



Dakota County

Board of Commissioners

Minutes

Tuesday, June 25, 2024

9:00 AM

Boardroom, Administration Center,
Hastings, MN

1. Call To Order And Roll Call

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

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

2. Pledge Of Allegiance

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

3. Audience

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

4. Agenda

4.1 Resolution No: 24-307
Approval of Agenda (Additions/Corrections/Deletions)

Motion: Mike Slavik

Second: William Droste

Ayes: 7

CONSENT AGENDA

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

5. County Administration - Approval of Minutes

5.1 Resolution No: 24-308
Approval of Minutes of Meeting Held on June 4, 2024

Motion: Mary Hamann-Roland

Second: Laurie Halverson

Ayes: 7

6. Items Recommended By Board Committee*

6.1 Resolution No: 24-309

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

Motion: Mary Hamann-Roland

Second: Laurie Halverson

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.

Ayes: 7

6.2 Resolution No: 24-310

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: Laurie Halverson

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.

Ayes: 4

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

Nay: 3

Mike Slavik, Liz Workman, and Mary Liz Holberg

6.3 Resolution No: 24-311

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: Laurie Halverson

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 to

Ayes: 4

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

Nay: 3

Mike Slavik, Liz Workman, and Mary Liz Holberg

6.4 Resolution No: 24-312

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: Laurie Halverson

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.

Ayes: 7

6.5 Resolution No: 24-313
Authorization To Execute Joint Powers Agreement With Goodhue County For Custodial And Reservations Services

Motion: Mary Hamann-Roland

Second: Laurie Halverson

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.

Ayes: 7

- 6.6** Resolution No: 24-314
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: Laurie Halverson

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:

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

Ayes: 7

- 6.7** Resolution No: 24-315
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: Laurie Halverson

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>
Total Expense	\$0

Revenue

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

Ayes: 7

6.8 Resolution No: 24-316
Authorization To Execute Joint Powers Agreement With City Of Apple Valley For North Creek Greenway Eastview Segment Feasibility Study

Motion: Mary Hamann-Roland Second: Laurie Halverson

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.

Ayes: 7

- 6.9** Resolution No: 24-317
Authorization To Execute Intergovernmental Transfer Agreement With Minnesota Department Of Human Services For Shelter Services, Accept Funds, Execute A Contract For Shelter Services, And Amend 2024 Social Services Budget

Motion: Mary Hamann-Roland

Second: Laurie Halverson

WHEREAS, Dakota County submitted a request in 2021 to DHS to consider, under the authority of Minn. Stat. 2561.05, subd. 1a (b), a cost-neutral transfer from the Housing Support fund to Dakota County to provide emergency shelter beds for people with disabilities experiencing homelessness; and

WHEREAS, the acceptance of the request permanently removed twenty-two Housing Support beds previously authorized for Dakota Woodlands from the Housing Support census; and

WHEREAS, by Resolution No. 21-581 (December 14, 2021), the Dakota County Board of Commissioners authorized an amendment to the Intergovernmental Transfer Agreement with DHS to add additional dollars and execute a contract with Dakota Woodlands for emergency shelter services; and

WHEREAS, staff recommends authorization to execute the Intergovernmental Transfer Agreement with DHS for shelter services in the amount of

\$940,513.78 for the period of July 1, 2024 through June 30, 2025, and accept future annual allocations from DHS through June 30, 2027; and

WHEREAS, staff also recommends executing a contract with Dakota Woodlands for emergency shelter services for a total not to exceed amount of \$375,275 for the period of July 1, 2024 through June 30, 2025.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners authorizes the Community Services Director to execute the Intergovernmental Transfer Agreement with the Minnesota Department of Human Services for funds in the amount of \$940,513.78 for the period of July 1, 2024 through June 30, 2025; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners authorizes the Community Services Director to accept future annual allocations from the Department of Human Services through June 30, 2027, accept additional grant funds, consistent with County contracting policies, and inclusion of grant funds in future yearly Recommended and Approved Budgets, subject to approval by the County Attorney’s Office as to form; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to execute a contract with Dakota Woodlands for a not to exceed amount of \$375,275 for the period of July 1, 2024 through June 30, 2025; and

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

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

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

Expense	
Shelter Services	<u>\$470,257</u>
Total Expense	\$470,257
Revenue	
DHS Revenue	<u>\$470,257</u>
Total Revenue	\$470,257

Ayes: 7

6.10 Resolution No: 24-318

Authorization To Execute Contract With JEC Miller, Inc. For Scheduled Respite In Child Foster Residence Setting

Motion: Mary Hamann-Roland

Second: Laurie Halverson

WHEREAS, JEC Miller, Inc. will be providing room, board, supervision, and support to youth ages 8-18 residing in the licensed Child Foster Residence Setting (CFRS); and

WHEREAS, the CFRS will serve youth with neurodevelopment disorders, mental health needs, and emotional or behavioral disorders; and

