, the school program was updated to include outdoor recycling, waste reduction, reuse, and wasted food prevention initiatives. The new School Waste Prevention & Recycling Grant Program offers grants to public and private schools and provides technical assistance, infrastructure, and educational resources for schools to prevent wasted food, reduce waste, divert recycling and food scraps from the trash, and educate students and staff on proper waste management practices. As of 2023, 77 public schools and 12 private schools have participated, representing roughly 55 percent of all K-12 public and private schools in Dakota County. Dakota County hosts an annual free School Recycling Workshop inviting administrators, buildings and grounds personnel, kitchen staff, teachers, and Green Teams to learn about industry updates, best practices information, creative solutions, and free resources. The annual workshop is designed to assist all schools in improving their waste reduction, recycling and organics programs.

**Dakota County Schools Receive Free Compost:** In 2021, Dakota County began providing free compost to School Recycling and Organics program participants. Quantities of one to five cubic yards of compost were offered to schools as a way to close the loop on organics composting education and raise awareness on the benefits of compost as a valuable soil amendment. Schools used the compost in vegetable and flower gardens, on-site plantings, potted plants, and turf topdressing.





**County Fair Recycling and Organics Collection:** Since 2003, Dakota County and volunteers have worked with fair staff to decrease the amount of material going into the trash at the County Fair, which attracts over 120,000 visitors each year. Organics collection was added for the public in 2014, but recent efforts engaged only County Fair food vendors. In 2022, all 63 food vendors received a recycling guide and were offered a green five-gallon bucket and compostable bags to collect food scraps from food preparation in their booth. Seventy-nine percent (79%) of food vendors chose to participate.

**City and Community Events for Recyclables and Organics Collection:** The county and cities make recycling resources available for small and large events, including free portable recycling and organics containers, bags, signs, and litter grabbers. The county works with the municipalities and haulers to collect event data.

**Business Recycling Incentive Program:** In August 2016, the county's first business recycling program launched. It serves commercial entities within North American Industry Classification (NAICS) Codes 42-81 that are required by state law to recycle a minimum of three materials. The program provides up to \$10,000 per eligible business to address the most frequently encountered barriers (e.g., up-front costs, lack of knowledge/information to develop successful program). Participants work with county staff to complete applications and identify and implement best waste management practices (employee training, placement of bins, consistent signage), and measure results. In 2022, the program served 58 businesses in obtaining over \$80,000 in funding to implement waste reduction and recycling initiatives. Food and beverage and grocery store/food processor sectors had the highest number of program participants, and they also had the highest volumes of waste, offering large diversion potential. A reported 257,783 pounds of new material was diverted from program partners in 2022, of which 172,985 pounds of organics and 4,160 pounds of food donations.

**Large Events and Festivals:** Beginning in 2024, certain large events are required to properly sort and collect food scraps from back-of-house areas, provided the event generates food scraps in back-of-house areas, has at least 300 attendees, and generates at least 1 ton (8 cubic yards) of trash per location. Back-of-house means pre-consumed food waste from the kitchen, food preparation, dishwashing and storage areas that are not accessed by members of the public. It does not include food waste generated from food that has been served to members of the public.

## **b. Projects and Programs in County Operations**

Dakota County's internal recycling program covers all county buildings and grounds, including park facilities, libraries, service centers, and transportation facilities. Ongoing efforts include:

- Providing standardized, paired, and labeled (e.g., organics, recycling, and trash) containers in key conference rooms and employee areas. Many county buildings have organics collection bins in staff areas for food scraps, paper towels or napkins, and certified compostable products. Public restroom areas have organics collection bins for paper towels.
- Recycling confidential papers, non-confidential papers, glass and plastic bottles and cans, cardboard, library books, batteries, toner cartridges, fluorescent and LED bulbs, and computers and computer equipment.
- Providing recurring recycling messages for employees on DakotaWorks (employee website).
- Providing annual employee trainings on what to recycle in county buildings.
- Conducting periodic waste sorts at county buildings to measure progress and reporting findings to employees.
- Developing a Resource Management waste and recycling contract to provide building-specific organics, recycling, and trash services, evaluation, and service improvement recommendations.



## 7. Non-Municipal Solid Waste Programs and Activities

Non-MSW includes non-hazardous industrial waste, construction and demolition waste, materials banned from disposal with MSW, problem materials, infectious waste, and other waste streams that are not MSW or otherwise defined or regulated as hazardous waste. The county's non-MSW program consists of regulatory oversight of non-MSW at facilities in the county and promoting reuse, recycling, and processing of non-MSW.

### a. Non-MSW Regulation

Although some non-MSW is routinely recycled, a significant portion is landfilled. Dakota County's primary role is regulating the three non-MSW landfills in the county that serve the region. The county issues facility licenses, collects fees, conducts landfill inspections, and provides technical assistance and enforcement as necessary to ensure compliance with Dakota County Ordinance No. 110. The county also works closely with the MPCA on non-MSW regulatory issues, including rule revisions and compliance.

### b. Projects and Programs in the Community

**Tire Collection Program:** Proper tire management minimizes potential breeding habitats for disease-carrying mosquitoes. Dakota County and Metropolitan Mosquito Control District (MMCD) provides funding to townships and rural cities for waste tire collection events. This program provides an incentive for residents to easily recycle this problem material. Tires are also collected at The Recycling Zone and at community clean-up events.

**Non-Traditional Materials:** The county started seasonal collection of agricultural film plastic (e.g., silage and grain bags, bunker covers, and greenhouse film) in 2015 and added boat wrap in 2016, with 10 tons collected annually. Material is taken to processors that can recycle bulky plastic. The program is annually promoted to boat storage locations and about two dozen dairies and livestock farms.

### c. Projects and Programs in the County Operations

**High Performance Buildings:** The Dakota County Design Construction Sustainability Standards are required in county capital building projects to reduce waste generation, increase reuse and recycling, and minimize the county's environmental footprint. The Standards include guidelines for building deconstruction and demolition, construction waste reuse and recycling, use of sustainable building materials, native landscaping, restoring soil through compost, storm water management, and energy conservation.

## 8. Landfill Abatement

### a. Communications, Education, and Outreach Programs and Activities

The county committed financial and staff resources to meeting statutory requirements for public waste education. Minn. Stat. § 115A.552, subd.3, requires counties to "provide information on how, when, and where materials may be recycled, including a promotional program that publishes notices at least once every three months and encourages source separation of residential, commercial, and institutional materials." Additionally, Minn. Stat. § 115A.96 requires counties to have an educational component to their HHW management plans.

**County Communications:** An annual communications plan identifies target audiences, priority messages and outlets to promote waste management information. Ongoing resident education includes brochures, monthly e-news, mailers, website information, and classes. The Business Recycling Incentive Program provides brochures, bi-monthly e-news, employee posters, employee training, container labels, direct mailers, and website information. Students and staff are educated through the School Recycling & Organics Program, waste sorts, posters, recycling guides, container labels, activity sheets, presentations, and training.

**County-Funded Education through Cities:** The county has annual JPAs with municipalities for local residential recycling and education programs. Each municipality must maintain websites, distribute county products, publish county messages, and provide in-person education and outreach.



**Rural Newsletter:** The county’s Rural Solid Waste Abatement Program provides standardized education for residents. Rural households receive an annual newsletter that informs them on various recycling options for materials like mattresses, electronics, tires and other items that can’t go in the trash. Information on proper pesticide disposal, agricultural film plastic recycling, and the hazards of illegally dumping or burning waste are also included.

**Educational Tours:** An annual Tour de Trash and the Recycling Ambassadors Program invites residents to visit a recycling facility, landfill, compost site, and The Recycling Zone to understand how waste is managed.

**Technical Assistance:** County staff provides technical assistance to residents through phone, email, and website inquiries. The Business Recycling Incentive Program provides resources and technical assistance for qualifying businesses. Public and private schools are eligible for the School Recycling and Organics Program for help to increase waste diversion. Technical assistance is provided to municipalities through the JPA. Regulated facilities receive county recommendations for waste management improvements during facility inspections.

**Recycler/Composter Ambassador Programs:** Twice each year, Dakota County offers a six-week training course for residents on recycling and composting. After completing the course, graduates volunteer 30 hours to public outreach.

#### **b. Education Resources for the Community**

**Recycling Guide:** The Recycling Guide is an online resource on how to reduce, reuse, recycle, compost, dispose of, and properly manage more than 100 household items. Information includes pick-up and drop-off services available to county residents.

**E-news:** Electronic newsletters (e-news) are sent to six different audiences with regular information on waste reduction, recycling, and organics diversion. Monthly e-news is sent to 2,300 residents and nearly 400 businesses, including hazardous waste generators. Monthly e-news is also sent to 339 Recycling Ambassadors and 514 Fix-It Clinic participants. Quarterly e-news for schools is received by 767 teachers, administrators, custodians, and food service personnel. Timely e-news on the organics drop-off program is received by nearly 8,300 residents.

**Education Kits and Displays:** Resources for teachers, students, community groups, and other organizations are available for check-out and include displays, activity kits, learning kits, and banners.

**Presentations and Booths:** County staff and volunteers regularly present at schools, meetings, and events.

### **9. Solid and Hazardous Waste Regulation Programs and Activities**

The county regulates waste haulers, generators, and facilities using ordinances, licenses, compliance inspections, technical assistance, and enforcement. Compliance inspections are conducted regularly to evaluate solid and hazardous waste facility operations for compliance with license conditions. Inspection frequency is based on the type of facility, potential risk to the environment, and compliance history. If a facility is found to be out of compliance, a range of actions ensue, typically beginning with formal notification of inspection findings and providing opportunities to correct the problem.

#### **a. Regulatory Mechanisms: Ordinance and Licensing**

**County Solid Waste Ordinance:** Dakota County’s solid waste regulation program began in the 1970’s with adoption of Dakota County Ordinance No. 110, which includes standards for regulating solid waste management and the operation of solid waste facilities, including infectious waste facilities; requirements for certain facilities on a disposal site; and provisions for application and license fees, financial assurance, and penalties for lack of compliance with these provisions. New requirements in the ordinance as part of implementation of the 2018-2038 Solid Waste Master Plan include:

- **Residents** – recycle designated materials





- **Commercial entities (businesses, schools, municipalities, events)** – recycle designated materials following best practices (standardized labels, staff education, co-locating recycling and trash bins) and large organics generators must recovery back-of-house food scraps.
- **Multifamily properties** – provide sufficient recycling service capacity for tenants and recycle designated materials following best practices.
- **Waste haulers** – properly label each customer container, provide annual education to customers, collect designated materials for recycling, itemize customer invoices, and provide weekly service to all residential recycling customers.
- **Collection sites and transfer stations** – reduced regulations for small-volume collection and transfer of materials (e.g., organics, construction and demolition waste, certain recyclables) and allowance to co-collect organics in durable compostable bags.
- **Landfills** – complete composition studies every five years, starting in 2025.
- **Municipalities over 10,000 population** – adopt a code consistent and no less restrictive than Dakota County Ordinance 110 and adopt and enforce the county’s multifamily and event recycling requirements.

**County Hazardous Waste Ordinance:** The county’s hazardous waste regulatory program began in 1977 with the passage of the Waste Management Act and County Board adoption of Dakota County Ordinance No. 111, Hazardous Waste Regulation (Ordinance 111). Ordinance 111 establishes standards for generating, storing, processing, or managing hazardous waste in Dakota County.

**Solid Waste Facility Licenses:** Solid waste management facilities must have a license from Dakota County to operate. The county licenses MSW, industrial, and demolition landfills; waste processing and recycling facilities; transfer stations; yard waste compost sites; and organics composting facilities. The county issues solid waste facility licenses for a two-year period. Dakota County regulates landfills that receive combustor ash, process residuals, and bypass from regional resource recovery facilities.

**Hazardous Waste Generator Licenses:** Dakota County annually licenses hazardous waste generators, with fees based on the amount of hazardous waste generated. Minimal generators, those that generate ten gallons or less of hazardous waste and no acute hazardous waste, are not required to have a license; however, are required to register with the county and obtain a Hazardous Waste Identification Number (HWID) from the MPCA.

**Hazardous Waste Facility Licenses:** Dakota County licenses hazardous waste facilities, including storage facilities, ten-day transfer facilities, storage and recycling facilities, treatment facilities, special hazardous waste storage sites, HHW and Very Small Quantity Generator (VSQG) collection sites, universal waste sites, and used oil collection sites.

The county’s role in MSW land disposal is regulating sanitary landfills and MSW transfer stations located in the county that serve the region. Landfills accept waste from the region, state, and surrounding states. Although landfilling is the least preferred management method, it is necessary in an integrated waste system. The county regulates acceptance of waste at facilities located within the county, including material bans and prohibitions.

## b. Material Bans

Materials and wastes banned from disposal at MSW landfills located in Dakota County include:

- Recyclables (designated materials)
- Trees and branches, including Christmas trees and holiday decorations
- Tires
- Lead-acid batteries
- Major appliances



- Waste oil/used oil and used oil filters
- Yard wastes
- Mercury-containing waste as listed in Minn. Stat. § 115A.932
- Telephone directories
- Cathode Ray Tubes
- Other listed wastes exceeding thresholds (e.g., liquids, sludges, radioactive waste, etc.)

### c. Prohibitions

**Unprocessed Waste:** Dakota County Ordinance No. 110 restricts the acceptance of processible waste at MSW landfills located in the County from metropolitan area generators, unless certain conditions are met.

**Recyclables and Yard Waste:** Dakota County Ordinance No. 110 requires source-separated materials, such as recyclables and yard waste, to be delivered to the respective facilities, and prohibits land disposal of source-separated materials and other banned materials.

**Burning and Burying of Waste:** Dakota County Ordinance No. 110 effectively prohibits burning and burial of solid wastes at unlicensed facilities. In 2009, the County Board eliminated the farm exemption.

**Yard Waste Collection:** Dakota County Ordinance No. 110 prohibits the use of plastic bags for yard waste collection. Yard waste must be collected in paper bags or other biodegradable containers, or placed in a container that can be reused.

**Co-Disposal Program:** requires all businesses and industries to evaluate their waste to determine if it is hazardous. Industries that “co-dispose” non-hazardous industrial waste with MSW must demonstrate proper evaluation in accordance with the law; comply with a state-approved Industrial Waste Management Plan; and, in Dakota County, comply with Dakota County Ordinance No. 110. County requirements ensure that accepted waste is below hazardous waste limits. The Co-Disposal Program also documents industrial waste characteristics and the types and amounts landfilled.

**Landfill Cover Programs:** addresses essential landfill cover requirements for daily, intermediate and final cover. The Alternative Daily Cover Program addresses daily cover requirements at MSW landfills and intermittent cover at the industrial waste landfill in the county. The Alternative Daily Cover Program makes it possible for landfills to meet essential requirements with materials other than clean soil, including contaminated soil for daily cover. Other approved alternative daily cover options include tarps and foam, which do not consume landfill space.

The county provides technical assistance, as requested, to the MPCA for its Land Management Plan, Closed Landfill Program, and regulatory efforts to address landfill contamination issues.

## 10. Household Hazardous Waste, Toxicity Reduction, and Problem Material Management Programs and Activities

The county’s HHW management services began in 1985 with Minnesota’s first HHW collection. County services have grown to include a year-round facility for residential and business hazardous waste and problem materials collection. Minn. Stat. § 115A.96 requires counties to implement a HHW management plan. Dakota County provides for collection, storage, and proper management of HHW and problem materials through collection programs at The Recycling Zone, at community collection events, and drop-off locations for select HHW wastes.

### a. The Recycling Zone Services

**Residential Material Drop-Off:** Residents drop off HHW and problem materials at no charge, including: oil-based paint, flammable solvents, pesticides, automotive fluids, aerosols, propane tanks, fluorescent bulbs, and batteries. In August 2016, a fee was implemented for the collection of televisions and monitors. Other electronics, including small household appliances, remain free for residents to drop-off. The Recycling Zone



accepts problem materials that aren't necessarily hazardous but can be difficult to manage in the normal solid waste stream, such as latex paint, household cleaners, used oil, sharps, and tires (for a fee). Additional materials collected at no charge include cooking oil, , ink cartridges, lead fishing tackle, eyeglasses, alkaline batteries, and string lights.

**Business Universal Waste, Electronics, and Fluorescent Lamp Collection:** For a minimal fee, businesses can bring in universal waste, electronics, and spent fluorescent lamps to the Recycling Zone by appointment. Dakota County partners with Xcel Energy to offer businesses free disposal of up to ten bulbs per year, as part of Xcel Energy's compliance with State law (Minn. Stat. § 216B.241). Dakota Electric also provides funding for lamp disposal.

**Business Very Small Quantity Generator (VSQG) Program:** Because more than 90 percent of businesses in Dakota County qualify as a VSQG, the county offers a program to help businesses that produce small amounts of hazardous waste to comply with the hazardous waste rules. Technical assistance is provided, and businesses are required to make an appointment to participate in the program and pay a disposal fee.

**Paint Collection:** Dakota County accepts business and household architectural paint at The Recycling Zone, and HHW collection events, at no charge. Minn. Stat. § 115A.1415 requires that for architectural paint sold in the state, producers must implement and finance a statewide product stewardship program. PaintCare, Inc. was established to represent paint producers and operate the paint product stewardship program in Minnesota. Through an agreement, PaintCare provides funds to Dakota County to pay for collection, transport, and processing of architectural paint.

**Pesticide Collection Program:** Dakota County accepts business and household pesticides at The Recycling Zone at no charge. Minn. Stat. § 18B.065 requires the Minnesota Department of Agriculture (MDA) to establish and operate a waste pesticide collection program for Minnesota counties. The MDA enters into cooperative agreements with counties to fund collection of business and household waste pesticides.

#### **b. Residential Collection Events**

Dakota County has collaborated with municipalities to provide one to four HHW collection events every year since 1985. Under JPAs, the county provides equipment, staff, publicity outside the collection area, and HHW disposal. Information on the hours, location, and materials accepted at The Recycling Zone are distributed on event days. Cities typically provide event sites, staff, and local publicity. HHW collection events accept paint, pesticides, used oil, cleaning supplies, and other hazardous materials.

#### **c. Residential Sharps and Pharmaceuticals Collections**

Dakota County has collected residential sharps (e.g., needles, syringes, and lancets) at The Recycling Zone since 2007. In 2012, Dakota County piloted a program to collect pharmaceuticals at three law enforcement facilities, in partnership with the County Sheriff's office. The pilot program was a success and there are now 10 drop-off locations.

#### **d. Projects and Programs in County Operations**

Dakota County emphasizes proper hazardous waste management in its buildings and on its grounds, including:

- The Recycling Zone manages hazardous waste from county operations, such as fluorescent bulbs, paints, batteries and electronics.
- The Recycling Zone properly manages hazardous waste illegally dumped on county property.
- Online Employee Reuse, Recycling, and Disposal Guide to educate employees on proper management of hazardous waste at the office, such as cell phones and cell phone batteries.



## 11. Resource Recovery Programs and Activities

Resource recovery, or waste processing for energy, is part of an integrated waste system, but only one step above land disposal. In 1985, the Minnesota Legislature adopted a law requiring that all MSW generated in the seven Metropolitan counties that is not reduced, reused, or recycled must be sent to a resource recovery facility (Minn. Stat. § 473.848).

**County Lease for Transfer Station:** In the early 1990's, Dakota County worked to site an incinerator on county-owned land. Although permitted by the state in 1992, the facility was not developed and the land is currently leased to a private firm for source-separated organics composting, yard waste composting, and transfer to a resource recovery if capacity is available.

**Landfill Host Fee Incentives:** Dakota County's host fees are negotiated such that landfills pay a higher fee for accepting processible waste than they pay for non-processible waste and process residuals.

## F. Collection and Transportation of Waste

In Dakota County, private-sector companies collect and transport residential and business waste to waste management facilities. The county does not collect or transport solid waste.

### 1. Hauling Systems in Dakota County

MSW, recyclables, organics, and yard waste in the county are collected and transported largely through an open hauling system (e.g., subscription service), where businesses and residents contract with a private waste hauler of their choice.

**Municipal Ordinances/Codes:** Dakota County municipalities have ordinances for MSW and recycling collection in their respective areas (Table 3). Municipal ordinances ensure the opportunity to recycle exists, and address residential services, including multifamily dwellings, and commercial services. With the exception of the townships and most small cities (under a population of 500), all municipalities license MSW haulers. Some municipalities have expanded ordinance requirements. For example, the city of Apple Valley has instituted hauling zones/districts and times that collection services can be provided.

Table 3: Municipal Solid Waste Ordinances and Codes

Municipality	Solid Waste Ordinances/Codes
Apple Valley	Title V: Public Works - <a href="#">Chapter 50: Garbage</a> Title IX: General Regulations, <a href="#">Chapter 93: Prohibited Materials</a>
Burnsville	Title 7: Health and Sanitation – <a href="#">Chapter 7-3: Waste Management</a> , <a href="#">Chapter 7-4: Solid Waste Landfills</a> , <a href="#">Chapter 7-5: Trash and Recyclables</a> , <a href="#">Chapter 7-6: Construction Debris Disposal Fee</a> , <a href="#">Chapter 7-7: Composting</a>
Eagan	Chapter 10: Public Protection, Crimes and Offenses - <a href="#">Section 10.01 Storage, Deposit, and Disposal of Refuse</a>
Empire	Ordinance 290 – <a href="#">Solid Waste Collection</a>
Farmington	Title 7: Health and Sanitation – <a href="#">Chapter 1: Solid Waste Collections</a> , <a href="#">Chapter 4: Sanitary Landfills</a>
Hastings	Chapter 50: General Provisions – <a href="#">50.06 Mandatory Solid Waste Collection Requirements</a> , <a href="#">50.07 Garbage and Refuse Haulers</a> , <a href="#">50.08 Recycling Haulers</a>
Inver Grove Heights	Title 8: Water and Sewer; Public Services – <a href="#">Chapter 6: Solid Waste Collection and Disposal</a>
Lilydale	<a href="#">Lilydale City Code</a> , Chapter 10: Solid Waste Abatement
Lakeville	Title 4: Health and Sanitation – <a href="#">Chapter 2: Mixed Municipal Solid Waste and Recyclables</a>
Mendota Heights	Title 4: Public Health and Safety – <a href="#">Chapter 2: Solid Waste Abatement</a>
Rosemount	Title 5: Health and Sanitation - <a href="#">Chapter 1: Solid Waste</a> , <a href="#">Chapter 4: Composting</a>
South St. Paul	<a href="#">Chapter 46: Solid Waste</a>
West St. Paul	Title IX: General Regulations – <a href="#">Chapter 92: Health Provisions</a>



**Municipality Requirements:** In November 2019, the Dakota County Board of Commissioners adopted a revised Dakota County Ordinance No. 110, Solid Waste Management to implement strategies in the 2018-2038 Solid Waste Master Plan to reduce waste going to landfills, improve the quality of materials recycled, and make progress toward the state's goal to recycle 75 percent of waste by 2030. The following is a summary of the requirements that impact municipalities:

**City Hauling and Licensing Systems:** Roughly 90 percent of county residents live in communities with open hauling for trash and recyclables, although some organizations such as townhome associations may develop single waste contracts for their members. Cities using open hauling require haulers to have city-issued licenses. The city determines the number of licensed haulers to allow, and some cities limit the number of hauler licenses to reduce wear on roads. The number of licenses for residential collection in open hauling cities ranges from four haulers (City of Mendota) to ten (City of Inver Grove Heights).

Under organized collection, a city provides or contracts for collection services. The City of Hastings uses an open bid process and contracts with one hauler to collect and transport residential MSW, recycling, and yard waste. Commercial sector waste in Hastings is managed through an open hauling system.

The City of Farmington has a one-hauler system for recycling and trash collection. City code requires that all residential and commercial properties must use the city's contracted hauler. An exemption to this code only exists in the event that the city contracted hauler cannot service the user due to the waste characteristics. In 2022 both cities directed collected trash to resource recovery facilities.

