



# Dakota County

## Board of Commissioners

### Agenda

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Tuesday, January 7, 2025

9:00 AM

Boardroom, Administration Center,  
Hastings, MN

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View Live Broadcast

<https://www.co.dakota.mn.us/Government/BoardMeetings/Pages/default.aspx>

If you wish to speak to an agenda item or an item not on the agenda, please notify the Clerk to the Board via email at [CountyAdmin@co.dakota.mn.us](mailto:CountyAdmin@co.dakota.mn.us)

1. **Call to Order and Roll Call**
2. **Pledge of Allegiance with Dakota County Sheriff's Honor Guard**
3. **Administration of Oath of Office to County Elected Officials**
4. **Election of 2025 Officers**
  - 4.1 Election of 2025 County Board Chair
  - 4.2 Election of 2025 County Board Vice-Chair

#### **Recess for Reception**

5. **Audience**

Anyone wishing to address the County Board on an item not on the agenda, or an item on the consent agenda may notify the Clerk to the Board and instructions will be given to participate during the meeting. Comments can be sent to [CountyAdmin@co.dakota.mn.us](mailto:CountyAdmin@co.dakota.mn.us)  
Verbal Comments are limited to five minutes.

6. **Agenda**

- 6.1 Approval of Agenda (Additions/Corrections/Deletions)

7. **Public Hearing**

- 7.1 *Finance* - Public Hearing On Bond Capital Improvement Plan, Adoption Of Plan And Approval Of Capital Improvement Bonds

#### **CONSENT AGENDA**

8. **County Administration - Approval of Minutes**

8.1 Approval of Minutes of Meeting Held on December 17, 2024

**9. County Board/County Administration**

9.1 *Office Of The County Manager* - Official County Newspaper And Public Notices

9.2 *Office Of The County Manager* - Authorization To Amend 2025 County Board/Committee Of The Whole Meeting Schedule

9.3 *Office Of The County Manager* - Appointment Of County Board Members To Boards/Committees For 2025

9.4 *Office Of The County Manager* - Ratification Of Appointment Of Chairs Of Committees Of The Whole For 2025

9.5 *Office Of The County Manager* - Designation Of 2025 Official Voting Delegates For Association Of Minnesota Counties

9.6 *Office Of The County Manager* - Appointments To Metropolitan Emergency Services Board Radio Technical Operations Committee And 911 Technical Operations Committee

9.7 *Office Of The County Manager* - Appointment To Rosemount Research And Outreach Center Advisory Committee

9.8 *Office Of The County Manager* - Designation Of Division Directors To Perform Duties Of County Manager During Absence Or Disability

9.9 *Office Of The County Manager* - Appointments To Extension Committee

9.10 *Office Of The County Manager* - Appointments To Library Advisory Committee

9.11 *Office Of The County Manager* - Appointments To Personnel Board Of Appeals

9.12 *Office Of The County Manager* - Appointments To Planning Commission

9.13 *Office Of The County Manager* - Appointments To Public Art Advisory Committee

9.14 *Office Of The County Manager* - Appointments To Special Board Of Appeals And Equalization

9.15 *Human Resources* - Authorization To Execute 2025-2026 Labor Agreement With Law Enforcement Labor Services Licensed Supervisors Unit

**10. Enterprise Finance and Information Services**

**10.1** *Office Of GIS* - Authorization To Execute Contract For Purchase Of Esri, Inc., Enterprise GIS Software Licenses

**10.2** *Information Technology* - Authorization To Execute Contract With SplashBI For Database Replication

**11. Physical Development**

**11.1** *Transportation* - Approval Of Final Plats Recommended By Plat Commission

**11.2** *Transportation* - Award Of Bid And Authorization To Execute Construction Contract With McNamara Contracting Inc., And Amend 2025 Transportation Capital Improvement Program Budget For County State Aid Highway 23 Mill And Overlay In City Of Apple Valley, County Project 23-84

**11.3** *Physical Development Administration* - Authorization To Purchase Fleet Vehicles And Equipment

**11.4** *Physical Development Administration* - Authorization Of Second Amendment To Conveyor Lease With Holcim - MWR, Inc.

**REGULAR AGENDA**

**12. County Board/County Administration**

**12.1** *Communications and Public Affairs* - Legislative Update And Adoption Of 2025 Legislative Platform

**13. Public Services and Revenue**

**13.1** *Library* - Approval Of Library Materials Policy

**14. Interagency Reports/Commissioner Updates**

- Association of Minnesota Counties (AMC)
- Metropolitan Emergency Services Board
- Minnesota Inter-County Association (MICA)
- Metropolitan Mosquito Control District Commission
- National Association of Counties (NACo)
- Transportation Advisory Board (TAB)
- Vermillion River Watershed Joint Powers Board
- Workforce Development Board
- Others

**15. County Manager's Report**

**16. Information**

**16.1 Information**

See Attachment for future Board meetings and other activities.

**17. Adjournment**

**17.1 Adjournment**

**For more information, call 651-438-4417**

**Dakota County Board meeting agendas are available online at  
<https://www.co.dakota.mn.us/Government/BoardMeetings/Pages/default.aspx>**

**Public Comment can be sent to [CountyAdmin@co.dakota.mn.us](mailto:CountyAdmin@co.dakota.mn.us)**



# Board of Commissioners

## Request for Board Action

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**Item Number:** DC-4137

**Agenda #:** 4.1

**Meeting Date:** 1/7/2025

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Election of 2025 County Board Chair



# Board of Commissioners

## Request for Board Action

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**Item Number:** DC-4138

**Agenda #:** 4.2

**Meeting Date:** 1/7/2025

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Election of 2025 County Board Vice-Chair



# Board of Commissioners

## Request for Board Action

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**Item Number:** DC-4104

**Agenda #:** 6.1

**Meeting Date:** 1/7/2025

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Approval of Agenda (Additions/Corrections/Deletions)



# Board of Commissioners

## Request for Board Action

Item Number: DC-4079

Agenda #: 7.1

Meeting Date: 1/7/2025

**DEPARTMENT:** Finance

**FILE TYPE:** Regular Action

### TITLE

**Public Hearing On Bond Capital Improvement Plan, Adoption Of Plan And Approval Of Capital Improvement Bonds**

### PURPOSE/ACTION REQUESTED

Adopt the Bond Capital Improvement Plan and approve the Bonds in a principal amount not to exceed \$38,240,000.

### SUMMARY

Pursuant to Minn. Stat. § 373.40, the County Board must hold a hearing to accept public comments on a Capital Improvement Program (CIP) related to issuance of general obligation bonds. Following the public hearing, the County Board may consider adoption of the CIP, sometimes referred to as the "Bond CIP." The adoption of the Bond CIP authorizes the County Board to issue bonds for the Lebanon Hills Maintenance Facility Project, Wentworth Library Renovation Project, and Burnhaven Library Renovation Project in an amount not to exceed \$38,240,000. (Attachment: Proposed 2025-2029 Bond CIP).

The adoption of the Bond CIP does not obligate the County Board to issue the bonds. The County Board would consider calling for the sale of bonds at the February 11, 2025 meeting, following the conclusion of a 30-day reverse referendum period. The approval of the Bond CIP must be approved by vote of at least two-thirds of the members of the County Board.

By Resolution No. 24-583 (December 3, 2024), the County Board scheduled a public hearing for January 7, 2025, to receive comments on the Bond CIP. The public hearing was advertised in the *Hastings Journal* on December 18, 2025 (Attachment: Notice of Public Hearing).

### RECOMMENDATION

Approve the Bond Capital Improvement Plan and issue general obligation capital improvement bonds in an amount not to exceed \$38,240,000

### EXPLANATION OF FISCAL/FTE IMPACTS

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

### RESOLUTION

WHEREAS, the Dakota County Board of Commissioners (Board) has published notice of its intent to hold a hearing on the adoption of Dakota County's (County's) 2025-2029 Capital Improvement Plan



(Plan) and the issuance of capital improvement plan bonds (Bonds) under Minn. Stat., Section 373.40 (the Act) and Chapter 475, at least 14 but not more than 28 days prior to the date hereof, pursuant to and in accordance with the Act; and

WHEREAS, the Board held a public hearing on the date hereof on (i) adoption of the Plan and (ii) the issuance of capital improvement plan bonds for the purpose of financing the construction of various capital improvements, as described in the Plan; and

WHEREAS, the Board has considered the Plan covering a five-year period and setting forth the estimated schedule, timing and details of specific capital improvements by year, together with the estimated cost, the need for the improvements, and sources of revenue to pay for the improvements; and

WHEREAS, in preparing the Plan, the Board has considered for each project and for the overall Plan:

- (1) the condition of the County's existing infrastructure, including the projected need for repair and replacement;
- (2) the likely demand for the improvement;
- (3) the estimated cost of the improvement;
- (4) the available public resources;
- (5) the level of overlapping debt in the County;
- (6) the relative benefits and costs of alternative uses of the funds;
- (7) operating costs of the proposed improvements; and
- (8) alternatives for providing services more efficiently through shared facilities with other counties or local governmental units.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby adopts the Plan and approves the bonds in a principal amount not to exceed \$38,240,000.

### **PREVIOUS BOARD ACTION**

24-583; 12/3/24

### **ATTACHMENTS**

Attachment: Presentation Slides

Attachment: Proposed 2025-2029 Bond CIP

Attachment: Notice of Public Hearing

### **BOARD GOALS**

A Great Place to Live

A Healthy Environment

A Successful Place for Business and Jobs

Excellence in Public Service

### **CONTACT**

Department Head: Paul Sikorski

Author: Leng Vang



## Bond Public Hearing

January 7, 2025

### What has been done?



- |            |   |
|------------|---|
| July 30    | Reimbursement Resolution Adopted – Lebanon Hills Maintenance Facility Project |
| August 13  | Review Capital Finance Strategies   |
| August 27  | Review Bonding Options  |
| October 29 | Award Contract for Bond Counsel Services                                      |

## Replacement Schedule



Current draft Bond Capital Improvement Plan (CIP) contains bonding for:

• Lebanon Hills Maintenance Facility	\$22.0 M
• Wentworth Library Renovation	\$7.4 M
• Burnhaven Library Renovation	<u>\$7.2 M</u>
	\$36.6 M
• Cost of the bond	<u>\$1.6 M</u>
• Total bond amount	<u>\$38.2 M</u>

Average annual bond principal/interest payments and levy impact:

	<u>P&amp;I</u>	<u>% Levy Impact 2026</u>
• Term – 17 years* @ 4.18%	\$3.3 M	2.0%

\*Proposed Library Renovation Cycle

## Potential Future Schedule



January 7, 2025	Hold Bonding CIP public hearing
February 6, 2025	30-Day Reverse Referendum Period Ends
February 11, 2025	Call for Sale of Bonds
March 11, 2025	Award the Bond Sale
March 27, 2025	Close, Accept & Invest Bond Proceeds

## What is Next?



- County Board adoption of the Bond CIP following the public hearing (Minimum of 5 Board vote to pass)
- Call for Sale of Bonds – Feb 11, 2025



Discussion and Direction

January 7, 2025

FIVE - YEAR CAPITAL IMPROVEMENT PLAN FOR  
ISSUANCE OF GENERAL OBLIGATION CIP BONDS:

# Dakota County, Minnesota

## 2025-2029



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**Prepared by:**

Dakota County, Minnesota

And

Ehlers

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**BUILDING COMMUNITIES. IT'S WHAT WE DO.**

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## I. INTRODUCTION

Minnesota Statutes, Section 373.40 (the “CIP Act”) allows counties to issue municipal bonds under a capital improvement plan (a “CIP”) without the usual referendum requirement (except for a “reverse referendum” described below). The CIP Act applies to capital improvements consisting of the acquisition and betterment of public lands, buildings, and other improvements within a county for the purpose of a county courthouse, administrative building, health or social service facility, correctional facility, jail, law enforcement center, hospital, morgue, library, park, qualified indoor ice arena, roads and bridges, public works facilities, fairground buildings, and records and data storage facilities, and the acquisition of development rights in the form of certain conservation easements. To qualify, any such improvements must have an expected useful life equal to or greater than five years.

The CIP Act requires that a county prepare a CIP, which must cover at least the five-year period. It must also include the following information.

1. The estimated schedule, timing, and details of specific capital improvements by year.
2. Estimated cost of the capital improvements identified.
3. The need for the improvements.
4. The sources of revenues needed to pay for the improvements.

Generally, a county board must approve the CIP and any amendments by only after holding a duly noticed public hearing. The Planning Process section of this CIP outlines the approval process and its requirements in greater detail.

Throughout this CIP, the term “capital improvement” or “projects” refers only to those improvements identified in the CIP Act, as summarized above. Capital expenditures for other public improvements of Dakota County Minnesota (the “County”) will be financed through other means and are not governed by this CIP.

## II. PURPOSE

A capital improvement is a major expenditure of county funds for those capital improvements described in this CIP. A CIP is a document designed

to anticipate capital improvement expenditures and schedule them over a five-year period so that they may be purchased in the most efficient and cost-effective method possible. It also allows the matching of expenditures with anticipated funding sources. As potential expenditures are reviewed, the County considers the benefits, costs, alternatives, and impact on operating expenditures.

The County believes the capital improvement process is an important element of responsible fiscal management. Major capital expenditures can be anticipated and coordinated to minimize potentially adverse financial impacts caused by the timing and magnitude of capital outlays. This coordination of capital expenditures is important to the County in achieving its goals of adequate physical assets and sound fiscal management.

The CIP is designed to be updated on an annual basis. In this manner, it becomes an ongoing fiscal planning tool that continually anticipates future capital expenditures and funding sources.

### **III. PLANNING PROCESS**

The process begins with analysis of the County's five-year capital improvement needs and funding sources. The County may solicit input from citizens and other governmental units at an early stage, if desired.

The County Board then directs staff and consultants to prepare a CIP that sets forth the estimated schedule, timing, and details of specific capital improvements by year, together with the estimated cost, the need for the improvement, and the sources of revenue for the improvement. The County Board then holds a public hearing on the CIP, with notice published not more than 30 days and not less than seven days for the hearing (except as described below). The Board may either approve the CIP immediately after the hearing or based on input may make revisions and approve the CIP at a later meeting.

If the CIP calls for general obligation bonds to finance certain improvements, the County Board must follow an additional set of procedures. It must hold a public hearing regarding issuance of the bonds. Notice of such hearing must be published in the official newspaper of the



County at least 14, but not more than 28 days prior to the date of the public hearing. In addition, the notice may be posted on the County’s official web site. The public hearings on the CIP and the bonds may be combined into a single hearing, in which case the notice requirements for bonds must be followed.

The Board must approve the sale of CIP bonds by a two-thirds vote of its membership. However, the bonds are subject to a “reverse referendum.” If a petition signed by voters equal to at least five percent of the votes cast in the County in last general election is filed with the County Auditor within 30 days after the public hearing regarding the bonds, the bonds may not be issued unless approved by the voters (by a majority of those voting on the question). Further, the maximum debt service in any year on all outstanding CIP Bonds is 0.12% of the estimated market value of property in the County, using the estimated market value for the taxes-payable year in which the bonds are sold.

After the CIP has been approved and bonds have been authorized, the County works with its municipal advisor and bond counsel to prepare a bond sale and repayment schedule. Assuming no petition for a reverse referendum is filed, the bonds are sold, and when proceeds from the sale of the bonds (and any other identified revenue sources) become available, the expenditures for specified capital improvements can be made.

In subsequent years, the process is repeated as expenditures are completed and as new needs arise. Capital improvement planning looks five or more years into the future from the date of the CIP.

## **IV. PROJECT SUMMARY**

The projects included in this CIP are limited to the expenditures listed in Appendix A. All other capital expenditures of the County will be funded through other means as identified within the annual budgeting process.

### **Capital Improvement Plan Factors**

The CIP Act requires the County Board to consider eight factors in preparing the CIP.

1. Condition of the County’s existing infrastructure, including projected need for repair or replacement.
2. Likely demand for the improvement(s).
3. Estimated cost of the improvement(s).
4. Available public resources.
5. Level of overlapping/underlying debt in the County.
6. Relative benefits and costs of alternative uses of funds.
7. Operating costs of the proposed improvement(s).
8. Alternatives for providing services most efficiently through shared facilities with other local governments.

The County has considered the eight points as they relate to construction of projects through issuance of the CIP Bonds. The findings are outlined by factor below.

### **Conditions of County Infrastructure and Need for the Project**

As County facilities continue to age and the demands for programs and services evolve, the County must maintain and renovate its existing grounds and buildings and/or acquire or build new facilities. To evaluate these needs, the County regularly reviews both the conditions of its buildings and grounds as well as the changing needs for, and mandates placed upon, its activities and services.

In 2017, consistent with this effort, the County completed a Maintenance Facility Optimization Study (the “Study”). Generally, the Study considered four options to support the public works and maintenance needs throughout the County, including potential construction of a new Lebanon Hills Maintenance Facility (the “LHMF”). In 2023, the County revisited the Study and confirmed the need for the LHMF.

In 2024, the County also completed a Systemwide Library Renovation Program Needs Assessment (“the Assessment”), which, like the Study, identified potential improvements to both the Wentworth and Burnhaven branches of the County library system. The Assessment also helped establish a regular and standing renovation schedule for the different branches of the library system, generally every 17 years.

Both reports included other County facilities that are not currently included in this CIP, reflecting the priority and importance of the projects outlined below.

**Lebanon Hills Maintenance Facility.** Generally, the Study classified the current LHMF to be in failing condition and unable to meet existing County design standards or operations. It recommended the County demolish the existing buildings and construct a new LHMF. In addition to the poor state of repair, the location of the existing LHMF created logistical and service delivery challenges for the County. The current buildings are also situated near ecologically sensitive wetland areas, limiting the ability of the County to reconstruct or expand at the existing site.

Unlike the current buildings, the new LHMF will provide the County with adequate office space as well as a heated garage with a wash bay and additional storage areas to support a variety of County operations and programs. The new facility will also protect County vehicles and equipment from inclement weather specifically and the elements generally, which will reduce both repair and replacement costs. The new LHMF will also be constructed to allow for future expansion, if needed.

**Wentworth Library.** Constructed in 1992 and last renovated in 2008, the Assessment identified a series of issues and several improvements to the buildings and grounds of the Wentworth Library.

- The facility requires updated interiors, including modifications to the layout (both for staff and guests), lighting, restrooms, and program spaces.
- The building also requires additional storage space, better sightlines to monitor guest activity, flexible staff spaces for lactation and wellness needs, enhancements to the community rooms, and additional sound buffers. It would also benefit from improvements to the entry way and overall layout.
- The building generally needs accessibility upgrades, including for outlets, counter heights, door clearances, and signage, among other items.
- The current facility also requires significant improvements to existing Heating, Ventilation, and Air Conditioning (“HVAC”), information technology, and audio/visual systems.

**Burnhaven Library.** Constructed in 1974 and last renovated in 2010, the Assessment identified a series of issues and several improvements to the buildings and grounds of the Burnhaven Library.

- The facility requires updated interiors, including modifications to the layout (both for staff and guests), lighting, restrooms, and program spaces. For example, all County staff share a single staff restroom.
- The exterior envelope of the building shows signs of leakage and requires significant repairs.
- The building generally needs accessibility upgrades, including for outlets, counter heights, door clearances, ramps, and signage, among other items.
- The facility also requires additional sound mitigation among the various portions of the building including the meeting rooms, study areas, restrooms, and the lobby.
- The current facility also requires significant improvements to existing HVAC, information technology, and audio/visual systems.

Just as importantly, the County understands and acknowledges that to recruit and retain quality staff, it must regularly invest in its facilities while promoting safe and efficient practices.

### **Demand for the Project**

As County buildings continue to age and the demands for programs and services evolve, the County has a responsibility to maintain and renovate its facilities to meet the health, safety, and welfare of both County staff and the greater community. Additionally, the demands for new and/or renovated facilities responds to the desire of the County Board to meet the service level expectations of the public and allow staff to do so in the most efficient manner possible.

The projects identified in this CIP are required to meet those demands and needs for at least the next 17 years, which reflect the term of the bond(s) contemplated under this CIP.

### **Estimated Cost of the Projects**

In total, the County estimates the cost for the projects at up to \$36,600,000, including both hard and soft costs. The following table outlines the costs by individual project.

Projects	Amount
Lebanon Hill Maintenance Facility	22,000,000
Wentworth Library	7,400,000
Burnhaven Library	7,200,000
<b>Total</b>	<b>36,600,000</b>

Including the costs of issuance, capitalized interest, if needed, and other financing costs related to the potential bond issue(s), the County estimates the total cost of the projects at up to \$38,240,000. The bonds may be issued in one or more series bonds, at one time or from time to time, and remain subject to the approval of the County Board.

### **Availability of Public Resources**

The County intends to finance the projects through issuance of General Obligation CIP Bonds, in one or more series, at one time or from time to time, in an aggregate principal amount of up to \$38,240,000, which includes the anticipated project costs, estimates for costs of issuance, capitalized interest, and underwriter’s discount.

To support the costs of the projects effectively and reasonably, the County determined, following several work sessions and meetings, to finance them through the issuance of general obligation bonds and potentially other capital reserves. Given the cost of the proposed projects, however, debt will be necessary to preserve sufficient operating and capital reserves for the County.

## Level of Underlying Debt<sup>1</sup>

Underlying Debt				
Taxing District	Taxable Net Tax Capacity	In County (%)	Total GO Debt <sup>2</sup>	County Share
<b>Cities of:</b>				
Apple Valley	\$91,767,696	100.00%	\$48,050,000	\$48,050,000
Burnsville	116,619,395	100.00%	42,085,000	42,085,000
Eagan	145,400,548	100.00%	52,010,000	52,010,000
Empire	5,960,199	100.00%	1,475,000	1,475,000
Farmington	36,968,795	100.00%	10,690,000	10,690,000
Hampton	942,221	100.00%	1,877,000	1,877,000
Hastings	33,935,850	99.88%	24,870,000	24,840,678
Inver Grove Heights	65,472,803	100.00%	23,250,000	23,250,000
Lakeville	144,489,328	100.00%	138,665,000	138,665,000
Lilydale	2,629,396	100.00%	1,965,000	1,965,000
Mendota Heights	34,388,028	100.00%	21,620,000	21,620,000
Northfield	23,427,842	9.31%	36,116,500	3,363,385
Rosemount	49,596,342	100.00%	65,080,000	65,080,000
South St. Paul	26,588,569	100.00%	12,415,000	12,415,000
Sunfish Lake	3,016,344	100.00%	1,320,000	1,320,000
West St. Paul	32,157,656	100.00%	32,910,000	32,910,000
<b>Township of:</b>				
Douglas	2,576,429	100.00%	200,000	200,000
<b>School Districts of:</b>				
SSD No. 6	\$26,383,264	100.00%	\$18,305,000	\$18,305,000
ISD No. 191	129,316,289	74.13%	99,160,000	73,503,639
ISD No. 192	60,018,342	100.00%	97,115,000	97,115,000
ISD No. 194	141,825,910	83.45%	179,275,000	149,610,904
ISD No. 195	8,872,708	89.68%	8,860,000	7,945,701
ISD No. 196	301,785,843	100.00%	372,305,000	372,305,000
ISD No. 197	110,013,706	100.00%	142,185,000	142,185,000
ISD No. 199	50,842,636	100.00%	38,125,000	38,125,000
ISD No. 200	59,883,017	87.00%	62,284,000	54,189,198
ISD No. 252	16,524,690	5.14%	22,485,000	1,155,864
ISD No. 659	45,139,296	17.18%	42,400,000	7,283,218
<b>Special Districts of:</b>				
Met. Council	6,313,906,529	11.89%	191,435,000	22,770,619
<b>Total</b>				<b>1,466,310,206</b>

<sup>1</sup> Underlying debt is as of December 19, 2024. Only those taxing jurisdictions with general obligation debt outstanding are included in this section. It does not include non-general obligation debt, self-supporting general obligation revenue debt, short-term general obligation debt, or general obligation tax/aid anticipation certificates of indebtedness.