WHEREAS, for youth receiving respite, goals include:

- Provide relief and support to the caregiver
- Improve the child's functioning
- Decrease the use of long-term out-of-home placements and hospitalizations
- Increase safety and permanency
- Reduce family and parenting stress
- Provide access to activities and community that may not normally be present; and

WHEREAS, JEC Miller, Inc. will maintain a 245D license from the Minnesota Department of Human Services and provide services in compliance with Child Foster Care and CFRS as outlined in MN Rules and Statutes including but not limited to Minnesota Statutes Chapter 245D and 245A, and Minnesota Rules Chapter 2960; and

WHEREAS, solicitation for this service was completed in 2022; however, no providers responded; and

WHEREAS, the County then worked with JEC Miller, Inc. to develop this CFRS site and service model based on their expertise with the population and services; and

WHEREAS, staff is requesting authorization to execute a contract with JEC Miller, Inc. in an amount not to exceed \$500,000 from the date of execution through December 31, 2025.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to execute a contract for scheduled respite in a foster care setting with JEC Miller, Inc. in an amount not to exceed \$500,000 annually for the period from the date of contract execution through December 31, 2025, subject to approval by the County Attorney's Office as to form; and

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

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

Ayes: 7

6.11 Resolution No: 24-319

Authorization To Execute Joint Powers Agreements With Dakota County School Districts For School Wellness Projects Funded Through Minnesota Department Of Health Statewide Health Improvement Partnership Grant

Motion: Mary Hamann-Roland

Second: Laurie Halverson

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

WHEREAS, Dakota County Public Health has over a decade of experience working with school districts located in Dakota County on school-based prevention interventions and initiatives and this work is funded by the Minnesota Department of Health (MDH) Statewide Health Improvement Partnership (SHIP) grant; and

WHEREAS, SHIP funding supports community-driven solutions to expand opportunities for active living, healthy food access, commercial tobacco-free living, and mental wellbeing; and

WHEREAS, these initiatives provide Dakota County's School Districts the opportunity and resources to enhance prevention efforts, and provide cost-effective, evidence-based best practices in chronic disease reduction via policy, systems, and environmental changes; and

WHEREAS, interventions are grounded in equity to ensure the initiative benefits all demographic groups with a priority focus on addressing barriers and ensuring safety for lower-income students, students of color and others facing significant disparities; and

WHEREAS, all ten school districts in Dakota County are provided an opportunity

to apply and opt-in to non-competitive funding to support internal wellness efforts for students and staff with applications due in fall 2024; and

WHEREAS, districts will have until October 31, 2025, to use the funding upon approval of initiatives; and

WHEREAS, under Minn. Stat. §471.59, subd.1, two or more governmental units may enter into an agreement to cooperatively exercise any power common to the contracting Parties, and one of the participating governmental units may exercise one of its powers on behalf of the other governmental units .

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to enter into joint powers agreements with School Districts throughout Dakota County for school wellness projects for the term upon execution of the joint powers agreements through October 31, 2025, with a total not to exceed for each district as follows, subject to approval by the County Attorney’s office as to form:

Special District 6	\$ 7,289
Independent School District (ISD) 191	\$13,048
ISD 192	\$ 8,639
ISD 194	\$11,257
ISD 195	\$ 3,779
ISD 196	\$12,575
ISD 197	\$ 8,909
ISD 199	\$10,691
ISD 200	\$ 6,119
Intermediate School District 917	\$ 7,694

Ayes: 7

6.12 Resolution No: 24-320

Ratification Of Application For Promising Practices Home Visiting Grant With Minnesota Department Of Health, And Authorization To Accept Grant Funds, Execute Grant Agreement, Add 1.6 Grant-Funded Full-Time Equivalents, And Amend 2024 Public Health Budget

Motion: Mary Hamann-Roland

Second: Laurie Halverson

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

WHEREAS, in January of 2023, the Minnesota Department of Health (MDH)

released a Request for Proposal (RFP) for the Promising Practices Home Visiting (PPHV) grant; and

WHEREAS, the PPHV program will provide support for organizations to deliver community-driven non-model home visiting services to priority populations; and

WHEREAS, the priority population of this funding will be families within the perinatal period from the East African community; and

WHEREAS, this grant program will be flexible and allow for adaptability in response to the needs of families enrolled in the program; and

WHEREAS, the PPHV grant will be used to assist the Family Home Visiting (FHV) program to improve and promote parental and child health, enhance positive parenting practices, prevent child abuse and neglect, reduce crime and intimate partner violence, promote child development, connect families to needed resources and supports, and increase family economic self-sufficiency; and

WHEREAS, on February 21, 2023, Public Health was notified and requested to respond to the MDH RFP; and

WHEREAS, the department applied for a two-year grant in the amount of up to \$250,000 per year; and