**Hauler Collected Fees:** Hauler fees for trash and recyclables collection vary because the private sector establishes and negotiates rates with their customers. Dakota County Ordinance No. 110 includes the following requirements related to hauler collected fees:

Waste hauling fees must be weight or volume-based and must increase with the volume or weight collected.

- Section 15.08 L.1: Charges for the collection of mixed municipal solid waste in Dakota County shall increase with the volume or weight of the waste collected.
- Section 15.08 L.4: Fees for service that are not based on volume or weight are prohibited.

Recycling cannot be penalized, i.e., waste haulers cannot impose a greater charge on residents that recycle than those that do not recycle.

- Section 15.08 L.2: Collectors of mixed municipal solid waste in Dakota County are prohibited from imposing a greater charge on residents who recycle than on residents who do not recycle.

Residential waste reduction is promoted by requiring haulers to offer a 35-gallon or less base unit fee.

- Section 15.08 L.3: Haulers shall offer a 35-gallon or less base fee for mixed municipal solid waste generated by a residential source. Incremental service levels shall not increase by more than thirty-two (32) gallons, with the exception of fees charged for bulky items.

**Existing Rates and Charges in Dakota County:** Dakota County conducted a non-scientific survey of haulers, customers, and cities with organized collection contracts, and found a range of published service rates for monthly residential MSW and recycling services (excluding State taxes and fees):

- 35 gallon: \$11.28 to \$15.72 (MSW) + \$7.69 to \$9.60 (Recycling) = \$20.88 to \$23.41 per month
- 65 gallon: \$13.20 to \$20.98 (MSW) + \$7.69 to \$9.60 (Recycling) = \$22.80 to \$28.67 per month
- 95 gallon: \$14.79 to \$25.76 (MSW) + \$7.69 to \$9.60 (Recycling) = \$24.39 to \$33.45 per month

In addition, several cities with open hauling markets published the following residential service rates for monthly MSW and recycling services (excluding taxes and fees):

- 35 gallon: MSW + Recycling = \$15.00 to \$44.68 per month
- 65 gallon: MSW + Recycling = \$15.00 to \$45.06 per month
- 95 gallon: MSW + Recycling = \$17.00 to \$47.79 per month



A survey of select haulers for commercial services found a range of published commercial rates for weekly recycling services (excluding State taxes and fees):

- 95 gallon (Recycling): \$25.00 to \$43.69 per month
- 4 yard (Recycling): \$89.00 to \$132.80 per month
- 8 yard (Recycling): \$124.00 to \$211.75 per month
- 95 gallon (MSW): \$92.50 to \$102.54 per month
- 4 yard (MSW): \$190.94 to \$235.94 per month
- 8 yard (MSW): \$304.46 to \$355.01 per month

Published hauler rates provide the best cost comparison, because charges vary with container size, location, and the type of materials being collected. Inconsistent city contracting methods and strong competition in the region result in diverse hauling charges that are not comparable across cities, businesses, or residents.

Obtaining pricing from private-sector facilities is difficult. Contracts are negotiated between the facility and their customers and it is considered private information. Contract pricing varies based on volume, location, and other factors. MSW land disposal facilities located in Dakota County allow for public drop-off of waste and are required to post a non-contract per ton fee or “gate rate.”

Pricing and rebates at the recycling facilities vary, in part, because the recycling markets vary. Pricing also depends on other factors, including whether the waste is from residential or business generators, composition of the materials, and the cleanliness of the materials. Contracts are negotiated between the recycling facility and the waste hauler and are not considered public information.

Consistent with Minn. Stat. § 473.848, Dakota County’s Resource Management contract requires the hauler to deliver trash generated from county libraries, service centers and parks is delivered to the Red Wing Waste Campus for waste processing. The 2024 tip fee at the Red Wing Waste Campus is \$118 per ton plus 17% Minnesota Solid Waste Management Tax. In addition, trash collected under city collection contracts in Farmington and Hastings is delivered to the Red Wing Waste Campus.

Table 4 identifies reported rates for facilities that accept Dakota County waste for disposal. Rates were gathered from annual reports to the MPCA or reported by facility staff to Dakota County.

**Table 4: Fees for Facilities that Accept Dakota County Waste**

Facility	Waste Type	Rate Per Ton	Source
Burnsville Sanitary Landfill, Burnsville	MSW	\$78.00	Annual Report to MPCA (2023)
Burnsville Sanitary Landfill, Burnsville	Demo	\$78.00	Annual Report to MPCA (2023)
Frattalone’s Dawnway Landfill, Inver Grove Heights	Demo	\$8.47/cubic yard	Frattalone’s Dawnway Landfill (2018)
Elk River Landfill, Elk River	MSW	\$220.00	Annual Report to MPCA (2023)
Elk River Landfill, Elk River	Demo	\$130.00	Annual Report to MPCA (2023)
Pine Bend Sanitary Landfill, Inver Grove Heights	MSW	\$63.79	Annual Report to MPCA (2023)
Specialized Environmental Technologies, Inc. (SET), Empire Township	SSOM	\$75.00	SET (2023)
SET, Empire Township	MSW Transfer	\$138.00	SET (2023)
SKB Rosemount Industrial and Demolition Landfill, Rosemount	Demo	\$75.00	Annual Report to MPCA (2023)
SKB Rosemount Industrial and Demolition Landfill, Rosemount	Industrial	\$75.00	Annual Report to MPCA (2023)
SKB Rosemount Industrial and Demolition Landfill, Rosemount	MSW Ash	\$105.00	Annual Report to MPCA (2023)





Facility	Waste Type	Rate Per Ton	Source
Spruce Ridge Landfill, Glencoe	MSW	\$75/ton	Annual Report to MPCA (2023)

## G. Waste Management Facilities

### 1. Waste Flow

Unless directed by the waste generator to a particular facility for processing or disposal, waste haulers determine where to deliver collected waste – to a recycling, organics, yard waste, resource recovery, or land disposal facility – based on a variety of factors, including the type of material collected, facility distance, tip fees, contracts, state law or permit conditions, and whether a facility is owned by a competitor or waste hauler’s company. Dakota County does not own or operate waste management facilities. It is anticipated that haulers will continue to select and deliver waste to the following existing facilities and to new facilities as business decisions are made.

### 2. Material Recovery Facilities (MRF)

Residential and business recyclables are delivered to MRFs (recycling facilities) in and outside of the county. Two recycling facilities located in Dakota County accept recyclables from haulers across the Region.

**Table 5: Licensed Material Recovery Facilities in Dakota County**

Material Recovery Facility	Owner
Allied Recyclery, Inver Grove Heights	Republic Services, Inc.
Recycle Minnesota, Lakeville	Recycle Minnesota, LLC

**Allied Recyclery:** The MRF was constructed in 1991 to manage recyclables collected from Republic Services and other waste haulers. The MRF was one of the region’s first private facilities designed specifically for recyclables. Now owned by Republic Services, Inc., it is located in Inver Grove Heights next to Republic’s Pine Bend MSW landfill. The MRF has been adapted over time to accommodate changes in recyclable sorting systems. The facility’s capacity is estimated at 6,000 tons of recyclables per month.

**Recycle Minnesota:** Recycle Minnesota, located in Lakeville, received a permit-by-rule from the MPCA and were first licensed by Dakota County in 2014. Recycle Minnesota has a permitted capacity of up to 200 tons per day and accepts less than 100 tons per day of residential, single-stream recyclables and less than 50 tons per day of old corrugated cardboard.

### 3. Organics Management Facilities

Organics recovery consists of food waste managed as food-to-people, food-for-livestock, source-separated organics composting, and yard waste.

**Food-to-People:** Food rescue for human use is poorly documented. A concerted effort will be made to improve data tracking methods for organics diversion through food rescue.

**Food-to-Livestock:** Without private-sector facility expansion (i.e., ReConserve), food recovery for conversion into livestock feed might not have the same expansion potential as source-separated organics composting. ReConserve, located in Dakota County, is the only facility serving the region and is often at capacity. Direct food-to-hogs programs have been used by schools and businesses in Dakota County, although the major hog operations that accept food waste are in the north Metro, distant from Dakota County.

**Source-Separated Organics Composting:** Organics programs are developing across Dakota County with significant interest in collecting source-separated organics from residents and in schools; and at large food-producing establishments, such as grocery stores and restaurants.



**Yard Waste:** Yard waste has increased substantially since Emerald Ash Borer was detected in the county in early 2015. Yard waste, not identified by county-of-origin, can be transferred into the county.

Residential and business organics are delivered to commercial facilities in and outside of the county. The three active facilities are used by haulers from across the region.

**Table 6: Licensed Organics Recovery Facilities in Dakota County**

Organics Management Facility	Owner
Specialized Environmental Technologies, Inc. Source-Separated Organics Compost Facility, Empire Township	Specialized Environmental Technologies, Inc.
Endres Processing, LLC, Rosemount	ReConserve of Minnesota, Inc.
SKB Rosemount Composting Facility, Rosemount	SKB Environmental, Inc.

**Specialized Environmental Technologies, Inc. (SET), Source-Separated Organics Compost Facility:** This facility is on county-owned land in Empire Township that the county has leased to SET for organics composting since 2002. The County Board recently authorized a five-year lease extension with possible extensions available through June 2037. This facility is permitted as a source-separated organic materials (SSOM) compost facility, a solid waste transfer and processing building, and a yard waste composting facility. The compost facility is permitted to accept 300 tons per day (tpd) of material (150 tpd of SSOM and 150 tpd of yard waste).

**Endres Processing, LLC:** Located in Rosemount, the facility was first licensed by the county in 1998 to recycle food waste and other organic materials into an adjunct ingredient sold in bulk to the livestock feed industry. The facility is licensed to accept 200 to 300 tons of food waste per day (no meat or meat by-products). This is the only food-to-livestock facility serving the region and is often at capacity.

**SKB Rosemount Composting Facility:** SSOM is not collected at this facility at this time. SKB Environmental, Inc. (SKB) is a multi-operational solid waste facility licensed as a special waste industrial waste landfill, MSW incinerator ash landfill, construction and demolition waste landfill, solid waste transfer station, waste processing, and a compost facility. The license authorizes all of these uses; however, not all are active. The 2011 license authorizing a compost facility identifies that once active it can accept a maximum of 50,000 tons per year of source-separated organic materials and yard waste. SKB is required to submit a construction plan and obtain approval prior to constructing the licensed compost facility.

Although not in Dakota County, in 2023, SSOM from the county was delivered to the Mdewakanton Sioux facility (929 tons).

#### 4. Yard Waste Facilities

Residential and business yard waste is delivered to yard waste facilities in and outside of the county. Seven yard waste compost facilities are licensed in Dakota County.

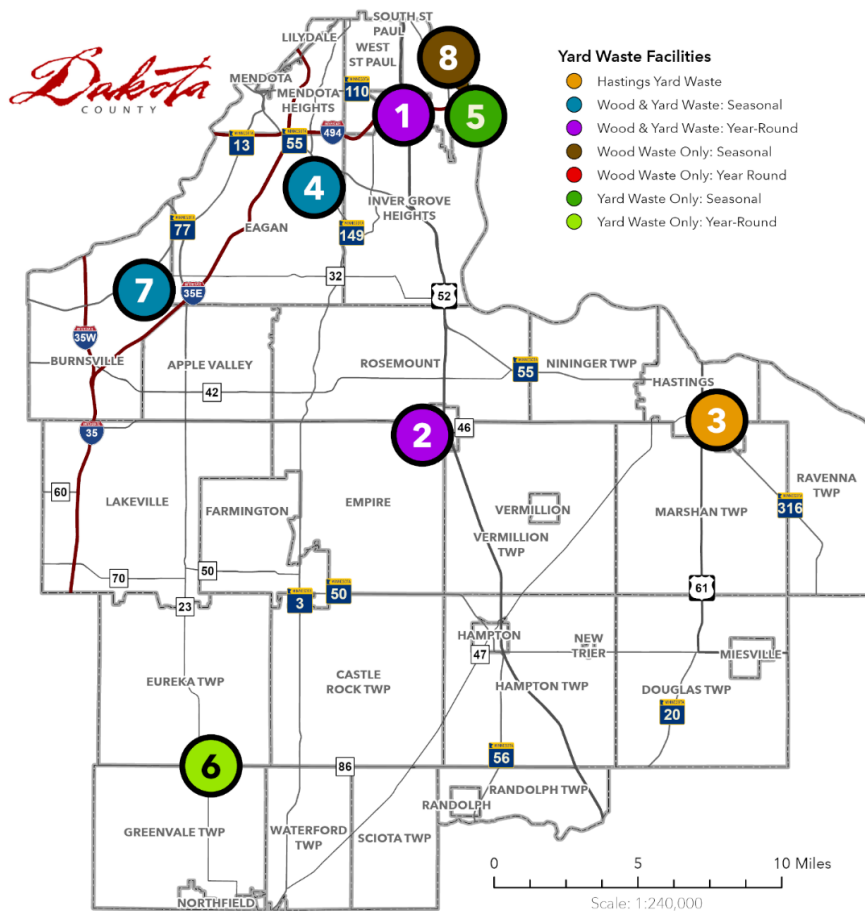
**Table 7: Licensed Yard Waste Compost Facilities in Dakota County**

Yard Waste Facility	Owner
South St. Paul Yard Waste Compost Facility, South St. Paul	City of South St. Paul
B & D Composting, Greenvale Township	B&D Composting
Specialized Environmental Technologies, Inc. Yard and Wood Waste Compost Facility, Burnsville	WM
Specialized Environmental Technologies, Inc. Compost Facility, Empire Township	WM
Gertens RES Yard Waste Compost Facility, Eagan	Gertens Greenhouse & Garden Center, Inc.
Allied Waste Yard Waste Composting, Inver Grove Heights	Republic Services, Inc.
SKB Rosemount Composting Facility, Rosemount	SKB Environmental, Inc.





Figure 12: Yard and Wood Waste Facilities in Dakota County



- |                                 |   |
|---------------------------------|---|
| 1 Gertens                       | 2475 53rd St, Inver Grove Heights 55076   |
| 2 The Mulch Store               | 16454 Blaine Ave, Rosemount 55068         |
| 3 Hastings Yard Waste Drop-off* | 425 31st St E Hastings, 55033             |
| 4 Gertens                       | 805 Yankee Doodle Rd, Eagan 55121         |
| 5 South St Paul Compost         | 680 Verderosa Ave, South St Paul 55075    |
| 6 B&D Composting & Recycling    | 6520 280th St W, Greenvale Township 55057 |
| 7 The Mulch Store               | 2013 122nd St E, Burnsville 55337         |
| 8 Davey Tree Experts            | 405 Hardman Ave S, South St Paul 55075    |

\* Hastings Residents Only

Dakota County Office of GIS

**South St. Paul Yard Waste Compost Facility:** This small, city-owned and operated facility accepts only de-bagged yard waste or yard waste in paper bags. Brush or tree waste is not accepted. Residency is not required to drop off yard waste. Capacity is 10,000 cubic yards per year and in 2023 it accepted 1,100 tons of Dakota County yard waste. The facility generates 1,000 cubic yards of yard waste compost per year, offered to the public at no cost.

**B & D Wood Processing and Yard Waste Composting Facility:** It has operated since 1996 in Greenvale Township. B & D manages yard waste, brush, and tree waste, and is licensed to receive up to 20,000 cubic yards per year. In 2023, it accepted 18,758 tons of Dakota County yard waste. Yard waste compost is sold to the public and tree waste is sawed for lumber, cut for firewood, ground for mulch, or sold to District Energy in St. Paul for fuel.

**Specialized Environmental Technologies Yard Waste Compost Facility (Burnsville):** It has an annual capacity greater than 40,000 cubic yards and accepted 25,092 tons of Dakota County yard waste in 2023. Grass and leaves must be in compostable bags or reusable containers. The facility also accepts tree and brush waste. End-products include yard waste compost, blended soils, wood chips, and several kinds of landscape mulches.

**Specialized Environmental Technologies Compost Facility (Empire Township):** The facility is in Empire Township on county-owned land. All types of yard waste in compostable bags and loose material are accepted.



Its county-licensed capacity is greater than 40,000 cubic yards per year and in 2023, it accepted 32,503 tons of Dakota County yard waste. The facility is also permitted by the state to accept 300 tons per day (tpd) of material, including 150 tpd of source-separated organic materials (SSOM) and 150 tpd of yard waste. In 2023, the facility accepted 1,632 tons of SSOM. End-products available for sale include compost, blended soils and several kinds of landscape mulches.

**Gertens RES Yard Waste Compost Facility:** Gertens Greenhouse & Garden Center operates a yard waste compost facility on land owned by Gopher Resource Corporation. Gertens purchased an adjacent parcel in 2016 from the City of Eagan, with plans to relocate its composting operations. The facility is licensed to accept greater than 40,000 cubic yards of yard waste per year, and in 2023 accepted 11,242 tons of Dakota County yard waste. The facility accepts yard waste that is loose or is in compostable bags, prunings, brush and tree waste. End-products include yard-waste compost, blended soils, and wood mulches.

**Allied Waste Yard Waste Composting Facility:** Republic Services, Inc. maintains a yard waste compost facility license for operating a 40,000 cubic yards per year or greater facility, although the facility is presently inactive.

**SKB Rosemount Composting Facility:** Yard waste is not collected at this facility at this time. SKB has a license authorizing a yard waste composting facility; however, is required to submit a construction plan and obtain approval prior to constructing the facility.

**Dunham Brothers:** Although not a yard waste facility, Dunham Brothers is a unique facility licensed as wood waste processing facility where clean wood and pallets are converted into animal bedding. Their primary customers are the cattle industry and equestrian farms. The facility is licensed for up to 200 tons per day.

In 2023, Dakota County generated yard waste was also delivered to City of St. Louis Park Yard Waste Facility (87 tons).

## 5. Resource Recovery Facilities

Three resource recovery facilities serve the region, although none are located in Dakota County and not all can or will accept waste generated in Dakota County.

**The Hennepin Energy Recovery Center (HERC):** The HERC is located in Minneapolis and uses a mass-burn technology, producing energy for district heating and electricity. Hennepin County owns the facility and contracts for operations. The facility's permit capacity is 365,000 tons annually. HERC capacity is typically filled with Hennepin County waste; however, 2023 reports indicate 256 tons of Dakota County-generated waste was delivered to HERC.

**The Recycling and Energy Center:** The Recycling and Energy Center is a refuse-derived fuel (RDF) facility now owned by Ramsey and Washington Counties and operated by their contractor. The facility is in Newport and is managed by the Ramsey/Washington Recycling and Energy Board. MSW is delivered, shredded, and separated into three waste streams: RDF, recyclable metal, and residue. RDF is burned to generate electricity at Xcel Energy power plants in Red Wing and Mankato. Metals are recycled, and residue is landfilled. Permitted capacity is 500,000 tons per year. In 2023, 335 tons of Dakota County-generated waste was delivered to the facility.

**Red Wing Waste Campus:** The Red Wing Waste Campus is an RDF facility owned and operated by the City of Red Wing. Waste is sorted into RDF, recyclable metal, and residue. RDF is burned to generate electricity at Xcel Energy's power plant in Red Wing. The city's permitted capacity is 36,000 tons annually. In 2023, 11,372 tons of Dakota County-generated waste was delivered to this facility.

**Elk River Resource Recovery Project:** The Elk River Resource Recovery Project was a refuse derived fuel processing plant owned by Great River Energy. The facility, which closed in 2019, had an operational capacity of about 250,000 tons per year, all of which is now diverted to landfills.



## 6. MSW Land Disposal Facilities

Residential and business waste is delivered to MSW land disposal facilities in and outside of the-county. Seven landfills receive TCMA waste with a collective capacity of 10.2 million cubic yards. Two MSW landfills serving the region are located in Dakota County. Both operate methane gas-to-energy systems.

**Table 8: Licensed MSW Landfills in Dakota County**

Resource Recovery Facility	Owner
Pine Bend Sanitary Landfill, Inver Grove Heights	Republic Services, Inc.
Burnsville Sanitary Landfill, Burnsville	Burnsville Sanitary Landfill, Inc.

**Pine Bend Sanitary Landfill:** This landfill in Inver Grove Heights is owned by Republic Services, Inc./BFI Waste Systems of North America, LLC., and was originally permitted in 1971. The landfill is currently permitted at 29.8 million cubic yards of air space. At the end of 2022, 3.5 million cubic yards of airspace remained, and it is estimated that landfill capacity will be consumed by 2030 - at current use rates and a permit capacity of 29.8 million cubic yards. Pine Bend is pursuing an 8,185,000 cubic yard expansion that will extend the life to about 2048 if approved. In 2023, 82,099 tons of Dakota County-generated MSW was delivered to this landfill.

**Burnsville Sanitary Landfill:** This landfill is in a commercial area in northwest Burnsville, and is owned by Burnsville Sanitary Landfill, Inc., a wholly-owned subsidiary of Waste Management, Inc. The landfill was first permitted by the MPCA in 1971. In 2022, 24.2 million cubic yards of capacity remained with an estimated life span of 2072. In 2023, 117,906 tons of Dakota County-generated waste was delivered to this landfill.

In 2023, Dakota County-generated waste was also delivered to out-of-county landfills including Waste Management, Inc. Elk River Landfill in Sherburne County (379 tons) and the Advanced Disposal Seven Mile Creek Landfill in Eau Claire, Wisconsin (2,407 tons).

## 7. Non-MSW Land Disposal Facilities

The TCMA is served by nine Non-MSW landfills. Four Non-MSW landfills in Dakota County accept construction, demolition, and industrial wastes from generators in and outside of the county. The two MSW landfills in the county also accept non-MSW, generally industrial waste and contaminated soil within the MSW cells.

**Table 9: Licensed Non-MSW Landfills in Dakota County**

Non-MSW Landfill Facility	Owner
SKB Rosemount Industrial and Demolition Landfill, Rosemount	SKB Environmental, Inc.
SKB Rich Valley Demolition Landfill, Inver Grove Heights	SKB Environmental, Inc.
Frattalone's Dawnway Demolition Landfill, Inver Grove Heights and South St. Paul	Frattalone Companies
Burnsville DemCon Landfill, Burnsville	Burnsville Sanitary Landfill, Inc.
Burnsville Sanitary Landfill, Burnsville	Burnsville Sanitary Landfill, Inc.
Pine Bend Landfill, Inver Grove Heights	Republic Services, Inc.

**SKB Rosemount Industrial and Demolition Landfill:** The landfill is located in Rosemount and accepts industrial waste, MSW incinerator ash, and demolition waste. The landfill was originally permitted to accept only industrial waste in 1992. In 1998 the MPCA permitted the acceptance of MSW incinerator ash at the landfill. In 2003 the MPCA approved a major modification to the facility for disposing of construction and demolition debris. A 2008 landfill expansion significantly increased demolition and industrial capacity. In 2022, the facility had a capacity of 13.9 million cubic yards for construction and demolition waste and industrial waste; and 1.3 million cubic yards for MSW incinerator ash. Remaining facility life estimates are four years for construction and demolition waste and industrial waste, and sixteen years for incinerator ash.

**SKB Rich Valley Demolition Landfill:** The landfill is in the City of Inver Grove Heights on property owned by SKB Environmental, Inc. The facility accepts only construction and demolition wastes but is currently inactive as operations were consolidated by SKB at the nearby Rosemount facility. In 2007, an expansion of the landfill was



approved, but has not yet been fully constructed. In 2022, the landfill had a total capacity for construction and demolition waste of 2.3 million cubic yards and remaining facility life is estimated at nineteen years.

**Frattalone’s Dawnway Demolition Landfill:** This landfill is a 51-acre facility on the border between Inver Grove Heights and South St Paul, within the footprint of a pre-existing sand and gravel pit that closed in 1980. The facility accepts demolition debris waste materials. No industrial waste is accepted. Originally developed to accept waste only from its owner, the landfill now accepts wastes from pre-screened contractors. In 2022, the landfill had a total capacity for construction and demolition waste of 1.33million cubic yards and remaining facility life is estimated at about seven years.