### **Relative Costs and Benefits of Alternative Uses of the Funds**

The current space limitations, functional obsolescence, and inadequate layout for the LHMf, Wentworth Library and Burnhaven Library necessitate substantial capital investments by the County over the next five years. There are no significant alternative uses of funds that would provide the same long-term solution for the projects designated in this CIP.

### **Operating Costs of the Proposed Improvements**

The annual operating costs for the proposed projects may increase when they become operational, but they will remain relatively stable thereafter. All operating costs have been accounted for and considered within the operating budget for the County.

### **Options for Shared Facilities with Other Cities or Local Government**

The County determined that utilizing shared facilities with adjacent communities or other local governments was not a viable alternative, especially for the essential services provided by the LHMf.

## **V. FINANCING**

The total amount of expenditures under this CIP is up to \$36,600,000. To fund these expenditures, the County anticipates using a combination of capital funds and the sale of general obligation CIP Bonds within the identified five-year period. The anticipated bond size of \$38,240,000 is based upon funding the estimated hard and soft costs identified for the projects, plus estimated issuance costs, capitalized interest, and contingency. The bonds may be issued in one or more series, at one time or from time to time. Principal and interest on the CIP Bonds will be paid through a property tax levy and current estimates of size and repayment of the CIP Bonds under consideration is shown in Appendix B.

In the financing of the CIP, two statutory limitations apply.

1. Under Minnesota Statutes, Chapter 475, with few exceptions, a local government cannot incur debt greater than 3% of the estimated market value (EMV) for its jurisdiction. In the County, the EMV for property tax payable in 2024 (the most recent data available) is \$73,613,525,900. Therefore, the total amount of outstanding debt cannot exceed \$2,208,405,777. At present, the County does not

have any debt subject to the limit. As such, issuance of the CIP Bonds will be within the overall statutory debt limit.

<b>Net Debt Limit</b>	
Assessor's Estimated Market Value	73,613,525,900
Multiply by 3.0%	3.0%
Statutory Debt Limit	2,208,405,777
Less: Debt Paid Solely from Taxes	0
Less: Proposed Bond Issue(s)	(38,240,000)
<b>Unused Debt Limit</b>	<b>2,170,165,777</b>

2. A separate limitation under the CIP Act is that, without referendum, the total amount of principal and interest in any one year on all CIP Bonds issued by the County cannot exceed 0.12% of the total estimated market value in the municipality. In the County, that maximum annual debt service amount is \$88,336,231 for property taxes payable in 2024 (the most recent data available). Currently, the County does not have any debt subject to the annual levy limit. The maximum principal and interest payments on the CIP Bonds proposed to be issued under this CIP is estimated to be about \$3,243,875. As such, debt service on the CIP Bonds will be within the annual limits under the CIP Act.

<b>CIP Bonds Debt Service Limit</b>	
Assessor's Estimated Market Value	73,613,525,900
Multiply by 0.12%	0.12%
Statutory Debt Limit	88,336,231
Less: Existing Debt Service Subject to the Limit	0
Less: Proposed Bond Issue(s)	(3,243,875)
<b>Unused Debt Limit</b>	<b>85,092,356</b>

Details regarding the proposed of the CIP Bonds are shown in both Appendix A and Appendix B. The bond amount will not exceed the maximum principal amount of CIP Bonds referred to above.



## VI. PLAN CONTINUATION

This CIP should be reviewed as needed by the County Board using the process outlined in this CIP. It should review proposed expenditures, make priority decisions, and seek funding for those expenditures it deems necessary for the County. If deemed appropriate, the County Board should prepare an update to this CIP.

## APPENDIX A:

### Capital Improvement Plan Project Costs

Project Costs by Year		
Year	Project	Amount
2025	LHMF, Burnhaven, Wentworth	\$36,600,000
2026	None Anticipated	-
2027	None Anticipated	-
2028	None Anticipated	-
2029	None Anticipated	-
<b>Total</b>		<b>\$36,600,000</b>

### Capital Improvement Plan Bond Issues

Proposed CIP Bond Issues by Year	
Year	Amount
2025	\$38,240,000
2026	-
2027	-
2028	-
2029	-
<b>Total</b>	<b>\$38,240,000</b>

# APPENDIX B

## Proposed Capital Improvement Plan Bond Issue

### Dakota County, Minnesota

\$38,240,000 General Obligation CIP Bonds, Series 2025  
Assumes Current Market Non-BQ AAA Rates plus 75bps  
17 Years

#### Sources & Uses

Dated 03/27/2025 | Delivered 03/27/2025

##### Sources Of Funds

Par Amount of Bonds	\$38,240,000.00
<b>Total Sources</b>	<b>\$38,240,000.00</b>

##### Uses Of Funds

Total Underwriter's Discount (0.800%)	305,920.00
Costs of Issuance	148,000.00
Deposit to Capitalized Interest (CIF) Fund	1,184,105.33
Deposit to Project Construction Fund	36,600,000.00
Rounding Amount	1,974.67
<b>Total Uses</b>	<b>\$38,240,000.00</b>

## Dakota County, Minnesota

\$38,240,000 General Obligation CIP Bonds, Series 2025

Assumes Current Market Non-BQ AAA Rates plus 75bps

17 Years

### Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I	CIF	Net New D/S	105% of Total
02/01/2026	-	-	1,184,105.33	1,184,105.33	(1,184,105.33)	-	-
02/01/2027	1,685,000.00	3.450%	1,402,230.00	3,087,230.00	-	3,087,230.00	3,241,591.50
02/01/2028	1,745,000.00	3.350%	1,344,097.50	3,089,097.50	-	3,089,097.50	3,243,552.38
02/01/2029	1,800,000.00	3.350%	1,285,640.00	3,085,640.00	-	3,085,640.00	3,239,922.00
02/01/2030	1,860,000.00	3.350%	1,225,340.00	3,085,340.00	-	3,085,340.00	3,239,607.00
02/01/2031	1,925,000.00	3.400%	1,163,030.00	3,088,030.00	-	3,088,030.00	3,242,431.50
02/01/2032	1,990,000.00	3.400%	1,097,580.00	3,087,580.00	-	3,087,580.00	3,241,959.00
02/01/2033	2,055,000.00	3.450%	1,029,920.00	3,084,920.00	-	3,084,920.00	3,239,166.00
02/01/2034	2,130,000.00	3.550%	959,022.50	3,089,022.50	-	3,089,022.50	3,243,473.63
02/01/2035	2,205,000.00	3.550%	883,407.50	3,088,407.50	-	3,088,407.50	3,242,827.88
02/01/2036	2,280,000.00	3.650%	805,130.00	3,085,130.00	-	3,085,130.00	3,239,386.50
02/01/2037	2,365,000.00	3.700%	721,910.00	3,086,910.00	-	3,086,910.00	3,241,255.50
02/01/2038	2,455,000.00	3.750%	634,405.00	3,089,405.00	-	3,089,405.00	3,243,875.25
02/01/2039	2,545,000.00	3.800%	542,342.50	3,087,342.50	-	3,087,342.50	3,241,709.63
02/01/2040	2,640,000.00	3.850%	445,632.50	3,085,632.50	-	3,085,632.50	3,239,914.13
02/01/2041	2,745,000.00	3.950%	343,992.50	3,088,992.50	-	3,088,992.50	3,243,442.13
02/01/2042	2,850,000.00	4.000%	235,565.00	3,085,565.00	-	3,085,565.00	3,239,843.25
02/01/2043	2,965,000.00	4.100%	121,565.00	3,086,565.00	-	3,086,565.00	3,240,893.25
<b>Total</b>	<b>\$38,240,000.00</b>	<b>-</b>	<b>\$15,424,915.33</b>	<b>\$53,664,915.33</b>	<b>(1,184,105.33)</b>	<b>\$52,480,810.00</b>	<b>\$55,104,850.50</b>

### Significant Dates

Dated	3/27/2025
First Coupon Date	2/01/2026

### Yield Statistics

Bond Year Dollars	\$408,641.56
Average Life	10.686 Years
Average Coupon	3.7746810%
Net Interest Cost (NIC)	3.8495437%
True Interest Cost (TIC)	3.8511815%
Bond Yield for Arbitrage Purposes	3.7562759%
All Inclusive Cost (AIC)	3.8974795%

**DAKOTA COUNTY  
NOTICE OF PUBLIC HEARING  
DAKOTA COUNTY, MINNESOTA**

NOTICE OF PUBLIC HEARING ON APPROVAL OF THE CAPITAL IMPROVEMENT PLAN AND THE ISSUANCE OF CAPITAL IMPROVEMENT PLAN BONDS PURSUANT TO MINNESOTA STATUTES, SECTION 373.40

Notice is hereby given that the Board of County Commissioners of Dakota County, Minnesota (the "County"), will meet at 9:00 a.m. on January 7, 2025, at the Dakota County Administration Center, 1590 Highway 55, Hastings, Minnesota, to conduct a public hearing to obtain public comment on the County's intention to approve the County's Capital Improvement Plan (the "CIP") and issue capital improvement plan bonds (the "Bonds") in an amount not to exceed \$36,700,000, pursuant to Minnesota Statutes, Section 373.40, for the purpose of financing the construction of various capital improvements identified in the CIP including, but not limited, to Maintenance Shop improvement project at Lebanon Hills, Wentworth Library Renovation, and Burnhaven Library Renovation.

If a petition requesting a vote on the issuance of the Bonds is signed by voters equal to five percent of the votes cast in the County at the last general election and filed with the County auditor within thirty (30) days after the public hearing, the County may issue the Bonds only after obtaining the approval of a majority of the voters voting on the question of issuing the Bonds.

Copies of the proposed CIP and resolution are on file and may be inspected at the Office of the County Manager at the Dakota County Administration Center during normal business hours. All interested parties are invited to attend the public hearing or to provide written comments or questions to [countyadmin@co.dakota.mn.us](mailto:countyadmin@co.dakota.mn.us), which written comments will be considered at the hearing. Written comments must be received prior to the public hearing.

BY ORDER OF THE COUNTY BOARD  
DAKOTA COUNTY, MINNESOTA

s/ Jeni Reynolds  
Clerk to the Board

12 19



# Board of Commissioners

## Request for Board Action

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**Item Number:** DC-4105

**Agenda #:** 8.1

**Meeting Date:** 1/7/2025

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Approval of Minutes of Meeting Held on December 17, 2024



# Dakota County

## Board of Commissioners

### Minutes

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Tuesday, December 17, 2024

9:00 AM

Boardroom, Administration Center,  
Hastings, MN

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

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

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

#### 2. Pledge Of Allegiance

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

#### 3. Audience

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

#### 4. Agenda

**4.1** Resolution No: 24-607  
Approval of Agenda (Additions/Corrections/Deletions)

Motion: Mary Hamann-Roland

Second: Laurie Halverson

The agenda was amended to include Item 7.2 Public Health - Authorization To Accept Grant Funds For Strong Foundations With Department Of Health and Amend Item 14.1 Finance - Certification Of 2025 Property Tax Levy And Adoption Of Dakota County 2025 Budget And 2025-2029 Capital Improvement Program.

Ayes: 7

#### CONSENT AGENDA

On a motion by Commissioner Halverson, seconded by Commissioner Slavik, the Consent

agenda was approved as follows:

**5. County Administration - Approval of Minutes**

**5.1 Resolution No: 24-608**

Approval of Minutes of Meeting Held on December 3, 2024

Motion: Laurie Halverson

Second: Mike Slavik

Ayes: 7

**6. Items Recommended By Board Committee\***

**6.1 Resolution No: 24-609**

Approval Of Library Advisory Committee Bylaws

Motion: Laurie Halverson

Second: Mike Slavik

WHEREAS, by Resolution No. 14-400 (August 12, 2014), the Dakota County Board established the Library Advisory Committee; and

WHEREAS, the Dakota County Board updated the Gift Acceptance Policy 1570; and

WHEREAS, the Dakota County Board increased the per diem rate for public advisory committees; and

WHEREAS, the Dakota County Library updated the Library Advisory Committee bylaws to reflect those changes; and

WHEREAS, the Dakota County Library made other changes for clarity and are administrative in nature; and

WHEREAS, the Library Advisory Committee requests the Dakota County Board approve the updated bylaws.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the amendments to the Library Advisory Committee bylaws.

Ayes: 7

**6.2 Resolution No: 24-610**

Approval Of Revisions To Policy 3241 (Flex Leave) And Policy 3160 (Compensation Guidelines)

Motion: Laurie Halverson

Second: Mike Slavik

WHEREAS, the Human Resources Department periodically reviews and recommends revisions to policies to maintain and enhance the effective and responsive provision of human resource services in the County; and



WHEREAS, the proposed revisions are recommended for Policy 3241 (Flex Leave):

- Added language to contemplate required employees during public emergency or weather event under Minn. Stat. § 181.9447.
- Added language to exempt paid time off beyond that required by law under Minn. Stat. § 181.9447.
- Various administrative language changes.

; and

WHEREAS, the proposed revisions are recommended for Policy 3160 (Compensation Guidelines):

- Add Initial Probationary Period Compensation to reflect a 12-month probationary period and standards for probationary pay increases.
- Modify title for Promotion and Transfer Probationary Period Compensation.
- Various administrative language changes.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby adopts the proposed revisions to Policy 3241 Flex Leave and Policy 3160 Compensation Guidelines and authorizes the Human Resources Director to modify said policy accordingly.

Ayes: 7

## 7. Community Services

### 7.1 Resolution No: 24-611

Authorization To Execute Grant Agreement And Accept Grant Funds From Minnesota Department Of Health For Local Public Health Grant And Foundational Public Health Responsibilities Grant

Motion: Laurie Halverson

Second: Mike Slavik

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

WHEREAS, Minnesota's public health system is described as a state and local partnership that has existed since the mid-1800s; and

WHEREAS, this partnership, known as the community health services (CHS) system enables state and local government to combine resources to serve public health needs in an efficient, cost-effective way; and

WHEREAS, in 1976, the Minnesota Legislature created Minn. Stat. §145A, the Minnesota Local Public Health Act, which identified six areas of responsibility that all local public health departments in Minnesota are required to provide; and

WHEREAS, Local Public Health Grant (LPHG) funds were developed and allocated to local public health to address the essential public health services which includes assuring an adequate local public health infrastructure; promoting healthy communities and healthy behaviors; preventing the spread of infectious disease; protecting against environmental health hazards; preparing for and responding to disasters and assisting communities in recovery; and assuring the quality and accessibility of health services; and

WHEREAS, the current LPHG supports 12.75 full-time equivalents (FTEs) of Public Health staff; and

WHEREAS, in 2023, Minnesota adopted a national framework, The Foundational Public Health Responsibilities, to address an aging public health system and to better align with national efforts to transform Minnesota's public health system; and

WHEREAS, the framework outlines five community-specific services (foundational areas) and eight foundational capabilities that all governmental public health systems must have, as where you live should not determine your level of health protection; and

WHEREAS, during the 2023 session, the Minnesota Legislature allocated funds to local community health boards to fulfill foundational public health responsibilities; and

WHEREAS, this ongoing, annual funding is also a legislative component of the LPHG used to specifically strengthen local and tribal public health departments; and

WHEREAS, the current FPHRG supports 1.0 FTEs of Public Health staff; and

WHEREAS, Dakota County Public Health (DCPH) was awarded \$1,281,472 for the LPHG from January 1, 2025 through December 31, 2025, for essential public health services; and

WHEREAS, DCPH was also awarded \$145,707 for the FPHRG from January 1, 2025, through December 31, 2025, to fulfill foundational public health responsibilities; and

WHEREAS, the total grant allocation for January 1, 2025 through December 31, 2025, is \$1,427,179; and

WHEREAS, this stable, ongoing grant will receive annual allocations through December 31, 2029.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Service Director to execute a

grant agreement with the Minnesota Department of Health and accept the 2025 grant allocation of \$1,427,179 (\$1,281,472 for the Local Public Health Grant and \$145,707 for Foundational Public Health Responsibilities Grant), and annual allocations thereafter, for the term of January 1, 2025 through December 31, 2029, subject to approval by the County Attorney's Office as to form; and

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

Ayes: 7

**7.2 Resolution No: 24-612  
Authorization To Accept Grant Funds For Strong Foundations With Minnesota Department Of Health**

Motion: Laurie Halverson

Second: Mike Slavik

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

WHEREAS, Public Health has a long history of providing home visiting services to families in Dakota County; and

WHEREAS, the Public Health Department currently utilizes the Strong Foundations grant through MDH to fund these services; which is a combination of state and federal funds for home visiting services supporting women, infants, young children, and families in the community, with the goal of improved outcomes for pregnant people and parents with young children; and

WHEREAS, by Resolution No. 22-436 (October 18, 2022), the Board approved the application and acceptance of MDH Strong Foundations grant funds in the amount of \$1,259,535 for the first year of the grant, the period of January 1, 2023 through December 31, 2023; and

WHEREAS, the Strong Foundations five-year grant funds will be used exclusively to support the Maternal Early Childhood Sustained Home Visiting (MECSH) evidence-based home visiting model at Dakota County; and

WHEREAS, the Strong Foundations grant will ensure stable funding to provide family home visiting services to county residents over the next five years, which

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will be determined annually and is expected to remain stable; and

WHEREAS, by Resolution No. 23-276 (June 20, 2023), the Board approved the application and acceptance of MDH implementation of a project to build evidence-based family home visiting program through the MECSH model between June 1, 2023 and December 31, 2024, up to \$150,000, which supplemented Public Health's current Strong Foundations award; and

WHEREAS, in November 2024, Public Health was notified by MDH that they were awarded \$1,694,916, which includes MDH's formula of \$1,626,100 along with the MECSH trainer amount of \$68,816, for the period of January 1, 2025 through December 31, 2025, which is \$194,001 over the County Manager's recommended 2025 budget; and

WHEREAS, the County Manager's recommended 2025 budget includes \$1,500,915 in funds for this grant, and since the award for 2025 from MDH is \$1,694,916, which includes MDH's formula of \$1,626,100 along with the MECSH trainer amount of \$68,816, Public Health will return to the board in early 2025 to obtain board authorization to amend the 2025 Public Health Budget to add the additional \$194,001.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Service Director to accept Strong Foundations grant funds in the amount of \$1,694,916, which includes the Minnesota Department of Health's formula of \$1,626,100 along with the Maternal Early Childhood Sustained Home Visiting trainer amount of \$68,816 for the period of January 1, 2025 through December 31, 2025, which is \$194,001 over the County Manager's recommended 2025 budget; and

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

Ayes: 7

## 8. County Attorney

### 8.1 Resolution No: 24-613

Authorization To Execute Agreements To Provide Legal Services To Community Development Agency, Dakota County Drug Task Force, Dakota 911, And Metropolitan Library Service Agency

Motion: Laurie Halverson

Second: Mike Slavik

WHEREAS, the Dakota County Attorney's Office is currently providing legal services to the Community Development Agency (CDA), Dakota County Drug

Task Force (DCDTF), Dakota 911 (formerly Dakota Communications Center) and Metropolitan Library Service Agency (MELSA) pursuant to legal services agreements; and

WHEREAS, those agreements will expire on December 31, 2024; and

WHEREAS, the County Attorney's Office is willing to provide legal services to the agencies on terms agreeable to the County and each agency; and

WHEREAS, the County Attorney's Office has identified that it is not aware of any current conflict of interest between its representation of Dakota County and its continued representation of these agencies; and

WHEREAS, the County Attorney's Office has further identified that if a conflict arises during the course of representation, the County Attorney's Office will disclose the conflict and consult with both the County and the applicable agency as to whether continued representation of both parties or either party is possible with the parties' consent; and

WHEREAS, the proposed legal services agreements with the CDA and MELSA will extend through December 31, 2025; and

WHEREAS, the proposed legal services agreements with the DCDTF and Dakota 911 will extend through December 31, 2026; and

WHEREAS, pursuant to the agreements, the County Attorney's Office will provide legal services to each agency at a rate of \$229 per hour for attorney time and \$50 per hour for paralegal time in 2025 and will provide legal services to DCDTF and Dakota 911 at a rate of \$236 per hour for attorney time and \$51 per hour for paralegal time in 2026; and

WHEREAS, the Dakota County Attorney's Office will provide DCDTF 60 hours of legal service (inclusive of both attorney and paralegal time) at no cost for each year of the contract and will bill the DCDTF at the applicable hourly rates only after the first 60 hours have been utilized, up to a maximum of \$10,000 annually; and

WHEREAS, Dakota County Finance determined that the hourly rates include direct and indirect administrative costs for a mid-level senior attorney in the County Attorney's Office.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Dakota County Attorney to execute agreements for legal services, substantially as presented and subject to approval by the County Attorney's Office as to form, with the Dakota Community Development Agency and Metropolitan Library Service Agency through December 31, 2025, and with the Dakota County Drug Task Force and Dakota 911 through December 31, 2026, with the parties each having the ability to

terminate the agreement without cause by providing written notice to the other party.

Ayes: 7

**9. County Board/County Administration**

**9.1 Resolution No: 24-614**

Adoption Of 2025 Unclassified Employees Merit Compensation Policy And Plan

Motion: Laurie Halverson

Second: Mike Slavik

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

WHEREAS, a Dakota County Pay Equity Compensation Structure has been established; and

WHEREAS, the County maintains a process by which Elected Officials' compensation is determined; and

WHEREAS, the Unclassified Employees' Merit Compensation Policy and Plan should be updated for application in 2025.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby adopts, for application in 2025, the 2024 Unclassified Employees' Merit Compensation Policy and Plan:

- The 2025 Pay Equity Compensation Structure recommended to the Board of Commissioners on November 12, 2024, applies to unclassified employees; and
- The 2025 non-union Merit Matrix provides for five levels of performance with varying merit opportunity based upon performance levels applies to unclassified employees; and
- The non-union 2025 merit matrix and salary ranges have been added to the Unclassified Employee Merit Compensation Policy and Plan document for clarity

; and

BE IT FURTHER RESOLVED, That the participants' calendar or payroll year 2025 salaries shall be established in the context of and consistent with this Plan; and

BE IT FURTHER RESOLVED, That the Human Resources Director is hereby authorized to amend the 2024 Unclassified Employees Merit Compensation Policy and Plan consistent with the above referenced 2025 provisions in Human Resources Policies and Procedures.