WHEREAS, Dakota County was notified they did not receive the grant award in April 2023; and

WHEREAS, in December 2023, Public Health was notified by MDH that they were awarded the funds as requested in the original grant application; and

WHEREAS, staff worked with MDH to update budget, workplan, and grant agreements, and was provided a new start grant period of July 1, 2024 through June 30, 2028; and

WHEREAS, funding will be determined annually for this four-year grant and is expected to remain stable; and

WHEREAS, the PPHV grant will fund a total of 1.6 new, grant-funded full-time equivalents (FTE)s: 0.8 FTE health educator and 0.8 FTE Public Health Nurse.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby ratifies the application submitted to the Minnesota Department of Health for the Promising Practices Home Visiting Grant; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to accept grant funds in the amount of up to \$250,000 per year, effective July 1, 2024 through June 30,

2028; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to execute the grant agreement, subject to approval by the County Attorney’s Office as to form; and

BE IT FURTHER RESOLVED, That unless the grant program requirements change, the Community Services Director is hereby authorized to amend the grant to extend the grant term up to two years after initial expiration date, accept additional grant funds, and continue grant-funded full-time equivalents, consistent with County contracting policies, and inclusion of grant funds in future yearly Recommended and Approved Budgets, subject to approval by the County Attorney’s Office as to form; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to add 1.6 grant-funded, full-time equivalent positions; and

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

Expense

1.6 full-time equivalents	\$190,009
Program services	<u>\$ 59,991</u>
Total Expense	\$250,000

Revenue

Program Revenue	<u>\$250,000</u>
Total Revenue	\$250,000

Ayes: 7

6.13 Resolution No: 24-321
 Authorization To Adopt Annual Work Plan For Board Appointed Opioid Response Advisory Committee

Motion: Mary Hamann-Roland Second: Laurie Halverson

WHEREAS, the Dakota County Opioid Response Committee (ORAC) was established as a Board appointed committee in October 2023; and

WHEREAS, the Dakota County ORAC supports the development of a comprehensive and effective countywide response to the opioid crisis; and

WHEREAS, the Dakota County ORAC provides recommendations to the County Board on the use of Opioid Settlement Funds for external projects and initiatives; and

WHEREAS, Dakota County policy 1015 requires that Board appointed committees must consult at least annually with the County Board Committees of the Whole to seek direction on the topics on which they will advise the County Board (annual work plan) to ensure that the committee's work complements the County mission and goals; and

WHEREAS, Dakota County policy 1015 requires periodic committee reports be scheduled on the appropriate County Board committee or board meeting agendas; and

WHEREAS, in 2023, Public Health surveyed community members and partners on opioid response strategies to address the current crisis; and

WHEREAS, the Dakota County ORAC has developed a one-year work plan that complements the County mission and goals and focuses on ORAC's mission of advising the County Board on the use of community designated opioid settlement funds; and

WHEREAS, upon Board approval of the 2024 work plan, ORAC will work towards accomplishing its goals as outlined in the work plan and keep the Board informed of its progress.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the adoption of the 2024 annual work plan for the Dakota County Opioid Response Advisory Committee.

Ayes: 7

6.14 Resolution No: 24-322

Authorization To Accept Substance Misuse And Suicide Prevention Coalition Grant Funds, Add 1.0 Grant-Funded Full-Time Equivalent, Execute Grant Agreement And Amend 2024 Public Health Budget

Motion: Mary Hamann-Roland

Second: Laurie Halverson

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

WHEREAS, the Minnesota Department of Health Injury and Violence Prevention Section released a Request for Proposal (RFP) to create or sustain community-based substance misuse and suicide prevention coalitions in Minnesota; and

WHEREAS, the multi-sector coalitions will serve the needs of Minnesotans at risk of substance misuse and suicide, with a specific focus on youth; and

WHEREAS, by Resolution No. 24-099 (February 27, 2024), the Dakota County Board of Commissioners authorized submitting an application for the Substance Misuse and Suicide Prevention Coalition grant (“Grant”); and

WHEREAS, this Grant would give the county the capacity to coordinate a multi-sector coalition that will develop a plan to address shared risk and protective factors for substance misuse and suicidal experiences; and

WHEREAS, it aligns with the objectives of multiple Public Health programs and initiatives, providing an opportunity for greater internal and community alignment; and

WHEREAS, the 2020-2024 Community Health Improvement Plan (CHIP) outlines Public Health’s long-standing commitment to addressing adult mental health and youth suicide ideation in Dakota County; and

WHEREAS, the 2023 Community Health Assessment has continued to identify substance use and mental health as top priorities for the community; and

WHEREAS, the 2025-2028 CHIP plans to address substance use and mental health and integrate concepts from the recently launched MAPP 2.0 framework; and

WHEREAS, this strategic approach allows staff to delve into the root causes of these priority outcomes that have been identified by the community; and