**Burnsville DemCon Landfill:** It is located in Burnsville and owned by Burnsville Sanitary Landfill, Inc., a wholly-owned subsidiary of Waste Management Inc. The C and D waste cell is within the footprint of the Burnsville Sanitary Landfill. In 2022, the cell had a capacity of 2.75 million cubic yards and an estimated life of approximately ninety years. This facility is currently inactive.

**Burnsville Sanitary Landfill:** See descriptions in previous section. In 2023 the facility accepted 2,565 tons of industrial waste.

**Pine Bend Landfill:** See descriptions in previous section.

8. Non-MSW Processing Facilities

Six licensed Non-MSW processing facilities located in Dakota County receive TCMA waste.

Table 10: Licensed Non-MSW Processing Facilities in Dakota County

Non-MSW Processing Facility	Owner
SKB Rosemount Processing, Rosemount	SKB Environmental, Inc.
SKB Wood and Shingle Processing (Rich Valley), Inver Grove Heights	SKB Environmental, Inc.
Gem-Ash/SKB Rosemount Solid Waste Processing, Inver Grove Heights	SKB Environmental, Inc.
Alpha Container Services and Recycling, Coates	Alpha Container Services
Bituminous Roadways Shingle Processing, Inver Grove Heights	Bituminous Roadways, Inc.
Burnsville Demolition and Construction Waste Landfill Processing, Burnsville	Burnsville Sanitary Landfill, Inc.

**SKB Rosemount Processing:** It is a multi-operational solid waste facility licensed for waste processing. The landfill sorts out recyclable metals, clean wood, and concrete and processes waste shingle materials (market dependent) from the construction and demolition wastes. Metals are also sorted and recycled from the MSW incinerator ash cell. In 2023, the facility recycled 14,772.69 tons of metals and 8,469 tons of concrete.

**SKB Wood and Shingle Processing (Rich Valley):** It is licensed as a multi-operational solid waste facility with a license for waste processing of construction and demolition debris. This facility has been inactive since 2007.

**Gem-Ash/SKB Rosemount Solid Waste Processing:** It was licensed in 2014 to operate an ash recycling facility. The facility processes municipal solid waste incinerator ash and separates ferrous and non-ferrous metals for recycling. In 2023 the facility marketed 2,688 tons of ferrous metals and 3,913 tons of non-ferrous metals.

**Alpha Container Services and Recycling:** This facility processes construction and demolition waste. In 2023 they processed approximately 24,828 cubic yards of waste. This facility was purchased by Lloyd’s Container Services in 2023.

**Bituminous Roadways Shingle Processing:** It is licensed to process waste shingle material at its Rich Valley location (11201 Rich Valley Blvd). They have processed little or no material for the past several years.

**Burnsville Demolition and Construction (C and D) Waste Landfill Processing:** It has a cell that takes approved construction and demolition waste. The C and D waste processing facility is currently inactive.



9. Hazardous Waste and Problem Materials Facility

The Recycling Zone opened in 1997 and provides a year-round location for residents to drop off recyclables, household hazardous waste, and problem materials and for businesses a Very Small Quantity Generator (VSQG) program by appointment.

Table 11: Licensed HHW Facilities in Dakota County

HHW Facility	Owner
The Recycling Zone, Eagan	Gopher Resource Corporation

Dakota County contracts with Gopher Resource, LLC (Gopher), to provide the site, facility, and most on-site labor. Since 1997, the County Board has approved contracts for services at the Gopher facility. In 2023, a five-year contract extension was executed with Gopher, extending operation through 2028. The contract includes:

- Thirty-six hours per week for residential HHW and recyclables drop-off, including two evenings.
- Facility rental space of 9,850 square feet.
- Recyclables drop-off for residents including mixed containers, mixed paper/cardboard, and scrap metal.
- HHW, electronics and problem materials drop-off.
- Dakota County is responsible for costs relating to collection, disposal, recycling, labor, supplies, and facility rental.
- Gopher increased fulltime staffing (2024) to manage the increased participation and waste. Gopher staff sort, pack, and store materials on-site until shipped to disposal and recycling facilities.

Dakota County maintains separate contracts with hazardous waste and problem material management companies to provide for proper recycling or disposal of materials collected at The Recycling Zone. Dakota County oversees the operations at The Recycling Zone and the management company contracts. To better serve the needs of residents and businesses, Dakota County is:

- A PaintCare collection site for residents and businesses to dispose of latex and oil-based paint (2015).
- Continues to expand the list of materials collected.
- Offers a Very Small Quantity Generator (VSQG) collection program to businesses.

In 2017, Dakota County staff conducted a needs assessment for countywide maintenance facilities, including whether a future maintenance facility could include a second HHW drop off facility. Findings indicated The Recycling Zone services and facility use are not compatible to share a site with county maintenance facilities. An independent assessment will be conducted to determine near-term needs and plan for future growth in the county.

Planning for second household hazardous waste

In 2021, Dakota County received two million dollars (\$2,000,000) in state funding for Phase I design and property acquisition. Dakota County purchased property in Lakeville for the proposed new regional household hazardous waste and recycling drop-off facility. Dakota County and Scott County entered into a Joint Powers Agreement in 2024 for the design and construction of the new Recycling Zone Plus. Dakota County has not been successful in requests to the Minnesota Legislature for eight million dollars (\$8,000,000) for Phase II of the project for facility construction for Capital Assistance Program (CAP) funding in 2020, 2023, 2024 and will seek the funding again in 2025. The project has been postponed until Phase II funding has been granted.

## Appendix B: Plan Development

Dakota County initiated its Plan revision process in 2023 to prepare for the anticipated release of a new state Policy Plan. The planning process included three technical phases (research, draft Plan development, and Plan review and adoption), with comprehensive stakeholder engagement throughout.

The Plan was prepared by Dakota County Environmental Resources and Planning Department staff with input from the Dakota County Planning Commission. The Plan was prepared by Dakota County Environmental Resources and Planning Department staff. Because Dakota County transitioned to a County Manager system in 2014, the Dakota County Board itself performs the duties and exercises the powers required of a solid waste management advisory committee under Minn. Stat. § 473.803.

**Dakota County Planning Commission (Commission):** The County Board appoints two members from each County Commissioner district to the 14-member citizen advisory committee. The Commission is charged with reviewing environmental and natural resources proposals and making recommendations to the County Board. The Commission meets monthly and meetings are open to the public. The Commission was engaged on the Plan revision. The Commission provided comments on the stakeholder engagement process and the Plan vision and strategies. On [insert date], the Commission recommended release of the draft Plan for public review and on [insert date], the Commission recommended County Board approval and submittal to the MPCA.

**Dakota County Board of Commissioners (County Board):** The County Board is a seven-member Board, elected by residents in each commissioner district to establish county policy and funding for services. Written updates and presentations were provided to the Board throughout the Plan development process. Board meetings were open to the public and were attended by representatives from the MPCA and other interested parties.

### A. Research Phase

#### 1. Studies

Dakota County conducted four studies on waste management issues and barriers to inform the development of the Plan:

##### a. Residential Reuse Behavior (Dakota County – Problosky Research, 2023)

- Description: Statistically significant residential survey of residents' reuse knowledge and behavior to understand perceived and actual barriers to reducing waste at home.
- Summary of findings:
  - The vast majority, 95% of residents, say that it is important to recycle at home.
  - In the last year 92% of respondents recycled household items, 76% used a refillable container for water, and 71% used a reusable bag while shopping.
  - The most common phrase for respondents to use when describing secondhand goods is “used,” but the most desirable term was “gently-used.”
  - There is high interest in both donating and buying second-hand goods, and most (95%) are aware of a store near them that sells second-hand goods.
  - The biggest motivation listed by respondents for purchasing second-hand goods was that the items are cheaper.
  - For respondents who don't purchase second-hand goods the most significant reasons for not doing so are safety/hygiene concerns and lack of choice in second-hand goods.
  - The most common goods to donate (in order) are clothing, footwear, books, and household goods and the items that respondents would be most comfortable receiving or buying (in order) are books, household goods, clothing, and bikes.
  - Compared to other types of items asked about, respondents were more likely to be willing to use national online reselling sites or social media for clothes. Trends were very similar among





different types of appliances and tools, with the majority preferring to use local online exchanges or garage sales.

**b. Residential Organics Collection Options in Dakota County (Dakota County – SCS Engineers, 2024)**

- Description: Overview and analysis of the economics, environmental impacts, and potential diversion rates for residential curbside organics (food scraps) collection systems within the county and recommendations for the county to develop one or more of the options identified.
- Summary of findings:
  - Organized weekly curbside organics collection using a separate dedicated cart with every-other-week trash collection provides the overall best annual performance in terms of costs, food waste diversion, emissions reduction, road miles and collection trucks needed.
  - Co-collecting organics with trash is not currently available to Dakota County, and use of the Recycling and Energy Center (REC) for sorting is reserved for waste from Ramsey and Washington counties. Co-collecting organics with trash in Dakota County would require significant investment in a new waste sortation capacity able to recover co-collected organics from durable compostable bags.
  - Everyone pays for organics collection services, whether they participate in the service or not. This 2023 determination by the MPCA clarified that residents cannot be billed more to participate in recycling (including source separated organics materials) than residents who do not recycle (Minn. Stat. § 115A.93.3c).
  - There are currently 38 curbside organics collections programs in Minnesota. Of these programs, 71% have separate cart collection and 52% are in an organized hauling market where the municipality manages, contracts and coordinates residential curbside collection.

**c. Wood Waste Study (Dakota County Office of Performance and Analysis, 2024)**

- Description: Information about wood waste management in Dakota County
- Summary of findings:
  - The study documents the regulations related to wood waste management, the volume of wood waste from sources around the county, where the wood is going for disposal or reuse, and how the municipalities within Dakota County are currently handling wood waste.
  - Recommendations include: (1) publish more information and resources for tree contractors and residents on Dakota County’s website, (2) as feasible, divert larger wood products to local wood reclamation retailers, and smaller pieces such as undyed mulch to garden centers, (3) consider expanded use of on-site biochar kilns and use of finished biochar, and (4) look into feasibility/appropriateness of possible new regulations, such as banning open burning by commercial entities and licensing certain wood waste management companies to help determine inventory and amounts managed.

**d. Compost Utilization Study (Dakota County Office of Performance and Analysis, 2024)**

- Description: Information about compost utilization in Dakota County and the region
- Summary of findings:
  - The study documents compost utilization in landscape, transportation, and other projects, compost utilization within the TCMA, existing county and external municipal guidelines and policies, and best practices.
  - Recommendations include: (1) collaborate with regional municipalities and the Minnesota Composting Council (MNCC) to develop guidance on the utilization of compost in earth works projects, (2) utilize soil testing to help determine which projects will benefit most from application of compost, (3) incorporate Minnesota Department of Transportation (MnDOT) Grade 2 compost in Dakota County earth works projects, (4) model county policy on leading



State and local standards, and (5) address financial and other resource barriers to compost application in county earth works projects.

County staff also gathered additional information on regional lending libraries, regional reuse organizations, food waste prevention policies by state, opportunities and barriers to expand reuse stores in Dakota County, commercial recycling in Hastings, biochar initiatives in Dakota County and statewide, and regional building materials reuse organizations, services, and grant programs.

## 2. Stakeholder Engagement

Stakeholder engagement for this Plan revision was shaped by the 2023 draft Metropolitan Solid Waste Management Policy Plan (Policy Plan) strategies and topic, including new emphases on wood waste, building material recovery, food waste prevention and management, and renewed emphasis on waste reduction and reuse. The Policy Plan was developed by the MPCA and all metropolitan counties are required to implement the Policy Plan strategies.

Stakeholder groups included residents, businesses, schools, public entities, waste haulers, and waste facilities. New stakeholder groups included entities involved with food donation, building material reuse, and tree waste management. Stakeholder engagement during the research phase of the Plan update focused on identification of solid waste management issues, barriers, and solutions, including the new strategy topics presented in the Policy Plan.

Round 1 of public engagement (September 2023 – mid-October 2023) included audience-specific online surveys (available in English, Spanish, Russian and Somali for residents), meetings with waste industry and public entities, and intercepts (staffed events and unstaffed interactive displays). Table 12 summarizes participation counts (green), engagement methods (pink) and outreach (orange) used for each stakeholder group.

**Table 12: Round One Participation, Engagement Type, and Outreach Methods By Stakeholder Group**

Audience	Number Participating	Online Survey	Intercepts	Meetings	Newsletters, Emails	Social Media	Project Webpage
Residents	897	◆	◆		◆	◆	◆
Businesses and Schools	15	◆			◆		◆
Public Entities	23	◆		◆	◆		◆
Waste Industry	11	◆		◆	◆		◆
Food Rescue	-	◆		Offered	◆		◆
Deconstruction	3	◆		Offered	◆		◆
Reuse	2	◆		Offered	◆		◆
Tree Waste	4	◆		Offered	◆		◆

Nearly 1,000 stakeholders collectively identified the following barriers and opportunities:

- More frequent and clearer information is needed to ensure that resources are not being landfilled and waste is managed in environmentally beneficial ways.
- Convenient and cost-effective approaches can help motivate increased reuse and recycling of non-traditional items (e.g., mattresses, building materials).
- There is interest in curbside organics collection, although concerns included odors, pests, and educational needs to prevent contamination.
- Greater manufacturer and producer responsibility is needed to make more sustainable products and packaging, that are repairable, reusable, and recyclable.
- Information and assistance is needed to increase sustainable management of reusable building materials (e.g., construction materials and fixtures).





- There is a widespread lack of knowledge on proper care of trees to prevent wood waste and management of wood waste from diseased trees.

Results of stakeholder input were published on the county’s website and shared with stakeholders, the Planning Commission, the County Board, and used to develop potential strategies.

## B. Draft Plan Development Phase

The final set of strategies approved by the County Board were drafted into the 2024 Plan. All 32 Required Strategies from the Policy Plan were included and a point total of 94 was reached in Optional Strategies, exceeding the MPCA’s requirement for 75 points.

### 1. Strategy Selection

The Policy Plan format allowed TCMA counties to select from a list of required and optional strategies. The MPCA assigned point values to optional strategies based on their assessment of strategy effectiveness and difficulty of implementation. Counties were required to reach a total of 75 points for the optional strategies they selected.

County staff selected a preliminary set of strategies based on part due to the following factors existing effort and program activity related to the strategy and stakeholder perspective and support.

### 2. Stakeholder Engagement

Round 2 of public engagement (April 1, 2024 to April 21, 2024) collected feedback on potential waste management strategies selected from the Policy Plan and included online (non-scientific) surveys for residents, businesses, and schools (in English and Spanish), two intercept events with Latino residents to collect survey responses in person, one in-person focus group with Latino residents, meetings with waste industry and public entities, and input from the Dakota County Planning Commission. Stakeholders were asked about their support for specific strategies to help prioritize strategy selection and about preferences and potential resource needs that could facilitate successful strategy implementation.

**Table 13: Round Two Participation and Engagement Methods by Stakeholder Group**

Audience	Number of Participants	Online Survey	Intercepts	Meetings/ Focus Group
Residents	1,326	Yes	Yes	Yes
Businesses and Schools	24	Yes	-	-
Public Entities	19	-	-	Yes
Waste Industry	9	-	-	Yes

More than 1,300 stakeholders provided comments on Policy Plan initiatives and how to facilitate their implementation.

**Residents** rated the following actions as moderately to very helpful:

- More frequent education on recycling, organics (food scrap) collection, and reuse.
- Hauler feedback when materials are sorted incorrectly.
- Organics curbside collection available within three years, collected with weekly trash pickup.
- Curbside collection of reusable items, and more reuse drop-off options.
- Information about funding for diseased tree removals; options for tree waste drop-off; information on tree disease prevention.

**Businesses and schools** rated the following actions as moderately to very helpful:

- Frequent education on recycling, organics collection, and reuse options.
- Hauler feedback when materials are sorted incorrectly.



- Funding and technical assistance for recycling, food scrap management, and waste reduction and reuse; training for employees and tenants.

**Municipalities** identified actions to facilitate strategy implementation:

- Frequent education on food scrap collection, reuse, and trees waste.
- Technical assistance and information to help reduce waste; funding for waste reduction and equipment/infrastructure such as dishwashers and reusable service ware.
- Regarding curbside organics collection, opt-in resident participation for curbside organics collection with educational messaging focused on “food scraps;” minimize the number of organics trucks on the roads; expanded drop sites to provide multifamily residents options; and options to minimize costs on low-income residents.
- Promote tree care options; consider more disposal options for tree waste.
- Information about vendors available to reuse building materials and assistance for event/swap costs.

**Waste Industry representatives** identified actions to facilitate strategy implementation:

- More education on proper disposal of food scraps, tree waste, recyclable materials, and hazardous waste, especially lithium-ion batteries as a fire hazard.
- Provide pre-curbside organics program resident notification, promote opt-in participation, and provide educational messaging focused on “food scraps;” maintain organics drop-off sites; and some identified consideration of organized collection for more efficient and cost-effective organics curbside collection.
- More discussion in needed on approaches to implement the MPCA’s required pre-processing and disposal facilities; residents and businesses need to be responsible for improved sorting of their recyclables.

Stakeholder input was used to further refine potential strategies and their implementation. Findings were published on the county’s website and shared with stakeholders, the Planning Commission, and the County Board.

## C. Plan Review and Adoption Phase

*NOTE: phase four will be completed upon Plan approval by the County Board of Commissioners*

The draft Plan was presented to the Dakota County Physical Development Committee of the Whole with a recommendation for a 21-day public review and comment period.

The public review and comment period was conducted from [insert date]. Residents, businesses, non-profits, schools, and waste industry representatives were invited to provide comments through email at [wasteless@co.dakota.mn.us](mailto:wasteless@co.dakota.mn.us) or through the U.S. Mail. Comments were requested using a variety of promotions, including:

- County website
- Press release
- E-newsletters (*County, municipalities*)
- Social media platforms (*County, municipalities, program partners*)
- Stakeholder emails
- Environmental Resources Department program partners (*Recycling/Composting Ambassadors, participants in the Business Recycling Incentive Program, Enhanced School Recycling and Organics Program, residential organics drop site program*)
- Environmental Resources Department public program trainings/education classes

County staff considered all comments, categorized whether Plan revisions are recommended, and provided reasoning for staff decisions. Staff recommendations on comments and revisions to the draft Plan were



presented to the County Planning Commission and to the Dakota County Physical Development Committee of the Whole with a recommendation for adoption and submittal to the MPCA for approval.

The County Board adopted the MPCA-approved Plan on [insert date], Resolution [insert resolution #].



## Appendix C: Environmental Justice: Review And Framework for Plan Implementation

### A. Background

The Policy Plan requires counties to conduct an environmental justice review in developing their waste plans. The EPA defines environmental justice as “the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.” The goal of environmental justice is to provide all people with:

- The same degree of protection from environmental and health hazards; and
- Equal access to the decision-making process to have a healthy environment in which to live, learn, and work.

The following sections were recommended by the Minnesota Pollution Control Agency (MPCA) and constitute the county’s review of the Plan.

### B. Engagement During Plan Development

The county conducted an extensive stakeholder engagement process during the development of this Plan, including multi-lingual online surveys, phone surveys, workshops, and meetings. Engaging people through a variety of formats created better opportunities for stakeholders of all backgrounds to provide feedback on strategies during two rounds of public engagement (Fall 2023 and Spring 2024). The county will continue inclusive engagement efforts for strategy implementation.

Since Spanish is the most spoken language other than English in the county, with over 8,700 households speaking Spanish as their primary language and 2,238 of those households having limited English-speaking members, the county sought to engage and solicit feedback from Hispanic and Latino residents and Hispanic and Latino-owned or managed businesses. The county hired a communications and engagement consulting company to provide culturally relevant and linguistically appropriate engagement to receive feedback on the strategies. The consultant identified areas with the highest concentration of Hispanic and Latino residents in Dakota County as specific areas for engagement. Methods to engage this audience included online (non-scientific) surveys for residents, businesses, and schools, in English and Spanish, promoted through the following:

- County social media posts in Spanish.
- Paid print and online ads in Spanish (La Voz) and a paid online ad in Spanish (La Prensa).
- Utility bill inserts in English and Spanish were mailed to 3,204 households in Apple Valley to areas with high populations of Spanish speaking residents.
- Flyers in Spanish distributed at Open Door mobile food pantry event in South St. Paul.
- In-person intercepts (staffed information tables at existing events and venues) with Latino residents.

One in-person focus group with Latino residents a mobile home community to gather feedback on how strategies in the Policy Plan could work in Dakota County and to identify resources needed for successful implementation.

### C. Plan Implementation

For county Plan focus, the MPCA identified waste-related facilities in areas of concerns for environmental justice, based on census tracts (using data from the U.S. Census and American Community Survey) that meet one or both of these demographic criteria:

- Total population of people of color greater than 40 percent



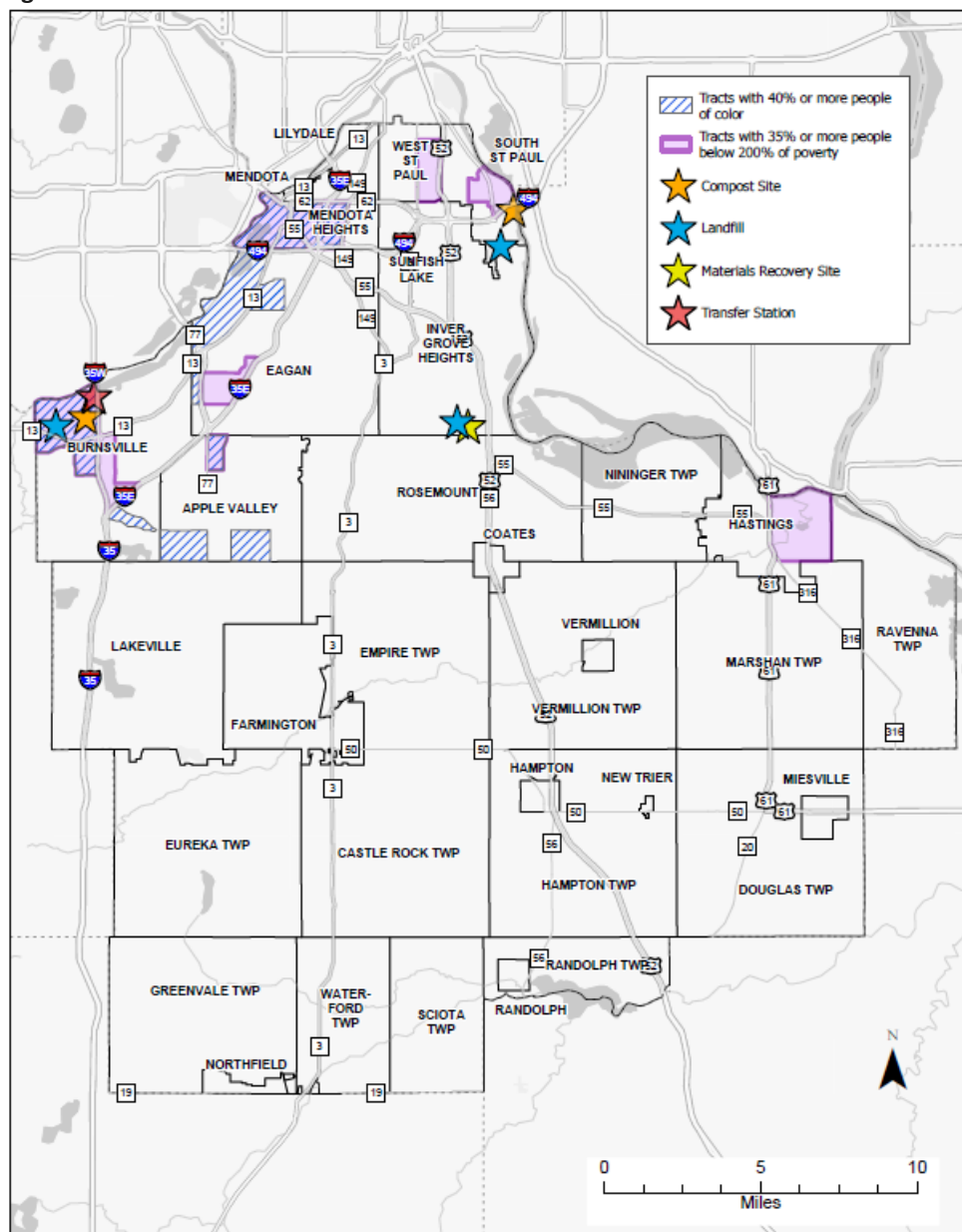
- At least 35 percent of people reported less than 200 percent of the federal poverty level

The MPCA chose these two criteria because “research indicates that people of color and low-income people are disproportionately exposed to pollution, and bear disproportionate health impacts from pollution, regardless of other population characteristics.”