Ayes: 7

**9.2** Resolution No: 24-615  
 Establishment Of 2025 Elected Officials' And County Manager's Compensation  
 And Commissioner General Expense Allowance

Motion: Laurie Halverson Second: Mike Slavik

WHEREAS, the County Board will adopt the proposed the 2025 Unclassified Employee Merit Compensation Policy and Plan provisions; and

WHEREAS, the County established a process within that Plan by which Elected Officials' and the County Manager's compensation is determined and it is necessary that proper compensation be established for all Elected Officials and the County Manager, pursuant to relevant provisions of the proposed 2025 Unclassified Employee Merit Compensation Policy and Plan; and

WHEREAS, it is the policy of Dakota County to provide equitable compensation and financial incentives.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby establishes in the context of and consistent with the proposed 2025 Unclassified Employees Merit Compensation Policy and Plan and other relevant provisions, Elected Officials' and County Manager's 2025 compensation as follows:

COUNTY COMMISSIONER	*\$103,582
COUNTY MANAGER	\$260,000
COUNTY ATTORNEY	\$240,464
COUNTY SHERIFF	\$221,115

\* Prior to 4:30 p.m. on December 26, 2024, a County Commissioner may file with the Human Resources Director an election to decline part or all of their 2025 salary increase. For any Commissioner filing such a declination of part of their 2025 salary increase shall receive their elected portion. A Commissioner filing a declination of their full increase, the 2025 compensation level shall be \*\$98,461; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners, in accordance with Minn. Stat. 383D.05, hereby establishes a Commissioner general expense allowance for 2025 in the amount of \$6,300 per year per Commissioner.

Ayes: 7

**9.3** Resolution No: 24-616  
 Authorization To Execute 2025-2026 Labor Agreement With Human Services Supervisors' Association Unit

Motion: Laurie Halverson Second: Mike Slavik

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the appropriate County officials to execute the Labor Agreement with

Human Services Supervisors' Association unit for the period January 1, 2025 - December 31, 2026, in accordance with the terms and conditions of the Agreement and those contract modifications submitted to the Dakota County Board of Commissioners dated December 17, 2024, and subject to approval by the County's contracted labor counsel as to form.

Ayes: 7

- 9.4 Resolution No: 24-617  
Authorization To Execute 2025-2026 Labor Agreement With Teamsters Local 120 Transportation Maintenance Unit

Motion: Laurie Halverson

Second: Mike Slavik

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the appropriate County officials to execute the Labor Agreement with Teamsters Local 120 Transportation Maintenance unit for the period January 1, 2025 - December 31, 2026, in accordance with the terms and conditions of the Agreement and those contract modifications submitted to the Dakota County Board of Commissioners dated December 17, 2024, and subject to approval by the County's contracted labor counsel as to form.

Ayes: 7

- 9.5 Resolution No: 24-618  
Authorization To Execute 2025-2026 Labor Agreement With Dakota County Attorney Employee's Association

Motion: Laurie Halverson

Second: Mike Slavik

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the appropriate County officials to execute the Labor Agreement with the Dakota County Attorney Employee's Association for the period January 1, 2025 - December 31, 2026, in accordance with the terms and conditions of the Agreement and those contract modifications submitted to the Dakota County Board of Commissioners dated December 17, 2024, and subject to approval by the County's contracted labor counsel as to form.

Ayes: 7

**10. Enterprise Finance and Information Services**

- 10.1 Report On Invoices Paid In November 2024

Information only; no action requested.

- 10.2 Resolution No: 24-619  
Obligation Of American Rescue Plan Act Funding And Authorization To Amend Facilities Capital Improvement Program And Non-Departmental 2024 Budgets

Motion: Laurie Halverson

Second: Mike Slavik

WHEREAS, the Dakota County Board of Commissioners has previously identified the following projects be allocated funding by the American Rescue Plan (ARP) Act State and Local Fiscal Recovery Funds (SLFRF).



(SLFRF):  
 BYLLESBY DAM WATER-WIRE  
 CRISIS AND RECOVERY CENTER  
 MENDOTA YOUTH SHELTER - ASPEN HOUSE  
 LAW ENFORCEMENT CENTER - INTERGRATIVE HEALTH UNIT  
 NICOLS POINTE  
 SOUTH ST PAUL LIBRARY (Cat changed to 2.37)  
 THOMPSON OAKS/RIVER TO RIVER GREENWAY  
 MENTAL HEALTH CRISIS/CRISIS RESPONSE  
 EXPAND CRISIS FOLLOW-UP/COORDINATED RESPONSE  
 ATTORNEY STAFFING/CRIMINAL CASE BACKLOG  
 COMMUNITIES OF COLOR OUTREACH  
 CUSTOMER RELATION MGMT/DIAL SOFTWARE  
 EMERGENCY SHELTER  
 LAW LIBRARY GRANT  
 LOW INCOME HOMEOWNERS MUNICIPAL WASTEWATER TREATMENT FACILITY  
 CONNECTIONS  
 MENTAL HEALTH CIVIL COMMITMENT  
 PREPETITION SOCIAL WORKER/SCREENS  
 TIME LIMITED FASII POSITIONS (EEA)  
 WORKFORCE MOBILITY PGRM (DCTC)  
 ; and

WHEREAS, the budgets for these projects have been adjusted as follows to reflect projected spending based on existing contracts and personnel costs using the American Rescue Plan (ARP) Act State and Local Fiscal Recovery funds.

(SLFRF):	
BYLLESBY DAM WATER-WIRE	\$27,705,766
CRISIS AND RECOVERY CENTER	\$3,333,940
MENDOTA YOUTH SHELTER - ASPEN HOUSE	\$2,259,930
LAW ENFORCEMENT CENTER - INTERGRATIVE HEALTH UNIT	\$12,284,566
NICOLS POINTE	\$7,835,000
SOUTH ST PAUL LIBRARY (Cat changed to 2.37)	\$10,470,499
THOMPSON OAKS/RIVER TO RIVER GREENWAY	\$4,564,819
MENTAL HEALTH CRISIS/CRISIS RESPONSE	\$2,545,802
EXPAND CRISIS FOLLOW-UP/COORDINATED RESPONSE	\$1,356,571
ATTORNEY STAFFING/CRIMINAL CASE BACKLOG	\$383,347
COMMUNITIES OF COLOR OUTREACH	\$197,212
CUSTOMER RELATION MGMT/DIAL SOFTWARE	\$100,000
EMERGENCY SHELTER	\$1,031,306
LAW LIBRARY GRANT	\$415,000
LOW INCOME HOMEOWNERS MUNICIPAL WASTEWATER TREATMENT FACILITY CONNECTIONS	\$0
MENTAL HEALTH CIVIL COMMITMENT	\$312,782
PREPETITION SOCIAL WORKER/SCREENS	\$209,158
TIME LIMITED FASII POSITIONS (EEA)	\$989,717
WORKFORCE MOBILITY PGRM (DCTC)	\$250,000
; and	

WHEREAS, two new projects have been identified to be funded with ARP SLFRF; and

WHEREAS, all expenses are American Rescue Plan (ARP) State and Local Fiscal Recovery Funds (SLFRF) eligible under the expenditure category of provision of government services pursuant to Final Rule, 31 CFR Part 35, Subp. A, Section 35.6 (d) Providing Government Services - to the extent of a reduction in the recipient's general revenue; and

WHEREAS, staff is requesting \$7,000,000 in ARP SLFRF dollars to fund the Energy Improvements Initiative project; and

WHEREAS, staff is requesting \$86,886 ARP SLFRF dollars to fund the Computer Replacement project.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby amends the 2024 Facilities Management Budget as follows:

<b>Revenue</b>	
American Rescue Plan State and Local Fiscal Recovery Funds	<u>\$7,000,000</u>
<b>Total Revenue</b>	<b>\$7,000,000</b>

<b>Expense</b>	
Energy Improvement Initiative Project	<u>\$7,000,000</u>
<b>Total Expense</b>	<b>\$7,000,000</b>

; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby amends the 2024 Non-Departmental Budget as follows:

<b>Revenue</b>	
American Rescue Plan State and Local Fiscal Recovery Funds	<u>(\$7,000,000)</u>
<b>Total Revenue</b>	<b>(\$7,000,000)</b>

<b>Expense</b>	
General ARPA Program Expense	(\$7,086,886)
ARPA Computer Replacement Program	<u>\$ 86,886</u>
<b>Total Expense</b>	<b>(\$7,000,000)</b>

Ayes: 7

**10.3 Resolution No: 24-620  
Establishment Of 2024 Fund Balance Commitments**

Motion: Laurie Halverson

Second: Mike Slavik

WHEREAS, the Governmental Accounting Standards Board has adopted Statement 54, a standard for reporting governmental fund balances; and

WHEREAS, the County's Fund Balance Policy No. 2003 states that the Board of Commissioners may impose certain constraints on spending that shall be determined by the close of the fiscal year; and

WHEREAS, Dakota County desires to commit a portion of its fund balance for

future funding; and

WHEREAS, the Environmental Legacy Fund (ELF) was established to support environmental activities for the purpose of protection, preservation or enhancement of the environment; and

WHEREAS, by reporting the ELF revenue and expenditures with the Environmental Management Fund as committed, ELF will meet the qualifications of a special revenue fund and allow the County to report the ELF activity in the Annual Comprehensive Financial Report (ACFR).

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners, in accordance with and pursuant to Policy 2003 Fund Balance, hereby commits the entire fund balance of the Environmental Legacy Fund as of December 31, 2024 to support environmental activities for the purpose of protection, preservation or enhancement of the environment.

Ayes: 7

**10.4 Resolution No: 24-621**  
Authorization To Execute Contract With Cask NX LLC For Replacement Information Technology Service Management System

Motion: Laurie Halverson

Second: Mike Slavik

WHEREAS, the County advertised for proposals for the ITSM System Replacement Project; and

WHEREAS, the County received proposals from nine qualified vendors on February 9, 2024; and

WHEREAS, project staff reviewed the proposals and determined that proposal from Cask NX LLC provides the best value to the County to implement the ITSM System Replacement Project; and

WHEREAS, the costs for the ITSM System Replacement Project are \$333,533 for the first year and \$111,773 per year for the second and third years, for a total contract cost of \$557,079; and

WHEREAS, sufficient funds are available in the Information Technology budget to support these purchases, in part through costs recovered by eliminating redundant systems.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Enterprise Finance and Information Services Director to execute a contract with Cask NX LLC for the ITSM System Replacement Project in an amount not to exceed \$557,079, subject to approval by the County Attorney's office as to form; and

BE IT FURTHER RESOLVED, That the Enterprise Finance and Information

Services Director is authorized to amend the contract with Cask NX LLC and increase the cost up to an additional \$55,707 (10 percent) if necessary for unanticipated contingencies.

Ayes: 7

**10.5 Resolution No: 24-622**  
Authorization To Execute Contract Amendment For Business Analyst Services

Motion: Laurie Halverson

Second: Mike Slavik

WHEREAS, professional services are required to ensure the continuation of projects freeing up Information Technology staff to work on the Sheriff's Records Management Replacement Project; and

WHEREAS, Dakota County Information Technology will contract with a business analyst consultant to assist staff in ensuring that projects are properly scoped, and all business requirements are well documented; and

WHEREAS, ITR Group, Inc. has the means to provide the required business analyst services that best meets the County's needs; and

WHEREAS, the Sheriff's Departments has the budget available in 2025 to fund the professional services contract from January 2, 2025 through June 30, 2025, totaling \$95,000.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Enterprise Finance and Information Services Director to execute a contract amendment with ITR Group, Inc. for an additional \$95,000 and a total not to exceed \$217,400 for business analyst services, subject to approval by the County Attorney's Office as to form.

Ayes: 7

**11. Physical Development**

**11.1 Resolution No: 24-623**  
Authorization To Execute Revised Joint Powers Agreement Between Dakota And Scott Counties For Vermillion River Watershed And Rescind Resolution No. 24-383

Motion: Laurie Halverson

Second: Mike Slavik

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

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

WHEREAS, the Vermillion River Watershed is a watershed comprising minor

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watershed units wholly within the metropolitan area, specifically within Dakota County and Scott County; and

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

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

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

WHEREAS, staff recommends that the Dakota County Board of Commissioners rescind Resolution No. 24-383 (July 30, 2024); and

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

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

BE IT FURTHER RESOLVED, That approved Resolution No. 24-383 (July 30, 2024) is rescinded and superseded by this resolution.

Ayes: 7

**11.2 Resolution No: 24-624**  
Certification Of Dakota County Portion Of 2025 Vermillion River Watershed Management Tax District Tax Levy

Motion: Laurie Halverson

Second: Mike Slavik

WHEREAS, by Resolution No. 02-347 (June 25, 2002), the Dakota County Board of Commissioners approved a joint powers agreement between Dakota County and Scott County to govern the Vermillion River Watershed; and

WHEREAS, the joint powers agreement establishes a Joint Powers Board

consisting of two commissioners from Dakota County and one from Scott County; and

WHEREAS, funding is needed for Dakota County's share of costs associated with managing the Vermillion River Watershed; and

WHEREAS, by Resolution No. 02-296 (June 4, 2002), the Dakota County Board of Commissioners established the Vermillion River Watershed Management Tax District through Ordinance No. 127 to fund Dakota County's share of costs associated with managing the Vermillion River Watershed; and

WHEREAS, approval and adoption of the Watershed Management Plan, as required by Minn. Stat. §103B, occurred in June 2016; and

WHEREAS, the joint powers agreement states that the Vermillion River Watershed Joint Powers Board will adopt a budget and recommend a levy for the portion of the Watershed Management Tax District in each county by September 1 of each year; and

WHEREAS, on December 5, 2024, the Vermillion River Watershed Joint Powers Board adopted a proposed budget of \$2,618,866, including the use of 2024 fund balance and grant revenues, and recommended that the levy for the Dakota County portion be \$990,832 and the levy for the Scott County portion be \$36,050; and

WHEREAS, Dakota County must certify a levy on the Watershed Management Tax District by December 28, 2024, to be effective for taxes payable in 2025; and

WHEREAS, Dakota County certified a proposed levy of \$990,832 for the Vermillion River Watershed Management Tax District on September 10, 2024, to be effective for taxes payable in 2025.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby certifies the Dakota County portion of the Vermillion River Watershed Management Tax District levy in the amount of \$990,832 for taxes payable in 2025.

Ayes: 7

**11.3 Resolution No: 24-625**

Authorization To Execute Cooperative Construction Agreement With Minnesota Department Of Transportation For Trunk Highway 52 Intersection Improvements At County State Aid Highway 32, County Project 32-65

Motion: Laurie Halverson

Second: Mike Slavik

WHEREAS, to provide a safe and efficient transportation system, Dakota County and the City of Inver Grove Heights are proceeding with County Project 32-65; and

WHEREAS, the project will reconstruct 117th Street East from County State Aid Highway (CSAH) 71 (Rich Valley Boulevard) to the Trunk Highway (TH) 52/117th Street Interchange; and

WHEREAS, the purpose of the project is to meet 10-ton design standards, enhance transportation system efficiency and mobility, reduce access points, improve pavement conditions, and facilitate the phased development of an essential east-west transportation corridor within the region; and

WHEREAS, the 117th Street corridor is a part of the more extensive CSAH 32 network in Dakota County, which connects Interstate 35W in Burnsville to TH 52 in Inver Grove Heights; and

WHEREAS, the 117th Street and CSAH 71 corridors are considered Tier 1 regional truck corridors; and

WHEREAS, the design includes a two-lane, median-divided roadway for a one-mile segment of 117th Street between Rich Valley Boulevard and the Flint Hills Resources Refinery access, just west of the TH 52/117th Street Interchange; and

WHEREAS, County Project 32-65 addressed current and future traffic volumes and safety improvements for the corridor; and

WHEREAS, the County is the lead agency for the construction of the project; and

WHEREAS, execution of Cooperative Construction Agreement No. 1057369 will define right of way use, contract award and construction, and maintenance responsibilities for County Project 32-65; and

WHEREAS, the County will perform grading, bituminous surfacing, concrete surfacing, Americans with Disabilities Act (ADA) improvements, erosion control, milling, curb and gutter, retaining wall, bituminous trail, stormwater Best Management Practices, turf establishment, signing and striping, signal construction, and other associated construction upon, along, and adjacent to 117th Street from Rich Valley Boulevard to Courthouse Boulevard and on Rich Valley Boulevard from 911 feet south of 117th Street to 1162 feet north of 117th Street according to County-prepared plans, specifications, and special provisions designated by the County as County Project 32-65 (ST00006) and as State Aid Projects 019-632-051, 019-671-007, and 178-020-032, and by the State as State Project 1907-127 (TH 52=053) ("Project"); and

WHEREAS, the County requests the State allow the construction of grading, bituminous surfacing, ADA improvements, and signal construction on the State's TH 52 right of way, and the State is willing to allow said construction; and

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WHEREAS, staff recommends Dakota County execute Cooperative Construction Agreement No.1057369 with the State of Minnesota, Department of Transportation to provide for routine maintenance by the County upon, along, and adjacent to Trunk Highway 52, the limits of which are defined in said Agreement.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute Cooperative Construction Agreement No. 1057369 with the Minnesota Department of Transportation to define right of way use, contract award, construction, and maintenance responsibilities at I-35W Northwest Ramp and County State Aid Highway 32, subject to approval by the County Attorney's Office as to form.

Ayes: 7

**11.4 Resolution No: 24-626**

Authorization To Execute Safe Routes To Schools Program State Bond Grant Agreement From Minnesota Department Of Transportation For Improvements On 80th Street East In Inver Grove Heights, County Project 28-66

Motion: Laurie Halverson

Second: Mike Slavik

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

WHEREAS, the purpose and need for the project is to improve safety and multi-modal mobility and increase accessibility for students walking and biking to school near the Simley High School campus; and

WHEREAS, to address the purpose and need for this Project, County Project 28-66 will include crossing infrastructure improvements ("the Project") along County State Aid Highway 28 (80th Street E) at the intersections of Bowman Avenue, Boyd Avenue, and Simley High School's eastern egress access; and

WHEREAS, a \$250,000 Minnesota State Safe Routes To School (SRTS) grant was awarded to Dakota County in 2022 for construction of the Project; and

WHEREAS, the County and City have included the Project in their Capital Improvement Programs and will jointly participate in the costs of said construction and maintenance, per the Cost Sharing Policy within the Dakota County 2040 Transportation Plan (July 2021); and

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

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

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



WHEREAS, Dakota County has applied to the Commissioner of Transportation for a grant from the SRTS Account; and

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

WHEREAS, Dakota County advertised for construction bid on November 12, 2024, for the SRTS work associated with CP 28-66 and opened bids on December 9, 2024; and

WHEREAS, the bid results for CP 28-66 included a low bid of \$218,750.00 from Equity Builders & Construction Services that County Board authorized administrative award with Resolution No. 24-591, December 3, 2024; and

WHEREAS, the amount of the grant has been determined to be \$218,750.00 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 174.40, and will pay any additional amount by which the cost exceeds the estimate and will return to the Safe Routes to Schools Account any amount appropriated for the project but not required. 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; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the County Board Chair to execute Exhibit C - Bond Finance Property Certification of general obligation bond-financed property on the project area as required by Minnesota Department of Transportation Agreement No. 1058460 for Safe Routes To Schools program state bond grant, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute Agreement No. 1058460 with the Minnesota Department of Transportation for state bond funds through Safe Routes To Schools (SRTS) program for County Project 28-66, State Aid Project 019-628-016, subject to approval by the County Attorney's Office as to form.

Ayes: 7

- 11.5** Resolution No: 24-627  
Authorization To Execute Joint Powers Agreement With City Of Eagan For Natural Resource Restoration And Enhancement Of Caponi Art Park

Motion: Laurie Halverson

Second: Mike Slavik

WHEREAS, by Resolution No. 20-568 (November 17, 2020), the County Board adopted the Land Conservation Plan (LC Plan) to prioritize and improve County

coordination and collaboration with other agencies and organizations regarding land protection and long-term natural resource management; and

WHEREAS, the County initiated the City-County Conservation Collaborative (Collaborative) in 2021 as an innovative and strategic LC Plan initiative to assist and provide incentives for cities to increase natural resource management on important city-owned property, as well as establish the recommended cost share split of 80-85 percent from County and 15-20 percent from City; and

WHEREAS, the County has precedent working with the Cities of Mendota Heights, West St. Paul, Farmington, Lakeville, Eagan, and Burnsville on greenway natural restoration projects using similar cost share splits; and

WHEREAS, the County received \$6.2 million of Outdoor Heritage (OH) funds appropriated by the 2022 Minnesota Legislature (ML22) for land protection and restoration to assist in implementing the LC Plan; and

WHEREAS, the County worked with the cities to develop guidelines and criteria for implementing the Collaborative, and the cities were then asked to submit potential natural resource restoration projects; and

WHEREAS, the City of Eagan (City) submitted a proposal for restoring 40 acres of Caponi Art Park (Park); and

WHEREAS, the County prepared a Restoration Plan for the Park that assessed current conditions and provided management goals, recommendations, and a work plan that describes restoration activities, schedule, and estimated costs; and

WHEREAS, the City shared the Restoration Plan with the City Council on November 19, 2024, at which time they approved the plan and restoration activities for the Park; and

WHEREAS, the estimated total cost to implement the enhancement and restoration of 40 acres of the Park is \$275,960.00; and

WHEREAS, the County would provide up to \$199,381 (85% of the project cost) of the available ML22 OH appropriation to the County and \$35,185 (15% of the project cost) of County match funds; and

WHEREAS, the City agrees to contribute 15 percent of the project costs or \$41,394 with cash and in-kind contributions; and

WHEREAS, the County and City have developed a draft joint powers agreement that describes the purpose, terms, and obligations of both entities for implementing this natural resource enhancement and restoration project within a portion of the Park located in the City.

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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 City of Eagan to expend up to \$234,566 from a combination of state grant funds and County funds to implement natural resource enhancement and restoration of Caponi Art Park located within the City of Eagan.