WHEREAS, Public Health’s response would include the utilization of Shared Risk and Protective Factor frameworks, enabling staff to mobilize action on these root causes and address multiple health outcomes in a systemic and equitable manner; and

WHEREAS, Dakota County Public Health, alongside various local community coalitions, will utilize this funding to create a sustainable infrastructure to maximize efforts in the areas of youth mental health and substance use and enhance community capacity through collective impact; and

WHEREAS, in addition to the outlined activities, the Grant requires a 1.0 full-time equivalent to lead the coordination of the coalition and comprehensive substance misuse and suicide prevention efforts within the defined community; and

WHEREAS, the estimated grant start date is June 1, 2024, and the projected end date is May 31, 2028; and

WHEREAS, staff received the requested award maximum of \$125,000 per year for the grant period of four years.

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

Commissioners hereby authorizes the Community Services Director to accept Substance Misuse and Suicide Prevention Coalition grant funds in the amount of \$125,000 per year, effective June 1, 2024 through May 31, 2028; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to execute the grant agreement, subject to approval by the County Attorney’s Office as to form; and

BE IT FURTHER RESOLVED, That unless the grant program requirements change, the Community Services Director is hereby authorized to amend the grant to extend the grant term up to two years after initial expiration date, accept additional grant funds, and continue grant-funded full-time equivalents, consistent with County contracting policies, and inclusion of grant funds in future yearly Recommended and Approved Budgets, subject to approval by the County Attorney’s Office as to form; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to add a 1.0 grant-funded full-time equivalent; and

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

Expense

Staff Expense	\$120,500
Program Expense	<u>\$ 4,500</u>
Total Expenses	\$125,000

Revenue

Program Revenue	<u>\$125,000</u>
Total Revenue	\$125,000

Ayes: 7

6.15 Resolution No: 24-323
Authorization To Execute Contract With ByWater Business Solutions LLC For Print To Mail Services

Motion: Mary Hamann-Roland Second: Laurie Halverson

WHEREAS, Dakota County Community Services prints and mails over 60,000 packets per year, using multiple printing devices that require ongoing, on call maintenance and parts servicing; and

WHEREAS, Dakota County Employment & Economic Assistance (E&EA) previously housed and utilized an inserter machine that collates, folds and stuffs envelopes for print to mail requests, which has since malfunctioned, requiring staff to manually process envelopes daily; and

WHEREAS, the mail pieces range from single page envelopes to large multi-packet packages with a wide range of postage fees; and

WHEREAS, a print to mail solution in Community Services is highly needed because a manual process is difficult to maintain and scale with current resources and increased print to mail needs; and

WHEREAS, ByWater Business Solutions LLC provides print to mail outsourcing services, which include 700 packets per day of standard sized envelopes; and

WHEREAS, contracting with ByWater Business Solutions LLC for print to mail services will save Dakota County Community Services over \$100,000 in staff time and material costs annually; and

WHEREAS, E&EA would like to pilot print to mail services with ByWater Business Solutions LLC by executing a contract from the date of contract execution through December 31, 2025, in an amount not to exceed \$450,000; and

WHEREAS, the period of contract execution through December 31, 2025, would be a pilot program that will temporarily alleviate the urgent need for this service while E&EA simultaneously issues a solicitation for this service.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners authorizes the Community Services Director to execute a contract with ByWater Business Solutions LLC for print to mail services for the period of contract execution through December 31, 2025, in an amount not to exceed \$450,000; and

BE IT FURTHER RESOLVED, That the contract will include language that allows for early termination with a thirty-day notice by either party; and

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

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

Ayes: 7

7. County Board/County Administration

7.1 Resolution No: 24-324
 Designation Of Voting For 2024 National Association Of Counties Annual Business Meeting

Motion: Mary Hamann-Roland Second: Laurie Halverson

WHEREAS, the annual National Association of Counties (NACo) conference is being held in Hillsborough County, Florida, July 12-15, 2024; and

WHEREAS, Dakota County has paid its membership dues and has at least one paid registrant for the conference and is, therefore, eligible to participate in the Associations' annual election of officers and policy adoption, according to NACo bylaws.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby designates the following individual(s) as voting delegates for the 2024 NACo annual conference:

Designated Delegate - Commissioner Slavik
 ; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the president of the Association of Minnesota Counties to pick up Dakota County's ballot and cast votes in the event that the ballot is not picked up by the County's delegate or alternate.

Ayes: 7

7.2 Resolution No: 24-325
 Appointments To Dakota-Scott Workforce Development Board

Motion: Mary Hamann-Roland Second: Laurie Halverson

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby appoints/reappoints the following individuals to the Dakota-Scott Workforce Development Board to fill a two-year term ending June 30, 2026.