The priority of the Plan is to ensure the proper management of waste to protect human health and the environment. The Plan also supports reducing waste and increasing recycling. The strategies in the Plan are intended to reduce the environmental impacts associated with waste.

Figure 13 shows solid waste facility locations and census tracts that are considered areas of concern for environmental justice in Dakota County.

**Figure 13: Solid Waste Facilities and Areas of Environmental Justice Concern**



1. **Impact and Assessment:** Implementing the strategies identified in the Plan will divert waste from landfills to recycling and organics recovery facilities. Dakota County is home to a variety of waste management facilities such as recycling facilities, compost facilities, and landfills. The MPCA identified seven active facilities (Table 14) that are within the areas of concern.

**Table 14: Active Solid Waste Facilities within MPCA-Identified Areas of Concern**

Facility	Location	Facility Type
1. Allied Waste Recyclery	Inver Grove Heights	Material Recovery Facility
2. Burnsville Sanitary Landfill	Burnsville	Landfill
3. Burnsville Yard Waste Compost Facility	Burnsville	Compost Site
4. Dawnway Demolition Landfill	Inver Grove Heights	Landfill
5. Freeway Transfer Station	Burnsville	Transfer Station
6. Pine Bend Sanitary Landfill	Inver Grove Heights	Landfill
7. South Saint Paul Compost Site	South St Paul	Compost Site

When considering license renewals or new license applications in areas of concern, the county will:

- Identify facility types that warrant additional actions based on potential for adverse effects.
- Increase civic engagement to ensure that everyone can provide comment, particularly in cases when public notice is required.

2. **Impact review.** Dakota County will continue to license facilities to minimize impacts to the environment and human health. Dakota County does not exercise land use authority outside the shoreland/floodplain area but will encourage municipal partners to site facilities in locations that minimize impacts to the environment and human health.
3. **Engagement.** Dakota County’s Solid Waste Management Plan policy, “Strive for just treatment, meaningful involvement, and equitable implementation of the Solid Waste Management Plan for all community members provides direction for an intentional and equitable approach as Plan strategies are implemented. The goal is an environment where all people enjoy the same degree of protection from environmental and health hazards and equal access to decision-making for a healthy environment in which to live, learn, and work. This approach follows a public health model of prevention to protect people, their communities and the natural environment.

The county will build on the inclusive engagement efforts conducted during Plan development for strategy implementation. As this Plan is implemented and programs, ordinances, and efforts are initiated, the county will work to be intentional about engaging all populations, including stakeholders living or working in MPCA-identified areas of concern. Several strategies in the Plan would directly benefit communities in areas of concern for environmental justice. For example, the Plan includes strategies to provide resources to improve multi-unit dwelling recycling, including for hard-to-recycle items like mattress, and access to organics recovery through expansion of strategic organics drop sites. These efforts can lead to reductions in illegal dumping, a concern sometimes in lower income communities. Additionally, the Plan includes a strategy to implement curbside organics collection with tactics to provide resources to remove barriers for residents to successfully participate in the program, including providing education in a variety of methods to be inclusive of all residents. The county will continue inclusive engagement efforts for effective strategy implementation.



## Appendix D: Performance and Accountability

### A. Evaluating Progress

Dakota County is committed to identifying performance measures to monitor and evaluate progress on strategies identified in the Plan. These metrics apply to all aspects of the solid waste management system described throughout this Plan. Performance measures are important to ensure ongoing program improvement and to evaluate progress in meeting Plan objectives. More detailed progress measures will also be specified in the county's annual work plans, implementation projects, and in ongoing process improvement efforts.

Dakota County is accountable to the MPCA for Plan development and advancement, but all stakeholders – including all levels of government, waste generators, and operators of the waste management system – are expected to participate and have accountability in implementing this Plan. Dakota County will continue to monitor compliance of regulated waste generators and the waste industry to measure Plan progress.

The MPCA's Policy Plan acknowledges that the complexity of the TCMA solid waste system makes it difficult to measure how MSW is managed according to the system objectives. Some data is more verifiable, such as the waste amounts delivered to waste facilities, because material is weighed and records are kept. Other data is not easily measured, such as the amount of material recycled by commercial establishments. Statute requires the MPCA to evaluate SCORE data collection and management and to make recommendations to the Legislature for its improvement. Continued evaluations will improve the reliability of measurement tools used to assess progress in attaining the Policy Plan's TCMA objectives.

### B. County Reporting Requirements

Progress updates will be submitted to the MPCA through annual reports required by State law. Counties share data to account for waste that crosses county lines and also obtain data for waste that is sent outside of the region or state to ensure that data is as complete as possible. Reports summarize trends, project and program outcomes, and activities over the course of the previous year, including relevant data to identify progress. Annual reports submitted to the MPCA include:

- **SCORE Report/Survey** is an annual report that gathers qualitative and quantitative on recycling rates, waste reduction efforts, waste management data and practices, county licensing and collection, finance, and administration. The county will submit the report by the required deadline each year.
- **Certification Report** is an annual solid waste resource recovery and land disposal report. The MPCA reviews the report for consistency with the requirements of Minn. Stat. § 473.848 and the Policy Plan. The county will annually submit the report by the required deadline each year.
- **Local Recycling Development Grant (LRDG) Report** is an accounting to the MPCA of how LRDG funds were used in county programs and efforts. The county will submit the report by the required deadline each year.
- **Household Hazardous Waste Report** provides the MPCA with data on the amount and type of HHW collected during the previous year. Financial data and the number of county and out-of-county households served are reported. The county will submit the report by the required deadline each year.
- **Annual Report** provides the MPCA with a progress report on Plan implementation, including timelines for implementation and partners involved. Information submitted includes work and activities completed and priorities planned for the following year. The county will submit the report annually by the required deadline.

### C. County Oversight of the Private Sector, Municipalities, and Program Partners

The solid waste management system serving Dakota County is comprised of both public- and private-sector services. State law includes a preference for private-sector ownership and operation of solid waste facilities (Minn. Stat. §§ 473.803 and 115A.46). Therefore, the private sector (both public and not-for-profit





organizations) plays a critical role in carrying out solid waste functions within the county and directly influences the ability of the county to achieve Policy Plan objectives and meet statutory requirements.

Minn. Stat. § 473.803 indicates:

*A county may include in its solid waste management master plan and in its plan for county land disposal abatement a determination that the private sector will achieve, either in part or in whole, the goals and requirements of sections § 473.149 and § 473.803, as long as the county:*

*(1) retains active oversight over the efforts of the private sector and monitors performance to ensure compliance with the law and the goals and standards in the metropolitan policy plan and the county master plan;*

*(2) continues to meet its responsibilities under the law for ensuring proper waste management, including, at a minimum, enforcing waste management law, providing waste education, promoting waste reduction, and providing its residents the opportunity to recycle waste materials; and*

*(3) continues to provide all required reports on the county's progress in meeting the waste management goals and standards of this chapter and chapter 115A.*

The tools Dakota County uses to hold the private sector, municipalities, and program partners accountable include:

1. **Regulation** – through assuring compliance with county ordinances and, as appropriate, state laws that relate to solid waste management.
2. **Monitoring and reporting** – by gathering information from entities to monitor actions related to the solid waste system and Plan implementation.
3. **Contracts/Agreements** – through assuring compliance with voluntary agreements entered into between Dakota County and other entities.

The county implements oversight of the private sector providing waste management services, municipalities implementing waste abatement programs, and program partners receiving funding or services to implement projects through the following:

- **Solid waste facilities: license and reporting requirements.** All landfills, transfer stations, yard waste, and organics management facilities provide data on the amounts and types of waste they receive as part of their annual reports to the county. All waste management facilities in Dakota County are privately-owned. Through regulation and reporting requirements, facilities are accountable.
  - The county establishes and collects host fees from MSW landfills and to support landfill abatement programs.
  - Dakota County Ordinance No. 110 requires licensing and reporting for all landfills, recycling facilities, special waste storage facilities, energy recovery facilities, transfer stations, infectious waste facilities, and compost facilities. It also requires all commercial generators to report recycling and municipal solid waste data.
  - All solid waste facilities are licensed every two years to monitor compliance with environmental and public health requirements. Landfills are inspected at least monthly, recycling facilities are inspected two to four times per year, and compost facilities are inspected one to three times per year depending on size. The county has authority to issue penalties for non-compliance.
  - Landfills and transfer stations report waste sources by municipality. Materials recovery facilities (for recyclables) report the amount of incoming waste and how much waste is separated for recycling. The county will update facility report forms, as necessary, to ensure relevant and accurate data is submitted.

**Standard for approval of licenses and reports:** The county will approve solid waste facility licenses and reports if they meet Dakota County Ordinance No. 110 requirements.





**Procedures:**

- **Required License and Report:** The county will provide a license application and report forms and notify regulated facilities of license and reporting obligations and submittal deadlines, as specified in Dakota County Ordinance No. 110. The county provides the forms and instructions for completion.
  - **County Review and Approval:** The county will review and approve applications and reports if they are determined to be accurate and meet Dakota County Ordinance No. 110 requirements. If applications or report forms are incomplete or inaccurate, the county will work with the facility on a complete submittal or can deny them.
- **Waste hauler license and reporting requirements:** Haulers must report the amount of residential and commercial recyclables hauled and the number of accounts that they serve, by city. Haulers are accountable to Plan objectives through Dakota County Ordinance No. 110 and licensing. Dakota County Ordinance No. 110 establishes standards for collection and transportation of solid waste and recyclable materials in the county. Standards include requirements for licensing, reporting, providing the opportunity to recycle, record keeping, collection fee structure, equipment and operations requirements, and a prohibition for mixing MSW and source-separated recyclables. The county enforces Dakota County Ordinance No. 110 by licensing MSW haulers. The license requirement includes a checklist to report which recyclable materials each hauler accepts and the frequency of collection. The county provides the application form and instructions for completeness that outline the information, and communicates to waste haulers on the required submittal dates. In addition, licensed haulers are required to report information about collection and processing of recyclable materials. Effective 2017, haulers report residential and commercial waste collection data directly to the MPCA. The county will work with the MPCA to ensure accurate data is submitted. In addition, Dakota County Ordinance No. 110 has long-required haulers to submit collection data to the county. County forms require the number of accounts per city and total tons collected by material. The residential form also collects the number of multifamily accounts. The county will monitor the ongoing need for haulers to continue to submit data directly to the county given the change in the MPCA collection of hauler data. Licensing and reporting holds haulers accountable for Plan objectives to implement recycling programs.

**Standard for approval of licenses and reports:** The county will approve hazardous waste hauler licenses and reports if they meet Dakota County Ordinance No. 110 and regional hauler licensing requirements.

**Procedures:**

- **Required License and Report:** The county will collaborate with regional partners, as appropriate, to annually develop a license application and notify haulers of license and license obligations specified in Dakota Ordinance No. 110. The County will notify haulers of reporting obligations specified in Dakota County Ordinance No. 110, and will collaborate with the state to compare state and county data submitted by haulers. Application and report forms outline information and data that is required to be submitted.
  - **County Review and Approval:** The County will review and approve applications and reports if they are determined to be accurate. If applications or forms are incomplete or inaccurate, the County will work with the hauler to complete an accurate submittal or can deny the application/reports.
- **Hazardous waste generators and facilities: license and reporting requirements:** Regulated generators and facilities report the amount of waste generated and managed, sorted by hazard category, and waste type. Private-sector generators are accountable to Plan objectives based on their status as hazardous waste generators. Hazardous waste generators are accountable through Ordinance 111 which establishes standards based on generator size for training, licensing, generating, storing, processing, and managing hazardous waste in Dakota County. The County licenses, inspects, and trains hazardous waste generators



and facilities. Licensing is renewed annually. Inspection and training frequency depends on size. Large and small generators are inspected every year, very small quantity generators every two years, and minimal quantity generators every five years. Inspections and training requirements hold private-sector hazardous waste generators accountable for meeting Plan objectives for proper hazardous waste management.

**Standard for approval of licenses and reports:** The County will approve hazardous waste generator and facility licenses and reports if they meet Ordinance 111 requirements.

**Procedures:**

- **Required License and Report:** The County will annually provide a license application and report forms and notify generators and facilities of license and reporting obligations and submittal deadlines, as specified in Ordinance 111. Forms outline information and data that is required to be submitted.
  - **County Review and Approval:** The County will review and approve applications and reports if they are determined to be accurate. If applications or forms are incomplete or inaccurate, the County will work with the generator or facility to complete an accurate submittal or can deny the application/reports.
- **Solid waste generators: reporting requirements:** Regulated commercial generators (e.g., businesses) report the amount of waste generated and managed and waste type. Commercial solid waste generators are accountable through Dakota County Ordinance No. 110 which establishes standards for reporting and implementing recycling best practices (i.e., co-locating containers, collecting designated recyclables, labeling containers with standardized labels, training employees) and larger generators of organics must collect back-of-house food scraps following best practices. The County inspects commercial solid waste generators, prioritizing those that generate large volumes of food scraps.

**Standard for approval of licenses and reports:** The County will approve commercial solid waste generator reports if they meet Dakota County Ordinance No. 110 requirements.

**Procedures:**

- **Required License and Report:** The County will annually provide a report form and notify generators of reporting obligations and submittal deadlines, as specified in Dakota County Ordinance No. 110. Forms outline information and data that is required to be submitted.
  - **County Review and Approval:** The County will review and approve reports if they are determined to be accurate. If forms are incomplete or inaccurate, the County will work with the generator to complete an accurate submittal or can deny the report.
- **Municipalities, including the Rural Solid Waste Commission,** report progress toward achieving waste abatement objectives and Plan requirements, in accordance with Community Funding JPAs. Dakota County Ordinance No. 110 requires all municipalities to have a solid waste abatement program in compliance with the Plan. Community Funding dollars are distributed to each city based on annual work plans. To receive funds, municipalities annually submit an application, work plan, and budget. Funds must be used for residential recycling programs, education and outreach, and priority issues indicated in the JPAs. Municipalities must submit an Annual Report to the County with qualitative and quantitative measurements resulting from work plan projects and programs. Work plans focus on meeting several Plan objectives: outreach and education, household hazardous waste recycling, residential recycling, and organics. The Annual Report is used to measure performance. If a municipality fails to meet Dakota County Ordinance No. 110 or JPA requirements the County can implement a program on the municipality's behalf, request the return of funds, or both.



An excerpt of Dakota County Ordinance No. 110 for a municipal solid waste abatement program is below:

**16.01 SOLID WASTE ABATEMENT Program.**

- A. *Each municipality shall have a solid waste abatement program. Each municipality's program must:*
  - 1. *Be consistent with the County Solid Waste Management Plan and the joint powers agreement between the county and each municipality with regard to solid waste abatement; and*
  - 2. *Provide a method of collecting and reporting the data required by section 16.02.*
- B. *If a municipality does not maintain a solid waste abatement program, the county may implement a solid waste abatement program in that municipality consistent with the county's solid waste abatement goals and this section.*
- C. *The county may recover its costs for developing, implementing, and operating a solid waste abatement program including, but not limited to, administrative, monitoring and public education costs, from any municipality or group of municipalities, which does not maintain a solid waste abatement program. Costs may be pursued through a service charge established pursuant to Minn. Stat. § 400.08 or through such other means deemed appropriate by the county board.*

**16.02 Reporting Requirements for Municipalities.**

- A. *Each municipality shall report to the department information relating to the recyclable material generated at drop-offs within its boundaries, as well as other reporting requirements in the municipality's joint powers agreement with the county.*
- B. *Failure to submit a report as required by section 16.02(A) shall be construed by the department as a failure on the part of the municipality to meet its annual solid waste abatement goals and shall be subject to sections 16.01(B) and 16.01(C).*

**16.03 Failure to Meet SOLID WASTE ABATEMENT Goals.**

*If a municipality fails to meet its annual solid waste abatement goals as required by the municipality's joint power agreement with the county, the county board may institute any part of or all of section 16.00 either in the municipality that failed to meet the county's solid waste abatement goals or in the county as a whole, as deemed appropriate by the county board.*

**Standard for approval of funding and annual report:** The County will approve the annual funding if grant agreement and Dakota County Ordinance No. 110 requirements are met, or if municipalities demonstrate progress toward grant agreement objectives, as documented in the required Final Report.

**Procedures:**

- **Required Report:** The County will annually provide a Final Report and notify municipalities of reporting obligations and reporting submittal deadlines, as outlined in the grant agreement. Forms will outline information and data that is required to be submitted.
- **County Review and Approval:** The County will review the Final Report to determine if the municipality has met grant agreement requirements. If the municipality fails to meet requirements, the County will notify the municipality and work with them to identify action steps to achieve grant agreement requirements. If the municipality continues to fail to make adequate progress, County staff will discuss options with the municipality and the County Board for remedial actions that include implementing the program on behalf of the community, having the municipality return funding to the County, or both.



- **Agreements/contracts** are used with the private sector to provide incentives to support Plan goals and establish mechanisms for reporting:
  - a. **Business Recycling Incentive Program.** The County requires businesses and organizations to enter into a contract with the County to participate in the Business Recycling Incentive Program. The program provides up to \$10,000 for eligible businesses subject to the state’s commercial recycling requirement (MN Stat. § 115A.151) for implementation of eligible activities identified in program guidelines. Program guidelines and contract language support Plan goals to implement and document results of waste reduction and improved recycling (including organics recovery). Guidelines establish funding eligibility, details on how the funding will be used, reporting requirements (e.g., Application, Baseline Report, Final Report), and requirements to use County technical assistance to ensure businesses follow best management practices (e.g., use standardized color-coded bins and labels). The County will reimburse the business for County-approved items identified in the contract, following proof of payment by the business.

**Standards for approval of contracts and program report forms:** For contracts and reports to be approved by the County, waste abatement activities identified in the required County-developed Application must be consistent with the program’s Guidelines and Contract. Once the contract is approved for program participation, the business is required to submit reports to demonstrate diversion improvements in their waste management program.

**Procedures:**

- **Required Program Reports:** The contract requires that participating businesses complete a Baseline and Final Report and identifies the submittal timeline and report content requirements. Forms outline information and data that is required to be submitted. Baseline Reports must be submitted within 30 days of approval of program participation (e.g., contract execution). The Baseline Report requires reporting on quantitative (pre-program trash and recycling volumes at the businesses) and qualitative measures (general awareness of recycling). The Final Report must be submitted within 12 months of program participation (when project is complete). It requires an update on quantitative and qualitative measures from the Baseline Report to measure changes in diversion and recycling awareness at the end of the project. In addition, for payment of County funds for items identified in the contract, the businesses must submit a Reimbursement Form that demonstrates proof of purchase and payment of County-approved items.
  - **County Review and Approval:** The County will review and approve the program forms to determine if they meet Guidelines and contract obligations. If they do not, and until any issues are resolved, the County will not approve reports and will not issue reimbursement for project items purchased by the business.
- b. **School Recycling and Organics Program.** The County requires schools to enter into a JPA (public schools) or contract (private schools) with the County to participate in the School Recycling and Organics Program to establish program roles and expectations. The JPA/contract supports Plan goals to implement and document results of waste reduction and improved recycling (including organics recovery) actions. The JPA/contract establishes program eligibility and requirements to use County technical assistance to ensure schools follow best management practices (e.g., paired, labeled, color-coded bins, green teams, update internal policies) and measure waste diversion progress (e.g., allow pre- and post-program waste sorts).

For the JPA/contract to be approved by the County for participation in the program, the school must agree to comply with JPA/contract obligations. The County works closely with a contractor and school



participants to ensure program expectations are achieved. If they are not, the County can remove any waste management system infrastructure (e.g., recycling bins) provided by the County.

- c. **Multifamily Recycling Program.** The County requires multifamily properties to enter into a contract with the County to participate in the Multifamily Recycling Program. The program provides recycling containers and other recycling and waste reduction equipment up to \$10,000 in value per location, along with free on-site technical assistance, labels, signage, and education for residents and staff. Program guidelines and contract language support Plan goals to implement and document results of recycling improvements. Guidelines establish funding eligibility, details on how the funding will be used, reporting requirements, and project plans that meet Dakota County Ordinance No. 110 requirements.

**Standards for approval of contracts and program report forms:** For contracts to be approved by the County, waste abatement activities identified in the required County-developed application must be consistent with the program's guidelines and contract. Once the contract is approved for program participation, program staff assist the multifamily property to ensure successful implementation of the contract activities.

**Procedures:**

- **Required Program Reports:** The contract requires that participating multifamily properties complete a final report that demonstrates fulfillment of the project plans outlined in the application and contract.
- **County Review and Approval:** The County will review and approve the program forms to determine if they meet program guidelines and contract obligations.

The County will individually, and with state and regional partners, routinely evaluate aforementioned forms and related measurement requirements. The County will revise forms as necessary to ensure data is accurate and relevant and assist in reporting of Plan implementation.



## Appendix E: Plan Strategies and Projected Implementation Timing

The tables below show the Plan strategies, planned implementation schedule with point values and interested parties. Projected timing is provided for each required and selected optional strategy from the Policy Plan and for each continuing County strategy. Strategy implementation timelines align with the general timelines identified in the Policy Plan.

Individual implementation and prioritization of strategies are subject to County Board approval through annual budgeting and work planning processes.