Ayes: 7

**11.6 Resolution No: 24-628**

Authorization To Execute Contract Amendment One With Sambatek LLC, For Construction Administration For Mississippi River Greenway Rosemount East In City Of Rosemount, County Project P00109

Motion: Laurie Halverson

Second: Mike Slavik

WHEREAS, the Mississippi River Greenway (MRG) Rosemount East segment is the last remaining segment of the regional trail to be secured, designed, and constructed in order to connect the national MRG from Hastings to South St. Paul; and

WHEREAS, the MRG Rosemount East project includes the construction of 2.4 miles of trail from its connection with MRG Rosemount West to Spring Lake Park Reserve; and

WHEREAS, Dakota County is the lead agency for MRG Rosemount East, P00109, with construction scheduled to begin at the start of the 2024 construction season; and

WHEREAS, the 2024 construction workload was greater than the number of available County staff for construction management; and

WHEREAS, the Dakota County Board of Commissioners approved the execution of a contract with Sambatek LLC on December 19, 2023, to provide construction management, inspection, surveying, and material testing for P00109; and

WHEREAS, the 2024 Parks Capital Improvement Program Budget includes sufficient funding to accommodate the budget amendment necessary; and

WHEREAS, staff recommends amending contract number DCA21137 with Sambatek, LLC, to include construction management, testing, survey, as-built, and inspection services.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners authorizes the Physical Development Director to amend the contract with Sambatek LLC to perform construction management, testing, survey, and inspection services for County Project P00109 in an amount not to exceed \$64,219.34, which includes a 5 percent contingency, resulting in a total amended contract amount not to exceed \$610,601.97, including reimbursable

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items, subject to approval by the County Attorney's Office as to form.

Ayes: 7

**11.7 Resolution No: 24-629**

Authorization To Execute Contract Amendment One With KLJ Engineering LLC, For Survey And Right Of Way Mapping Services, For Veterans Memorial Greenway, County Project P00147

Motion: Laurie Halverson

Second: Mike Slavik

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

WHEREAS, County Project P00147 will entail the design and construction of about five miles of shared use trail, in Eagan and Inver Grove Heights; and

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

WHEREAS, construction of the first segment of the Veterans Memorial Greenway began in April 2024; and

WHEREAS, construction of the second segment of the Veterans Memorial Greenway is proposed in 2025, and final engineering of Phase III is proposed for 2025; and

WHEREAS, the Dakota County Board of Commissioners approved the execution of a contract with KLJ Engineering LLC on June 9, 2021, to provide survey and right of way mapping services for P00109; and

WHEREAS, the 2024-2028 Parks Capital Improvement Program Budget includes sufficient funding to accommodate the budget amendment necessary; and

WHEREAS, staff recommends amending contract number C0034164 with KLJ Engineering LLC, to include additional survey and right of way mapping services.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners authorizes the Physical Development Director to amend the contract with KLJ Engineering LLC to perform additional survey and right of way mapping services for County Project P00109, in an amount not to exceed \$16,590.88, resulting in a total amended contract amount not to exceed \$180,244.88, including reimbursable items, subject to approval by the County Attorney's Office as to form.

Ayes: 7

**11.8 Resolution No: 24-630**

Authorization To Amend Parks 2024 Capital Improvement Program And Greenway Project Budgets Due To Lower Than Forecasted 2024 Transportation Advancement Account Revenues

Motion: Laurie Halverson

Second: Mike Slavik

WHEREAS, Minn. Stat. § 297A.993 (the Act) authorizes the Dakota County Board to levy up to one-half of one percent sales and use tax and an excise tax of \$20 per motor vehicle to fund statutorily defined transportation and transit projects; and

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

WHEREAS, Dakota County has identified a proposed updated list of transportation projects eligible for Transportation Sales and Use Tax funds based on the needs identified in the Draft 2040 Transportation Plan, and through the development of the Capital Improvement Program; and

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

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

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners dedicates the proceeds of the Dakota County Transportation Sales and Use Tax to the following projects:

- Greenway Preservation
- Parks - 2024 Trails and Facilities Pavement Preservation
- Greenway Collaborative (Set-Aside) (P50000)
- Vermillion Highlands Greenway and North Creek Greenway 2024 Preliminary Design
- Veterans Memorial Greenway (P00147)
- River to River Greenway - Mendota Heights Valley Park Construction (P30002)
- Vermillion Highlands Greenway - Rosemount CSAH 42 Underpass Construction

; and

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

<b>Revenue - TAA (Transportation Advancement Account)</b>	
Greenway Preservation (2000230)	(\$37,222)
2024 Trails & Facilities Pavement Pres (2000393)	(\$301,127)
Greenway Collaborative (1000651)	(\$500,000)
Vermillion Highlands GW + NCGW (2000233)	(\$544,942)
Veterans Memorial GW (1000636)	(\$40,000)
River to River GW (1001487)	(\$1,101,972)
Vermillion Highlands GW - Rosemount (2000234)	<u>(\$277,301)</u>
<b>Total Revenue - TAA</b>	<b>(\$2,802,564)</b>

<b>Revenue - Sales and Use Tax (SUT)</b>	
Greenway Preservation (2000230)	\$37,222
2024 Trails & Facilities Pavement Pres (2000393)	\$301,127
Greenway Collaborative (1000651)	\$500,000
Vermillion Highlands GW + NCGW (2000233)	\$544,942
Veterans Memorial GW (1000636)	\$40,000
River to River GW (1001487)	\$1,101,972
Vermillion Highlands GW - Rosemount (2000234)	<u>\$277,301</u>
<b>Total Revenue - Sales and Use Tax (SUT)</b>	<b>\$2,802,564</b>

; and

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

<b>Expense</b>	
Transfer to Parks Fund	(\$2,802,564)
<b>Total Expense</b>	<b>(\$2,802,564)</b>
<b>Revenue</b>	
Use of SUT	(\$2,802,564)
<b>Total Revenue</b>	<b>(\$2,802,564)</b>

Ayes: 7

**11.9** Resolution No: 24-631

Authorization To Accept Donation Of Regional Greenway Trail Easement From Xcel Energy And Execute Encroachment Agreement With Xcel Energy For Veterans Memorial Greenway Phase II, County Project P00147

Motion: Laurie Halverson

Second: Mike Slavik

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

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

WHEREAS, the Veterans Memorial Greenway project is for preliminary and final engineering, railroad coordination, and public engagement services in the cities of Inver Grove Heights and Eagan; and

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

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

WHEREAS, for portions of the greenway, the trail construction will cross Xcel Energy existing private utility line easements that run within the City of Inver Grove Heights Southern Lakes Park; and

WHEREAS, Xcel Energy private utility line is within their own 150' easement; therefore, an encroachment agreement is needed to complete the CP P00147 work within the easement; and

WHEREAS, to proceed with the project, Xcel Energy is requesting that Dakota County execute an encroachment agreement to identify responsibilities and approved encroachments associated with CP P00147 within the Xcel Energy utility easements; and

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

WHEREAS, staff recommends the execution of an encroachment agreement with Xcel Energy identifying the responsibilities of the County and Xcel Energy associated with encroachment of CP P00147 on the private utility line easements.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute an encroachment agreement with Xcel Energy for the portion of the Veterans Memorial Greenway within Xcel Energy private utility line easement, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes acceptance of a 239,990 square-foot regional greenway trail easement corridor from Xcel Energy, on their Northern States Power Company property owned in fee for sections of the Veterans Memorial Greenway Regional Trail, approved as to form by the County Attorney's Office; and

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

herby authorizes the Board Chair and District Commissioner to send a recognition and thank you letter to Xcel for donating the trail easement for the Veterans Memorial Greenway on their property.

Ayes: 7

**12. Public Safety**

**12.1 Resolution No: 24-632**

Authorization To Execute Separate Joint Powers Agreements With Townships Of Castle Rock, Douglas, Nininger, Vermillion, Waterford, And Cities Of Empire, Randolph, And Vermillion For Ordinance Enforcement

Motion: Laurie Halverson

Second: Mike Slavik

WHEREAS, since 2010 and with approval from the Dakota County Board of Commissioners, the Dakota County Sheriff has enforced selected and pre-approved local ordinances with cities and townships requesting those services after the execution of separate joint powers agreements; and

WHEREAS, ordinance enforcement agreements are currently in place with the townships of Castle Rock, Douglas, Eureka, Nininger, Ravenna, Vermillion, Waterford, and the cities of Empire, Randolph and Vermillion, and those agreements will expire on December 31, 2024; and

WHEREAS, in 2025, the County would receive \$80.00 per hour for investigative services and \$60.00 per hour for court preparation/waiting time; and WHEREAS, the rates will be evaluated and possibly amended on January 1, 2026, to reflect any increase in the County’s cost to provide services pursuant to the agreement with notice of any cost increase provided to the township/city by November 1; and

WHEREAS, the Sheriff agrees to provide ordinance enforcement services to the townships of Castle Rock, Douglas, Nininger, Vermillion, Waterford, and the cities of Empire, Randolph, and Vermillion, for the period January 1, 2025, through December 31, 2026.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Dakota County Sheriff to execute separate joint powers agreements with the townships of Castle Rock, Douglas, Nininger, Vermillion, Waterford, and the cities of Empire, Randolph, and Vermillion to enforce selected ordinances for the period January 1, 2025, through December 31, 2026, subject to approval of the County Attorney’s Office as to form.

Ayes: 7

**REGULAR AGENDA**

**13. Public Services and Revenue**



**13.1 Resolution No: 24-633**  
Acceptance Of Donation To Dakota County Library And Authorization To Amend  
2024 Library Budget

Motion: Laurie Halverson Second: Mary Hamann-Roland  
Library Director Margaret Stone briefed this item and responded to questions .

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 purposes; and

WHEREAS, gifts to Dakota County Library with a value greater than \$1,500 are presented to the Dakota County Board of Commissioners for approval and acceptance; and

WHEREAS, Elizabeth Kolstad, who passed away on June 9, 2024, at the age of 103, designated 20 percent of her estate to be donated to Dakota County Library exclusively for use at the Wescott Library; and

WHEREAS, an initial distribution of \$796,054.01 has been received by Dakota County Library from the estate.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby accepts \$796,054.01 as a donation from the estate of Elizabeth Helen Kolstad; and

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

<b>Revenue</b>	
Wescott Fund	<u>\$796,054</u>
<b>Total Revenue</b>	<b>\$796,054</b>

<b>Expense</b>	
Wescott Program Expense	<u>\$796,054</u>
<b>Total Expense</b>	<b>\$796,054</b>

Ayes: 7

**14. Enterprise Finance and Information Services**

**14.1 Resolution No: 24-634**  
Certification Of 2025 Property Tax Levy And Adoption Of Dakota County 2025  
Budget And 2025-2029 Capital Improvement Program

Motion: William Droste Second: Laurie Halverson  
Budget Manager Allie Regenscheid briefed this item and responded to

questions.

WHEREAS, the Dakota County Board of Commissioners has completed the 2025 budget process; and

WHEREAS, the Dakota County Board of Commissioners held budget recommendation and hearings on August 13, 20 and 27, 2024.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby adopts the 2025-2029 Capital Improvement Program in the amount of \$838,067,425; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby adopts the 2025 Dakota County budget as prepared, presented and set forth in the amount as follows:

Total Budget: \$523,148,132

Property Tax Levy: \$167,648,832

Department breakdowns:

	<u>FTE</u>	<u>Total Budget</u>	<u>Non-Levy Revenue</u>	<u>Property Tax</u>
NON-DEPARTMENTAL(COUNTYWIDE)	0.0	9,978,354	46,053,191	(36,074,837)
- - -				
OFFICE OF THE COUNTY MANAGER	10.0	2,045,353	699,624	1,345,729
COUNTY BOARD	7.0	1,051,756	6,200	1,045,556
COUNTY COMMUNICATIONS	8.0	1,394,352	118,000	1,276,352
EMPLOYEE RELATIONS	24.5	4,282,591	189,616	4,092,975
<b>Total Administration</b>	<b>49.5</b>	<b>8,774,052</b>	<b>1,013,440</b>	<b>7,760,612</b>
- - -				
COMMUNITY SERVICES ADMIN	17.0	2,538,165	4,425	2,533,740
SOCIAL SERVICES	528.2	95,748,196	56,417,681	39,330,515
EMPLOYMENT & ECONOMIC ASST	313.0	44,560,958	31,830,597	12,730,361
PUBLIC HEALTH	130.2	16,442,458	9,586,206	6,856,252
VETERANS SERVICES	9.0	966,443	22,500	943,943
COMMUNITY CORRECTIONS	195.9	27,637,054	11,409,984	16,227,070
EXTENSION	0.0	506,075	35,700	470,375
<b>Total Community Services</b>	<b>1193.3</b>	<b>188,399,349</b>	<b>109,307,093</b>	<b>79,092,256</b>
- - -				
PUBLIC SERVICE & REVENUE ADMIN	4.0	945,943	500,707	445,236
ASSESSING SERVICES	42.0	5,188,997	21,748	5,167,249
PROPERTY TAXATION AND RECORDS	33.3	4,477,147	3,461,344	1,015,803
SERVICE & LICENSE CENTERS	33.5	3,055,386	2,176,982	878,404
HISTORICAL SOCIETY	0.0	109,328	-	109,328
COUNTY FAIR	0.0	194,939	-	194,939
LIBRARY	130.2	17,012,894	363,740	16,649,154
ELECTIONS	8.0	2,301,595	783,275	1,518,320
<b>Total Public Services &amp; Revenue</b>	<b>251.0</b>	<b>33,286,229</b>	<b>7,307,796</b>	<b>25,978,433</b>
- - -				
SHERIFF	207.3	33,143,931	4,960,009	28,183,922
COUNTY ATTORNEY	99.3	9,585,710	630,966	8,954,744
- - -				

MEDICAL EXAMINER	0.0	2,233,844	130,121	2,103,723
- - -				
DISTRICT COURT	0.0	492,319	24,000	468,319
- - -				
EFIS ADMIN	4.0	1,602,249	810,856	791,393
OFFICE OF RISK MANAGEMENT	11.0	5,014,649	1,564,900	3,449,749
INFORMATION TECHNOLOGY	73.1	17,510,842	2,123,155	15,387,687
OFFICE OF PERFORMANCE & ANALYSIS	8.0	1,066,191	25,000	1,041,191
FINANCE	40.9	5,587,126	449,254	5,137,872
GIS ENTERPRISE	0.0	82,595	82,595	-
<b>Total Enterprise Finance &amp; Information Sys.</b>	<b>137.0</b>	<b>30,863,652</b>	<b>5,055,760</b>	<b>25,807,892</b>
- - -				
FLEET MANAGEMENT	16.0	3,422,499	1,021,543	2,400,956
CEP - FLEET MANAGEMENT		2,382,000	1,058,000	1,324,000
FACILITIES MANAGEMENT	56.0	14,101,456	832,016	13,269,440
PHYSICAL DEVELOPMENT ADMIN	39.6	4,317,335	885,613	3,431,722
TRANSPORTATION DEPARTMENT	97.0	10,279,470	8,380,345	1,899,125
PARKS AND OPEN SPACE	32.6	4,841,303	3,678,462	1,162,841
SOIL & WATER	0.0	388,928	388,928	-
ENVIRONMENTAL RESOURCES	32.0	9,460,095	9,460,095	-
BYLLESBY DAM	2.0	998,747	998,747	-
COUNTY LEGACY	0.0	75,256	75,256	-
<b>Total Physical Development</b>	<b>275.2</b>	<b>50,267,089</b>	<b>26,779,005</b>	<b>23,488,084</b>
<b>Total Operations</b>	<b>2,212.5</b>	<b>367,024,529</b>	<b>201,261,381</b>	<b>165,763,148</b>
CIP-COUNTY BUILDING		50,626,473	49,752,064	874,409
CIP-TRANSPORTATION/TRANS. SALES&USE TAX		79,596,881	79,596,881	-
CIP-PARKS		24,507,445	23,496,170	1,011,275
CIP-ENVIRONMENTAL RESOURCES		1,392,804	1,392,804	-
CIP-BYLLESBY DAM		-	-	-
CIP-DATA NETWORKS		-	-	-
<b>Total CIP</b>		<b>156,123,603</b>	<b>154,237,919</b>	<b>1,885,684</b>
<b>Grand Total</b>	<b>2,212.5</b>	<b>523,148,132</b>	<b>355,499,300</b>	<b>167,648,832</b>

**15. Interagency Reports/Commissioner Updates**

Interagency reports and Commissioner updates were presented. A special congratulations to Commissioner Mike Slavik, District 1, for being appointed as President to the Association of Minnesota Counties Executive Committee for 2025.

**16. County Manager's Report**

County Manager Heidi Welsch expressed thanks to the Board, staff and ~455,000 Dakota County residents for a great year. Dakota County looks forward to serving residents in 2025.

**17. Information**

**17.1 Information**

See Attachment for future Board meetings and other activities.

**18. Adjournment**

**18.1 Resolution No: 24-635**

Adjournment

Motion: Mary Hamann-Roland

Second: Mike Slavik

On a motion by Commissioner Halverson, seconded by Commissioner Slavik, the meeting was adjourned at 9:29 a.m.

Ayes: 7

Joe Atkins  
Chair

ATTEST

Heidi Welsch  
County Manager





# Board of Commissioners

## Request for Board Action

Item Number: DC-3993

Agenda #: 9.1

Meeting Date: 1/7/2025

**DEPARTMENT:** Office of the County Manager

**FILE TYPE:** Consent Information

### TITLE

**Official County Newspaper And Public Notices**

### PURPOSE/ACTION REQUESTED

Update on the official County newspaper and printing of legal notices through the year 2025.

### SUMMARY

The Dakota County Board of Commissioners are required by Minn. Stat. § 375.12 to advertise for bids for County legal printing and award the bid at the first board meeting of the year. Minn. Stat. § 331A.06 authorizes the County to award the printing contract for a term up to three years.

Bids were received for the printing of County legal notices for 2024 through 2026 on October 26, 2023. By Resolution No. 24-006 (January 2, 2024), the Hastings Journal was awarded the contract as the official newspaper for three years, 2024 through 2026, for the printing of County legal notices. The Publication of the Delinquent Tax List (1<sup>st</sup> insertion) was awarded to The Hastings Journal. It is a contract for three years to print the notice and published list of real estate remaining delinquent on the first Monday of January each year. The Dakota County Tribune was awarded the Publication of the Delinquent Tax List (2<sup>nd</sup> insertion). The First Publication of the County's Financial Statement was awarded to the Dakota Tribune. The Second Publication of the County's Financial Statement was awarded to The Hastings Journal.

In 2024 the Hastings Journal had 3,460 subscribers (includes print and electronic pdf). The average online visitors per week was 20,764.

Since these contracts continue until December 31, 2026, there is no change in the County's official newspaper or the second newspaper for first publication of the County's financial statement.

As of 2019, the County Board authorized the publication solicitations of transportation projects on the County website, pursuant to Minn. Stat. § 331A.12.

### RECOMMENDATION

None. Information only.

### EXPLANATION OF FISCAL/FTE IMPACTS

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

**RESOLUTION**

Information only, no action requested.

**PREVIOUS BOARD ACTION**

24-006; 1/2/24

21-018; 1/5/21

**ATTACHMENTS**

Attachment: None.

**BOARD GOALS**

A Great Place to Live

A Healthy Environment

A Successful Place for Business and Jobs

Excellence in Public Service

**CONTACT**

Department Head: Heidi Welsch

Author: Jeni Reynolds





# Board of Commissioners

## Request for Board Action

Item Number: DC-4140

Agenda #: 9.2

Meeting Date: 1/7/2025

**DEPARTMENT:** Office of the County Manager

**FILE TYPE:** Consent Action

### TITLE

**Authorization To Amend 2025 County Board/Committee Of The Whole Meeting Schedule**

### PURPOSE/ACTION REQUESTED

- Amend the 2025 County Board/Committee of the Whole meeting schedule to amend the Physical Development Committee of the Whole and Community Services Committee of the Whole meetings on November 11, 2025 and December 9, 2025.
- Amend General Government Committee of the Whole and Physical Development Committee of the Whole meeting times on days when they meet on the same day during the legislative session.
- Amend County Board workshop dates to discuss the 2026 budget.

### SUMMARY

The 2025 County Board /Committee of the Whole meeting schedule was adopted by Resolution No. 24-476 (September 24, 2024). After adoption, it was realized that the Physical Development Committee of the Whole (PDC) and Community Services Committee of the Whole (CSC) meetings on November 11, 2025, falls on a Holiday and the PDC and CSC meetings on December 9, 2025, falls on the Association of Minnesota Counties (AMC) Annual Conference.

Staff requests that the CSC and the PDC meetings be amended as follows:

- Reschedule November 11, 2025 PDC and CSC to November 6, 2025, with PDC held at 9:00 a.m. and CSC held at 11:00 a.m. (or following PDC).
- Reschedule December 9, 2025 PDC and CSC to December 2, 2025, with PDC held at 1:00 p.m. and CSC held at 3:00 p.m. (or following PDC).

Staff request that General Government and Policy Committee of the Whole (GGP) meetings that fall on January 14, February 11, March 18, April 15, May 13 and June 10, 2025 during the legislative session (same dates as PDC), are held at 9:00 a.m. (Conference Room 3A, Administration Center, Hastings) and that the PDC meetings are held at 9:30 a.m. (or following GGP).

Staff request that the currently scheduled County Board workshops to discuss the 2026 budget are canceled and scheduled for the following dates with locations to be determined:

- July 17, 2025, 9:00 a.m.-2:30 p.m.
- September 9, 2025, 1:00 p.m.-4:00 p.m.
- September 10, 2025, 9:00 a.m.-4:00 p.m.

**RECOMMENDATION**

Staff recommends amending the 2025 PDC and CSC meetings on November 11, 2025 and December 9, 2025 to November 6, 2025 and December 2, 2025, amend the GGP and PDC start times when meetings fall on the same day, and cancel and schedule County Board workshops to discuss the 2026 budget.

**EXPLANATION OF FISCAL/FTE IMPACTS**

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

**RESOLUTION**

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby amends the 2025 County Board/Committee of the Whole meeting schedule to amend the Physical Development Committee of the Whole (PDC) and Community Services Committee of the Whole (CSC) meetings for November and December as follows:

- Reschedule November 11, 2025 PDC and CSC to November 6, 2025, with PDC held at 9:00 a.m. and CSC held at 11:00 a.m. (or following PDC).
- Reschedule December 9, 2025 PDC and CSC to December 2, 2025, with PDC held at 1:00 p.m. and CSC held at 3:00 p.m. (or following Physical Development).

; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby amends the meeting time on January 14, February 11, March 18, April 15, May 13 and June 10, 2025 during the legislative session so that the General Government and Policy Committee of the Whole (GGP) meetings are held at 9:00 a.m. (Conference Room 3A, Administration Center, Hastings) and the PDC meetings are held at 9:30 a.m. (or following GGP); and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby schedules County Board workshops to discuss the 2026 budget on the following dates with locations to be determined:

- July 17, 2025, 9:00 a.m.- 2:30 p.m.
- September 9, 2025, 1:00 p.m.-4:00 p.m.
- September 10, 2025, 9:00 a.m.-4:00 p.m.