- Private - Holly Opegard
- Private - Ashley Halvorson
- Private - Joel Akason
- Private - Darren Kermes
- Private - Sally Haack
- Private - Kristin Ridley
- Private - Jeffrey Rainey
- Private - Michael Forbord
- Private - Jennifer Harmening
- Public-Econ. Development - Jo Foust
- Public-Education - Michael Berndt
- Public-Labor - Barry Davies

Ayes: 7

7.3 Resolution No: 24-326
Recognition Of Diversity Celebration And Awareness Month In Dakota County

Motion: Mary Hamann-Roland Second: Laurie Halverson

WHEREAS, the County endeavors to maintain a workplace that is welcoming of diversity and a workforce that is culturally competent and reflective of the County population that we serve; and

WHEREAS, Diversity Celebration and Awareness Months are an opportunity for the County to recognize the important history and contributions of the County’s diverse residents and employees; and

WHEREAS, many County efforts help create a welcoming, inclusive, and accessible work environment for diverse Dakota County employees and their allies, as well as equip all employees to provide excellent public service to all residents.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby recognizes the recommended Diversity Celebration and Awareness Months and the contributions made by our diverse residents and employees of Dakota County.

Ayes: 7

8. Enterprise Finance and Information Services

8.1 Report On Invoices Paid In May 2024
Information only; no action requested.

9. Physical Development

9.1 Resolution No: 24-327
Authorization To Execute Maintenance Agreement And Access Easement With City Of Hastings For Law Enforcement Center Integrative Health Unit Addition Stormwater Facilities

Motion: Mary Hamann-Roland Second: Laurie Halverson

WHEREAS, the 2022 Building Capital Improvement Program (CIP) Adopted Budget authorized the Law Enforcement Center Integrative Health Unit Addition project; and

WHEREAS, the design of the Law Enforcement Center Integrative Health Unit Addition was authorized by Resolution No. 23-168 (April 25, 2023); and

WHEREAS, the City of Hastings also authorized the design of the Law Enforcement Center Integrative Health Unit Addition through City actions taken in 2023; and

WHEREAS, the project design allows for engineered stormwater facilities to actively manage the rainfall onto the site as it then discharges to the City of

Hastings stormwater sewer system; and

WHEREAS, the Stormwater Facilities Agreement outlines the maintenance procedures of these facilities on the site; and

WHEREAS, the Stormwater Easement Agreement will allow for the City of Hastings to come onto this part of the Law Enforcement Center site to complete maintenance inspections; and

WHEREAS, County and City staff believe the terms of these agreements are in the best interest of both parties and request to execute them formally with the County Board's approval.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Parks, Facilities, and Fleet Management Director to execute a maintenance agreement and an access easement for the new stormwater facilities under construction now as part of the Law Enforcement Center (LEC) Integrative Health Unit addition, subject to approval by the County Attorney's office as to form.

Ayes: 7

- 9.2** Resolution No: 24-328
Authorization To Accept Local Road Improvement Program Grant Agreement Funds From Minnesota Department Of Transportation For Roundabout At Intersection Of County State Aid Highway 46 And County State Aid Highway 85 In Nininger And Vermillion Townships, County Project 46-057

Motion: Mary Hamann-Roland

Second: Laurie Halverson

WHEREAS, to provide a safe and efficient transportation system, Dakota County is proceeding with County Project (CP) 46-057; and

WHEREAS, CP 46-057 is the construction of a roundabout at the intersection of County State Aid Highway (CSAH) 46 (160th Street East) and CSAH 85 (Goodwin Avenue) in Nininger and Vermillion Townships; and

WHEREAS, Dakota County is the lead agency for CP 46-057; and

WHEREAS, by Resolution No. 23-540 (November 28, 2023), the County Board authorized staff to submit for grant funds to the 2023 Local Road Improvement Program (LRIP) for CP 46-057 and authorized the Physical Development Director to accept grant funds and execute necessary grant agreement; and

WHEREAS, the Commissioner of Transportation has given notice that LRIP funding for this project is available; and

WHEREAS, by Resolution No. 24-272 (May 21, 2024), the County Board authorized the County Manager to amend the 2024 Capital Improvement Program Adopted Budget; and

WHEREAS, the amount of the grant will be determined to be \$1,500,000 by reason of the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED, That Dakota County does hereby agree to the terms and conditions of the grant consistent with Minnesota Statutes, section 174.52, and will fund any additional amount by which the cost exceeds the estimate and will return to the Local Road Improvement Fund any amount appropriated for the project but not required; and

BE IT FURTHER RESOLVED, That the proper county officers are authorized to execute a grant agreement and any amendments thereto with the Commissioner of Transportation concerning the above-referenced grant.