**Table 15: Dakota County Solid Waste Management Plan Strategies and Projected Implementation Timing**

Improving the Reliability of the Data	Policy Plan #	Continue	Expand	New	Projected Timing	Interested Parties
<b>Required Strategies</b>						
1. Increase compliance with Hauler reporting per Minn. Stat. § 115A.93.	1	x			Ongoing	Haulers, industry, county staff
2. Provide required county reporting.	2	x			Ongoing	County staff
<b>Selected Optional Strategies (7 points)</b>						
3. Improve recycling data collection at businesses within the county. (7 points)	4				Ongoing	County staff, businesses
Education and Regional Planning	Policy Plan #	Continue	Expand	New	Projected Timing	Interested Parties
<b>Required Strategies</b>						
4. Participate in an annual joint commissioner/staff meeting on solid waste.	9			x	Annually	County staff and board
5. Commit to standardized outreach and education.	10	x			Ongoing	County staff, MRFs, residents
6. Engage in efficient and value-added infrastructure planning.	11	x			Ongoing	County staff, SW facility operators
7. Develop plans for large facility closures to reduce landfill reliance.	12			x	2029	County staff, SW facility operators
8. Participate with the Product Stewardship Committee under the Solid Waste Administrators Association (SWAA).	60	x			Ongoing	County staff
<b>Continuing County Strategies</b>						
9. Provide messages and education programs to all audiences using communication methods most effective for the intended audience.		x			Ongoing	County staff



Waste Reduction and Reuse	Policy Plan #	Continue	Expand	New	Projected Timing	Interested Parties
<b>Required Strategies</b>						
10. Provide grants for or access to software that can track food waste.	13		x		2027	County staff, restaurants, cafeterias
11. Establish partnerships between food rescue organizations and restaurants/stores to increase food rescue.	14		x		2026	County staff, food rescue orgs, restaurants, grocery stores
12. Launch bi-annual sustainable consumption challenges for residents.	15		x		2025	County staff, residents
13. Implement a formal county sustainable purchasing policy using MPCA guidance.	16	x			Ongoing	County staff, vendors
14. Participate in Responsible Public Purchasing Council meetings.	17	x			Ongoing	County staff, MPCA
15. Offer grants or rebates for organizations to transition to reusable food and beverage service ware.	19		x		Ongoing	County staff, restaurants, organizations serving food
16. Offer grants for waste reduction, reuse, and repair.	20		x		2026	County staff, repair and reuse businesses
17. Implement a green meeting policy.	21	x			Ongoing	County staff
<b>Selected Optional Strategies (27 points total)</b>						
18. Work with health inspectors to educate restaurants and other establishments that have excess prepared food to donate. (7 points)	18			x	2025	County staff, MN Department of Health, restaurants and other food producers
19. Join and/or actively participate in a reuse network, like Reuse Minnesota, to provide county and city staff with learning opportunities to broaden their reuse expertise. (6 points)	24	x			Ongoing	County staff
20. Establish a Repair Ambassador program, like the Recycler/Composters (RCAs) Ambassador programs. (7 points)	25	x			Ongoing	County staff, residents
21. Establish a reuse location for residential drop-off and pick-up. (7 points)	26	x			Ongoing	County staff, residents
<b>Continuing County Strategies</b>						
22. Implement residential waste reduction and reuse programs and opportunities.	N/A	x			Ongoing	County staff, residents
23. Implement municipal, school and commercial waste reduction and reuse programs and opportunities.	N/A	x			Ongoing	County staff, municipalities, schools, businesses





Recycling and Organics Management Strategies with Collection Best Practices	Policy Plan #	Continue	Expand	New	Projected Timing	Interested Parties
<b>Required Strategies</b>						
24. Collect recyclables, organics and trash on the same day.	30			x	2026	County staff, residents, haulers
25. Recruit a minimum of 12 commercial businesses a year to recycle at least three materials from their operations and promote the environmental and resource benefits.	35	x			Ongoing	County staff, businesses
26. Establish mandatory pre-processing of waste at resource recovery facilities and landfills by 2030.	36			x	By 2030	Haulers, landfill operators, transfer station operators
27. Provide assistance to multi-family properties to improve recycling (4 or more units with a shared wall).	37	x			Ongoing	County staff, property managers
28. Make residential curbside organics collection available in cities with a population greater than 5,000 by 2030.	40			x	By 2030	County staff, residents, haulers
29. Expand backyard composting outreach and resources for residents.	41		x		Ongoing	County staff, residents
30. Require management of organics from large commercial food generators by 2033.	42	x			Ongoing	County staff, commercial food generators
31. Require food-derived compost in county construction and landscaping projects.	55		x		2028	County staff, industry
<b>Selected Optional Strategies (14 points)</b>						
32. Collect recycling weekly by 2030. (7 points)	31	x			Ongoing	County staff, residents, haulers
33. Establish additional organics recycling drop off sites. (7 points)	43		x		Ongoing	County staff, residents
<b>Continuing County Strategies</b>						
34. Improve the consistency and accountability of waste materials collection.		x			Ongoing	County staff, waste industry, municipalities
35. Support the collection of household items that are challenging to recycle.		x			Ongoing	County staff, waste industry, municipalities
36. Ensure the opportunity to recycle.		x			Ongoing	County staff
37. Provide support to schools to improve recycling in their operations through the school recycling program.		x			Ongoing	County staff, schools
38. Implement recycling and organics diversion at venues.		x			Ongoing	County staff, municipalities, event coordinators
39. Provide organics recovery/diversion opportunities in County operations, including in public and employee areas.		x			Ongoing	County staff





Waste-to-Energy	Policy Plan #	Continue	Expand	New	Projected Timing	Interested Parties
<b>Required Strategies</b>						
40. Counties must continue to support the implementation of Minn. Stat. § 473.848 Restriction on Disposal.	58	x			Ongoing	County staff, industry, facility operators
Landfilling	Policy Plan #	Continue	Expand	New	Projected Timing	Interested Parties
<b>Required Strategies</b>						
41. Require waste composition study at least once every five years at all landfills that are located within your county.	3	X			2029	Landfill operators
<b>Continuing County Strategies</b>						
42. Regulate solid waste generators, haulers, facilities, generators to achieve compliance and protect public health and the environment, in accordance with County Ordinances.		x			Ongoing	County staff, waste generators, industry and facility operators
43. Regulate hazardous waste generators and facilities to protect public health and the environment, in accordance with County Ordinances.		x			Ongoing	County staff, generators
44. Provide opportunities to recycle and properly manage non-MSW that is banned from disposal.		x			Ongoing	County staff, residents
45. Regulate non-MSW haulers and facilities in accordance with County Ordinance.		x			Ongoing	County staff, haulers, facility operators
Household Hazardous Waste and Toxicity Reduction	Policy Plan #	Continue	Expand	New	Projected Timing	Interested Parties
<b>Required Strategies</b>						
46. Encourage retailers to increase consumer awareness of responsible end-of-life handling for products containing lithium-ion batteries.	61		x		2026	County staff, retail store operators
47. Continue participation in the reciprocal use agreement for HHW collection sites.	62	x			Ongoing	County staff, metro counties
48. Partner with cities to increase participation in HHW collection.	63		x		Ongoing	County staff, municipalities



Household Hazardous Waste and Toxicity Reduction	Policy Plan #	Continue	Expand	New	Projected Timing	Interested Parties
<b>Selected Optional Strategies (9 points)</b>						
49. In partnership with Scott County, increase drop off opportunities for problem materials, hazardous waste management (HHW) and hazardous waste at a second permanent county facility by 2027. (9 points)	Alternative to 64		x		By 2029	MN Legislature, Dakota and Scott counties, residents
<b>Continuing County Strategies</b>						
50. Continue to provide year-round drop-off site (e.g., The Recycling Zone) to collect problem materials and hazardous and household hazardous waste from residents.		x			Ongoing	County staff, residents
Sustainable Building and Deconstruction	Policy Plan #	Continue	Expand	New	Projected Timing	Interested Parties
<b>Required Strategies</b>						
51. Implement the use of a Building Material Management Plan.	65		x		Ongoing	County staff, county contractors
<b>Selected Optional Strategies (24 points)</b>						
52. Host a building material collection event or swap. (8 points)	67			x	2027	County staff, residents, municipalities
53. Provide deconstruction training. (8 points)	69			x	2027	County staff, builders and contractors
Wood Waste	Policy Plan #	Continue	Expand	New	Projected Timing	Interested Parties
<b>Required Strategies</b>						
54. Develop plans to prevent and manage wood waste in each county and throughout the region.	45			x	2025	County staff, yard waste processors, municipalities, tree care companies
55. Promote existing programs that use EAB-affected wood for furniture, home goods, flooring and other purposes.	46			x	2026	County staff, local artisans and producers of wood products
56. Composting and mulching operations must continue to be supported.	47	x			Through 2032	County staff, composting and mulching operators
<b>Selected Optional Strategies (9 points)</b>						
57. Expand composting and mulching capacity beyond existing markets. (5 points)	52		x		2027	County staff, industry



Cost and Finance	Policy Plan #	Continue	Expand	New	Projected Timing	Interested Parties
<b>Selected Optional Strategies (4 points)</b>						
58. Implement additional fees to better account for the externalities of land disposal. (4 points)	59		x		Ongoing	County staff, industry
<b>Continuing County Strategies</b>						
59. Collect and manage waste fees to implement waste management programs.		x			Ongoing	County staff, industry, generators
60. Provide performance-based grant funding and resources to municipalities to implement landfill abatement programs within their operations and in the community.		x			Ongoing	County staff, municipalities
61. Institute funding incentives to divert waste from landfill disposal.		x			Ongoing	County staff, generators, industry
62. Implement long-term revenue sources for landfill abatement programs that encourage waste diversion		x			Ongoing	County staff, generators, industry



## Appendix F: Checklist of Statutory County Management Plan Requirements

Metropolitan counties are required by Minn. Stat. § 473.803 to submit a revised Plan to the MPCA for approval. Below is a list of statutorily required components and the location in the Plan where they are addressed.

**Table 16: Checklist of Statutory County Plan Requirements and Location in the Dakota County Plan**

STATE LAW COUNTY PLAN REQUIREMENTS	LOCATION IN DAKOTA COUNTY PLAN
<i>County Solid Waste Master Plan to implement the Policy Plan</i>	<b>Part One: Introduction</b> Section A: Introduction Section B: Plan Purpose and Framework <b>Part Two: Solid Waste Management Plan</b> Section B: County Solid Waste Policies Section C: Strategies and Tactics by Topic Section D: Implementation
<i>County solid waste activities, functions, and facilities</i>	<b>Appendix A: Existing Waste Management System and County Programs</b> Section A: Waste Management Governance, Roles, and Responsibilities Section E: Dakota County's Waste Programs and Activities Section G: Waste Management Facilities
<i>Existing system of solid waste generation, collection, processing, and disposal</i>	<b>Appendix A: Existing Waste Management System and County Programs</b> Section C: Waste Projection and Composition Section D: Solid Waste Management in Dakota County Section E: Dakota County's Waste Programs and Activities Section F: Collection and Transportation of Waste Section G: Waste Management Facilities
<i>Proposed mechanisms for complying with the recycling requirements of § 115A.551</i>	<b>Part Two: Solid Waste Management Plan</b> Section B: County Solid Waste Policies Section C: Strategies and Tactics by Topic Subsection 4. Recycling and Organics Management with Collection Best Practices Subsection 11. Landfilling
<i>Proposed mechanisms for the household hazardous waste management requirements of § 115A.96, subd. 6</i>	<b>Part Two: Solid Waste Management Plan</b> Section B: County Solid Waste Policies Section C: Strategies and Tactics by Topic Subsection 7. Household Hazardous Waste and Toxicity Reduction
<i>Existing and proposed county and municipal ordinances and license and permit requirements relating to solid waste facilities and solid waste generation, collection, processing, and disposal</i>	<b>Part Two: Solid Waste Management Plan</b> Section B: County Solid Waste Policies Section C: Strategies and Tactics by Topic Subsection 1. Improving the Reliability of the Data Subsection 2. Education and Regional Planning Subsection 4. Recycling and Organics Management with Collection Best Practices Subsection 6. Landfilling Subsection 7. Household Hazardous Waste Subsection 9. Wood Waste Subsection 10. Cost and Finance <b>Appendix A: Existing Waste Management System and County Programs</b> Section A: Waste Management Governance, Roles, and Responsibilities Section E: Dakota County's Waste Programs and Activities Section F: Collection and Transportation of Waste Section G: Waste Management Facilities



STATE LAW COUNTY PLAN REQUIREMENTS	LOCATION IN DAKOTA COUNTY PLAN
<i>Existing or proposed municipal, county, or private solid waste facilities and collection services within the county together with schedules of existing rates and charges to users and statements as to the extent to which such facilities and services will or may be used to implement the Policy Plan</i>	<b>Part Two: Solid Waste Management Plan</b> Section C: Strategies and Tactics by Topic Subsection 2. Education and Regional Planning Subsection 4. Recycling and Organics Management with Collection Best Practices Subsection 5. Waste-to-Energy Subsection 6. Landfilling Subsection 7. Household Hazardous Waste Subsection 9. Wood Waste Subsection 10. Cost and Finance <b>Appendix A: Existing Waste Management System and County Programs</b> Section A: Waste Management Governance, Roles, and Responsibilities Section E: Dakota County's Solid Waste Programs and Activities Section F: Collection and Transportation of Waste Section G: Waste Management Facilities
<i>Any solid waste facility which a county owns or plans to acquire, construct, or improve together with statements as to the planned method, estimated cost and time of acquisition, proposed procedures for operation and maintenance of the facility</i>	<b>N/A</b> - Dakota County does not own or plan to acquire any solid waste facilities.
<i>A proposal for the use of each facility after it is no longer needed or usable as a waste facility</i>	<b>N/A</b> - Dakota County does not own or plan to acquire any solid waste facilities
<i>The master plan shall, to the extent practicable and consistent with the achievement of other public policies and purposes, encourage ownership and operation of solid waste facilities by private industry</i>	<b>Part Two: Solid Waste Management Plan</b> Section C: Strategies and Tactics by Topic Subsection 5. Waste-to-Energy Subsection 9. Wood Waste Subsection 10. Cost and Finance
<i>For solid waste facilities owned or operated by public agencies or supported primarily by a public agency, the master plan shall contain criteria and standards to protect comparable private and public facilities already existing in the area from displacement unless the displacement is required in order to achieve waste management objectives identified in this plan</i>	<b>N/A</b> - Dakota County does not own or plan to acquire facilities
<i>Include a land disposal abatement element to implement the Metropolitan Land Disposal Abatement Plan adopted under § 473.149, subd. 2d (consistency with the "Policy Plan")</i>	<b>Part Two: Solid Waste Management Plan</b> Section B: County Solid Waste Policies Section C: Strategies and Tactics by Topic Subsection 1. Improving the Reliability of the Data Subsection 2. Education and Regional Planning Subsection 3. Waste Reduction and Reuse



STATE LAW COUNTY PLAN REQUIREMENTS	LOCATION IN DAKOTA COUNTY PLAN
	<p>Subsection 4. Recycling and Organics Management with Collection Best Practices</p> <p>Subsection 5. Waste-to-Energy</p> <p>Subsection 6. Landfilling</p> <p>Subsection 7. Household Hazardous Waste</p> <p>Subsection 8. Sustainable Building and Deconstruction</p> <p>Subsection 9. Wood Waste</p> <p>Subsection 10. Cost and Finance</p>
<i>Implement the local abatement objectives for the county and cities within the county as stated in the Metropolitan Abatement Plan</i>	<p><b>Part One: Introduction</b></p> <p>Section B: Plan Purpose and Framework</p> <p><b>Part Two: Solid Waste Management Plan</b></p> <p>Section B: County Solid Waste Policies</p>
<i>Include specific and quantifiable county objectives, based on the objectives in the Metropolitan Abatement Plan, for abating to the greatest feasible and prudent extent the need for and practice of land disposal of mixed municipal solid waste and of specific components of the solid waste stream generated in the county, stated in six-year increments for a period of at least 20 years from the date of the Policy Plan revisions</i>	<p><b>Part Two: Solid Waste Management Plan</b></p> <p>Section C: Strategies and Tactics by Topic</p> <p>Subsection 1. Improving the Reliability of the Data</p> <p>Subsection 2. Education and Regional Planning</p> <p>Subsection 3. Waste Reduction and Reuse</p> <p>Subsection 4. Recycling and Organics Management with Collection Best Practices</p> <p>Subsection 5. Waste-to-Energy</p> <p>Subsection 6. Landfilling</p> <p>Subsection 7. Household Hazardous Waste</p> <p>Subsection 8. Sustainable Building and Deconstruction</p> <p>Subsection 9. Wood Waste</p> <p>Subsection 10. Cost and Finance</p> <p><b>Appendix E: Plan Strategies and Projected Implementation Timing</b></p>
<i>Include measurable performance standards for local abatement of solid waste through resource recovery and waste reduction and separation programs and activities for the county as a whole and for statutory or home rule charter cities of the first, second, and third class, respectively, in the county, stated in six-year increments for a period of at least 20 years from the date of the Policy Plan revisions</i>	<p><b>Part One: Introduction</b></p> <p>Section B: Management Plan Purpose and Framework</p> <p><b>Part Two: Solid Waste Management Plan</b></p> <p>Section D: Implementation</p> <p><b>Appendix D: Performance and Accountability</b></p> <p>Section B: County Reporting Requirements</p> <p>Section C: County Oversight of the Private Sector, Municipalities, and Program Partners</p>
<i>Performance standards must implement the metropolitan and county abatement objectives</i>	<p><b>Part One: Introduction</b></p> <p>Section B: Plan Purpose and Framework</p> <p><b>Part Two: Solid Waste Management Plan</b></p> <p>Section B: County Solid Waste Policies</p> <p>Section D: Implementation</p> <p>Subsection 4. Performance and Accountability</p> <p><b>Appendix D: Performance and Accountability</b></p> <p>Section A: Evaluating Progress</p> <p>Section C: County Oversight of the Private Sector, Municipalities, and Program Partners</p>
<i>Include performance standards and procedures to be used by the county</i>	<p><b>Part Two: Solid Waste Management Plan</b></p> <p>Section D: Implementation</p>



STATE LAW COUNTY PLAN REQUIREMENTS	LOCATION IN DAKOTA COUNTY PLAN
<i>in determining annually under subdivision 3 whether a city within the county has implemented the plan and satisfied the performance standards for local abatement</i>	Subsection 4. Performance and Accountability <b>Appendix D: Performance and Accountability</b> Section A: Evaluating Progress Section B: County Reporting Requirements Section C: County Oversight of the Private Sector, Municipalities, and Program Partners
<i>Plans for required use of resource recovery facilities. Plans proposing designation shall evaluate the benefits of the proposal, including the cost of the proposal (direct and indirect) and adverse long-term effects.</i>	<b>N/A</b> – Dakota County does not currently or plan to designate waste to a resource recovery facility.
<i>The County Plan may include a determination (delegate) that the private sector will achieve, either in part or whole, the goals of the Policy Plan and Master Plan:</i> <ol style="list-style-type: none"> <li><i>County monitors performance</i></li> <li><i>County continues to meet responsibilities under law (education, opportunity to recycle, promote waste reduction)</i></li> <li><i>Continues to provide required annual reports</i></li> <li><i>Adopt specific strategies and goals for private sector</i></li> <li><i>Adopt specific measures for oversight of private sector (fees, subsidies, arrangements, licenses, reporting, regulations and other institutional agreements.)</i></li> </ol>	<b>N/A</b> – Dakota County is not delegating Plan goal achievement to the private sector.
<i>Recycling Implementation Strategy that identifies how to reach recycling goals along with mechanisms for providing financial incentives to generators to reduce the amount of waste and to separate recyclables). (Minn. Stat. § 115A.55)</i>	<b>Part One: Introduction</b> Section B: Master Plan Purpose and Framework <b>Part Two: Solid Waste Landfill Abatement Plan</b> Section C: Strategies and Tactics, and Timing <ul style="list-style-type: none"> <li>Subsection 1. Improving the Reliability of the Data</li> <li>Subsection 2. Education and Regional Planning</li> <li>Subsection 3. Waste Reduction and Reuse</li> <li>Subsection 4. Recycling and Organics Management with Collection Best Practices</li> <li>Subsection 6. Landfilling</li> <li>Subsection 7. Household Hazardous Waste</li> <li>Subsection 8. Sustainable Building and Deconstruction</li> <li>Subsection 9. Wood Waste</li> </ul> Section D: Implementation







## Dakota County Solid Waste Management Plan Revision: Summary of Round Two of Public Engagement

May 24, 2024



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## 1. EXECUTIVE SUMMARY

Dakota County's Environmental Resources Department conducted Round Two of public engagement in April 2024 for feedback on strategies to include in the county's revised solid waste management plan required from the 2022-2042 Minnesota Pollution Control Agency's (MPCA) Metropolitan Solid Waste Management Policy Plan (Policy Plan). Feedback was sought from residents, businesses and schools, municipalities, and waste industry. Table B-1 summarizes methods for each stakeholder group.

**Table B-1: Round Two Participation and Engagement Methods by Stakeholder Group**

Audience	Number of Participants	Online Survey	Intercepts	Meetings/ Focus Group
Residents	1,326	Yes	Yes	Yes
Businesses and Schools	24	Yes	-	-
Municipalities	19	-	-	Yes
Waste Industry	9	-	-	Yes

More than 1,300 stakeholders commented on strategies and how to facilitate implementation.

**Residents** rated the following actions as moderately to very helpful:

- More frequent education on recycling, organics (food scrap) collection, and reuse.
- Hauler feedback when materials are sorted incorrectly.
- Organics curbside collection available within three years, collected with weekly trash pickup.
- Curbside collection of reusable items, and more reuse drop-off options.
- Information about funding for diseased tree removals; options for tree waste drop-off; information on tree disease prevention.

**Businesses and schools** rated the following actions as moderately to very helpful:

- Frequent education on recycling, organics collection, and reuse options.
- Hauler feedback when materials are sorted incorrectly.
- Funding and technical assistance for recycling, food scrap management, and waste reduction and reuse; training for employees and tenants.

**Municipalities** identified actions to facilitate strategy implementation:

- Frequent education on food scrap collection, reuse, and trees waste.
- Technical assistance and information to help reduce waste; funding for waste reduction and equipment/infrastructure such as dishwashers and reusable service ware.
- Regarding curbside organics collection, opt-in resident participation for curbside organics collection with educational messaging focused on "food scraps"; minimize the number of organics trucks on the roads; expanded drop sites to provide multifamily residents options; and options to minimize costs on low-income residents.
- Promote tree care options; consider more disposal options for tree waste.
- Information about vendors available to reuse building materials and assistance for event/swap costs.

**Waste Industry representatives** identified actions to facilitate strategy implementation:

- More education on proper disposal of food scraps, tree waste, recyclable materials, and hazardous waste, especially lithium-ion batteries as a fire hazard.

- Provide pre-curbide organics program resident notification, promote opt-in participation, and provide educational messaging focused on “food scraps”; maintain organics drop-off sites; and some identified consideration of organized collection for more efficient and cost-effective organics curbside collection.
- More discussion is needed on approaches to implement the MPCA’s required pre-processing and disposal facilities; residents and businesses need to be responsible for improved sorting of their recyclables.

## **2. OVERVIEW**

### **A. ENGAGEMENT PURPOSE**

Dakota County is required by state law to update its solid waste management plan to align with the 2022-2042 MPCA Policy Plan. The Policy Plan provides direction and objectives for all metropolitan county plans, and emphasizes waste prevention, reuse, and improved management of building materials and tree waste.

The Environmental Resources Department conducted Round Two of public engagement for feedback on potential waste management strategies selected from the Policy Plan. The Policy Plan identifies a range of required and optional strategies to be included in metropolitan county solid waste management plans. Stakeholders were asked about their support for specific strategies to help prioritize strategy selection and about preferences and potential resource needs that could facilitate successful strategy implementation.

### **B. ENGAGEMENT TIMEFRAME**

Engagement activities occurred from April 1 to April 21, 2024.

### **C. GENERAL APPROACH**

Engagement and outreach methods included:

1. Online (non-scientific) surveys for residents, businesses, and schools, in English and Spanish, promoted through the following:
  - Media release
  - County website project page
  - County social media posts in English (3) and Spanish (1)
  - Paid print and online ads in Spanish (La Voz)
  - Paid online ad in Spanish (La Prensa)
  - County environmental E-news for residents, businesses, schools, multifamily property managers, organics drop sites program participants, county parks, Recycling Ambassadors and Fix-It Clinics
  - Utility bill inserts mailed to 3,204 households in Apple Valley (English and Spanish)
  - Printed flyers in Spanish distributed at intercepts and Open Door mobile food pantry event in South St. Paul
2. Two in-person intercepts (staffed information tables at existing events and venues) with Latino residents at Village Market and Micho Love in West Saint Paul

3. One in-person focus group with Latino residents at Arbor Vista mobile home community in Burnsville
4. One in-person meeting with public entities (municipalities)
5. One in-person meeting with waste industry (haulers and facilities)
6. Input from the Dakota County Planning Commission

State law requires counties to designate advisory committees for solid waste management plan development. The Dakota County Planning Commission fulfills this role and discussed plan development at its meetings on September 28, 2023, and on March 28, 2024.

## D. PARTICIPATION SUMMARY

**Table B-2: Round Two Participation and Engagement Methods by Stakeholder Group**

Audience	Number of Participants	Online Survey	Intercepts	Meetings/ Focus Group
Residents	1,326	Yes	Yes	Yes
Businesses and Schools	24	Yes	-	-
Municipalities	19	-	-	Yes
Waste Industry	9	-	-	Yes

A total of 1,326 participants provided feedback during Round 2 engagement efforts.

Note: Findings are not considered to be statistically representative of the audiences engaged.

## 3. WHAT WE HEARD: FEEDBACK BY STAKEHOLDER GROUP

### A. RESIDENTS

Residents provided feedback through an online survey (1,299 responses), a focus group session conducted in Spanish (5 participants), and two intercepts (22 interactions).