**PREVIOUS BOARD ACTION**

24-476; 9/24/24

**ATTACHMENTS**

Attachment: None.

**BOARD GOALS**

- A Great Place to Live
- A Successful Place for Business and Jobs
- A Healthy Environment
- Excellence in Public Service

**CONTACT**

Department Head: Heidi Welsch  
Author: Jeni Reynolds



# Board of Commissioners

## Request for Board Action

Item Number: DC-4125

Agenda #: 9.3

Meeting Date: 1/7/2025

**DEPARTMENT:** Office of the County Manager

**FILE TYPE:** Consent Action

### TITLE

**Appointment Of County Board Members To Boards/Committees For 2025**

### PURPOSE/ACTION REQUESTED

- Appoint County Board members to interagency boards/committees/commissions
- Appoint County Board members as liaison commissioner to the Dakota-Scott Workforce Development Board
- Appoint County Board members to in-County boards/committees

### SUMMARY

County Board members are appointed annually to various interagency boards, as well as in-County boards/committees. A County Board member is also appointed annually as liaison commissioner to the Dakota-Scott Workforce Development Board.

The attachment lists the annual commissioner appointments. Please note: County Board members also serve on other interagency groups for which they individually applied or were appointed by other entities, such as the National Association of Counties. These are not included in the annual appointments.

### RECOMMENDATION

The Chair recommends appointments for 2025.

### EXPLANATION OF FISCAL/FTE IMPACTS

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

### RESOLUTION

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby appoints, as recommended by the County Board Chair, County Board members to serve on interagency boards, in-County boards, and as liaison Commissioners for 2025, as follows:

#### **Board Committees of the Whole -**

#### General Government and Policy Committee:

- All Commissioners
- Workman (Chair)

Community Services Committee:

All Commissioners  
Halverson (Chair)

Physical Development Committee:

All Commissioners  
Holberg (Chair)

**Metropolitan Inter-Agency Appointments -**

Association of MN Counties:

Board of Directors Member - Atkins, Hamann-Roland (Alternate)  
District X - Atkins, Hamann-Roland (Alternate)  
General Government Policy Committee - Slavik  
Environment & Natural Resources Policy Committee - Workman, Hamann-Roland  
Health & Human Services Policy Committee - Halverson  
Public Safety Policy Committee - Atkins  
Transportation & Infrastructure Policy Committee - Holberg, Droste

Cannon River One Watershed One Plan:

Slavik, Droste (Alternate)

Dakota 911 Board of Directors:

Slavik  
Droste (Alternate)

Facility Operations Advisory Committee for Thompson Park Centers:

Atkins  
Halverson

Greater MSP (appointed by Dakota County Community Development Agency)

Greater Metropolitan Workforce Council:

Hamann-Roland

I-35W Solutions Alliance Board:

Workman (Chair)  
Holberg

Metropolitan Emergency Services Board (MESB):

Atkins  
Droste  
Hamann-Roland (Alternate)

MESB Executive Committee:

Atkins

Metropolitan Library Service Agency Board (MELSA):

Halverson

Metropolitan Mosquito Control District (MMCD):

Workman  
Hamann-Roland  
Halverson

MMCD Executive Committee:

Workman

Minnesota Inter-County Association Board (MICA):

Halverson  
Droste

Regional Solid Waste Hauler Licensing Board:

Workman

State Community Health Services Advisory Committee:

Halverson

Suburban County Work Group on Regional Issues:

Holberg  
Halverson  
Workman

Transportation Advisory Board-Metropolitan Council:

Holberg  
Droste (Alternate)

Vermillion River Watershed Joint Powers Board:

Droste  
Holberg  
Hamann-Roland (Alternate)

**In-County Appointments -**

Dakota County Board/Court Policy Committee:

Holberg  
Atkins

Dakota County Law Library Board:

Holberg

Dakota County Regional Railroad Authority:

All Commissioners  
Hamann-Roland (Chair)  
Halverson (Vice-Chair)  
Droste (Secretary)

**Liaison Commissioner Appointments -**

Dakota-Scott Workforce Development Board:  
Hamann-Roland

**PREVIOUS BOARD ACTION**

None.

**ATTACHMENTS**

Attachment: DRAFT Appointments List

**BOARD GOALS**

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

**CONTACT**

Department Head: Heidi Welsch

Author: Jeni Reynolds



Office of the County Board  
Dakota County Administration Center 1590 Highway 55 Hastings MN 55033  
651. 438.4418

## 2025 Board Interagency Appointments

### Dakota County Board of Commissioners

	<b>Slavik, Chair</b>	<b>Halverson, Vice-Chair</b>
District 1	Mike Slavik	
District 2	Joe Atkins	
District 3	Laurie Halverson	
District 4	William "Bill" Droste	
District 5	Liz Workman	
District 6	Mary Liz Holberg	
District 7	Mary Hamann-Roland	

### 2025 Appointments

#### Board Committees of the Whole

(GGP) General Government and Policy Committee	All Commissioners Workman (Chair)
(CS) Community Services Committee	All Commissioners Halverson (Chair)
(PD) Physical Development Committee	All Commissioners Holberg (Chair)



## Metropolitan Inter-Agency Appointments

Association of MN Counties (AMC)

Board of Directors Member

Atkins

Hamann-Roland (Alternate)

District X

Atkins

Hamann-Roland (Alternate)

General Government Policy Committee

Slavik

Environment & Natural Resources Policy Committee

Workman, Hamann-Roland

Health and Human Services Policy Committee

Halverson

Public Safety Policy Committee

Atkins

Transportation and Infrastructure Policy Committee

Holberg, Droste

Cannon River One Watershed One Plan (1W1P)

Slavik

Droste (Alternate)

Dakota 911 Board of Directors

Slavik

Droste (Alternate)

Facility Operations Advisory Committee for Thompson Park Centers (FOATP)

Atkins

Halverson

Greater Metropolitan Workforce Council

Hamann-Roland

Greater MSP (Appointed by CDA Board)

Appointed by CDA Board

I-35W Solutions Alliance Board (I-35W)

Workman (Chair)

Holberg

Metropolitan Emergency Services Board (MESB)

Atkins

Droste

Hamann-Roland (Alternate)

MESB Executive Committee

Atkins

Metropolitan Library Service Agency Board (MELSA)	Halverson
Metropolitan Mosquito Control District (MMCD)	Workman
	Hamann-Roland
	Halverson
MMCD Executive Committee	Workman
Minnesota Inter-County Association Board (MICA)	Halverson
	Droste
Regional Solid Waste Hauler Licensing Board	Workman
State Community Health Services Advisory Committee (SCHSAC)	Halverson
Suburban County Work Group on Regional Issues (SCWGRI)	Holberg
	Halverson
	Workman
Transportation Advisory Board–Metropolitan Council (MC-TAB)	Holberg
	Droste (Alternate)
Vermillion River Watershed Joint Powers Board (VRW-JP)	Droste
	Holberg
	Hamann-Roland (Alternate)

**In-County Appointments**

Dakota County Board/Court Policy Committee (CCP)	Holberg
	Atkins
Dakota County Community Development Agency Board (CDA)	All Commissioners
Dakota County Law Library Board (LLC)	Holberg
Dakota County Regional Railroad Authority (RRA)	All Commissioners
	Hamann-Roland (Chair)
	Halverson (Vice-Chair)
	Droste (Secretary)

**Liaison Commissioner Appointments**

Dakota-Scott Workforce Development Board (WDB)

Hamann-Roland

DRAFT



# Board of Commissioners

## Request for Board Action

Item Number: DC-4124

Agenda #: 9.4

Meeting Date: 1/7/2025

**DEPARTMENT:** Office of the County Manager

**FILE TYPE:** Consent Action

### TITLE

**Ratification Of Appointment Of Chairs Of Committees Of The Whole For 2025**

### PURPOSE/ACTION REQUESTED

- Ratify County Board Chair’s recommendation for appointment of County Board members to serve as chairs for Board Committees of the Whole.
- Endorse County Board Chair’s recommendation for a County Board member to serve as Chair and Vice-Chair of the Dakota County Regional Railroad Authority.

### SUMMARY

The Dakota County Board of Commissioners Operating Rules and Guidelines states the appointments of the Chairs of the Committees of the Whole shall be recommended by the County Board Chair with ratification by the full Board at the organizational meeting each year.

The 2024 Chairs were as follows:

General Government and Policy (GGP) Committee of the Whole	Workman
Community Services Committee of the Whole	Halverson
Physical Development Committee of the Whole	Holberg
Regional Railroad Authority	Hamann-Roland
Regional Railroad Authority Vice-Chair	Halverson

### RECOMMENDATION

The County Board Chair makes recommendations for 2025 Chairs of the Committees of the Whole and the Regional Railroad Authority.

### EXPLANATION OF FISCAL/FTE IMPACTS

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

### RESOLUTION

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby ratifies the County Board Chair’s recommendation and appoints the following County Board members to serve as Chairs

for the Committees of the Whole for 2025:

General Government and Policy Committee of the Whole Chair	Workman
Community Services Committee of the Whole Chair	Halverson
Physical Development Committee of the Whole Chair	Holberg

; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby endorses the County Board Chair's following recommendation for Chair of the Dakota County Regional Railroad Authority for 2025, and refers the appointments to the Dakota County Regional Railroad Authority:

Regional Railroad Authority Chair	Hamann-Roland
Regional Railroad Vice-Chair	Halverson

**PREVIOUS BOARD ACTION**

None.

**ATTACHMENTS**

Attachment: None.

**BOARD GOALS**

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

**CONTACT**

Department Head: Heidi Welsch  
Author: Jeni Reynolds



# Board of Commissioners

## Request for Board Action

Item Number: DC-4127

Agenda #: 9.5

Meeting Date: 1/7/2025

**DEPARTMENT:** Office of the County Manager

**FILE TYPE:** Consent Action

### TITLE

**Designation Of 2025 Official Voting Delegates For Association Of Minnesota Counties**

### PURPOSE/ACTION REQUESTED

Designate Association of Minnesota Counties (AMC) 2025 official voting delegates for Dakota County.

### SUMMARY

AMC delegates cast ballots at the annual AMC conference and may participate in AMC policy committees (Environmental/Natural Resources, General Government, Health and Human Services, Public Safety, and Transportation).

### RECOMMENDATION

Staff recommends designating the voting delegates as listed in the resolution.

### EXPLANATION OF FISCAL/FTE IMPACTS

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

### RESOLUTION

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby designates the following County officials as official voting delegates to represent Dakota County at the Association of Minnesota Counties (AMC) Annual Conference and during the year 2025:

- Commissioner Mike Slavik
- Commissioner Joe Atkins
- Commissioner Laurie Halverson
- Commissioner William Droste
- Commissioner Liz Workman
- Commissioner Mary Liz Holberg
- Commissioner Mary Hamann-Roland
- County Manager
- Community Services Director
- Public Services and Revenue Director

### PREVIOUS BOARD ACTION

None.

**ATTACHMENTS**

Attachment: None.

**BOARD GOALS**

- A Great Place to Live
- A Healthy Environment
- A Successful Place for Business and Jobs
- Excellence in Public Service

**CONTACT**

Department Head: Heidi Welsch

Author: Jeni Reynolds



# Board of Commissioners

## Request for Board Action

Item Number: DC-4020

Agenda #: 9.6

Meeting Date: 1/7/2025

**DEPARTMENT:** Office of the County Manager

**FILE TYPE:** Consent Action

### TITLE

**Appointments To Metropolitan Emergency Services Board Radio Technical Operations Committee And 911 Technical Operations Committee**

### PURPOSE/ACTION REQUESTED

Appoint one member and one alternate (optional) to both the Metropolitan Emergency Services Board (MESB) Radio Technical Operations Committee and the MESB 911 Technical Operations Committee.

### SUMMARY

By Resolution No. 24-012 (January 2, 2024), the County Board made the 2024 appointments to the Radio Technical Operations Committee and 911 Technical Operations Committees of the MESB. The 2024 representatives were as follows:

#### Radio Technical Operations Committee

Member: Ron Jansen, Radio Systems Coordinator, Office of Risk Management

Alternate: Jenny Groskopf, Dakota County Risk and Homeland Security Manager

#### 911 Technical Operations Committee

Member: Brent Anderson, Operations Manager, Dakota911

Alternate: Heidi Hieserich, Executive Director, Dakota911 or successor

The MESB bylaws provide for each county to appoint one representative to the Radio Technical Operations Committee with the option of one alternate. The MESB bylaws also provide for each county to appoint one representative to the 911 Technical Operations Committee with the option of one alternate.

### RECOMMENDATION

Input was received from the Dakota County Sheriff's Office, Office of Risk Management, and the Dakota911 Executive Director to recommend the following appointments for 2025:

#### Radio Technical Operations Committee

Member: Ron Jansen, Radio Systems Coordinator, Office of Risk Management

Alternate: Kelly Miller, Dakota County Emergency Manager

#### 911 Technical Operations Committee

Member: Brent Anderson, Operations Manager, Dakota911



Alternate: Heidi Hieserich, Executive Director, Dakota911 or successor

**EXPLANATION OF FISCAL/FTE IMPACTS**

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

**RESOLUTION**

WHEREAS, the Metropolitan Emergency Services Board (MESB) bylaws provide for each member to appoint one representative to the Radio Technical Operations Committee with the option of one alternate; and

WHEREAS, the MESB bylaws also provide for each member to appoint one representative to the 911 Technical Operations Committee with the option of one alternate; and

WHEREAS, input from the Dakota County Sheriff's Office, Office of Risk Management, and the Dakota911 Executive Director resulted in the recommendations below.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby appoints the following individuals to the Radio Technical Operations Committee of the Metropolitan Emergency Services Board for 2025:

Representative: Ron Jansen, Radio Systems Coordinator, Office of Risk Management

Alternate: Kelly Miller, Dakota County Emergency Manager

; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby appoints the following individuals to the 911 Technical Operations Committee of the Metropolitan Emergency Services Board for 2025:

Representative: Brent Anderson, Operations Manager, Dakota911

Alternate: Heidi Hieserich, Executive Director, Dakota911 or successor

**PREVIOUS BOARD ACTION**

24-012; 1/2/24

**ATTACHMENTS**

Attachment: None.

**BOARD GOALS**

- A Great Place to Live       A Healthy Environment  
 A Successful Place for Business and Jobs       Excellence in Public Service

**CONTACT**

Department Head: Jenny Groskopf

Author: Jenny Groskopf



# Board of Commissioners

## Request for Board Action

Item Number: DC-4129

Agenda #: 9.7

Meeting Date: 1/7/2025

**DEPARTMENT:** Office of the County Manager

**FILE TYPE:** Consent Action

### TITLE

**Appointment To Rosemount Research And Outreach Center Advisory Committee**

### PURPOSE/ACTION REQUESTED

Appoint the Physical Development Director to the Rosemount Research and Outreach Center Advisory Committee.

### SUMMARY

The Rosemount Research and Outreach Center is a part of the University of Minnesota. The Rosemount Research and Outreach Center mission supports research that enhances the quality of agricultural production, human health, renewable energy and the environment, and to disseminate the benefits of this research to the public.

Over the past several years a person appointed by the Board has served on the Rosemount Research and Outreach Center Advisory Committee. The current appointee is the Physical Development Director and staff recommends reappointment.

### RECOMMENDATION

Staff recommends appointing the Physical Development Director, Georg Fischer to the Rosemount Research and Outreach Center Advisory Committee for 2025.

### EXPLANATION OF FISCAL/FTE IMPACTS

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

### RESOLUTION

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby recommends to the University of Minnesota the appointment of Physical Development Director, Georg Fischer to the Rosemount Research and Outreach Center at UMORE Park Advisory Committee for 2025.

### PREVIOUS BOARD ACTION

- 24-013; 1/2/24
- 23-103; 3/14/23
- 22-261; 6/21/22

### ATTACHMENTS

Attachment: None.

**BOARD GOALS**

- A Great Place to Live
- A Successful Place for Business and Jobs
- A Healthy Environment
- Excellence in Public Service

**CONTACT**

Department Head: Heidi Welsch  
Author: Jeni Reynolds



# Board of Commissioners

## Request for Board Action

Item Number: DC-4099

Agenda #: 9.8

Meeting Date: 1/7/2025

**DEPARTMENT:** Office of the County Manager

**FILE TYPE:** Consent Action

### TITLE

**Designation Of Division Directors To Perform Duties Of County Manager During Absence Or Disability**

### PURPOSE/ACTION REQUESTED

Designate David McKnight, Deputy County Manager, to perform the duties of County Manager during the absence or disability of the County Manager. Designate Tom Novak, Public Services and Revenue Director, to perform the duties of County Manager in the event the Deputy County Manager is also absent or unable to fulfill the duties.

### SUMMARY

The Dakota County Manager is the chief executive officer for Dakota County. The County Board has appointed Heidi Welsch as the County Manager. The County Manager has delegated authority to the Division Directors as permitted by County Policies 2002 (Budget Compliance) and 2751 (Solicitation, Grant, and Contract).

The County Manager has all the powers and is required to perform all the duties of an administrative or executive nature described in Minn. Stat. § 375A.03, subds. 2 and 3. Minn. Stat. § 375A.03, subd. 1 authorizes the County Board to designate a properly qualified person to perform the duties of the County Manager during absence or disability. The County Manager recommends that the Board designate the Deputy County Manager to serve as the County Manager in the event of an absence or disability of the County Manager. Further, the County Manager recommends the County Board designate an individual to serve as the County Manager in the event the County Manager and the Deputy County Manager are absent or disabled.

David McKnight is properly qualified to perform the duties of County Manager during absence or disability. In the event David McKnight is also absent or disabled, Tom Novak is properly qualified to perform the duties.

### RECOMMENDATION

Staff recommends designating David McKnight to perform the duties of County Manager during absence or disability, and Tom Novak in the event David McKnight is also absent or unable to fulfill the duties.

### EXPLANATION OF FISCAL/FTE IMPACTS

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

**RESOLUTION**

WHEREAS, the County Manager is the chief executive officer for Dakota County and has all of the powers and duties described in Minn. Stat. § 375A.03, subds. 2 and 3; and

WHEREAS, Minn. Stat. § 375A.03, subd. 1 authorizes the County Board to designate some properly qualified person to perform the duties of the County Manager during absence or disability; and

WHEREAS, the Dakota County Board of Commissioners desires to make such a designation in order to provide for the orderly administration of county government; and

WHEREAS, David McKnight is properly qualified to perform the duties of the County Manager during absence or disability; and

WHEREAS, Tom Novak is properly qualified to perform the duties of the County Manager during absence or disability.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby designates David McKnight, Deputy County Manger, as the person to perform the duties of County Manager during any time when the County Manager is absent or disabled, effective immediately and until further action by the Dakota County Board of Commissioners; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby designates Tom Novak, Public Services and Revenue Director, as the person to perform the duties of County Manager during any time when the County Manager and Deputy County Manager are absent or disabled, effective immediately and until further action by the Dakota County Board of Commissioners.

**PREVIOUS BOARD ACTION**

None.

**ATTACHMENTS**

Attachment: None.

**BOARD GOALS**

- A Great Place to Live
- A Healthy Environment
- A Successful Place for Business and Jobs
- Excellence in Public Service

**PUBLIC ENGAGEMENT LEVEL**

- Inform and Listen
- Discuss
- Involve
- N/A

**CONTACT**

Department Head: Heidi Welsch

Author: Jeni Reynolds



# Board of Commissioners

## Request for Board Action

Item Number: DC-4122

Agenda #: 9.9

Meeting Date: 1/7/2025

**DEPARTMENT:** Office of the County Manager

**FILE TYPE:** Consent Action

### TITLE

**Appointments To Extension Committee**

### PURPOSE/ACTION REQUESTED

Appoint/reappoint individuals to expired and/or vacant terms. Three terms are expiring, three terms are currently vacant.

### SUMMARY

The Extension Committee, in partnership with the University of Minnesota, assists in approving programs, establishing budget, and selecting and evaluating professional staff to improve the quality of life and enhance the economy and the environment through education, applied research, and the resources of the University.

Membership: 9 members; 1 individual/district and 2 At-large Youth

Meetings: Bi-monthly

Location: Dakota County Extension and Conservation Center, Farmington

Term: 2 years, 1 4-H calendar year for At-large Youth

Term Limit: 2 consecutive terms

The 2024 membership as appointed by the County Board is as follows:

District	First	Last	Expiration	Term
1	<b>VACANT</b>		<b>12/31/24</b>	0
2	Cynthia	Gehrig	12/31/25	2
3	Alison	Johnson	12/31/25	3
4	Barrett	Voight	12/31/25	1
5	<b>Amber</b>	<b>Cameron</b>	<b>12/31/24</b>	6
6	<b>VACANT</b>		<b>12/31/24</b>	0
7	Mary Beth	Kufrin	12/31/25	2
At-large Youth	Elijah	Daniel	9/30/25	1
At-large Youth	<b>VACANT</b>		<b>9/30/25</b>	0

### RECOMMENDATION

Staff recommends individuals be appointed/reappointed to any expiring or vacant terms. Any application(s) or interest for reappointment were distributed to the Board for review. Appointments to vacant terms can be filled at any time throughout the year.

**EXPLANATION OF FISCAL/FTE IMPACTS**

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

**RESOLUTION**

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby reappoints the following individual to the Extension Committee for a two-year term ending December 31, 2026:

District 5, Amber Cameron

**PREVIOUS BOARD ACTION**

None.

**ATTACHMENTS**

Attachment: Application(s) (distributed to Board only)

**BOARD GOALS**

- A Great Place to Live       A Healthy Environment  
 A Successful Place for Business and Jobs       Excellence in Public Service

**CONTACT**

Department Head: Heidi Welsch

Author: Jeni Reynolds





# Board of Commissioners

## Request for Board Action

Item Number: DC-4120

Agenda #: 9.10

Meeting Date: 1/7/2025

**DEPARTMENT:** Office of the County Manager

**FILE TYPE:** Consent Action

### TITLE

**Appointments To Library Advisory Committee**

### PURPOSE/ACTION REQUESTED

Appoint/reappoint individuals to expired and/or vacant terms. Six terms are expiring, three terms are vacant.

### SUMMARY

Library Advisory Committee has the following responsibilities: review and make decisions on disputed material; advise the Library Director on responsibilities in the development of public programming for library services; develop recommended annual work plans for the Committee; review and make recommendations on long-range plans for the Library; accept gifts of up to \$500 for public library purposes; and make recommendations governing library operations.