Ayes: 7

9.3 Resolution No: 24-329
Approval Of Final Plats Recommended By Plat Commission

Motion: Mary Hamann-Roland Second: Laurie Halverson

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

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

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

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

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

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

AMBER FIELDS EIGHTEENTH ADDITION	Rosemount
VERMILLION COMMONS 4TH ADDITION	Farmington

Ayes: 7

9.4 Resolution No: 24-330
Authorization To Enter Into Grant Agreement With Minnesota Department Of Transportation For State-Funded Township Bridge Replacement Projects, County Project 97-144 Located In Hampton And Douglas Townships And County Project 97-164 Located in Marshan Township

Motion: Mary Hamann-Roland Second: Laurie Halverson

WHEREAS, to provide a safe and efficient transportation system, substandard bridges on the County Road and township road networks are replaced; and

WHEREAS, bridge L3285 and bridge L3249 were identified and included in the 2022 Transportation Capital Improvement Program (CIP) as bridge replacement projects; and

WHEREAS, Dakota County is the lead agency and recipient of the State funds to assist townships in replacing the substandard bridges; and

WHEREAS, the replacement cost of bridge L3285 on Inga Avenue is estimated at \$654,000 and bridge L3249 is estimated at \$380,000; and

WHEREAS, the State-funded Town Bridge Account balance is \$417,000 resulting in an estimated shortfall of approximately \$617,000 for the construction of the two bridges; and

WHEREAS, a grant agreement with the Minnesota Department of Transportation (MnDOT) is necessary to receive the required funds necessary to construct township bridges L3285 and 3249; and

WHEREAS, MnDOT, on behalf of the County and townships, will be seeking the additional funds necessary to cover the current budget shortfall of \$617,000; and

WHEREAS, County Project 97-144 and 97-164 will not be advertised for construction until all necessary funds are secured; and

WHEREAS, staff recommends authorization to enter into a grant agreement with the Minnesota Department of Transportation and the acceptance of funds to replace bridge L3285 located on Inga Avenue in Hampton and Douglas Townships, County Project (CP) 97-144, and bridge L3249 located on 205th Street in Marshan Township, CP 97-164; and

WHEREAS, Dakota County will facilitate the bridge replacement projects, CP 97-144 and CP 97-164, utilizing Township cost-shares, the State-funded Town bridge account, and other State funds once the Town bridge account gets depleted in conjunction with the approved Minnesota Department of Natural Resources grant.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a grant agreement with the Minnesota Department of Transportation for replacing bridge L3285, County Project 97-144 and bridge L3249, County Project 97-164, subject to approval by the County Attorney's Office as to form.

Ayes: 7

9.5 Resolution No: 24-331
Approval Of Amendment To Dakota County Emergency Solutions Grant Program

Motion: Mary Hamann-Roland

Second: Laurie Halverson

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

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

WHEREAS, the Scott-Carver-Dakota Community Action Partnership Agency requests a substantial amendment to the Dakota County 2022 ESG Program to create the Homelessness Prevention activity and fund it with a budget of \$10,000; and

WHEREAS, public notice of the substantial amendment was placed in the *Star Tribune* on May 25, 2024, and on the CDA website, in accordance with the approved Citizen Participation Plan process, and no public comments were received on the proposed amendment.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the substantial amendments to the Dakota County 2022 Emergency Solutions Grant Program.

Ayes: 7

10. Public Services and Revenue

10.1 Resolution No: 24-332
Acceptance Of Gifts To Dakota County Library

Motion: Mary Hamann-Roland

Second: Laurie Halverson

WHEREAS, pursuant to Policy 1570 Gift Acceptance and adopted Donation Plan (Resolution No. 24-101, February 27, 2024), the Dakota County Board of Commissioners delegated to the County Manager or their designee, the Dakota County Library Advisory Committee, the authority to accept gifts of personal property up to \$1,500 in value for public library purposes; and

WHEREAS, the Dakota County Board of Commissioners must approve and accept gifts to County libraries with a value greater than \$1,500; and

WHEREAS, these donations will greatly enrich the capacity of Dakota County Library to offer valuable materials and programs to customers; and

WHEREAS, the Dakota County Library Advisory Committee supports

acceptance of these gifts.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby accepts \$3,025 from Friends of Wescott Library for STEM programming; and

BE IT FURTHER RESOLVED, That the adopted 2024 budget be amended as follows:

Revenue	
Wescott Gifts	<u>\$3,025</u>
Total Revenue	\$3,025

Expense	
Wescott Gifts	<u>\$3,025</u>
Total Expense	\$3,025

Ayes: 7

10.2 Resolution No: 24-333
 Approval Of Intoxicating Liquor Consumption And Display (Set Up) Permit For United Steel Workers, Local 662

Motion: Mary Hamann-Roland Second: Laurie Halverson

WHEREAS, the United Steel Workers, Local 662 has submitted to the Commissioner of Public Safety an application for an on-business-premises intoxicating liquor Consumption and Display (Set Up) Permit for the period of April 1, 2024 through March 31, 2025; and