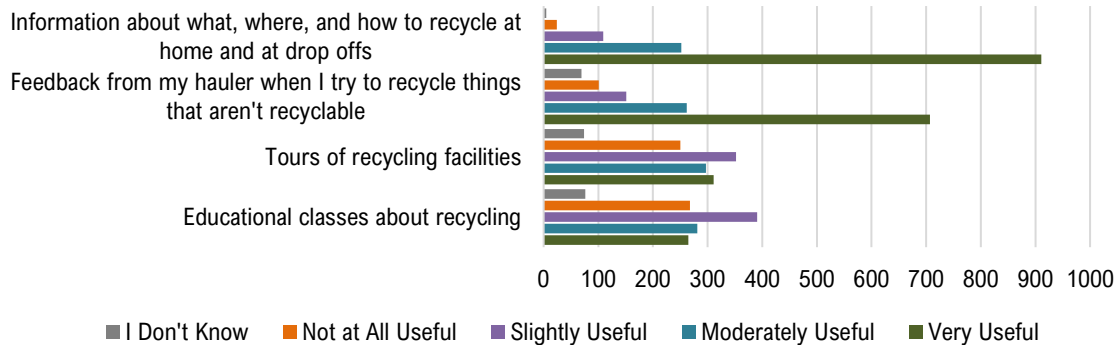
#### Summary of Survey Feedback:

1. **General Recycling: How useful would these options be in helping you recycle everything that can be recycled?** Scores of 4 and above were given to options rated moderately to very useful, which included information about what, where, and how to recycle at home and at drop-off locations, followed by feedback from their hauler when they try to recycle non-recyclable materials.

Recycling Assistance Options (rating scores), N equals 1,296	Score (1-5)
Information about what, where, and how to recycle at home and at drop-off locations	4.6
Feedback from my hauler when I try to recycle things that aren't recyclable	4.1
Tours of recycling facilities	3.4
Educational classes about recycling	3.2

I don't know = 1, Not at all useful = 2, Slightly useful = 3, Moderately useful = 4, Very useful = 5

## Recycling Assistance Options, Response Counts



2. **General Recycling: How often do you prefer to get recycling information from your waste hauler to help properly sort and put the right material in the recycling bin?** The majority of respondents want information more than once a year. Most prefer information from their hauler twice per year, followed closely by four times per year.

Hauler Information Frequency Options (single choice), N equals 1,291	Percent	Count
Every 6 months (2 times a year)	36	465
Every 3 months (4 times a year)	32	418
Once a year	21	271
Monthly (12 times a year)	6	80
I don't know	4	57

**Additional Comments:** 110 respondents offered comments related to the following themes:

- A desire for more types of plastic to be recyclable.
- A need for more education and clear information on what is actually recyclable.
- A desire for recycling options for textiles and Styrofoam.
- Skepticism that collected recyclables are actually recycled.
- Concerns about cost increases related to weekly recycling collection.

3. **Organics (Food Scraps) Collection: How soon would you like curbside collection of food scraps to be available at your home?** The majority of respondents (70 percent) would like curbside collection of food scraps to be available within the next one to three years. Seventeen percent are not interested in food scrap collection.

Food Scrap Collection Timeframes (single choice), N equals 1,289	Percent	Count
1-3 years	70	900
Not interested in curbside collection of my food scraps	17	214
4-5 years	5	64
No sooner than 2030	4	58
Not applicable/I don't know	4	53

**Additional Comments:**

- A small number of respondents (23 out of 1,289) expressed concern about increased costs related to food scrap collection.

- A small number of respondents (eight out of 1,289) expressed concern about a potential increase in the number of hauler trucks in their neighborhood.
- A few respondents (three out of 1,289) suggested organized collection for organics.

4. **Organics (Food Scraps) Collection: If weekly curbside collection of food scraps were offered, how often would you want your hauler to pick up your trash?** The majority of respondents would prefer weekly trash pick-up.

Trash Collection Frequency Options (single choice), N equals 1,224	Percent	Count
Every week trash (4 times a month)	63	767
Every other week trash (2 times a month)	26	316
Not applicable/I don't know	12	141

5. **Organics (Food Scraps) Collection: How useful would these options be in helping you properly sort food scraps in your home for hauler curbside collection?** Scores of 4 and above were given to options rated moderately to very useful, including tips to avoid odors and pests; information about food scraps and how to sort them; information about where to purchase compostable bags; and feedback from haulers in response to improper sorting.

Food Scraps Education Options (rating scores), N equals 1,292	Score (1-5)
Tips to avoid odors and pests	4.5
Information about food scraps and how to sort for collection	4.4
Information about where to purchase compostable bags to put food scraps in	4.2
Feedback from my hauler when I try to put something that doesn't belong in the food scraps bin	4.0
Educational classes about food scrap collection	3.5

I don't know = 1, Not at all useful = 2, Slightly useful = 3, Moderately useful = 4, Very useful = 5

### Food Scrap Sorting Assistance, Response Counts



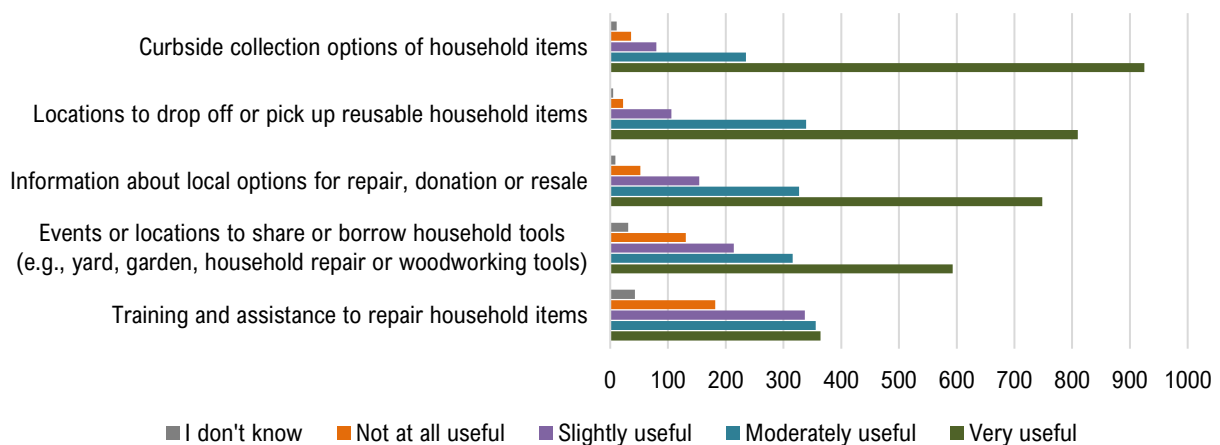
6. **Waste Reduction and Reuse: How useful would the following options be in helping you reuse items and reduce waste in your home?** Scores of 4 and above were given to options rated moderately to very useful, which included curbside collection of items for

reuse; locations to drop off or pick up reusable items; information about local options for repair, donation, or resale; and events or locations to share or borrow household tools.

<b>Reduction and Reuse Options</b> (rating scores), N equals 1,291	<b>Score (1-5)</b>
Curbside collection options of household items	4.6
Locations to drop off or pick up reusable household items	4.5
Information about local options for repair, donation or resale	4.4
Events or locations to share or borrow household tools (e.g., yard, garden, household repair or woodworking tools)	4.0
Training and assistance to repair household items	3.6

I don't know = 1, Not at all useful = 2, Slightly useful = 3, Moderately useful = 4, Very useful = 5

### Reduction and Reuse Assistance, Response Counts

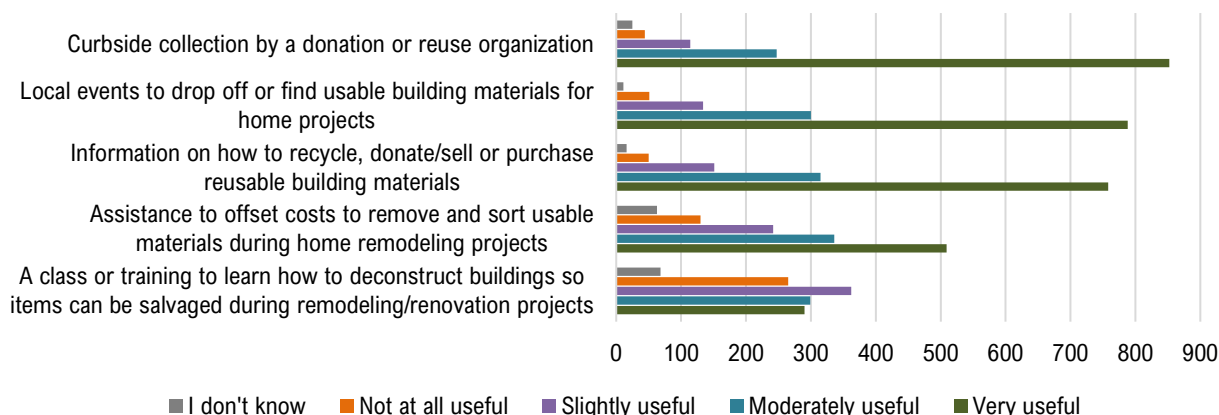


7. **Waste Reduction and Reuse: How useful would these options be in helping you reuse or recycle building materials?** Scores of 4 and above were given to options rated moderately to very useful, which included curbside collection by a donation or reuse organization; local events to drop off or find usable building materials for home projects; and information on how to recycle, donate/sell or purchase reusable building materials.

<b>Building Materials Assistance Options</b> (rating scores), N equals 1,291	<b>Score (1-5)</b>
Curbside collection by a donation or reuse organization	4.4
Local events to drop off or find usable building materials for home projects	4.4
Information on how to recycle, donate/sell or purchase reusable building materials	4.4
Assistance to offset costs to remove and sort usable materials during home remodeling projects	3.8
A class or training to learn how to deconstruct buildings so items can be salvaged during remodeling/ renovation projects	3.4

I don't know = 1, Not at all useful = 2, Slightly useful = 3, Moderately useful = 4, Very useful = 5

### Options to Help Recycle/Reuse Building Materials, Response Counts

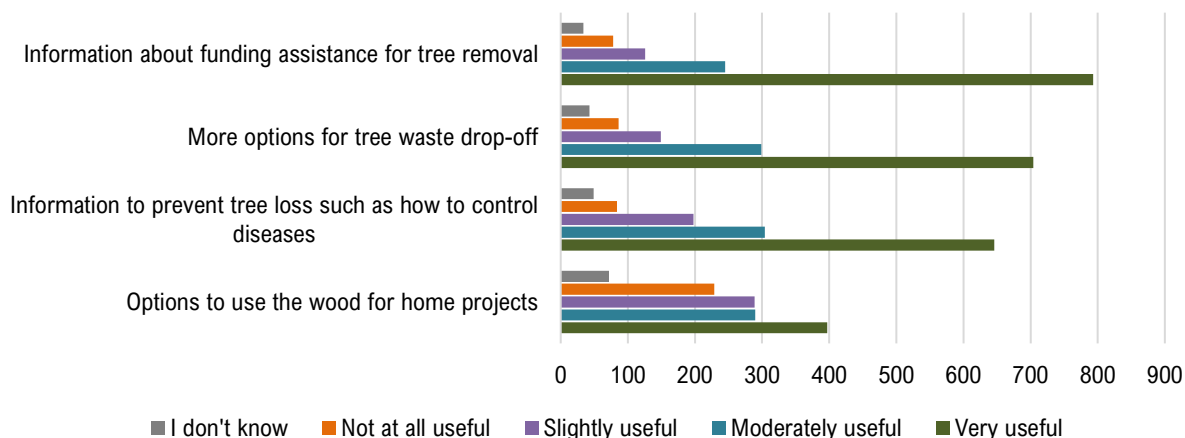


8. **Tree Waste:** How useful would these options be in helping you manage your tree waste, if applicable? Scores of 4 and above were given to options rated moderately to very useful, which included information about funding assistance for tree removal; more tree waste drop-off options; and Information to prevent tree loss such as how to control diseases.

Tree Waste Management Options (rating scores), N equals 1,283	Score (1-5)
Information about funding assistance for tree removal	4.2
More options for tree waste drop-off	4.1
Information to prevent tree loss such as how to control diseases	4.1
Options to use the wood for home projects	3.5

I don't know = 1, Not at all useful = 2, Slightly useful = 3, Moderately useful = 4, Very useful = 5

### Tree Waste Management Options, Response Counts



9. **Yard Waste:** If your hauler collects your home yard waste in a separate bin, which of the following would help you know what to put in your yard waste bin? A majority of respondents (68 percent) preferred a label on their yard waste bin to show what materials



are accepted. About half (49 percent) responded that it would be helpful to have information from their hauler about what types of yard waste are accepted.

<b>Yard Waste Information Options</b> (single choice), N equals 1,270	<b>Percent</b>	<b>Count</b>
Label on the yard waste bin that shows what is accepted and what to keep out	68	865
Information from my hauler about what types of yard waste are accepted	49	617
I don't need additional information	22	281
Not applicable/I don't know	3	44

### Summary of Focus Group and Intercepts:

The Department's consultant, Zan Associates, conducted additional outreach to Latino residents and businesses. Surveys collected by Zan Associates are included in stakeholder feedback summarized in Section 2(A). Key highlights from in-person focus group discussions include:

- Support for education: There is significant interest in receiving more information about solid waste management, including drop-off options for recycling and proper waste disposal.
- Language Barriers: Dakota County's educational materials are not inclusive for non-English readers and should be provided in Spanish. Examples to help make information more accessible to the Spanish speakers include: a QR code on printed material to direct to Spanish-translated materials, having Spanish-speaking staff at County events, such as Fix-It Clinics, Spanish-speaking staff or language services for phone calls to the County, and use of plain language instead of technical terms.
- Participation Barriers: Participants expressed interest in financial and transportation assistance to help facilitate proper drop-off of waste for recycling or reuse, such as free drop-off locations, options for pick up, and free food waste bags for collecting organics.
- Building Relationships: The focus group participants encouraged the county to engage in an intentional effort to build ongoing relationships between the Department and the Latino community.
- Active Outreach: Participants expressed interest in the Department exploring new avenues to reach more Latino residents at community events and festivals.



Pop-up intercept

## B. BUSINESSES AND SCHOOLS

Twenty-four representatives of businesses and schools responded to the online survey, with opinions on recycling, food waste, reduction and reuse, building materials and tree waste.

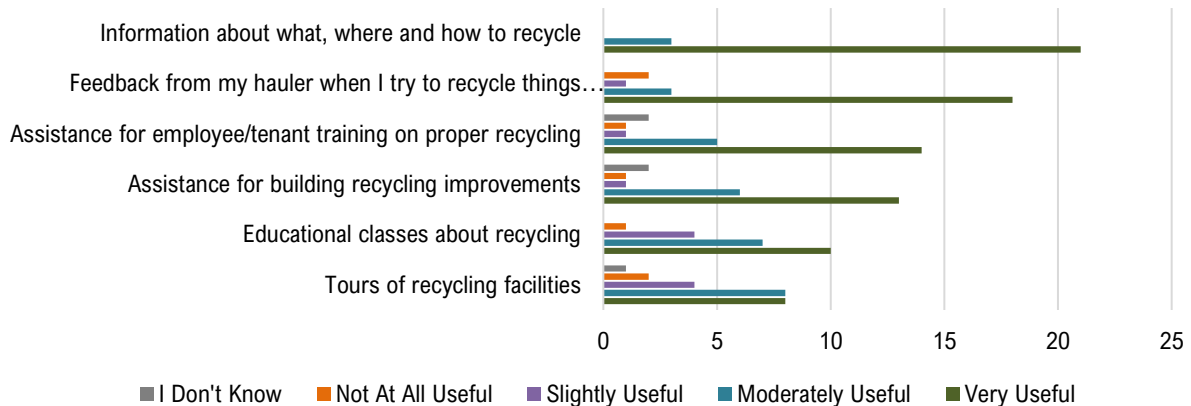
### Summary of Survey Feedback:

- General Recycling: How useful would these options be in helping you recycle everything that can be recycled?** Scores of 4 and above were given to options rated moderately to very useful, which included information about what, where and how to recycle; hauler feedback in response to improper sorting; assistance for building recycling improvements; and assistance for employee/tenant training on proper recycling.

Recycling Assistance Options (rating scores), N equals 24	Score (1-5)
Information about what, where and how to recycle	4.9
Feedback from my hauler when I try to recycle things that aren't recyclable	4.5
Assistance for building recycling improvements	4.0
Assistance for employee/tenant training on proper recycling	4.0
Educational classes about recycling	3.8
Tours of recycling facilities	3.7

I don't know = 1, Not at all useful = 2, Slightly useful = 3, Moderately useful = 4, Very useful = 5

## Recycling Assistance Options, Response Counts

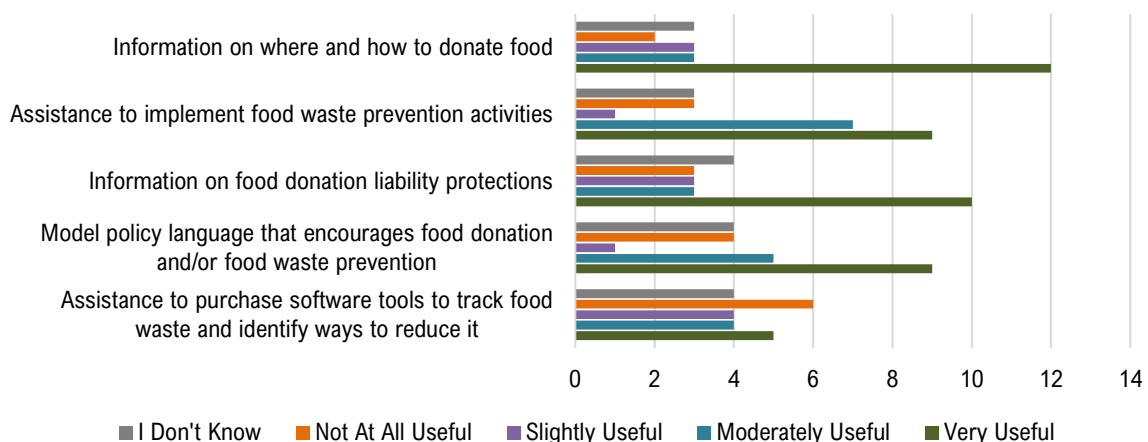


2. **Food Waste:** How useful would these options be in helping your organization reduce food waste? Scores of 4 and above were given to options rated moderately to very useful, which none of the response options received. The top response, which rated slightly useful, was information on where and how to donate edible food.

Food Waste Prevention Options (rating scores), N equals 23	Score (1-5)
Information on where and how to donate food	3.8
Assistance to implement food waste prevention activities	3.7
Information on food donation liability protections	3.5
Model policy language that encourages food donation and/or food waste prevention	3.5
Assistance to purchase software tools to track food waste and identify ways to reduce it	3.1

I don't know = 1, Not at all useful = 2, Slightly useful = 3, Moderately useful = 4, Very useful = 5

## Food Waste Prevention Options, Response Count



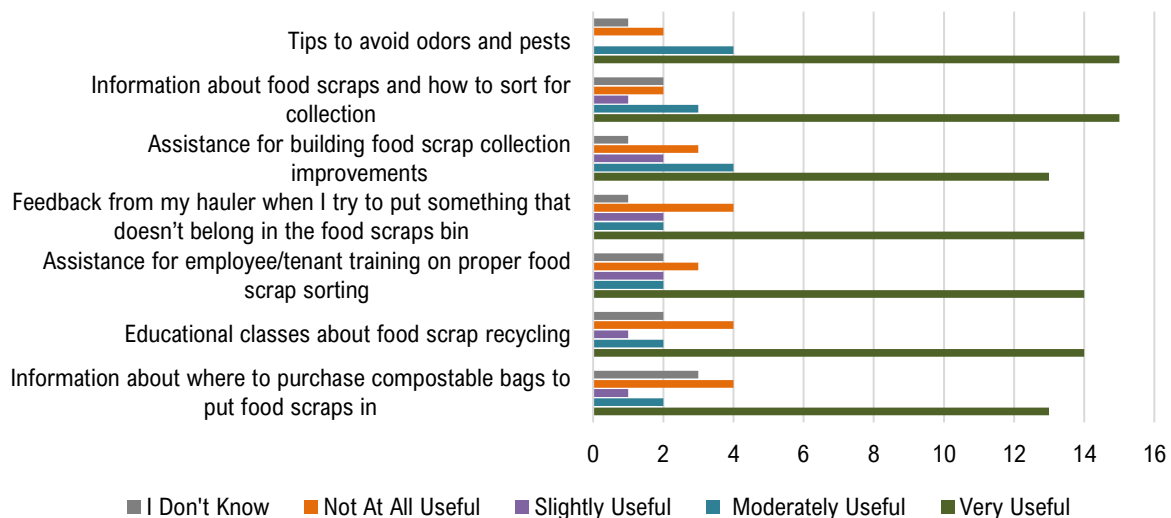
3. **Food Waste:** How useful would these options be in helping your organization recycle food scraps that can't be prevented? Scores of 4 and above were given to options rated moderately to very useful, which included information about food scraps and how to sort for

collection; tips to avoid odors and pests; assistance for building food scrap collection improvements; hauler feedback in response to improper sorting; educational classes about food scrap recycling; and assistance for employee/tenant training on proper food scrap sorting.

<b>Food Scrap Recycling Assistance Options</b> (rating scores), N equals 23	<b>Score (1-5)</b>
Information about food scraps and how to sort for collection	4.2
Tips to avoid odors and pests	4.2
Assistance for building food scrap collection improvements	4.1
Feedback from my hauler when I try to put something that doesn't belong in the food scraps bin	4.0
Educational classes about food scrap recycling	4.0
Assistance for employee/tenant training on proper food scrap sorting	4.0
Information about where to purchase compostable bags to put food scraps in	3.8

I don't know = 1, Not at all useful = 2, Slightly useful = 3, Moderately useful = 4, Very useful = 5

#### Food Scrap Recycling Assistance Options, Response Options

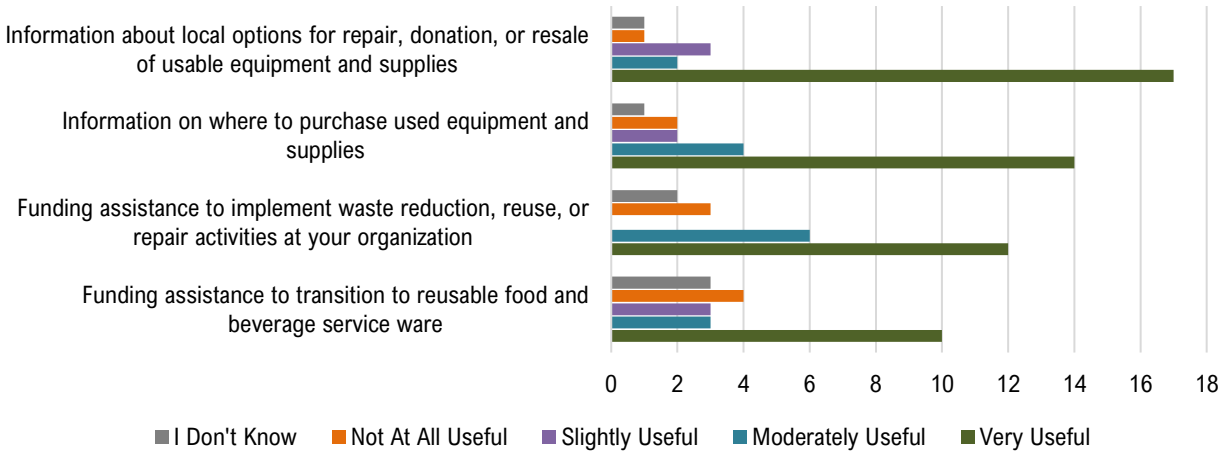


4. **Waste Reduction and Reuse: How useful would the following options be in helping you reuse items and reduce waste at your organization?** Scores of 4 and above were given to options rated moderately to very useful, which included Information about local options for repair, donation, or resale of usable equipment and supplies; information on where to purchase used equipment and supplies; and funding assistance to implement waste reduction, reuse, or repair activities at their organization.