Membership: 9 members; 1 individual/district and 2 At-large Youth  
 Meetings: Bi-Monthly (6 times a year)  
 Location: Various library locations  
 Term: 2 years; At-large Youth 1 year  
 Term Limit: Three consecutive terms

The 2024 membership appointed by the County Board is as follows:

District	First	Last	Expiration	Term
1	MaryJanice	Alongi	12/31/25	2
2	<b>VACANT</b>		<b>12/31/24</b>	0
3	Robin	Cerio	12/31/25	1
4	<b>Kari</b>	<b>Cahn</b>	<b>12/31/24</b>	1
5	<b>VACANT</b>		<b>12/31/24</b>	0
6	<b>Lynette</b>	<b>Cargill</b>	<b>12/31/24</b>	1
7	Patricia	Schoenecker	12/31/25	2
At-large Youth	<b>VACANT</b>		<b>12/31/24</b>	0
At-large Youth	<b>Shefali</b>	<b>Meagher</b>	<b>12/31/24</b>	1

### RECOMMENDATION

Staff recommends individuals be appointed/reappointed to any expiring or vacant terms. Any application(s) or interest for reappointment were distributed to the Board for review. Appointments to vacant terms can be filled at any time throughout the year.

**EXPLANATION OF FISCAL/FTE IMPACTS**

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

**RESOLUTION**

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby appoints/reappoints the following individuals to the Library Advisory Committee to a two-year term ending December 31, 2025:

- District 2, Ann Matthews-Baussan
- District 4, Kari Cahn
- District 5, Lee Knutson
- District 6, Lynette Cargill
- ; and

BE IT FUTHER RESOLVED, That the Dakota County Board of Commissioners hereby appoints/reappoints the following individuals to the Library Advisory Committee to a one-year Youth term ending December 31, 2025:

- At-large Youth, Olivia Tri
- At-large Youth, Shefali Meagher

**PREVIOUS BOARD ACTION**

None.

**ATTACHMENTS**

Attachment: Application(s) (distributed to Board only)

**BOARD GOALS**

- A Great Place to Live
- A Successful Place for Business and Jobs
- A Healthy Environment
- Excellence in Public Service

**CONTACT**

Department Head: Heidi Welsch  
Author: Jeni Reynolds



# Board of Commissioners

## Request for Board Action

Item Number: DC-4118

Agenda #: 9.11

Meeting Date: 1/7/2025

**DEPARTMENT:** Office of the County Manager

**FILE TYPE:** Consent Action

### TITLE

**Appointments To Personnel Board Of Appeals**

### PURPOSE/ACTION REQUESTED

Appoint/reappoint individuals to expired and/or vacant terms. One term is expiring, no terms are vacant.

### SUMMARY

The Personnel Board of Appeals provides the County Board with an impartial and knowledgeable analysis of facts concerning appeals filed by employees or applicants.

Membership: 4 members; all members are At-large

Meetings: Full-day hearings as needed

Location: Administration Center, Hastings

Term: 3 years

Term Limit: Two three-year terms

Policy 3420 specifies that membership requires residency in Dakota County and ten years of managerial experience in an organization comparable in size to the County or five or more years of professional experience in labor relations or civil law. In order to obtain balance in members' views and backgrounds, the following should be considered in the appointment process:

- Public Sector Background
- Private Sector Background
- Legal Background
- Personnel/Industrial Relations Background
- Large Organization Background
- Organized Labor Background
- PBA Diversity

The current 2024 membership appointed by the County Board is as follows:

District	First	LastName	Expiration	Term
At-large	Randall	Kins	12/31/25	1
At-large	Roger	Czaia	12/31/26	3
At-large	<b>William</b>	<b>Cound</b>	<b>12/31/24</b>	1
At-large	Daniel	Wells	12/31/26	1

**RECOMMENDATION**

Staff recommends individual be appointed/reappointed to any expiring term. Any application(s) or interest for reappointment were distributed to the Board for review. Appointments to vacant terms can be filled at any time throughout the year.

**EXPLANATION OF FISCAL/FTE IMPACTS**

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

**RESOLUTION**

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby reappoints the following individual to the Personnel Board of Appeals for a three-year term ending December 31, 2027:

At-large, William Cound

**PREVIOUS BOARD ACTION**

None.

**ATTACHMENTS**

Attachment: Application(s) (distributed to Board only)

**BOARD GOALS**

- A Great Place to Live       A Healthy Environment  
 A Successful Place for Business and Jobs       Excellence in Public Service

**CONTACT**

Department Head: Heidi Welsch

Author: Jeni Reynolds



# Board of Commissioners

## Request for Board Action

Item Number: DC-4116

Agenda #: 9.12

Meeting Date: 1/7/2025

**DEPARTMENT:** Office of the County Manager

**FILE TYPE:** Consent Action

### TITLE

**Appointments To Planning Commission**

### PURPOSE/ACTION REQUESTED

Appoint/reappoint individuals to expiring and/or vacant terms on the Planning Commission. All terms are expiring; two terms are vacant.

### SUMMARY

The Planning Commission reviews plans and proposals and makes policy recommendations to the County Board in the following areas; transportation, transit, parks, trails and greenways, land conservation, water resources, and environmental management. The Planning Commission may review capital projects or be asked by the County Board to address emerging issues that impact the physical or natural infrastructure of Dakota County. In addition, the Planning Commission considers conditional use permits in the shoreland and floodplain areas of Dakota County.

- Membership: 14 members; 2 individuals/district
- Meetings: Monthly or as necessary
- Location: Western Service Center, Apple Valley
- Term: 1 year
- Term Limit: None

The 2024 membership, as appointed by the County Board, is as follows:

District	First	Last	Expiration	Term
1	Dennis	Peine	1/7/25	3
1	Jerry	Rich	1/7/25	7
2	Amy	Hunting	1/7/25	9
2	Lori	Hansen	1/7/25	11
3	Jill	Smith	1/7/25	12
3	<b>VACANT</b>		1/7/25	0
4	Mike	Cahn	1/7/25	2
4	Barry	Graham	1/7/25	12
5	Abdinasir	Ibrahim	1/7/25	1
5	<b>VACANT</b>		1/7/25	0
6	Stephen	Shurts	1/7/25	1
6	James	Guttman	1/7/25	8
7	Anthony	Nelson	1/7/25	17

7 Kelly Kausel 1/7/25 2

**RECOMMENDATION**

Staff recommends individuals be appointed/reappointed to any expiring or vacant terms. Any application(s) or interest for reappointment were distributed to the Board for review. Appointments to vacant terms can be filled at any time throughout the year.

**EXPLANATION OF FISCAL/FTE IMPACTS**

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

**RESOLUTION**

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby appoints/reappoints the following individuals to the Planning Commission for one-year terms ending January 6, 2026:

- District 1, Dennis Peine
- District 1, Jerry Rich
- District 2, Amy Hunting
- District 2, Lori Hansen
- District 3, Jill Smith
- District 4, Paul Nasvik
- District 4, Barry Graham
- District 5, Abdinasir Ibrahim
- District 5, John Wallace
- District 6, Stephen Shurts
- District 6, James Guttman
- District 7, Anthony Nelson
- District 7, Kelly Kausel

**PREVIOUS BOARD ACTION**

None.

**ATTACHMENTS**

Attachment: Application(s) (distributed to Board only)

**BOARD GOALS**

- A Great Place to Live
- A Successful Place for Business and Jobs
- A Healthy Environment
- Excellence in Public Service

**CONTACT**

Department Head: Heidi Welsch  
Author: Jeni Reynolds



# Board of Commissioners

## Request for Board Action

Item Number: DC-4114

Agenda #: 9.13

Meeting Date: 1/7/2025

**DEPARTMENT:** Office of the County Manager

**FILE TYPE:** Consent Action

### TITLE

**Appointments To Public Art Advisory Committee**

### PURPOSE/ACTION REQUESTED

Appoint/reappoint individuals to expired and/or vacant terms. Six terms are expiring, four terms are vacant.

### SUMMARY

The Public Art Advisory Committee was established to recommend to the County Board art to be placed in County public buildings, within criteria and a process approved by the County Board.

Membership: 11 members; 1 individual/district, 2 At-large individuals, plus 2 At-large Youth

Meetings: Monthly

Location: Western Service Center, Apple Valley

Term: 2 years; At-large Youth 1 year

Term Limit: 3 consecutive terms

The 2024 membership appointed by the County Board is as follows:

District	First	Last Name	Expiration	Term
1	<b>VACANT</b>		<b>12/31/25</b>	0
2	Michael	Todaro	12/31/25	1
3	<b>VACANT</b>		<b>12/31/24</b>	0
4	<b>Cheryl</b>	<b>Caponi</b>	<b>12/31/24</b>	1
5	<b>Matthew</b>	<b>Eppel</b>	<b>12/31/24</b>	1
6	Robert	Erickson	12/31/25	2
7	<b>JuliAnne</b>	<b>Jonker</b>	<b>12/31/24</b>	2
At-large	Allen	Tsai	12/31/25	2
At-large	<b>VACANT</b>		12/31/25	0
At-large Youth	<b>Annika</b>	<b>Phomsamouth</b>	<b>12/31/24</b>	1
At-large Youth	<b>VACANT</b>		<b>12/31/24</b>	0

### RECOMMENDATION

Staff recommends individuals be appointed/reappointed to any expiring or vacant terms. Any application(s) or interest for reappointment were distributed to the Board for review. Appointments to vacant terms can be filled at any time throughout the year.

**EXPLANATION OF FISCAL/FTE IMPACTS**

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

**RESOLUTION**

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby appoints/reappoints the following individuals to the Public Art Advisory Committee for a two-year term ending December 31, 2026:

- District 1, Katryna Baune
- District 4, Cheryl Caponi
- District 5, Matthew Eppel
- District 7, JuliAnne Jonker
- ; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby reappoints the following Youth to the Public Art Advisory Committee for a one-year Youth term ending December 31, 2025:

At-large Youth, Annika Phomsamouth

**PREVIOUS BOARD ACTION**

None.

**ATTACHMENTS**

Attachment: Application(s) (distributed to Board only)

**BOARD GOALS**

- A Great Place to Live
- A Healthy Environment
- A Successful Place for Business and Jobs
- Excellence in Public Service

**CONTACT**

Department Head: Heidi Welsch  
Author: Jeni Reynolds





# Board of Commissioners

## Request for Board Action

Item Number: DC-4121

Agenda #: 9.14

Meeting Date: 1/7/2025

**DEPARTMENT:** Office of the County Manager

**FILE TYPE:** Consent Action

### TITLE

**Appointments To Special Board Of Appeals And Equalization**

### PURPOSE/ACTION REQUESTED

Appoint/reappoint individuals to vacant and/or expired terms. Four terms are expiring, two terms are vacant.

### SUMMARY

This Board hears appeals from property owners regarding property valuation or classification which will be the basis for real estate taxes and may change any valuation or classification which in its opinion is incorrect.

Membership: 7 members; 1 individual/district

Meetings: Typically meets on an annual basis, usually the first week in June

Term: 2 years

Term Limit: None

Prior Board action requires that at least one member must be a real estate appraiser, realtor, or other person familiar with property valuation in the county. Additionally, legislation passed in 2008 requires that there be at least one member at each meeting who has attended an appeals and equalization course provided or approved by the Minnesota Department of Revenue within the last four years.

The 2024 membership appointed by the County Board is as follows:

District	First	Last Name	Expiration	Term
1	John	Moes	12/31/25	2
2	<b>Paul</b>	<b>Hark</b>	<b>12/31/24</b>	1
3	<b>VACANT</b>		<b>12/31/24</b>	0
4	<b>Paul</b>	<b>Sakariassen</b>	<b>12/31/24</b>	1
5	Christopher	Baddeley	12/31/25	4
6	Patricia	Zuzek	12/31/25	4
7	<b>VACANT</b>		<b>12/31/24</b>	0

### RECOMMENDATION

Staff recommends individuals be appointed/reappointed to any expiring or vacant terms. Any application(s) or interest for reappointment were distributed to the Board for review. Appointments to vacant terms can be filled at any time throughout the year.

**EXPLANATION OF FISCAL/FTE IMPACTS**

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

**RESOLUTION**

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby appoints/reappoints the following individuals to the Special Board of Appeal and Equalization for a two-year term ending December 31, 2026:

District 2, Paul Hark  
District 4, Paul Sakariassen  
District 7, Thomas Goodwin

**PREVIOUS BOARD ACTION**

None.

**ATTACHMENTS**

Attachment: Application(s) (distributed to Board only)

**BOARD GOALS**

- A Great Place to Live       A Healthy Environment  
 A Successful Place for Business and Jobs       Excellence in Public Service

**CONTACT**

Department Head: Heidi Welsch  
Author: Jeni Reynolds



# Board of Commissioners

## Request for Board Action

Item Number: DC-4133

Agenda #: 9.15

Meeting Date: 1/7/2025

**DEPARTMENT:** Human Resources

**FILE TYPE:** Consent Action

**TITLE**

**Authorization To Execute 2025-2026 Labor Agreement With Law Enforcement Labor Services Licensed Supervisors Unit**

**PURPOSE/ACTION REQUESTED**

Authorize execution of 2025-2026 Labor Agreement with Law Enforcement Labor Services Licensed Supervisors Unit.

**SUMMARY**

The County’s negotiating team has reached tentative agreement with Law Enforcement Labor Services Licensed Supervisors Unit representing 18 licensed supervisors in the Sheriff’s Office. The terms of the tentative agreement are consistent with 2025-2026 settlement authority previously provided by the Board. While specific language of the Agreement will be reviewed by the County’s contracted labor counsel prior to execution, the Agreement is being submitted for County Board approval regarding substantive economic changes.

1. Term: Two-year Agreement, January 1, 2025 - December 31, 2026
2. Salary Ranges: Salary ranges to be increased according to adopted 2025 and 2026 County Pay Equity Salary Range Structure.
3. 2025 General Increase: 4.25%
4. 2026 General Increase: 4.25%
5. 2025-2026 Merit Matrix (in addition to General Increase)

Salary Range	Exceptional Performance	Greatly Exceeds Standards	Exceeds Standards	Meets Standards	Below Standards
Q4	4 % base	4 % base	3 % base	2 % base	0%
Q3	4 % base	4 % base	3 % base	2 % base	0%
Q2	4 % base	4 % base	3 % base	2 % base	0%
Q1	4 % base	4 % base	3 % base	2 % base	0%

6. One-time 2% pay equity adjustment

**RECOMMENDATION**

Staff recommends approval.

**EXPLANATION OF FISCAL/FTE IMPACTS**

The costs of the provisions are included in the County Manager’s recommended 2025 budget.

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

**RESOLUTION**

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the appropriate County officials to execute the Labor Agreement with Law Enforcement Labor Services Licensed Supervisors Unit in the Sheriff’s Office for the period January 1, 2025 - December 31, 2026, in accordance with the terms and conditions of the Agreement and those contract modifications submitted to the Dakota County Board of Commissioners dated January 7, 2025, and subject to approval by the County’s contracted labor counsel as to form.

**PREVIOUS BOARD ACTION**

None.

**ATTACHMENTS**

Attachment: None.

**BOARD GOALS**

- A Great Place to Live
- A Healthy Environment
- A Successful Place for Business and Jobs
- Excellence in Public Service

**CONTACT**

Department Head: Andy Benish

Author: Andy Benish



# Board of Commissioners

## Request for Board Action

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Item Number: DC-4077

Agenda #: 10.1

Meeting Date: 1/7/2025

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**DEPARTMENT:** Information Technology

**FILE TYPE:** Consent Action

### TITLE

**Authorization To Execute Contract For Purchase Of Esri, Inc., Enterprise GIS Software Licenses**

### PURPOSE/ACTION REQUESTED

Authorize the Deputy County Manager to execute a contract with Esri, Inc., for the purchase of GIS software licenses.

### SUMMARY

Esri, Inc., has been the provider of GIS software licensing and support for Dakota County staff since the inception of the GIS Program. County staff depend upon Esri, Inc., software to create cartographic products that aid county staff in their general planning and decision making processes; provide the public access to property information and many other data layers; create datasets that are used for everything from wayfinding in parks to aiding emergency preparedness and response units locate their calls; aid in land conservation efforts; optimize staff time while enforcing State Statutes and County Ordinances; and countless other uses. Staff recommend renewing the annual contract with Esri, Inc. to extend access to software licensing and support from February 11, 2025, to February 10, 2026, not to exceed \$102,545.

Dakota County participates in the Minnesota Cooperative Purchasing Venture (CPV), which allows it to purchase goods from contracts established by the Materials Management Division (MMD) for Minnesota state agencies. The CPV currently includes a contract with Esri, Inc., for GIS software licensing and support (State Contract No. 156692). Purchasing through the CPV allows Dakota County to take advantage of the time and effort expended by MMD to develop specifications and to perform a competitive solicitation process, reducing waste and unnecessary repetition of activity.

### RECOMMENDATION

Staff recommends that the Board authorize the Deputy County Manager to execute a contract to purchase of the following item(s) from Esri, Inc., through the State of Minnesota Cooperative Purchasing Venture in an amount not to exceed \$102,545:

- Server based licensing: \$21,231
- Online (mobile and web applications licensing): \$43,125
- Desktop application licensing: \$38,189

### EXPLANATION OF FISCAL/FTE IMPACTS

The total cost of the purchase is \$102,545. Funding for the purchase has been authorized in the

2025 Information Technology budget.

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

## RESOLUTION

WHEREAS, Esri, Inc., has been the provider of GIS software licensing and support for Dakota County staff since the inception of the GIS Program; and

WHEREAS, an extension of the County's Enterprise GIS Software Licenses with Esri, Inc., is necessary to continue the County's GIS Program; and

WHEREAS, Dakota County participates in the Minnesota Cooperative Purchasing Venture (CPV), which allows it to purchase goods from contracts established by the Materials Management Division for Minnesota state agencies; and

WHEREAS, participation in the CPV allows Dakota County to purchase at competitive pricing without having to undertake a competitive procurement process itself; and

WHEREAS, staff recommends the purchase of the following items from Esri, Inc., pursuant to State Contract No. 156692 from February 11, 2025 to February 10, 2026 in an amount not to exceed \$102,545:

- Server based licensing: \$21,231
- Online (mobile and web applications licensing): \$43,125
- Desktop application licensing: \$38,189

; and

WHEREAS, funding for this purchase has been authorized in the 2025 Information Technology budget.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Deputy County Manager to execute a contract to purchase Enterprise GIS Software Licenses from Esri, Inc., pursuant to State Contract No. 156692, in an amount not to exceed \$102,545, subject to approval by the County Attorney's Office as to form.

## PREVIOUS BOARD ACTION

None.

## ATTACHMENTS

Attachment: Contract

## BOARD GOALS

- A Great Place to Live       A Healthy Environment  
 A Successful Place for Business and Jobs       Excellence in Public Service

## CONTACT

Department Head: Dan Cater Author: Joe Sapletal

# Master Agreement



Agreement No. 00133877.0

This Master Agreement ("Agreement") is between the entity shown below ("Customer") and Environmental Systems Research Institute, Inc. ("Esri"), a California corporation with a place of business at 380 New York Street, Redlands, California 92373-8100 USA.

This Agreement is the sole and entire agreement of the parties as to the subject matter of this Agreement and supersedes any previous agreements, understandings, and arrangements relating to such subject matter. Neither party has relied on any statement, representation, or warranty not expressly stated in this Agreement. The Agreement comprises this signature page, the terms and conditions that begin on the following page, and all referenced attachments. Except for Product or Service descriptions, quantities, pricing, and delivery instructions, or as agreed in an Ordering Document signed by both parties, all terms included in any Ordering Document are void and of no effect. Any modification(s) or amendment(s) to this Agreement must be in writing and signed by both parties.

The parties may sign this Agreement in counterparts or via electronic signatures; such execution is valid even if an original paper document bearing both parties' original signatures is not delivered. This Agreement is executed and effective as of the last date signed below.

The authorized representatives of each party accept and agree to the terms of this Agreement by signing below:

State of Minnesota  
(Customer)

ENVIRONMENTAL SYSTEMS RESEARCH  
INSTITUTE, INC. (Esri)

Legal Address: 112 Administration Building, 50 Sherburne Ave 380 New York Street, Redlands, CA 92373-8100  
St. Paul, MN 55155

By: Andy Doran  
Authorized Signature

By: T B -  
Authorized Signature

Printed Name: Andy Doran

Printed Name: Timothy Brazeal  
Manager, Commercial & Government Contracts

Title: IT Acquisitions Supervisor

Title: \_\_\_\_\_

Date: 5/3/19

Date: MAY 1, 2019

### Customer Contact Information

Contact: \_\_\_\_\_

Telephone: \_\_\_\_\_

Address: \_\_\_\_\_

Fax: \_\_\_\_\_

City, State, ZIP: \_\_\_\_\_

Email: \_\_\_\_\_

Attachment A contains definitions of capitalized terms used throughout this Agreement. Each section of this Agreement may include additional definitions that are used exclusively within that section.

## 1.0 GENERAL GRANT OF RIGHTS AND RESTRICTIONS

**1.1 Grant of Rights.** In consideration of Customer's payment of all applicable fees and in accordance with this Agreement, Esri

- a. Provides Services as set forth in this Agreement;
- b. Grants to Customer a nonexclusive, nontransferable right and license or subscription to access and use Esri Offerings as set forth in the Specifications and applicable Ordering Documents; and
- c. Authorizes Customer to copy and make derivative works of the Documentation for Customer's own internal use in conjunction with Customer's authorized use of Deliverables or Esri Offerings. Customer will include the following copyright attribution notice acknowledging the proprietary rights of Esri and its licensors in any derivative work:

"Portions of this document include intellectual property of Esri and its licensors and are used under license. Copyright © [Customer will insert the actual copyright date(s) from the source materials.] Esri and its licensors. All rights reserved."

The grants of rights in this section (i) continue for the duration of the subscription or applicable Term or perpetually if no Term is applicable or identified in the Ordering Documents and (ii) are subject to additional rights and restrictions in this Agreement including Attachment B.

**1.2 Consultant or Contractor Access.** Customer may authorize its consultants or contractors to (i) host Esri Offerings for Customer's benefit and (ii) use Esri Offerings exclusively for Customer's benefit. Customer will be solely responsible for its consultants' and contractors' compliance with this Agreement and will ensure that each consultant or contractor discontinues use of the Esri Offerings upon completion of work for Customer. Access to or use of Esri Offerings by consultants or contractors that is not exclusively for Customer's benefit is prohibited.

**1.3 Reservation of Rights.** All Esri Offerings are the copyrighted works of Esri or its licensors; all rights not specifically granted in this Agreement are reserved.

**1.4 Trial, Evaluation, and Beta Licenses.** Products acquired under a trial or evaluation license or subscription or under a Beta program are intended for evaluation and testing purposes only and not for commercial use. Any such use is at Customer's own risk, and the Products do not qualify for Maintenance. If Customer does not convert to a purchased license or subscription prior to the expiration of the evaluation term, Customer may lose any Customer Content and customizations made during the evaluation term. If Customer does not wish to purchase a license or subscription, Customer should export such Customer Content before the end of Customer's evaluation period.