WHEREAS, pursuant to Minn. Stat. §340A.414, a Consumption and Display Permit issued by the Commissioner of Public Safety is not effective until approved by the local government where the establishment is located; and

WHEREAS, the United Steel Workers, Local 662 businesses premises is located in Vermillion Township in Dakota County; and

WHEREAS, the County Attorney and County Sheriff have reviewed the application and find that the applicant is eligible to receive a permit.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the following application for an on premises intoxicating liquor Consumption and Display permit for the period of April 1, 2024 through March 31, 2025, and recommends issuance of the permit by the State Alcohol and Gambling Enforcement Division upon payment of the proper fees:

<u>Vermillion Township</u>		
United Steelworkers, Local 662	\$277.00	Consumption and Display (Set Up) Permit

Ayes: 7

10.3 Resolution No: 24-334

Approval Of Application To Conduct Excluded Bingo For Farmington Lions Club

Motion: Mary Hamann-Roland

Second: Laurie Halverson

WHEREAS, off-site gambling permits are issued by the Minnesota Gambling Control Board; and

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

WHEREAS, an application to conduct excluded bingo during the Dakota County Fair from August 5-11, 2024 at Dakota County Fairgrounds in Castle Rock Township has been submitted by the Farmington Lions Club; and

WHEREAS, Castle Rock Township reviewed the application on April 22, 2024; and

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

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the application from Farmington Lions Club to conduct excluded bingo activities during the Dakota County Fair from August 5-11, 2024 at the Dakota County Fairgrounds in Castle Rock Township.

Ayes: 7

10.4 Resolution No: 24-335

Approval Of Application For Exempt Permit For Minnesota Paint Horse Association To Hold Raffle

Motion: Mary Hamann-Roland

Second: Laurie Halverson

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

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

WHEREAS, as application for an Exempt Permit to hold a raffle at Simon's Arena in Randolph Township has been submitted by the Minnesota Paint Horse Association; and

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

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the application from the Minnesota Paint

Horse Association to hold an Exempt Permit for a raffle at Simon’s Arena in Randolph Township on July 27, 2024.

Ayes: 7

10.5 Resolution No: 24-336
Approval Of Application For Off-Site Gambling For Lakeville Lions

Motion: Mary Hamann-Roland Second: Laurie Halverson

WHEREAS, off-site gambling permits are issued by the Minnesota Gambling Control Board; and

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

WHEREAS, an application to conduct off-site gambling at Dakota County Fairgrounds in Castle Rock Township from August 5-11, 2024 has been submitted by the Lakeville Lions; and

WHEREAS, Castle Rock Township approved the application on June 11, 2024; and

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

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the application from Lakeville Lions to conduct off-site gambling activities at the Dakota County Fairgrounds in Castle Rock Township from August 5-11, 2024.

Ayes: 7

10.6 Resolution No: 24-337
Approval Of Application For Temporary Intoxicating On-Sale Liquor License During Dakota County Fair For Dakota County Agricultural Society, Inc.

Motion: Mary Hamann-Roland Second: Laurie Halverson

WHEREAS, an application was received from the Dakota County Agricultural Society, Inc. for a 7-day temporary on-sale intoxicating liquor license for the Dakota County Fair held August 5-11, 2024 at the Dakota County Fairgrounds in Castle Rock Township; and

WHEREAS, Castle Rock Township approved the application on June 11, 2024; and

WHEREAS, the Minnesota Department of Public Safety, Alcohol and Gambling Enforcement Division will not issue a 7-day temporary on-sale intoxicating liquor license for the agricultural society for sales during the county fair without prior approval by the County Board.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the application from the Dakota County Agricultural Society, Inc. for a 7-day temporary on-sale intoxicating liquor license from August 5-11, 2024 during the Dakota County Fair held at the Dakota County Fairgrounds in Castle Rock Township; and

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

Ayes: 7

10.7 Resolution No: 24-338
Scheduling Of Public Meeting To Hear Comments On Classification Of Tax-Forfeited Properties As Non-Conservation

Motion: Mary Hamann-Roland

Second: Laurie Halverson

WHEREAS, Minn. Stat. § 282.01 Subd. 1 requires the County Board to hold a public meeting regarding the classification of tax-forfeited property as conservation or non-conservation; and

WHEREAS, notice of the public meeting date must be mailed, delivered, or made available electronically at least 60, but no more than 90, days before the meeting date and published at least 30 days before the public meeting in a newspaper of general circulation in the County; and

WHEREAS, the public meeting will be added to the agenda of the regularly scheduled meeting.

NOW, THEREFORE, BE IT RESOVLED, That the Dakota County Board of Commissioners hereby schedules a public meeting for September 10, 2024, at 9:00 a.m. in the Boardroom, Administration Center, 1590 Highway 55 Hastings, MN 55033, to receive comments regarding the classification of tax-forfeited property as conservation or non-conservation; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby directs the staff to mail notices to interested parties, adjacent owners, municipalities, and County Departments, as well as post on the County's website and publish notice of the public hearing in a newspaper of general circulation and list tax-forfeited properties being classified by dates necessary to comply with Minn. Stat. § 282.01 Subd. 1.