<b>Reduction and Reuse Assistance Options</b> (rating scores), N equals 23	<b>Score (1-5)</b>
Information about local options for repair, donation, or resale of usable equipment and supplies	4.6
Information on where to purchase used equipment and supplies	4.2
Funding assistance to implement waste reduction, reuse, or repair activities at your organization	4.0
Funding assistance to transition to reusable food and beverage service ware	3.6

I don't know = 1, Not at all useful = 2, Slightly useful = 3, Moderately useful = 4, Very useful = 5

### Reduction and Reuse Assistance Options, Response Counts

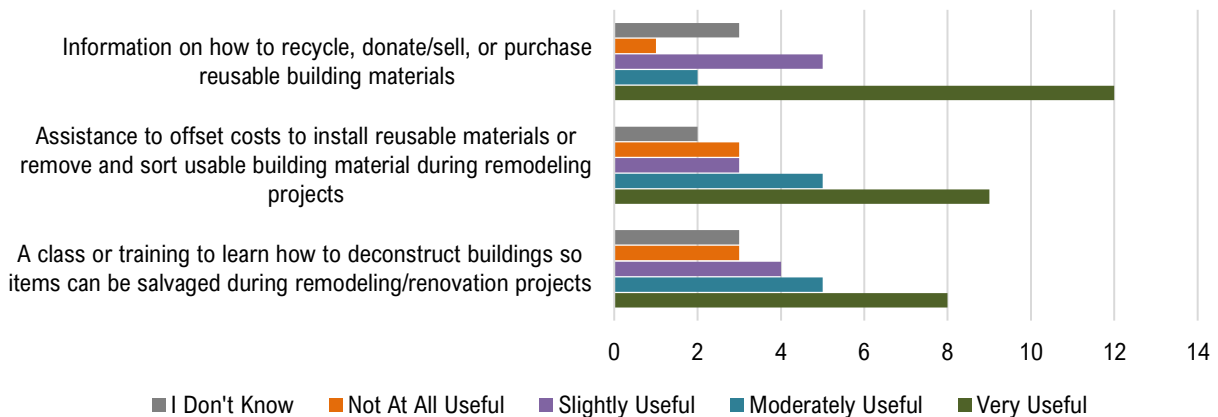


5. **Waste Reduction and Reuse: How useful would these options be in helping you increase your organization's reuse or recycling of building materials (e.g., lumber, lights, fixtures, cabinets, windows and doors)?** Scores of 4 and above were given to options rated moderately to very useful, which none of the response options received. The top response, which rated slightly useful, was information on how to recycle, donate/sell, or purchase reusable building materials.

Building Material Reuse and Recycling Assistance Options (rating scores), N=23	Score (1-5)
Information on how to recycle, donate/sell, or purchase reusable building materials	3.8
Assistance to offset costs to install reusable materials or remove and sort usable building material during remodeling projects	3.7
A class or training to learn how to deconstruct buildings so items can be salvaged during remodeling/renovation projects	3.5

I don't know = 1, Not at all useful = 2, Slightly useful = 3, Moderately useful = 4, Very useful = 5

### Building Material Reuse and Recycling Assistance Options, Response Counts

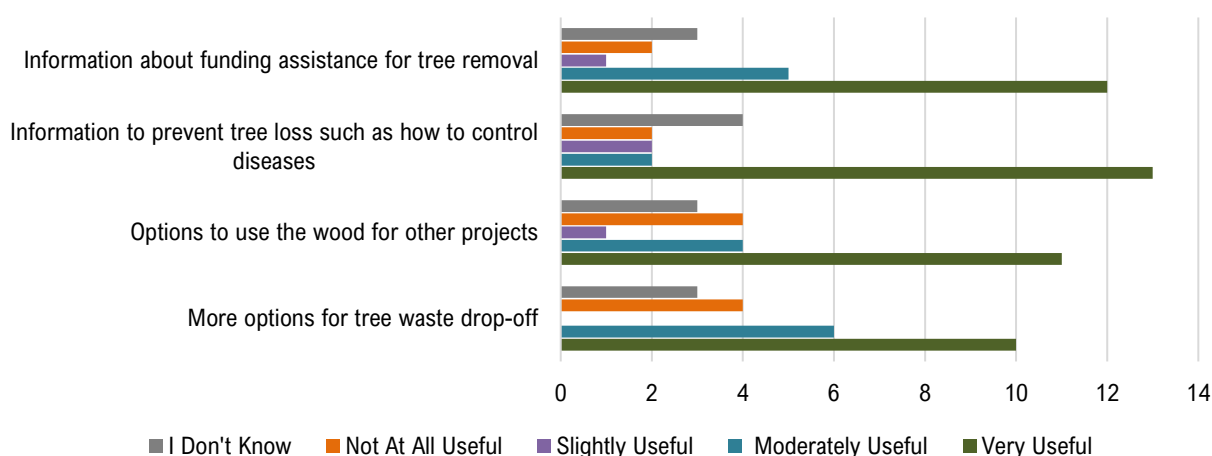


6. **Tree Waste: How useful would these options be in helping you manage your trees and tree waste, if applicable?** Scores of 4 and above were given to options rated moderately to very useful, which none of the response options received. The top response, which rated slightly useful, was information about funding assistance for tree removal.

Tree and Tree Waste Assistance Options (rating scores), N=23	Score (1-5)
Information about funding assistance for tree removal	3.9
Information to prevent tree loss such as how to control diseases	3.8
More options for tree waste drop-off	3.7
Options to use the wood for other projects	3.7

I don't know = 1, Not at all useful = 2, Slightly useful = 3, Moderately useful = 4, Very useful = 5

**Tree and Tree Waste Assistance Options, Response Counts**



## C. MUNICIPALITIES

City and township representatives were invited to a meeting held on April 18, 2024, to discuss specific Policy Plan strategies for waste reduction and reuse, organics (food scraps) and its collection, tree waste, household hazardous waste and building materials. Nineteen municipal staff provided comments in the meeting or by email, representing the following municipalities:

- Apple Valley
- Burnsville
- Eagan
- Empire
- Inver Grove Heights
- Lakeville
- Mendota
- Mendota Heights
- Rosemount
- South St. Paul
- West St. Paul



Meeting with municipalities

### Summary of Feedback:

**Required Strategy # 19: Offer grants or rebates for organizations to transition to reusable food beverage service ware.**

**Required Strategy # 20: Offer grants for waste reduction, reuse, and repair.**

What's needed for internal operations:

- Technical assistance and information to help municipalities to reduce waste.
- Funding for waste reduction and equipment such as dishwashers and reusable service ware.
- Information about reuse of building materials.

Ideas to expand reuse in the larger business and school community:

- Education, on-site assistance, and incentives or grants.

**Required Strategy # 30: Collect recyclables, organics and trash on the same day.**

Existing municipal requirements

- Some cities require same day collection in code.
- Haulers are providing same day collection in some cities although it is not required by city code.

Barriers to same day collection requirements:

- An additional container for organics could be an issue where space is limited.

**Required Strategy # 40: Make residential curbside organics collection available in cities with a population greater than 5,000 by 2030.**

What would help this work:

- Minimize the number of trucks on city streets such as through co-collection with trash or organized collection (e.g., County contracting for service countywide or city grants for researching collection methods including organized collection, impacts on roads, and costs).
- Work with haulers in advance on resident notification and program rollout.
- Provide options (e.g., drop sites) for residents who live in multifamily housing.

- Consider options so lower income households are not burdened by additional waste collection fees.

How to reduce contamination:

- Provide education, trainings, consistent messaging and terminology in multiple languages.
- County designated list of accepted materials; accept food scraps only.
- Require haulers use standardized cart labels.
- Promote organics collection as an opt-in program.

Should this apply to smaller suburban cities with fewer than 5,000 residents:

- Potentially include smaller cities if haulers are serving adjacent towns and there is adequate route density.

**Required Strategy # 45: Develop plans to prevent and manage wood waste in each county and throughout the region**

**Optional Strategy # 49: Develop and distribute Emerald Ash Borer (EAB) tree care education programs for privately owned land.**

Current city efforts:

- Most larger cities already offer information about EAB and tree removal and are generally receptive to sharing additional information.
- Several cities have staff foresters who assist residents.
- Several participants expressed a need for more disposal options.

Ideas to reduce open burning of tree waste:

- Add drop sites for yard waste.
- Consider incentives to help offset pick-up and disposal costs.
- Provide education on proper tree waste management.

**Required Strategy #63: Partner with cities to increase participation in household hazardous waste (HHW) collection**

Existing city drop-offs:

- Some cities have city drop-offs for limited materials (i.e., fluorescent bulbs, batteries) from residents and to expand collection of these limited materials to more cities, funding for staff time would be helpful.
- Limit drop-off collection to bulb and batteries; some staff expressed concerns about collecting hazardous materials such as lithium-ion batteries.

Ideas for households with limited or no transportation:

- Additional, closer locations for HHW drop off.
- Increase promotions of convenient, local businesses that accept HHW (e.g., batteries, vapes).

Ways to enhance education:

- Expand county education to include messaging on why it is important to properly manage HHW and continue to provide funding for municipalities to promote it.
- Cities can collaborate internally across city departments (e.g., fire, engineering).



### **Optional Strategy #67: Host a building material collection event or swap.**

#### City interest in holding a building materials event:

- A few cities expressed interest in hosting an event or swap.
- One idea is to combine this type of event with a larger city clean-up event.

#### Needs for hosting an event:

- Information about vendors available to pick up, evaluate, move, store, and reuse the materials.
- Provide support (e.g., Financial, technical assistance) to contract for event/collection, and moving and storing of building materials.

## **D. WASTE INDUSTRY**

Licensed haulers and representatives of solid waste facilities were invited to a meeting held on April 4, 2024, to discuss Policy Plan strategies for organics (food scraps), tree waste, household hazardous waste, and general recycling. Participating organizations included:

- |                        |                     |
|------------------------|---------------------|
| • ACE/Waste Connection | • Republic Services |
| • Dakota Wood Grinding | • SKB Environmental |
| • Dunham, Inc.         | • WM                |
| • Highland Sanitation  | • WM SET            |

### **Summary of Feedback:**

**Required strategy # 40: Make residential curbside organics collection available in cities with a population greater than 5,000 by 2030.**

#### What has worked:

- Collecting organics in separate cart.
- Opt-in resident participation results in less contamination (putting wrong items in bin).
- Can work in both open and organized collection systems, but organized collection for organics can control costs and help with education.

#### What doesn't work:

- Co-collection of organics with other streams (i.e., yard waste, trash) – not a long-term solution.
- Low density routes.

#### What would help:

- Standardized education about organics and focus messaging on “food scraps.”
- Pre-program notification to residents.
- Partnership on program messaging (e.g., haulers, cities, county).
- Maintaining organics drop-off sites.

**Optional strategy # 26: Establish a reuse location for residential drop-off and pick-up.**

**Optional strategy # 27: Establish a curbside set-out day to allow residents to set out used items for reuse.**

#### Involvement with reuse:

- Most participants said their companies are not involved with reuse.
- Some participants receive customer inquiries that they refer elsewhere.

Curbside set-out days:

- Most participants said their companies do not offer curbside collection for reuse.
- Capacity is limited and curbside collection for reuse offers no profit margin.
- Drop-off at existing donation centers is preferred.
- Curbside events can have problems with scavengers, large crowds, and dumping items that are not reusable.

**Required strategy # 45: Develop plans to prevent and manage wood waste in each county and throughout the region.**

Current capacity:

- Some participants are affected by capacity limits and see a need for more disposal options in the future, such as burning for energy or biochar production.

Role in education:

- Most participants do not envision a role for their organization in providing this information to customers, indicating it is more of a natural resources program responsibility.

**Required strategy # 61: Encourage retailers to increase consumer awareness of responsible end-of-life handling for products containing lithium-ion batteries.**

Disposal of lithium-ion batteries:

- Participants agree that improper disposal of lithium-ion batteries is a problem.
- Most have experienced fires in trucks or waste disposal facilities caused by improper disposal.

Ways that the County can help:

- Advocate for producer and retailer responsibility to notify about dangers and take back batteries.
- More education about proper disposal and collaborate with retailers on proper disposal messaging to their customers.

**Required strategy # 36: Establish mandatory pre-processing of waste at resource recovery facilities and landfills by 2030.**

How this could work:

- Need generators to properly sort and separate materials prior to hauler collection; the County could do random inspections, tag, and fine generators if materials are not properly separated.
- Pre-processing needs to occur in manner to keep landfill workers safe.
- Needs further discussion with facility operators and executives (not in attendance at the meeting).

Potential Pre-Processing Facility Needs:

- Sorting indoors to prevent the wind blowing trash around.
- A football-field-size area.
- A huge tipping floor to go through materials at each landfill.
- Sufficient land for a dirty materials recovery facility (MRF) located by the landfills.
- Magnets to pull out ferromagnetic metals.
- May require a several-hundred-million-dollar new facility.



# Physical Development Committee of the Whole

## Request for Board Action

Item Number: DC-3564

Agenda #: 5.2

Meeting Date: 7/23/2024

**DEPARTMENT:** Physical Development Administration

**FILE TYPE:** Regular Information

### TITLE

**Discussion On Preliminary 2025 Capital Improvement Program, Funding Sources And Project Delivery Considerations**

### PURPOSE/ACTION REQUESTED

Discuss Preliminary 2025 Capital Improvement Program (CIP) projects, funding sources and project delivery considerations.

### SUMMARY

As part of the annual budget process, the County prepares a five-year CIP. The CIP identifies capital projects to support existing and future needs.

Staff presented to the Physical Development Committee in March-June to obtain feedback and answer questions on projected 2025 projects, projects identified by local partners, projects identified by county user groups, prior year project carryovers, and the outcome of the 2024 legislative process.

Based on previous guidance received from the Physical Development Committee of the Whole (Committee), staff will provide an analysis detailing which of the projects that were previously discussed can be delivered with existing staff and currently anticipated budgets for 2025 (Attachment: 2025 Preliminary Capital Improvement Program). Staff will also describe the process used to prioritize potential projects and the rationale used to develop the proposed funding scenarios. Staff will then seek direction from the Committee on how to proceed with the development of the final draft CIP for 2025, and return to the Committee at a later date to request additional resources, if required.

### RECOMMENDATION

None.

### EXPLANATION OF FISCAL/FTE IMPACTS

None.

- |  |   |   |
|--|---|---|
| <input checked="" type="checkbox"/> None     | <input type="checkbox"/> Current budget | <input type="checkbox"/> Other                |
| <input type="checkbox"/> Amendment Requested |   | <input type="checkbox"/> New FTE(s) requested |

### RESOLUTION

Information only; no action requested.

## PREVIOUS BOARD ACTION

None.

## ATTACHMENTS

Attachment: 2025 Preliminary Capital Improvement Program

## BOARD GOALS

- |   |  |
|---|--|
| <input type="checkbox"/> A Great Place to Live                    | <input type="checkbox"/> A Healthy Environment                   |
| <input type="checkbox"/> A Successful Place for Business and Jobs | <input checked="" type="checkbox"/> Excellence in Public Service |

## CONTACT

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Author: Alex Jermeland

## Transportation 2025 Preliminary CIP

Row. No	Current Delivery Department	Project Type	Project No.	Project	Current Status	Prioritization	2025 Preliminary Dollar Amount	Funding Source(s)
1	Transportation	Resources - Preliminary Engineering	33-019	CSAH 33 (Diamond Path) from 140th Street/Connemara Trail to CSAH 31 (Pilot Knob Road) in Apple Valley/Rosemount	Carryover (2023)	1	Previously Budgeted	
2	Transportation	Resources - Design	11-028	CSAH 11/140 <sup>th</sup> St – at CSAH 38; Apple Valley, Burnsville	Carryover (2024)	1	Previously Budgeted	
3	Transportation	Preservation		Gravel Highway Surface	2025 Planned Project	1	\$1,100,000	Gravel Tax, County Funds
4	Transportation	Preservation		Gravel Highway Surface - Repairs	2025 Planned Project	1	\$50,000	County Funds
5	Transportation	Preservation		Paved Highway Surface	2025 Planned Project	1	\$8,200,000	TAA, CSAH
6	Transportation	Preservation		Pedestrian & Bicycle Facilities	2025 Planned Project	1	\$1,300,000	County Funds
7	Transportation	Preservation		Retaining Wall Maintenance	2025 Planned Project	1	\$330,000	CSAH, County Funds
8	Transportation	Preservation		Storm Sewer System Maintenance	2025 Planned Project	1	\$400,000	CSAH, County Funds, Local
9	Transportation	Preservation		Traffic Safety & Operation - Pavement Markings	2025 Planned Project	1	\$350,000	CSAH, County Funds
10	Transportation	Management		Jurisdictional Classification	2025 Planned Project	1	\$2,880,000	County Funds
11	Transportation	Management		ROW Preservation & Management	2025 Planned Project	1	\$500,000	County Funds, Local
12	Transportation	Management		Safety & Management	2025 Planned Project	1	\$1,500,000	CSAH, County Funds
13	Transportation	Management		Signal Revisions/Communications	2025 Planned Project	1	\$300,000	CSAH, County Funds, Local
14	Transportation	Replacement & Modernization		Traffic Signal - New/Replacement	2025 Planned Project	1	\$1,350,000	CSAH, Local
15	Transportation	Resources		Attorney Reimbursement	2025 Planned Project	1	\$288,954	County Funds
16	Transportation	Resources		Consultant Construction Administration	2025 Planned Project	1	\$600,000	CSAH, County Funds, Local
17	Transportation	Resources		Future Studies/Professional Services	2025 Planned Project	1	\$500,000	County Funds, Local

## Transportation 2025 Preliminary CIP

Row. No	Current Delivery Department	Project Type	Project No.	Project	Current Status	Prioritization	2025 Preliminary Dollar Amount	Funding Source(s)
18	Transportation	Resources		Sales & Use Tax Fund - Staff Reimbursement to Operations	2025 Planned Project	1	\$2,067,497	SUT
19	Transportation	Resources		Township Road Distribution	2025 Planned Project	1	\$20,900	County Funds
20	Transportation	Resources		Trail Gap - Location TBD	2025 Planned Project	1	\$778,000	CSAH, TAA, Local
21	Transportation	Resources		Transportation CIP Reimbursement to Operations	2025 Planned Project	1	\$3,479,276	CSAH, County Funds, Local
22	Transportation	Resources - Design	09-065	Reconstruct CSAH 9 (Dodd Blvd) from 208th St to CSAH 50 (Kenwood Trail) in Lakeville (Lakeville Lead)	2025 Planned Project	1	<del>\$900,000</del> \$765,000	CSAH
23	Transportation	Resources - Design	23-088	CSAH 23 (Cedar Avenue) from CSAH 9 (179th Street) to CSAH 42 (150th Street) in Apple Valley and Lakeville	2025 Planned Project	1	\$325,000	CSAH
24	Transportation	Resources - Design	42-173	CSAH 42 (150th Street) from CSAH 33 (Diamond Path) to TH 3 in Apple Valley and Rosemount	2025 Planned Project	1	\$275,000	CSAH
25	Transportation	Replacement & Modernization - ROW Acquisition & Construction	05-058	CSAH 5 at Southcross Drive Signal Replacement in Burnsville	2025 New Project	1	\$1,090,000	CSAH, Local
26	Transportation	Resources - Design, Management - ROW Acquisition	31-118	CSAH 31 at 147th St in Apple Valley	2025 New Project	1	\$300,000	CSAH
27	Transportation	Resources - Design (Internal)	47-048	CSAH 47 – TH 3 to CSAH 85 Reconstruction in Waterford and Sciota Townships	2025 New Project	1	\$200,000	SUT
28	Transportation	Management - Construction	64-028	CR 64 at Eureka Avenue 3/4 Intersection Modification in Farmington	2025 New Project	1	\$800,000	County Funds
29	Transportation	Resources - Design, Management - ROW Acquisition	32-113	CSAH 32 (Cliff Road) at the I-35W east frontage road in Burnsville	Carryover (2024) / 2025 Planned Project	2	\$500,000	TAA, Local
30	Transportation	Management - Construction	04-017	Trail Gap - CR 4 (Butler Ave) from TH 952 (Robert St) to TH 52 in West St Paul (West St. Paul Lead)	2025 Planned Project	2	\$2,500,000	TAA, County Funds
31	Transportation	Resources - Design	31-115	Reconstruct CSAH 31 (Denmark Ave) from CSAH 74 (Ash St) to CSAH 50 (212th St) in Farmington	2025 Planned Project	2	\$850,000	TAA, Local
32	Transportation	Management - Construction	42-164	CSAH 42 at I-35W Southbound Exit to Burnsville Center in Burnsville (MnDOT Lead)	2025 Planned Project	2	\$4,830,000	SUT
33	Transportation	Preservation - Construction	42-172	CSAH 42 (150th Street) from 147th Street to CSAH 33 (Diamond Path) in Apple Valley	2025 Planned Project	2	\$9,250,000	Federal, TAA, Local
34	Transportation	Management - ROW Acquisition	42-174	CSAH 42 (145th Street) at TH 52 interchange in Rosemount	2025 Planned Project	2	\$400,000	SUT, Local
35	Transportation	Management - Construction	42-175	CSAH 42 (145th Street) Pedestrian Underpass east of CR 73 (Akron Avenue) in Rosemount (Park's Lead)	2025 Planned Project	2	\$2,125,000	CSAH

## Transportation 2025 Preliminary CIP

Row. No	Current Delivery Department	Project Type	Project No.	Project	Current Status	Prioritization	2025 Preliminary Dollar Amount	Funding Source(s)
36	Transportation	Resources - Design	54-011	CSAH 54 (Ravenna Trail) from Hastings City limits to CSAH 68 (200th Street E) in Ravenna Township	2025 Planned Project	2	\$1,425,000	SUT
37	Transportation	Expansion - Construction	60-027	CSAH 60 (185th Street) from E of CSAH 50 to CSAH 9 (Dodd Blvd) in Lakeville (Lakeville Lead)	2025 Planned Project	2	<del>\$7,642,750</del> \$10,295,500	SUT, Local
38	Transportation	Management - Construction	73-035	Trail Gap - CSAH 73 (Babcock Trail) from Upper 55th Street to I-494 in Inver Grove Heights (Inver Grove Heights Lead)	2025 Planned Project	2	\$1,200,000	CSAH
39	Transportation	Management - ROW Acquisition	73-038	CR 73 (Akron Avenue) at Connemara Trail in Rosemount (Rosemount Lead)	2025 Planned Project	2	\$44,000	County Funds
40	Transportation	Management - ROW Acquisition	86-043	Roundabout at TH 56 (Randolph Boulevard) and CSAH 86 (280th Street) in Randolph Township	2025 Planned Project	2	\$400,000	State, CSAH
41	Transportation	Management - ROW Acquisition	86-044	Roundabout on CSAH 86 (280th St) at TH 3 in Castle Rock Township	2025 Planned Project	2	\$2,500,000	State, CSAH
42	Transportation	Replacement & Modernization - Construction	91-030	CSAH 91 (Nicolai Avenue) from Miesville Trail to Trunk Highway 61 (240th Street) in the City of Miesville/Douglas Township	2025 Planned Project (Fall Award)	2	\$5,000,000	SUT
43	Transportation	Resources - Design	26-060	CSAH 26 (70 <sup>th</sup> St) – TH 3 to CSAH 73; Inver Grove Heights	2025 Additional Programming	2	<del>\$650,000</del> \$540,000	CSAH, Local
44	Transportation	Resources - Design	26-068	CSAH 26 (70 <sup>th</sup> St) – CSAH 73 to 1000' E of Cahill Ave; Inver Grove Heights	2025 Additional Programming	2	<del>\$350,000</del> \$360,000	CSAH, Local
45	Transportation	Replacement & Modernization - Construction	32-115	I-35 Bridge Replacement at CSAH 32 (MnDOT Lead)	2025 New Project	2	\$300,000	CSAH
46	Transportation	Resources - Design, Management - ROW Acquisition	42-161	CSAH 42 Pedestrian Improvements from 1st Street to Riverdale Drive in Hastings	2025 Additional Programming	2	\$200,000	CSAH, Local
47	Transportation	Management - ROW Acquisition	42-167	CSAH 42 from CSAH 5 to Nicollett Ave in Burnsville - Trail Gap	2025 Additional Programming	2	\$300,000	CSAH, Local
48	Transportation	Replacement & Modernization - ROW Acquisition	47-047	CSAH 47 – CSAH 86 to TH 50 Reconstruction in Castle Rock Twp, Hampton Twp and Hampton	2025 Change to Programming	2	\$1,500,000	CSAH
49	Transportation	Management - Construction	50-037	CSAH 50 at Hamburg Avenue Roundabout in Lakeville - Fall 2025 Award	2025 Additional Programming	2	\$2,250,000	CSAH
50	Transportation	Replacement & Modernization-Construction	31-113	CSAH 31 – Pilot Knob Rd at CSAH 50; Farmington (Farmington Lead)	Carryover (2023)	3	Previously Budgeted	
51	Transportation	Resources - Preliminary Engineering	97-223	Bicycle/Pedestrian Facilities along portions of CSAH 71 & CSAH 73 in Inver Grove Heights	2025 Planned Project	3	\$350,000	County Funds
52	Transportation	Resources - Preliminary Engineering	28-048	CSAH 28 (80th Street) from TH 3 to CSAH 73 (Babcock Trail) in Inver Grove Heights	2025 Planned Project	3	\$450,000	CSAH, Local