**1.5 Educational Programs.** Customer agrees to use Esri Offerings provided under an educational program solely for educational purposes during the educational use Term. Customer shall not use Products for any Administrative Use unless Customer has acquired an Administrative Use license. "Administrative Use" means administrative activities that are not directly related to instruction or education, such as asset mapping, facilities management, demographic analysis, routing, campus safety, and accessibility analysis. Customer shall not use Products for revenue-generating or for-profit purposes.

**1.6 Grant Programs.** Customer may use Esri Offerings provided under a grant program for noncommercial purposes only. Except for cost recovery of using and operating the Esri Offerings, Customer shall not use Esri Offerings for revenue-generating or for-profit purposes.

**1.7 Other Esri Limited-Use Programs.** If Customer acquires Esri Offerings under any limited-use program not listed above, Customer's use of the Esri Offerings may be subject to the terms set forth in the applicable launching page or enrollment form or as described on Esri's website in addition to the nonconflicting terms of this Agreement.



## 2.0 SOFTWARE

**2.1 License Types.** Esri licenses Software under the following license types; the Documentation and Ordering Documents identify which license type(s) applies to the ordered Software:

- a. **Concurrent Use License.** Customer may install and use the Software on computer(s) on a network, but the number of simultaneous users may not exceed the number of licenses acquired. A Concurrent Use License includes the right to run passive failover instances of Concurrent Use License management software in a separate operating system environment for temporary failover support.
- b. **Deployment License.** Customer may incorporate ArcGIS Runtime components in Value-Added Applications and distribute the Value-Added Applications to Customer's end users.
- c. **Deployment Server License.** Customer may use the Software under a Server License for all uses permitted in the Agreement and as described in the Documentation.
- d. **Development Server License.** Customer may use the Software under a Server License only to build and test Value-Added Applications as described in the Documentation.
- e. **Development Use.** Customer may install and use the Software to build and test Value-Added Applications as described in the Documentation.
- f. **Dual Use License.** Customer may install the Software on a desktop computer and use it simultaneously with either a personal digital assistant (PDA) or handheld mobile computer as long as the Software is only used by a single individual at any time.
- g. **Failover License.** Customer may install Software on redundant systems for failover operations, but the redundantly installed Software may be operational only during the period the primary site is nonoperational. Except for system maintenance and updating of databases, the redundant Software installation(s) will remain dormant while the primary site (or any other redundant site) is operational.
- h. **Redistribution License.** Customer may reproduce and distribute the Software provided that
  1. Customer reproduces and distributes the Software in its entirety;
  2. A license agreement that protects the Software to the same extent as this Agreement accompanies each copy of the Software, and the recipient agrees to the terms and conditions of the license agreement;
  3. Customer reproduces all copyright and trademark attributions and notices; and
  4. Customer does not charge a fee to others for the use of the Software.
- i. **Server License.** Customer may install and use the Software on a server computer. Server Licenses may be subject to a limited number of server cores or distributed deployment on multiple servers as described in the Ordering Documents or Documentation. If the Software description includes failover use, each Server License includes a Failover License.
- j. **Single Use License.** Customer may permit a single authorized end user to install and use the Software on a single computer. Customer may permit the single authorized end user to install a second copy for the end user's exclusive use on a second computer as long as only 1 copy of Software is in use at any time. No other end user may use Software under the same license at the same time for any other purpose.
- k. **Staging Server License.** Customer may use the Software under a Server License to build and test Value-Added Applications and map caches; conduct user acceptance, performance, and load testing of other third-party software; stage new commercial data updates; and conduct training activities as described in the Documentation. Customer may use Value-Added Applications and map caches with Development and Deployment Server Licenses.

## 2.2 Permitted Uses

- a. Customer may
  1. Install, access, or store Software and Data on electronic storage device(s);
  2. Make archival copies and routine computer backups;
  3. Install and use a newer version of Software concurrently with the version to be replaced during a reasonable transition period not to exceed 6 months, provided that the deployment of either version does not exceed Customer's licensed quantity; thereafter, Customer will not use more Software in the

aggregate than Customer's total licensed quantity. This concurrent use right does not apply to Software licensed for Development Use.

4. Move the Software in the licensed configuration to a replacement computer;
  5. Distribute Software and any associated Authorization Codes required for use of a Deployment License to third parties; and
  6. Use server Software for Commercial ASP Use only if Customer has procured a Commercial ASP Use license or is a governmental or not-for-profit organization that operates a website or offers an Internet service on a cost-recovery basis and not for profit.
- b. Customer may customize Software using any macro or scripting language, APIs, or source or object code libraries but only to the extent that such customization is described in Documentation.
  - c. Customer may use all fonts provided with the Software for any authorized use of the Software. Customer may also use Esri fonts separately to print any output created by the Software. Any use restrictions for third-party fonts included with the Software are set forth in the font file itself.
  - d. Esri publishes Product-specific Software terms of use at <http://www.esri.com/legal/scope-of-use>

### 3.0 ONLINE SERVICES

**3.1 Definitions.** The following definitions supplement the definitions provided in Attachment A:

- a. **"Anonymous Users"** means all who have public access (i.e., without having to provide a Named User Credential) to any part of Customer Content or Value-Added Applications. Customer may enable Anonymous Users to access Customer Content or Value-Added Applications by publishing them through the use of the Sharing Tools, included with Customer's authorized use of the Online Services.
- b. **"App Login Credential(s)"** means a system-generated application login and associated password, provided when registering a Value-Added Application with ArcGIS Online, which when embedded in a Value-Added Application allows the Value-Added Application to access and use of Online Services.
- c. **"Service Credit(s)"** means a unit of exchange that is allocated with an Online Services subscription in an amount specified in the Ordering Document.
- d. **"Sharing Tools"** means publishing capabilities included with Online Services and ArcGIS Website that allow Customer to make Customer Content and Value-Added Applications available to third parties or Anonymous Users.

**3.2 Online Services Descriptions.** Esri publishes Online Services subscription-specific terms of use at <http://www.esri.com/legal/scope-of-use>. Use of Online Services is also subject to the Cloud Services terms found in Attachment B.

### 3.3 Access to Value-Added Applications

- a. Named Users have unique, individual login credentials. Named Users have private access to features of Online Services that are not publicly accessible to Anonymous Users.
- b. Customer may use its Online Services subscription to build Value-Added Applications for internal use by Named Users in accordance with the published Online Services descriptions.
- c. Customer may transfer Value-Added Applications to any third party for use in conjunction with the third party's own Online Services subscription.
- d. Customer may not add third parties as Named Users to Customer's Online Services subscription. This restriction does not apply to third parties included within the definition of Named Users.
- e. Customer may not provide a third party with access to ArcGIS Online Services enabled through Customer's ArcGIS Online subscription other than through Customer's Value-Added Applications. This restriction does not apply to third parties included within the definition of Named Users.
- f. Customer may enable Anonymous Users to access Customer's Value-Added Applications running under Customer's own subscription, subject to the following terms:
  1. Customer may charge for such access under subscription types that permit use for commercial retail business purposes.
  2. Customer may embed an App Login Credential into Value-Added Applications to enable public use by Anonymous Users but may not embed a Named User Credential.

3. Customer is responsible for all Service Credits consumed in Anonymous Users' use of Customer's Value-Added Applications.
4. Customer is solely responsible for providing technical support for Customer's Value-Added Application(s).
5. Customer may not enable Anonymous Users to access Value-Added Applications that are intended for Customer's internal use only; Value-Added Applications used internally require each user to use Named User login credentials.

### **3.4 Customer's Responsibilities**

- a. Customer is solely responsible for the development and operation of Customer Content and Value-Added Applications and for its Named Users' compliance with this Agreement. Customer and its Named Users or Anonymous Users (if applicable) are the only persons authorized to access Online Services through Customer's subscription. Named Users' login credentials are for designated Named Users only and may not be shared with other individuals. Customer may reassign a Named User License if the former Named User no longer requires access to Online Services.
- b. Customer must include attribution acknowledging that its application uses Esri Online Services, if attribution is not automatically displayed through the use of Online Services. Guidelines are provided in the Documentation.
- c. Customer will ensure that Customer Content is suitable for use with Online Services and will maintain regular offline backups using the Online Services export and download capabilities

**3.5 Modifications of Online Services.** Esri may change Online Services and associated APIs at any time, subject to 30 days' notice of material changes and 90 days' notice for deprecations. If any modification, discontinuation, or deprecation of Online Services causes a material, adverse impact to Customer's operations, Esri may, at its discretion, attempt to repair, correct, or provide a workaround for Online Services. If a viable solution is not commercially reasonable, Customer may cancel its subscription to Online Services, and Esri will issue a prorated refund.

**3.6 Subscription Fee Changes.** Esri may change fees for subscriptions with a term greater than 1 month by notifying Customer at least 60 days prior to expiration of the then-current subscription term. Esri may change monthly subscription fees upon 30 days' notice. Outside the United States, the distributor may provide notice of rate changes.

**3.7 Sharing Customer Content.** If Customer elects to share Customer Content using Sharing Tools, then Customer acknowledges that Customer has enabled third parties to use, store, cache, copy, reproduce, (re)distribute, and (re)transmit Customer Content through Online Services. Esri is not responsible for any loss, deletion, modification, or disclosure of Customer Content resulting from use or misuse of Sharing Tools or Online Services, Customer Content, ArcGIS Website, Documentation, or related materials. Customer's use of Sharing Tools is at Customer's sole risk.

**3.8 Limits on Use of Online Services, Service Credits.** Each Online Services subscription includes Service Credits as described in the applicable Ordering Document. Each Service Credit entitles Customer to consume a set amount of Online Services, the amount varying depending on the Online Services that Customer is using. As Customer consumes Online Services, Service Credits are automatically debited from Customer's subscription, up to the maximum number of Service Credits available. Customer may purchase additional Service Credits as needed. Esri will notify Customer's subscription account administrator when Customer's Service Credit consumption reaches approximately 75 percent of the Service Credits allocated to Customer through Customer's subscription. Esri reserves the right to suspend Customer's access to Online Services that consume Service Credits when Customer has consumed all its Service Credits. Esri will promptly restore Customer's access to its Online Services once Customer has purchased additional Service Credits.

## 4.0 DATA

4.1 Definitions. The following definitions supplement the definitions provided in Attachment A:

- a. "Business Listing Data" means any dataset that includes a list of businesses and may include other associated business attributes.
- b. "Esri Content Package(s)" means a digital file containing ArcGIS Online basemap content (e.g., raster map files, images, vector data) extracted from the ArcGIS Online basemap services.
- c. "Street Data" means Data that includes or depicts information about roads, streets, and related features.

### 4.2 Permitted Uses

- a. Unless otherwise authorized in writing, Customer may only use Data with the Products for which Esri has provided the Data.
- b. Customer may include representations of the Data in hard-copy or static, electronic format (e.g., PDF, GIF, JPEG) in presentation packages, marketing studies, or other reports or documents containing map images or data summaries derived from the use of Esri Products to third parties subject to restrictions set forth in this Agreement, provided that Customer affixes an attribution statement to the Data representations acknowledging Esri or its applicable licensor(s) as the source of the portion(s) of the Data used for the Data representation.
- c. Customer may take ArcGIS Online basemaps offline through Esri Content Packages and subsequently deliver (transfer) them to any device for use with licensed ArcGIS Runtime applications and ArcGIS Desktop. Customer may not otherwise cache or download such Data.
- d. Esri does not acquire any rights in Customer Content under this Agreement.

### 4.3 Use Restrictions

- a. Customer may not act directly or authorize its customers to cobrand Data, use the Data in any unauthorized service or product, or offer Data through or on behalf of any third party.
- b. Customer may not use or allow third parties to use Data for the purpose of compiling, enhancing, verifying, supplementing, adding to, or deleting from compilation of information that is sold, rented, published, furnished, or in any manner provided to a third party.
- c. *Business Listing Data*. Unless authorized in writing, Customer may not use Business Listing Data for any direct marketing purposes, resale publication, or distribution to any third party as part of any mailing list, directory, classified advertising, or other compilation of information.
- d. *Street Data*. Customer may use Street Data for mapping, geocoding, routing, and transportation network analysis purposes. Unless otherwise authorized in writing, Customer may not use Street Data for
  1. Real-time navigational guidance, including alerting a user about upcoming maneuvers, such as warning of an upcoming turn or calculating an alternate route if a turn is missed;
  2. Synchronized multivehicle routing; or
  3. Synchronized route optimization.
- e. *Business Analyst Data*. Customer may cache Data provided with ArcGIS Business Analyst Mobile App on a mobile device for use in conjunction with its use of ArcGIS Business Analyst Server. Customer may not otherwise cache or download such Data.
- f. *Partial Dataset Licenses*: If Customer orders a subset of a dataset (for example, a country, region, state, or local portion of a global database), Customer may use only the licensed subset, not any other portion of the full dataset.
- g. *Esri MapStudio Data*. Customer may create, publicly display, and distribute maps in hard-copy or static electronic format for news-reporting purposes only.
- h. *Michael Bauer Research International Boundaries Data ("MBR Data")*: Customer's right to use data downloaded to the Customer's premises (e.g. MBR Data stored in ArcGIS Enterprise, ArcGIS Desktop) terminates 2 years after download.

**4.4 Supplemental Terms and Conditions for Data.** Certain Data licensors require Esri to flow down additional attribution requirements and terms of use to Customer. These terms supplement and amend the terms of this Agreement and are available at [www.esri.com/legal/third-party-data](http://www.esri.com/legal/third-party-data). Customer does not agree to any such term that is in conflict with Minnesota law.

## **5.0 MAINTENANCE**

**US Customers:** Esri will provide Maintenance for Software and Online Services in accordance with the Esri Maintenance and Support Program and this Agreement if Customer is in the United States.

**Customers outside the United States:** Customer may obtain maintenance services from their local Esri distributor under the distributor's own standard support policy.

## ATTACHMENT A GLOSSARY OF TERMS

The following glossary of terms applies to all Esri Offerings and Services that Esri may provide to its customers. Certain Esri Offerings or Services may not be within the scope of this Agreement. Please disregard any terms that are not applicable to Esri Offerings or Services offered under this Agreement.

**"Affiliate"** means any entity that directly or indirectly (i) Controls; (ii) is Controlled by; or (iii) is under common Control with a party; where "Control" means having more than 50 percent of the voting stock or other voting interest in the Controlled entity.

**"API"** means application programming interface.

**"ArcGIS Website"** means [www.arcgis.com](http://www.arcgis.com) and any related or successor websites.

**"Authorization Code(s)"** means any key, authorization number, enablement code, login credential, activation code, token, user name and password, or other mechanism required for use of Esri Offerings.

**"Beta"** means any alpha, beta, or other prerelease version of a Product.

**"Cloud Services"** means Online Services and EMCS.

**"Commercial ASP Use"** means use as a commercial application service provider, that is, to generate revenue by providing access to Software or Online Services through a Value-Added Application, for example, by charging a subscription fee, service fee, or any other form of transaction fee or by generating more than incidental advertising revenue.

**"Content"** means data, images, photographs, animations, video, audio, text, maps, databases, data models, spreadsheets, user interfaces, graphics components, icons, software, and other resources.

**"Control"** means having more than 50 percent of the voting stock or other voting interest in the Controlled entity.

**"Customer Content"** means any Content that Customer provides, uses, or develops in connection with Customer's use of Esri Offerings or Services, including Value-Added Applications. Customer Content excludes any feedback, suggestions, or requests for improvements that Customer provides to Esri.

**"Data"** means any commercially available digital dataset(s) including, but not limited to, geographic vector data, raster data reports, or associated tabular attributes, that Esri bundles with other Esri Offerings or delivers independently.

**"Deliverables"** means anything that Esri delivers to a Customer as a result of performance of Professional Services.

**"Documentation"** means all user reference documentation that Esri provides with a Deliverable or an Esri Offering.

**"Esri Managed Cloud Services"** or **"EMCS"** means a Customer-specific cloud infrastructure, Software, Data, and network platform that Esri hosts, manages, and makes available to Customer or Customer's end users via the Internet.

**"Esri Offering(s)"** means any Product or Documentation. If Esri provides Training or Professional Services directly to Customer, then Esri Offerings also include Deliverables provided on a firm fixed price basis and Training Materials. Esri Offerings exclude Services and Third-Party Content.

**"GIS"** means geographic information system.

**"Maintenance"** means a subscription program that Esri provides and that entitles Customer to Product updates and other benefits such as access to technical support and self-paced, web-based learning resources.

**"Malicious Code"** means software viruses; worms; time bombs; Trojan horses; or any other computer code, files, denial of service, or programs designed to interrupt, destroy, or limit the functionality of any computer software, hardware, or telecommunications equipment.

**"Named User(s)"** is Customer's employee, agent, consultant, or contractor to whom Customer has assigned a unique secure named user login credential (identity) enabling access to a Product that requires such identity to access identity-managed capabilities within a Product for Customer's exclusive benefit. For educational use, Named Users may include registered students.

**"Named User Credential(s)"** means an individual person's login and associated password enabling that person to access and use Products.

**"Named User License"** means the right for a single Named User to use a specific Esri Offering.

**"Online Services"** means any commercially available, Internet-based geospatial system that Esri provides, including applications and associated APIs for storing, managing, publishing, and using maps, data, and other information. Online Services exclude Data and Content.

**"Ordering Document(s)"** means a sales quotation, Maintenance renewal quote, purchase order, proposal, Task Order, or other document identifying the Esri Offerings, updates, or Services that Customer orders.

**"Perpetual License"** means a license to use a version of the Esri Offering for which applicable license fees have been paid, indefinitely, unless terminated by Esri or Customer as authorized under this Agreement.

**"Personal Use"** means personal, noncommercial use by an individual Customer. Personal Use excludes use for the benefit of any third party, including commercial, educational, governmental, or nonprofit entities.

**"Product(s)"** means Software, Data, and Online Services.

**"Professional Services"** means any development or consulting services that Esri provides to Customer.

**"Sample(s)"** means sample code, sample applications, add-ons, or sample extensions of Products.

**"Service(s)"** means Maintenance. If Esri provides EMCS, Training, or Professional Services directly to Customer, then Services also include EMCS, Training, and Professional Services.

**"Software"** means any proprietary commercial off-the-shelf software, excluding Data, accessed or downloaded from an Esri-authorized website or that Esri delivers on any media in any format including backups, updates, service packs, patches, hot fixes, or permitted merged copies.

**"Specification(s)"** means (i) the Documentation for Software and Online Services, (ii) the scope of work set forth in any Task Order, or (iii) Esri's published course descriptions for Training.

**"Task Order(s)"** means an Ordering Document for Services.

**"Term License"** means a license for use of an Esri Offering for a limited time period ("Term").

**"Third-Party Content"** means any Content that Customer may obtain from a third-party website or that persons other than Esri employees, suppliers, or contractors may directly contribute to Esri's website.

**"Training"** means standard Product training that Esri provides under this Agreement.

**"Training Materials"** means digital or printed content required to complete Training, which may include, but is not limited to, workbooks, data, concepts, exercises, and exams.

**"Value-Added Application(s)"** means an application developed by Customer for use in conjunction with the authorized use of any Software, Data, or Online Services.

## ATTACHMENT B GENERAL TERMS AND CONDITIONS

The following general terms and conditions apply to all Esri Offerings and Services that Esri may offer to its customers. Certain Esri Offerings or Services may not be available under this Agreement. Please disregard any terms that are not applicable to Esri Offerings or Services offered under this Agreement.

### ARTICLE 1—GENERAL USE RESTRICTIONS

Except as expressly permitted in this Agreement, Customer will not

- a. Sell, rent, lease, sublicense, distribute, lend, time-share, or assign Esri Offerings;
- b. Distribute or provide direct access to Esri Offerings to third parties, in whole or in part, including, but not limited to, extensions, components, or DLLs;
- c. Distribute Authorization Codes to third parties;
- d. Reverse engineer, decompile, or disassemble any Product or Deliverable delivered in compiled form;
- e. Make any attempt to circumvent the technological measure(s) that controls access to or use of Esri Offerings;
- f. Store, cache, use, upload, distribute, or sublicense Content or otherwise use Esri Offerings in violation of Esri's or a third-party's rights, including intellectual property rights, privacy rights, nondiscrimination laws, export laws, or any other applicable law or regulation;
- g. Remove or obscure any Esri or its licensors' patent, copyright, trademark, proprietary rights notices, or legends contained in or affixed to any Esri Offerings, output, metadata file, or online or hard-copy attribution page of any Data or Documentation;
- h. Unbundle or independently use individual or component parts of Esri Offerings;
- i. Incorporate any portion of Esri Offerings into a product or service for third-party use that competes with the Esri Offerings;
- j. Publish or in any other way communicate the results of benchmark tests run on Beta Products without the prior written permission of Esri and its licensors; or
- k. Use, incorporate, modify, distribute, provide access to, or combine any Esri Offerings in a manner that would subject any part of the Esri Offerings to open-source or open-database license terms that require any part of the Esri Offerings to be:
  1. Disclosed in source code form to third parties;
  2. Licensed to third parties for the purpose of making derivative works; or
  3. Redistributable to third parties at no charge.

These restrictions will not apply to the extent that they conflict with applicable law or regulation.

### ARTICLE 2—TERM AND TERMINATION

**2.1** Customer may terminate this Agreement or any Esri Offerings license or subscription at any time upon written notice to Esri. Termination without cause by Customer does not entitle Customer to receive any refund of fees paid. Any right to terminate pending Services engagements for convenience is set forth in the applicable section in the body of this Agreement. Either party may terminate this Agreement or any license or subscription for a material breach that is not cured within 30 days of written notice to the breaching party. Upon any termination of this Agreement for breach, Esri will stop providing Services. Any licenses in Esri Offerings that survive termination of this Agreement continue under the terms of this Agreement.

**2.2** If Esri terminates this Agreement following Customer's breach, then Esri may also, at its election, terminate Customer's licenses or subscriptions in Esri Offerings. If Customer terminates this Agreement for cause or convenience, then Customer may, at its election, also terminate Customer's licenses or subscriptions to Esri Offerings.

**2.3** Upon any termination of a license or subscription, Customer will

- a. Stop accessing and using the terminated Esri Offerings;
- b. Clear any client-side data cache derived from the terminated Cloud Services; and



- c. Stop using and uninstall, remove, and destroy all copies of affected Esri Offerings in Customer's possession or control, including any modified or merged portions thereof, in any form, and execute and deliver evidence of such actions to Esri or its authorized distributor.

Esri may stop performing Services immediately upon written notice to Customer if a bankruptcy or insolvency proceeding is commenced by or against Customer until the trustee cures any existing defaults and provides adequate assurance of future performance under this Agreement. This Agreement terminates upon the insolvency, liquidation, or dissolution of either party.