Ayes: 7

10.8 Resolution No: 24-339
Authorization To Participate In Proposed Class Action Settlement, Sharon Sporleder v. State Of Minnesota

Motion: Mary Hamann-Roland

Second: Laurie Halverson

WHEREAS, the United States Supreme Court determined that Minnesota's tax-forfeiture law was unconstitutional, reasoning that it allowed the State to take real property from its owner without providing just compensation; and

WHEREAS, the parties agreed to settle wherein the State would create a settlement fund and the legislature would revise the tax forfeiture law to ensure it was constitutional; and

WHEREAS, on May 17, 2024, the State modified the tax forfeiture law and signed the settlement into law; and

WHEREAS, the State created a \$109 million fund from which claimants could seek compensation; and

WHEREAS, Dakota County Property Taxation & Records Department seek approval for Dakota County to participate in the settlement; and

WHEREAS, Dakota County Property Taxation & Records Department expects most, if not all, counties to participate in the settlement.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorize Dakota County to participate in the settlement and authorize Interim County Manager to execute any documents required to effectuate the settlement, including any required settlement agreement in the Sporleder lawsuit.

Ayes: 7

REGULAR AGENDA

11. Physical Development

11.1 Resolution No: 24-340

Authorization To Acquire Schwamb Property In Miesville Ravine Park Reserve

Motion: Mike Slavik

Second: Laurie Halverson

Senior Project Manager for Parks, Lisa West briefed this item and responded to questions. Property owners Peter and Linda Schwamb were in attendance and provided brief comments to the Board in favor of the purchase agreement for the County to acquire their property.

WHEREAS, Peter and Linda Schwamb (Schwamb) own a five-acre property located within Miesville Ravine Park Reserve (MRPR) in Douglas Township; and

WHEREAS, the acquisition of this property would provide important access to the northern portion of MRPR; and

WHEREAS, County staff has been meeting with the Schwamb's for many years to explore acquisition options and timing, should the Schwamb's decide to move

from the property; and

WHEREAS, an independent appraiser was contracted to appraise the Schwamb property; and

WHEREAS, during the appraisal process, it was determined that the portion of the long driveway located on two adjoining properties was never recorded; and

WHEREAS, the County Attorney's Office reviewed the driveway access issue and determined that the Schwamb's have prescriptive rights to use the driveway on the two adjoining properties, and those rights would transfer to the County, if the driveway is not used for open public access; and

WHEREAS, the appraisal was completed, reviewed, and approved by County staff; and

WHEREAS, a sale of a property with an occupied residence requires relocation expenses be offered to the property owner; and

WHEREAS, the Schwamb's agreed to sell the property for \$20,000 more than the \$420,000 appraised value in exchange for their willingness to waive relocation expenses, resulting in net savings for the County; and

WHEREAS, the estimated closing costs are \$3,500; and

WHEREAS, the Physical Development Director (PDD) is required to sign the purchase agreement (PA) to acquire the Schwamb property; and

WHEREAS, the Schwamb property acquisition is eligible for a 75 percent Acquisition Opportunity Fund (AOF) grant through the Metropolitan Council (MC) and;

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

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

WHEREAS, there are adequate County AOF matching funds in the approved 2024 Parks Capital Improvement Program budget for the proposed acquisition; and

WHEREAS, the final acquisition costs of the 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 \$443,500 to acquire the Peter and Linda Schwamb property, including \$440,000 for acquisition and \$3,500 in estimated closing costs; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a purchase agreement with Peter and Linda Schwamb's 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 Schwamb 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 the acquisition of the Schwamb property, staff will submit the necessary forms and documentation to the Metropolitan Council to receive approximately \$332,625 of reimbursement funds that will be returned to the 2024 Parks Capital Improvement Program.

Ayes: 7

12. Interagency Reports/Commissioner Updates

Interagency reports and Commissioner updates were presented.

13. County Manager's Report

Interim County Manager Tom Novak shared that the Association of Minnesota Counties and Minnesota Inter-County Association will be on the agenda on July 9, 2024 to provide an update. Additional staff provided updates on how the recent rainfalls have impacted park/trail closings (Niki Geisler), the Byllesby Dam (Cole Johnson) and County roads (Todd Howard).

14. Information

14.1 Information

See Attachment for future Board meetings and other activities.

15. Adjournment

15.1 Adjournment

Motion: Mary Hamann-Roland

Second: William Droste

On a motion by Commissioner Hamann-Roland, seconded by Commissioner Droste, the meeting was unanimously adjourned at 9:37 a.m.

Ayes: 7

Joe Atkins
Chair

ATTEST

Tom Novak
Interim County Manager