## Transportation 2025 Preliminary CIP

Row. No	Current Delivery Department	Project Type	Project No.	Project	Current Status	Prioritization	2025 Preliminary Dollar Amount	Funding Source(s)
53	Transportation	Resources - Preliminary Engineering	94-005	CR 94 (Cannon River Blvd, Cooper Ave) from CSAH 47 to CSAH 88 (292nd St) in Waterford, Sciota, and Randolph Townships	2025 Planned Project	3	\$300,000	County Funds
54	Transportation	Transit	ST00005	Transit Service Expansion Capital and Operating - Set aside	2025 Planned Project	3	\$355,000	SUT
55	Transportation	Transit-Construction	ST00003	Bus Shelter Pad Construction – County Highways	2025 Planned Project	3	\$65,000	SUT
56	Transportation	Resources - Preliminary Engineering	38-067	CSAH 38 from Johnny Cake Ridge Rd to Everest Trail - Trail Gap	2025 New Project	3	\$75,000	CSAH, Local
57	Transportation	Resources - Preliminary Engineering	64-027	County Road 64 (Flagstaff Ave) from 200th St to 195th St in Farmington (Farmington Lead)	2025 New Project	3	\$35,000	County Funds
<b>Total Above the Line</b>							<b>\$78,149,127</b>	
<b>Projects Moved to Later Years in CIP</b>								
58	Transportation	Management - Construction	31-111	Trail Gap – CSAH 31 (Pilot Knob Road) between CSAH 50 (212th Street) and CSAH 64 (195th Street) in Farmington (Farmington Lead)	Move to 2026	1	\$2,975,000	County Funds
59	Transportation	Expansion - ROW Acquisition	50-033	I-35 at CSAH 50 Interchange Reconstruction in Lakeville	Moved to 2026	1	<del>\$11,200,000</del> \$6,000,000	State, SUT, Local
60	Transportation	Management - Construction	99-014	Trail Gap - CSAH 42 (150th Street) from Flagstaff Avenue to CSAH 31 (Pilot Knob Road) in Apple Valley	Moved to 2026	1	\$3,100,000	CSAH, Local
61	Transportation	Expansion - Construction	97-215	179th Street Bridge at North Creek in Lakeville (Lakeville Lead)	Move to 2026	2	\$8,275,000	TAA, Wheelage, County Funds
62	Transportation	Management - Construction	32-093	CSAH 32 (Cliff Road) from Johnny Cake Ridge Road to CSAH 31 (Pilot Knob Road) in Eagan	Move to 2026	2	\$1,900,000	CSAH, Local
63	Transportation	Replacement & Modernization - ROW Acquisition	80-027	CSAH 80 (255th St, Biscayne Ave, 260th St) from TH 3 to one mile west of CSAH 79 (Blaine Ave) in Castle Rock Township	Move to 2026	2	\$1,400,000	CSAH
64	Transportation	Resources - Design	86-041	CSAH 86 (280th St) from County Line to CSAH 23 (Galaxie Ave) in Eureka/Greenvale Townships	Moved to 2026	2	\$715,000	SUT
65	Transportation	Resources - Design	33-019	CSAH 33 (Diamond Path) from 140th Street/Connemara Trail to CSAH 31 (Pilot Knob Road) in Apple Valley/Rosemount	Move to 2027	2	\$800,000	CSAH, Local
66	Transportation	Resources - Preliminary Engineering	71-017	CSAH 71 (Rich Valley Blvd) from 117th St (future CSAH 32) to CSAH 73 (105th St) in Inver Grove Heights	Move to 2027	2	\$375,000	CSAH, Local
67	Transportation	Replacement & Modernization - Construction	86-041	CSAH 86 (280th St) from County Line to CSAH 23 (Galaxie Ave) in Eureka/Greenvale Townships	Moved to 2028	2	\$11,000,000	SUT
68	Transportation	Resources - Preliminary Engineering & Design	73-018	CSAH 73 from 127th Street to CSAH 32 in Rosemount and Inver Grove Heights	Removed from CIP	2	\$800,000	Removed from CIP



## Parks and Greenways 2025 Preliminary CIP

Row No.	Current Delivery Department	Project Type	Project	Current Status	Prioritization	2025 Preliminary Dollar Amount	Funding Source(s)
1	Parks and PD Admin	Park Development	Lebanon Hills and Lake Byllesby Regional Parks: Campground Buildings and Beach House Replacement/Renovation Project (Unsecured PTLF and Regional Bonding in future years)	Carryover (2024)	1	Previously Budgeted	Unsecured PTLF FY26 for 2025
2	Parks and PD Admin	General	Greenway Preservation	2025 Planned set-asides	1	\$500,000	TAA
3	Parks and PD Admin	General	Parks Asset Preservation	2025 Planned Set-asides	1	\$1,000,000	Interest Earnings
4	Parks and PD Admin	Park and Greenway Projects	Urgent/Unplanned Projects	2025 Planned Set-asides	1	150,000	CPA
5	Transportation	Greenway Projects: Mississippi River	Hastings Bluff and Overlook - Construction	2025 Addition - Design from Corridor study in 2024	1	<del>\$1,400,000</del> \$1,515,000	TAA, SUT
6	Parks	Park Development	Lake Byllesby Park Turbine Exhibit	2025 Addition	1	\$150,000	Park Fund
7	Parks and PD Admin	Park Development	Lebanon Hills Regional Park and Spring Lake Park Reserve Retreat Centers Analysis	2025 Addition	1	\$250,000	CPA, Park Fund
8	Transportation	Greenway Projects: River to River	Minnesota River GW - Fort Snelling Segment	Carryover (2022)	2	Previously Budgeted	
9	Parks and PD Admin	Greenway Projects: River to River	Veterans Memorial GW - Phase I, Phase II, Phase III	Carryover (2022)	2	Previously Budgeted	
10	Parks and PD Admin	Greenway Projects: Mississippi River	Mississippi River GW- Wayfinding, Crossings, Interpretation...	Carryover (2024)	2	Previously Budgeted	
11	Parks and PD Admin	Park Development	Spring Lake Park Reserve Master Plan Improvements - River Access and Site Programming (excluding Fischer Ave Trailhead)	Carryover (2023)	2	Previously Budgeted	
12	Parks and PD Admin	Natural Resources	Land Conservation	Carryover (2023)	2	Previously Budgeted	
13	Parks and PD Admin	Park Development	Miesville Ravine Park Reserve - Improvements - Phase 1	Carryover (2024)	2	Previously Budgeted	
14	Parks and PD Admin	Greenway Project: Vermillion Highlands	Connemara to CSAH 42 to 155th - Rosemount	Carryover (2024), Planned 2025 Project	2	<del>\$1,975,000</del> \$2,125,000	TAA, SUT
15	Parks and PD Admin	Park Development	Spring Lake Park - Fischer Trailhead	Carryover (2023, 2024) 2025 Planned Project	2	\$1,000,000	Park Fund
16	Parks and PD Admin	General	CIP Delivery Staff Chargeback	2025 Planned Set-asides	2	\$2,522,466	Park Fund
17	Parks and PD Admin	General	Interpretive Projects	2025 Planned set-asides	2	\$50,000	CPA
18	Parks and PD Admin	Greenway Projects	Wayfinding Projects	2025 Planned set-asides	2	<del>\$475,000</del> \$250,000	TAA

## Parks and Greenways 2025 Preliminary CIP

Row No.	Current Delivery Department	Project Type	Project	Current Status	Prioritization	2025 Preliminary Dollar Amount	Funding Source(s)
19	Parks and PD Admin	Natural Resources	Natural Resource Base Program Funding (Set-Aside)	2025 Planned Project	2	<del>\$1,284,403</del> \$500,000	ELF
20	Parks and PD Admin	Park Development	Lebanon Hills Regional Park - Sustainable Trail Improvements (Phase 1)	2025 Planned Project	2	\$1,350,101	TAA, Park Fund
21	Parks and PD Admin	Park and Greenway Projects	Grant Match	2025 Planned Set-asides	2	\$578,813	CPA, Park Fund
22	Parks and PD Admin	Park and Greenway Projects	Park and Greenway Planning	2025 Planned Set-asides	2	<del>\$285,000</del> \$325,000	TAA, Levy
23	Parks and PD Admin	Park and Greenway Projects	Park and Greenway Acquisition	2025 Planned Set-asides	2	\$4,533,333	AOF, General Fund
24	Parks and PD Admin	Greenway Projects: Mendota to Lebanon	Greenway Collaborative: Mendota to Lebanon - Argenta Trl-Eagan/IGH - Construction	2025 Addition	2	\$530,000	TAA, SUT
25	Parks and PD Admin	Greenway Projects: Mississippi River	Public boat launch along the Mississippi River between South St. Paul and Hastings [Dependent on IGH Lead]	Carryover (2024)	3	Previously Budgeted	
26	Parks and PD Admin	Greenway Projects	Greenway Enhancements	2025 Planned Set-asides	3	\$269,071	TAA, CPA
27	Parks and PD Admin	Park Development	Park Enhancements	2025 Planned Set-asides	3	\$334,265	CPA, Park Fund
28	Parks and PD Admin	Greenway Collaborative Projects: MISC	Greenway Collaborative: Misc Greenway(s) - TBD	2024-2026 Collaborative	3	\$400,000	TAA, SUT
29	Parks and PD Admin	Greenway Collaborative Projects: North Creek	Greenway Collaborative: North Creek Greenway – East Lake Park Trailhead and Trail Recon	2024-2026 Collaborative	3	\$500,000	TAA, SUT
30	Parks and PD Admin	Greenway Collaborative Projects: North Creek	Greenway Collaborative: North Creek Greenway - Eastview Segment/170th Crossing 2024 Design	2024-2026 Collaborative	3	\$120,000	TAA, SUT
31	Parks and PD Admin	Greenway Collaborative Projects: Lake Marion	Greenway Collaborative: Lake Marion Greenway – Ritter Farm 2025 Design 2026 Construction	2024-2026 Collaborative	3	\$200,000	TAA, SUT
Total Above the Line						\$19,153,049	
Below the Line - No Staffing Resources Available							
32	Parks and PD Admin	Natural Resources	Spring Lake Park LCCMR Grant for Restoration	Carryover (2024)	2	Previously Budgeted	
33	Parks and PD Admin	Greenway Projects: Mendota to Lebanon	Mendota to Lebanon Hills GW - Eagan/IGH (LHRP to TH149) Final Design	2025 Addition	2	<del>\$252,000</del> \$250,000	TAA, SUT
34	Parks and PD Admin	Natural Resources	Land Conservation: City/County Collaborative Projects (Inver Grove Heights & Eagan)	Carryover (2023)	3	Previously Budgeted	
35	Parks and PD Admin	Greenway Development	Vermillion Highlands, North Creek & Vermillion River GW Final Design	2025 Planned Project	3	<del>1,000,000</del> 600,000	TAA, SUT

**Parks and Greenways 2025 Preliminary CIP**

Row No.	Current Delivery Department	Project Type	Project	Current Status	Prioritization	2025 Preliminary Dollar Amount	Funding Source(s)
36	Parks and PD Admin	Greenway Projects: Lake Marion Greenway	Lake Marion Greenway - Lakeville (Downtown) Final design	2025 Addition	3	<del>\$275,000</del> \$100,000	TAA, SUT
Below the Line - No Funding Available							
37	Parks and PD Admin	Park Development	Thompson County Park Master Plan Improvements	Pending LCCMR Request	3	\$1,400,000	
38	Parks and CPM	Park Development	Lake Byllesby Master Plan Improvements- West	Pending LCCMR Request	3	\$1,652,000	
Below the Line - No Funding or Staffing Resources Available							
39	Parks and PD Admin	Park Development	Waterford Bridge Restoration and Park Conservation Area	Pending LCCMR Request	3	\$4,042,000	
Projects Moved to Later Years in CIP							
40	Transportation	Greenway Development	North Creek GW - Apple Valley CSAH 42 Crossing	Move to 2026-2029	3	\$1,100,000	
41	Parks and PD Admin	Greenway Projects: Mendota to Lebanon	Eagan/IGH TH55 & CSAH28 Crossings (Final Design)	Move to 2026-2029	3	<del>\$977,500</del> \$450,000	TAA, SUT
42	Parks and PD Admin	Park Development	Spring Lake Park Reserve Bison Prairie Interpretive Center and Bison Viewing Platforms- Design	Move to 2026-2029; LCCMR Request did not move forward	3	\$600,000	

### Environmental Resources 2025 Preliminary CIP

Row No.	Current Delivery Department	Project Type	Project	Current Status	Prioritization	2025 Preliminary Dollar Amount	Funding Source(s)
1	Environmental Resources	Environmental Assessment and Remediation	South St Paul Animal Hospital Multi-tenant commercial (South St Pau)	Carryover (2024)	2	Previously Budgeted	ELF
2	Environmental Resources	Environmental Assessment and Remediation	Towerview (Eagan)	Carryover (2024)	2	Previously Budgeted	ELF
3	Environmental Resources	Environmental Assessment and Remediation	Unisys Campus (Eagan)	Carryover (2024)	2	Previously Budgeted	ELF
4	Environmental Resources	Environmental Assessment and Remediation	Justen Vos (Inver Grove Heights)	Carryover (2024)	2	Previously Budgeted	ELF
5	Environmental Resources	Environmental Assessment and Remediation	Northfield/Waterford Township project (Waterford Township)	Carryover (2024)	2	Previously Budgeted	ELF
6	Environmental Resources	Environmental Assessment and Remediation	Cobra Properties (South St Paul)	Carryover (2024)	2	Previously Budgeted	ELF
7	Environmental Resources	Water Quality and Quantity Projects	Dakota Soil and Water Conservation District project continuation	Carryover (2024)	2	Previously Budgeted	ELF
8	Environmental Resources	Wetland Banking/Restoration	Jordan Wetland Bank	Carryover (2015)	2	Previously Budgeted	ELF
9	Environmental Resources	Wetland Banking/Restoration	Braun Wetland Bank	Carryover (2015)	2	Previously Budgeted	ELF
10	Environmental Resources	Byllesby Dam	Turbine Upgrade Project and MISO interconnect	Carryover (2024)	2	Previously Budgeted	ELF
11	Environmental Resources	Water Quality and Quantity Projects	Interstate Valley Creek Stormwater Project	Carryover (2024)	2	Previously Budgeted	ELF
12	Environmental Resources	Wetland Banking/Restoration	Establishment of New County Wetland Bank	Carryover (2024)	3	Previously Budgeted	ELF
13	Environmental Resources	Environmental Assessment and Remediation	Projects to be identified	2025 Planned Project with corrected amount	3	<del>\$845,872</del> \$805,937	ELF
14	Environmental Resources	Water Quality and Quantity Projects	SWCD Cost Share	2025 Planned Project	3	\$400,000	ELF

### Environmental Resources 2025 Preliminary CIP

Row No.	Current Delivery Department	Project Type	Project	Current Status	Prioritization	2025 Preliminary Dollar Amount	Funding Source(s)
15	Environmental Resources	Water Quality and Quantity Projects	City/Township/Watershed partnership projects to be identified	2025 Planned Project with Scope Change	3	<del>\$400,000</del> \$405,937	ELF
16	Environmental Resources	Wetlands and Water Retention	Projects to be identified	Move project to 2026; 2025 Staff Time	3	<del>\$1,800,000</del> \$5,322	ELF
Total Above the Line						\$1,617,196	

## Facilities 2025 Preliminary CIP

Row No.	Current Delivery Department	Project Type	Project	Current Status	Prioritization	2025 Preliminary Dollar Amount	Funding Source(s)
1	CPM	Infrastructure Maintenance	2025 Planned Set-Asides: Roof Replacement Program	2025 Planned Set-asides	1	\$1,800,000	Levy
2	CPM	Infrastructure Maintenance	2025 Planned Set-Asides: Countywide Life Safety Improvement Program	2025 Planned Set-asides	1	\$345,000	CPA
3	CPM	Infrastructure Maintenance	2025 Planned Set-Asides: Countywide Elevator Study and Phase 1 Improvements	2025 Planned Set-asides	1	\$350,000	CPA
4	CPM	Infrastructure Maintenance	Judicial Center and Juvenile Service Center Glazing	2025 Addition Facilities Staff Identified Need (From IM Allocation)	1	\$390,000	Levy
5	CPM	Infrastructure Maintenance	Law Enforcement Center/Judicial Center Water Softener Replacement	2025 Addition Facilities Staff Identified Need (From IM Allocation)	1	\$100,000	CPA
6	CPM	Resources	Capital Projects Management Delivery Staff for Projects	2025 Planned	1	\$585,614	CIP Chargeback
7	CPM	Infrastructure Maintenance	Energy Improvements Initiative	Carryover (2023)	2	Previously Budgeted	
8	CPM	New Construction	Recycling Zone Plus	Carryover (2017, 2019 and 2022)	2	Previously Budgeted	
9	CPM	New Construction	Law Enforcement Center Integrative Health Unit Addition	Carryover (2022-2024)	2	Previously Budgeted	
10	CPM	Renovation	Law Enforcement Center Staff Breakroom Renovation	Carryover (2024)	2	Previously Budgeted	
11	CPM	New Construction	Lebanon Hills Maintenance Shop	Carryover (2023, 2024) 2025 Planned Project	2	<del>\$9,600,000</del> \$6,000,000	GF, Levy
Total Above the Line						\$9,570,614	
Below the Line - No Funding Available							
12	CPM	Infrastructure Maintenance	Western Service Center Redundant Chiller Addition	Carryover (2024) Increased Costs (From IM Allocation)	1	\$1,000,000	
13	CPM	Infrastructure Maintenance	Law Enforcement Center Boiler and Chiller Replacement (\$1,400,000 planned plus \$6,253,000 delayed) Scope and budget to be determined at late 2024 PDC SD presentation)*	2025 Planned Project	1	<del>\$1,400,000</del> \$7,653,000	
14	CPM	Renovation	Wentworth Library Refresh (SD presentation September 2024)	2025 Planned Project	1	\$6,073,790	
15	CPM	Infrastructure Maintenance	2025 Planned Set-Asides: Parking Lots Seal and Repair	2025 Planned Set-asides	1	\$200,000	
16	CPM	Infrastructure Maintenance	2025 Planned Set-Asides: Accessibility Barrier Removal Program	2025 Planned Set-asides	1	\$250,000	
17	CPM	Infrastructure Maintenance	2025 Planned Set-Asides: Infrastructure Maintenance Allocation	2025 Planned Set-asides	1	\$2,265,000	

\*2024 Project Delayed

## Facilities 2025 Preliminary CIP

Row No.	Current Delivery Department	Project Type	Project	Current Status	Prioritization	2025 Preliminary Dollar Amount	Funding Source(s)
18	CPM	Infrastructure Maintenance	2025 Planned Set-Asides: Carpet Replacement Program	2025 Planned Set-asides	1	\$580,000	
19	CPM	Infrastructure Maintenance	Law Enforcement Center Housing Unit Floor Replacement (2100 Unit)	2025 Planned Project	2	\$400,000	
20	CPM	Infrastructure Maintenance	Law Enforcement Center Restroom Renovations (Two Main Public, Two Upper Floor)	2025 Planned Project	2	\$380,000	
21	CPM	Infrastructure Maintenance	Juvenile Service Center Intake Shower and Storage Renovation	2025 Addition Facilities Staff Identified Need (From IM Allocation)	2	\$170,000	
22	CPM	Renovation	Burnhaven Library Design and Renovation	2025 Planned Project	1	\$641,260	
23	CPM	Infrastructure Maintenance	2025 Planned Set-Asides: Miscellaneous Projects	2025 Planned Set-asides	1	\$185,000	
24	CPM	Renovation	Western Service Center Gun Permits Expansion (combined with WSC 2nd floor project)*	Carryover (2024)	2	\$0	
25	CPM	Renovation	Western Service Center Social Services Visitation & Kitchenette (combined w/WSC 2nd Floor Hybrid Project) Scope TBD at August PDC SD presentation) (not budgeted in 2025, this is the delayed amount)*	Carryover (2024)	2	<del>\$0</del> \$2,243,755	
26	CPM	Renovation	Law Enforcement Center Release and Intake Renovation (not budgeted in 2025, this is the delayed amount)*	2025 Addition Staff Project Request	2	<del>\$0</del> \$1,305,617	
27	CPM	New Construction	Empire Complex Cold Storage Building Expansion (note proposed scope change) (2025 budget of \$2,000,000 plus delayed amount of \$1,750,000) Full Scope TBD at September PDC SD presentation) \$3.75M total Design for 2025, 75% from Transportation Funds*	2025 Planned Project with Proposed Scope Change to Incorporate All Needs	3	<del>\$2,000,000</del> \$937,500	
28	CPM	Renovation	County Board Committee Room ADC 3A Alternatives	2025 Addition Senior Leadership Team Direction	3	\$1,800,000	
29	CPM	Renovation	Create Staff Break Spaces in ADC and JDC. Refresh NSC Space.	2025 Addition Senior Leadership Team Direction	3	\$2,500,000	
30	CPM	Renovation	Rosemount License Center Security Improvements	2025 Addition Staff Project Request	3	\$300,000	
31	CPM	Renovation	Wescott Library Service Desk Replacement	2025 Addition Staff Project Request	3	\$170,000	
32	CPM	Renovation	Western Service Center Community Corrections Interview Rooms Creation	2025 Addition Staff Project Request	3	\$350,000	
33	CPM	Renovation	Northern Service Center County Attorney's Office Space Reconfiguration	2025 Addition Staff Project Request	3	\$5,900,000	

\*2024 Project Delayed

**Facilities 2025 Preliminary CIP**

Row No.	Current Delivery Department	Project Type	Project	Current Status	Prioritization	2025 Preliminary Dollar Amount	Funding Source(s)
34	CPM	Infrastructure Maintenance	2025 Planned Set-Asides: Stormwater Improvements	2025 Planned Set-asides	1	\$25,000	
35	CPM	Infrastructure Maintenance	2025 Planned Set-Asides: Special Assessments	2025 Planned Set-asides	1	\$20,000	
36	CPM	New Construction	Fueling Dispensing System (Hastings Government Center)	Carryover (2024) Increased Costs	2	\$150,000	
37	CPM	Renovation	Countywide Office Space Reconfigurations	2025 Planned Project	3	\$1,544,764	
38	CPM	Renovation	Energy Efficiency Program	2025 Planned Project	3	\$250,000	
39	CPM	Renovation	Courts Bench Replacement Prototype	2025 Addition Staff Project Request	3	\$420,000	
40	CPM	Renovation	Northern Service Center Courts Office and Counter Renovations	2025 Addition Staff Project Request	3	\$210,000	





# Physical Development Committee of the Whole

## Request for Board Action

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**Item Number:** DC-3597

**Agenda #:** 8.1

**Meeting Date:** 7/23/2024

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Adjournment