### **ARTICLE 3—LIMITED WARRANTIES AND DISCLAIMERS**

**3.1 Limited Warranties.** Except as disclaimed below, Esri warrants to Customer that (i) Products and Training will substantially comply with the applicable Specifications and (ii) Services will substantially conform to the professional and technical standards of the industry. The warranty period for Esri Offerings and Services offered under a Perpetual License runs for 90 days from the date of delivery or from the date of acceptance if this Agreement provides an acceptance period. The warranty period for Esri Offerings and Services offered under a subscription or Term License basis runs for the lesser of (i) the duration of the subscription or term or (ii) 90 days from delivery or acceptance if this Agreement provides an acceptance period.

**3.2 Special Disclaimer. Third-Party Content; Data; Samples; hot fixes; patches; updates; Online Services provided at no charge; and trial, evaluation and Beta Products are delivered "as is" and without warranty of any kind.**

**3.3 General Disclaimer.** Except for the express limited warranties set forth in this Agreement, Esri disclaims all other warranties or conditions of any kind, whether express or implied, including, but not limited to, warranties or conditions of merchantability, fitness for a particular purpose, and noninfringement of intellectual property rights. Esri is not responsible for any nonconformities caused by Customer's modification of any Esri Offering other than as specified in the Documentation. Esri does not warrant that Esri Offerings, or Customer's operation of the same, will be uninterrupted, error free, fault tolerant, or fail-safe or that all nonconformities can or will be corrected. Esri Offerings are not designed, manufactured, or intended for use in environments or applications that may lead to death, personal injury, or physical property or environmental damage. Customer should not follow any navigational route suggestions that appear to be hazardous, unsafe, or illegal. Any such uses will be at Customer's own risk and cost.

#### **3.4 Disclaimers**

- a. **Internet Disclaimer.** Neither party will be liable for damages under any theory of law related to the performance or discontinuance of operation of the Internet or to regulation of the Internet that might restrict or prohibit the operation of Cloud Services.
- b. **Third-Party Websites; Third-Party Content.** Esri is not responsible for any third-party website or Third-Party Content that appears in or is referenced by Esri Offerings or Esri websites, including [www.esri.com](http://www.esri.com) and [www.arcgis.com](http://www.arcgis.com). Providing links to third-party websites and resources does not imply an endorsement, affiliation, or sponsorship of any kind.

**3.5 Exclusive Remedy.** Customer's exclusive remedy and Esri's entire liability for breach of the limited warranties in this section will be to replace any defective media and to (i) repair, correct, or provide a workaround for the applicable Esri Offering or Services or (ii) at Esri's election, terminate Customer's right to use and refund the fees paid for Esri Offerings or Services that do not meet Esri's limited warranties.

### **ARTICLE 4—LIMITATION OF LIABILITY**

**4.1 Disclaimer of Liability.** Neither Customer, Esri, nor any Esri distributor or licensor will be liable for any indirect, special, incidental, or consequential damages; lost profits; lost sales; loss of goodwill; costs of procurement of substitute goods or services; or damages exceeding the applicable license or current subscription fees paid or owed to Esri for the Esri Offerings giving rise to the cause of action.

**4.2** The limitations and exclusions of liability in the preceding paragraph do not apply to Customer's infringement, misuse, or misappropriation of Esri's or Esri's licensors' intellectual property rights, either party's indemnification obligations, gross negligence, willful misconduct, or violations of the Export Compliance clause of this Agreement or any applicable law or regulation. Customer does not agree to indemnify, defend or hold harmless Esri or any third party providing Services or Products under this Agreement.

**4.3 Applicability of Disclaimers and Limitations.** Esri or its authorized distributor has set its fees and entered into this Agreement in reliance on the disclaimers and limitations in this Agreement; the fees reflect an allocation of risk that is an essential basis of the bargain between the parties. **These limitations will apply whether or not a party is aware of the possibility of any damage and notwithstanding any failure of essential purpose of any exclusive, limited remedy.**

**4.4** The foregoing disclaimers, limitations, and exclusions may be invalid in some jurisdictions and apply only to the extent permitted by applicable law or regulation in Customer's jurisdiction. Customer may have additional rights that may not be waived or disclaimed. Esri does not seek to limit Customer's warranty or remedies to any extent not permitted by law.

## **ARTICLE 5—INDEMNIFICATIONS**

**5.1 Definitions.** The following definitions supplement the definitions provided in Attachment A:

- a. "Claim" means any claim, action, or demand by a third party.
- b. "Indemnitees" means Customer and its directors, officers, and employees.
- c. "Infringement Claim(s)" means any Claim alleging that Customer's use of or access to Esri Offerings or Services infringe a patent, copyright, trademark, or trade secret.
- d. "Loss(es)" means out-of-pocket loss, damage award, settlement amount, cost, or expense, including awarded attorneys' fees.

### **5.2 Infringement Indemnity**

- a. Esri will defend and hold all Indemnitees harmless from any Infringement Claim and indemnify any Loss arising out of an Infringement Claim as set forth in the following paragraphs.
- b. If Esri determines that an Infringement Claim is valid, Esri may, at its expense, either (i) obtain rights for Customer to continue using the Esri Offerings or Services or (ii) modify the Esri Offerings or Services while maintaining substantially similar functionality. If neither alternative is commercially reasonable, Esri may terminate Customer's right to use the Esri Offerings or Services and will refund any (a) license fees that Customer paid for the infringing Esri Offerings or Services acquired under a Perpetual License, prorated on a 5-year, straight-line depreciation basis beginning from the initial date of delivery or (b) unused portion of fees paid for Term Licenses, Subscriptions, and Maintenance.
- c. Esri has no obligation to defend an Infringement Claim or to indemnify Customer to the extent the Infringement Claim arises out of (i) the combination or integration of Esri Offerings or Services with a product, process, system, or element that Esri has not supplied or specified in the Specification; (ii) alteration of Esri Offerings or Services by anyone other than Esri or its subcontractors; (iii) compliance with Customer's specifications; or (iv) use of Esri Offerings or Services after Esri either provides a modified version to avoid infringement or terminates Customer's right to use the Esri Offerings or Services.

**5.3 General Indemnity.** Esri will defend and hold all Indemnitees harmless from, and indemnify any Loss arising out of, any Claim for bodily injury, death, or tangible or real property damage brought against any of the indemnified parties to the extent arising from any negligent act or omission or willful misconduct by Esri or its directors, officers, employees, or agents performing Services while on Customer's site.

**5.4 Conditions for Indemnification.** As conditions for indemnification, Indemnitee will (i) promptly notify Esri in writing of the Claim, (ii) provide all available documents describing the Claim, (iii) give Esri sole control of the defense of any action and negotiation related to the defense or settlement of any Infringement Claim to the extent

approved by the Minnesota Attorney General's Office, such approval will not be unreasonably withheld, and (iv) reasonably cooperate in the defense of the Infringement Claim at Esri's request and expense.

**5.5 This section sets forth the entire obligation of Esri, its authorized distributor, and its licensors regarding any Claim for which Esri must indemnify Customer.**

## **ARTICLE 6—INSURANCE**

If Esri is providing Services, Esri will carry, at a minimum, the following coverage:

- a. Comprehensive general liability or commercial general liability with a minimum coverage of \$1,000,000.00 combined single limit per occurrence for bodily injury, including death, and property damage liability to include the following:
  1. Premises and operations;
  2. Blanket contractual liability;
  3. Broad form property damage;
  4. Independent contractors;
  5. Personal injury, with employee exclusion deleted; and
  6. Completed operations.
- b. Workers' compensation insurance, with waiver of subrogation, in an amount that complies with statutory limits.

## **ARTICLE 7—SECURITY AND COMPLIANCE**

**7.1 Security.** Esri publishes its security capabilities at <http://trust.arcgis.com>. Customer may give Esri personnel access to Customer systems or to Customer or third-party personal information, controlled information, or sensitive data if access is essential for Esri's performance of Services and if Esri expressly agrees to such access. Esri will use reasonable administrative, technical, and physical safeguards to protect such data and guard against unauthorized access. Customer bears reasonable responsibility to (i) confirm that Esri's published security and privacy controls meet all applicable legal requirements for protection of Customer Content and (ii) upload or share Customer Content through Cloud Services only when it is legal to do so. Esri is not responsible to review Customer Content to ensure compliance with applicable laws and regulations. Customer must contact Esri at [securesupport@esri.com](mailto:securesupport@esri.com) for further instruction before providing any Customer Content that requires security measures other than Esri's published security capabilities.

**7.2 Malicious Code.** Esri will use commercially reasonable efforts to ensure that Esri Offerings will not transmit any Malicious Code to Customer. Esri is not responsible for Malicious Code that Customer introduces to Esri Offerings or that is introduced through Third-Party Content.

**7.3 Export Compliance.** Each party will comply with all applicable export laws and regulations, including the US Department of Commerce's Export Administration Regulations (EAR), the US Department of State's International Traffic in Arms Regulations (ITAR), and other applicable export laws. Customer will not export, reexport, transfer, release, or otherwise dispose of, in whole or in part, or permit access to or transfer or use of Services or Esri Offerings to any United States embargoed countries or denied entities or persons except in accordance with all then-current applicable US government export laws and regulations. Customer will not export, reexport, transfer, or use Services or Esri Offerings for certain missile, nuclear, chemical, or biological activities or end uses without proper authorization from the US government. Customer shall immediately notify Esri in writing if any US government entity or agency denies, suspends, or revokes Customer's export privileges. Customer will not upload, store, or process in Cloud Services any Customer Content that (i) has an Export Control Classification Number (ECCN) other than EAR99 or (ii) is controlled for export from the United States under ITAR. Customer will notify Esri in advance if Esri's performance of any Services or provision of any Esri Offerings is related to any defense article, defense service, or technical data, as defined under the ITAR Sections 120.6, 120.9, and 120.10, respectively; Esri will not perform any such Services or provide any such Esri Offerings until Esri obtains any necessary export license from the US government. Customer will reasonably assist Esri in applying for and obtaining an export license if needed.

## ARTICLE 8—CLOUD SERVICES

**8.1 Prohibited Uses.** Customer shall not provide Customer Content or otherwise access or use Cloud Services in a manner that

- a. Spams, spoofs, or phishes email; transmits junk email or offensive or defamatory material; or stalks or makes threats of physical harm;
- b. Stores or transmits any Malicious Code;
- c. Violates any law or regulation;
- d. Infringes or misappropriates the rights of any third party;
- e. Probes, scans, or tests the vulnerability of Cloud Services or breach any security or authentication measures used by Cloud Services without written approval from Esri's product security officer; or
- f. Benchmarks the availability, performance, or functionality of Cloud Services for competitive purposes.

**8.2 Service Interruption.** System failures or other events beyond Esri's reasonable control may interrupt Customer's access to Cloud Services. Esri may not be able to provide advance notice of such interruptions.

### 8.3 Customer Content.

- a. Customer grants Esri and its subcontractors a nonexclusive, nontransferable, worldwide right to host, run, modify and reproduce Customer Content as needed to provide Cloud Services to Customer. Esri will not access, use, or disclose Customer Content without Customer's written permission except as reasonably necessary to support Customer's use of Cloud Services. Except for the limited rights granted to Esri under this Agreement, Customer retains all its rights, title, and interest in the Customer Content.
- b. If Customer accesses Cloud Services with an application provided by a third party, Esri may disclose Customer Content to such third party as necessary to enable interoperation between the application, Cloud Services, and Customer Content.
- c. Esri may disclose Customer Content if required to do so by law or regulation or by order of a court or other government body, in which case Esri will reasonably attempt to limit the scope of disclosure.
- d. When Customer's use of Cloud Services ends, Esri will either:
  - (i) Make Customer Content available to Customer for download for a period of 30 days unless Customer requests a shorter window of availability or Esri is legally prohibited from doing so; or
  - (ii) Download all Customer Content in Esri's possession to a medium of Customer's choosing and deliver such Customer Content to Customer.

Esri will have no further obligations to store or return Customer Content at the conclusion of the Cloud Services.

**8.4 Removal of Customer Content.** Esri may remove or delete Customer Content if there is reason to believe that uploading Customer Content to or using it with Cloud Services materially violates this Agreement. If reasonable under these circumstances, Esri will notify Customer before removing Customer Content. Esri will respond to any Digital Millennium Copyright Act takedown notices in accordance with Esri's copyright policy, available at [www.esri.com/legal/dmca\\_policy](http://www.esri.com/legal/dmca_policy).

**8.5 Service Suspension.** Esri may suspend access to Cloud Services (i) if Customer materially breaches this Agreement and fails to timely cure the breach; (ii) if Esri reasonably believes that Customer's use of Cloud Services will subject Esri to immediate liability or adversely affect the integrity, functionality, or usability of the Cloud Services; (iii) for scheduled maintenance; (iv) to enjoin a threat or attack on Cloud Services; or (v) if Cloud Services become prohibited by law or regulated to a degree that continuing to provide them would impose a commercial hardship. When feasible, Esri will notify Customer of any Cloud Services suspension beforehand and give Customer reasonable opportunity to take remedial action.

Esri is not responsible for any damages, liabilities, or losses that may result from any interruption or suspension of Cloud Services or removal of Customer's content as described above.

**8.6 Notice to Esri.** Customer will promptly notify Esri if Customer becomes aware of any unauthorized use of Customer's subscription or any other breach of security regarding Cloud Services.

## ARTICLE 9—GENERAL PROVISIONS

**9.1 Payment.** Customer will pay each correct invoice no later than 30 days after receipt and will remit payment to the address stated on the invoice. Customers outside the United States will pay the distributor's invoices in accordance with the distributor's payment terms.

**9.2 Feedback.** Esri may freely use any feedback, suggestions, or requests for Product improvement that Customer provides to Esri.

**9.3 Patents.** Customer may not seek, and may not permit any other user to seek, a patent or similar right worldwide that is based on or incorporates any Products. This express prohibition on patenting will not apply to Customer's software and technology except to the extent that Products, or any portion thereof, are part of any claim or preferred embodiment in a patent application or a similar application.

**9.4 Restrictions on Solicitation.** Neither party will solicit for hire any employee of the other party who is associated with the performance of Services during the performance of the Services and for a period of 1 year thereafter. This does not restrict either party from publicly advertising positions for hire in newspapers, professional magazines, or Internet postings.

**9.5 Taxes and Fees; Shipping Charges.** Fees that Esri quotes to Customer are exclusive of any and all applicable taxes or fees including, but not limited to, sales tax, use tax, or value-added tax (VAT); customs, duties, or tariffs; and shipping and handling charges. Esri will add any such taxes that it is required to remit to the total amount of its invoice to the Customer. For Customers outside the United States, the distributor may quote taxes or fees in accordance with its own policies.

**9.6 Compliance Review.** Customer will keep accurate and complete records and accounts pertaining to its compliance with its obligations under this Agreement. Esri or its authorized distributor may conduct a compliance review of these records and accounts with no less than 14 business days' written notice or may appoint an independent third party to conduct such a compliance review on its behalf. Customer will promptly correct any noncompliance identified during the compliance review. Neither Esri nor Esri's distributor may conduct a compliance review of Customer within 12 months after the conclusion of any prior compliance review that does not reveal any material Customer noncompliance.

**9.7 No Implied Waivers.** The failure of either party to enforce any provision of this Agreement is not a waiver of the provisions or of the right of such party thereafter to enforce that or any other provision.

**9.8 Severability.** If any provision of this Agreement is held to be unenforceable for any reason, (i) such provision will be reformed only to the extent necessary to make the intent of the language enforceable, and (ii) all other provisions of this Agreement will remain in effect.

**9.9 Successor and Assigns.** Customer will not assign, sublicense, or transfer Customer's rights or delegate Customer's obligations under this Agreement without Esri's and its authorized distributor's prior written consent, and any attempt to do so without consent will be void. This Agreement will be binding on the respective successors and assigns of the parties to this Agreement. Notwithstanding, a contractor under contract to the government to deliver Products may assign this Agreement and Products acquired for delivery to its government customer upon written notice to Esri, provided the government customer assents to the terms of this Agreement. Upon mutual agreement, Esri's Affiliates may provide Services under the terms of this Agreement; in such cases, the Ordering Documents will identify the Affiliate as the party that provides the Services. Esri's distributors are not Affiliates of Esri.

**9.10 Survival of Terms.** The Glossary of Terms and provisions of the following Articles of these General Terms and Conditions will survive the expiration or termination of this Agreement: "Limited Warranties and Disclaimers," "Limitation of Liability," "Indemnifications," and "General Provisions."

**9.11 US Government Customer.** The Products are commercial items, developed at private expense, provided to Customer under this Agreement. If Customer is a US government entity or US government contractor, Esri

licenses or provides subscriptions to Customer in accordance with this Agreement under FAR Subparts 12.211/12.212 or DFARS Subpart 227.7202. Esri Data and Online Services are licensed or subscribed under the same DFARS Subpart 227.7202 policy as commercial computer software for acquisitions made under DFARS. Products are subject to restrictions, and this Agreement strictly governs Customer's use, modification, performance, reproduction, release, display, or disclosure of Products. Agreement provisions that are inconsistent with federal law regulation will not apply. A US government Customer may transfer Software to any of its facilities to which it transfers the computer(s) on which it has installed such Software. If any court, arbitrator, or board holds that a US government Customer has greater rights to any portion of the Products under applicable public procurement law, such rights will extend only to the portions affected. Online Services are FISMA-Low authorized but do not meet higher security requirements including those found in DFARS 252.239-7010.

**9.12 Governing Law.** This Agreement is not subject to the United Nations Convention on Contracts for the International Sale of Goods.

- a. **Government Entities.** If Customer is a government entity, the applicable laws of Customer's jurisdiction govern this Agreement.
- b. **Non-government Entities.** US federal law and the law of the State of California exclusively govern this Agreement, excluding their respective choice of law principles.

**9.13 Dispute Resolution.** The parties will use the following dispute resolution processes:

- a. **Equitable Relief.** Either party will have the right to seek an injunction, specific performance, or other equitable relief in any court of competent jurisdiction without the requirement of posting a bond or proving injury as a condition for relief.
- b. **US Government Agencies.** This Agreement is subject to the Contract Disputes Act of 1978, as amended (41 USC 601–613).
- c. **Other Government Entities.** Esri will comply with mandatory dispute resolutions under applicable law.

**9.14 Force Majeure.** A party will not be liable for any failure of or delay in the performance of this Agreement for the period that such failure or delay is due to causes beyond the party's reasonable control. Such causes may include, but are not limited to, acts of God, war, strikes, labor disputes, cyber attacks, laws, regulations, government orders, or any other force majeure event.

**9.15 Independent Contractor.** Esri is and at all times will be an independent contractor. Nothing in this Agreement creates an employer/employee, principal/agent, or joint venture relationship between Esri or its authorized distributor and Customer. No party has any authority to enter into contracts on behalf of another party or otherwise act on behalf of another party.

**9.16 Notice.** Customer may send notices required under this Agreement to Esri at the following address:

Environmental Systems Research Institute, Inc.  
Attn: Contracts and Legal Department  
380 New York Street  
Redlands, CA 92373-8100  
USA  
Tel.: 909-793-2853  
Email: [LegalNotices@esri.com](mailto:LegalNotices@esri.com)



# Board of Commissioners

## Request for Board Action

Item Number: DC-4131

Agenda #: 10.2

Meeting Date: 1/7/2025

**DEPARTMENT:** Information Technology

**FILE TYPE:** Consent Action

**TITLE**

**Authorization To Execute Contract With SplashBI For Database Replication**

**PURPOSE/ACTION REQUESTED**

Authorize the Deputy County Manager to execute a contract with SplashBI Enterprise Business Reporting and Analytics software for an additional three-year term.

**SUMMARY**

To allow for efficient integrations and long-term data warehouse capabilities, the Information Technology (IT) department contracts with SplashBI to replicate the database behind the County’s Enterprise Resource Planning (ERP) solution, Oracle Cloud ERP and Human Capital Management (HCM). This contract also includes access to a reporting tool with pre-built reports with access to the County’s ERP data. The current contract for these services expires on January 10, 2025. Without the replicated database that the SplashBI Data Pipeline software provides, twenty-two integrations needed for day-to-day transactional processing would need to be re-architected using Oracle provided Application Programming Interfaces (API’s) since they do not allow direct access to the database behind our ERP system. Furthermore, processes to pull data for reporting would not be possible due to performance limitations. Several Finance and Human Resources staff leverage the reporting tool and pre-built reports for their business purposes. County IT is recommending a new three-year contract with Splash BI for their Data Pipeline and Reporting solution to benefit from a set price SplashBI is offering, avoiding annual price increases.

SplashBI has provided County IT with a renewal quote for three years at a rate of \$71,754.20 per year starting on January 10, 2025, going through January 9, 2028, for a total contract amount of \$215,262.60.

**RECOMMENDATION**

Staff recommends that the Board authorize the Deputy County Manager to execute a contract with SplashBI for three years at a rate of \$71,754.20 per year for a total of \$215,262.60.

**EXPLANATION OF FISCAL/FTE IMPACTS**

Sufficient funding is available in the Information Technology budget.

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

**RESOLUTION**

WHEREAS, County IT has contracted with SplashBI for database replication and reporting supporting the County's cloud-based Enterprise Resource Planning (ERP) and Human Capital Management (HCM) system, Oracle Cloud ERP/HCM; and

WHEREAS, the contract with SplashBI expires on January 10, 2025; and

WHEREAS, several integrations supporting day-to-day transactions rely on the database replica this software produces; and

WHEREAS, Finance and Human Resources staff use the reporting tool and pre-built reports included with this software; and

WHEREAS, County IT recommends executing a contract with SplashBI for three years to avoid annual price increases.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Deputy County Manager to execute a contract with Splash BI Enterprise Data Pipeline and Business Reporting and Analytics software for three years at a rate of \$71,754.20 per year for a total of \$215,262.60, subject to approval by the County Attorney's Office as to form.

### **PREVIOUS BOARD ACTION**

23-018; 1/3/23

### **ATTACHMENTS**

Attachment: None.

### **BOARD GOALS**

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

### **CONTACT**

Department Head: Dan Cater

Author: Scott Jara





# Board of Commissioners

## Request for Board Action

Item Number: DC-4061

Agenda #: 11.1

Meeting Date: 1/7/2025

**DEPARTMENT:** Transportation

**FILE TYPE:** Consent Action

**TITLE**

**Approval Of Final Plats Recommended By Plat Commission**

**PURPOSE/ACTION REQUESTED**

Approve final plats contiguous to County Roads as recommended by the Plat Commission.

**SUMMARY**

To provide for the orderly development of property in Dakota County, new subdivisions adjoining County highways are reviewed under the Dakota County Contiguous Plat Ordinance No. 108. The Ordinance requires new subdivisions adjoining County highways to comply with the County’s access spacing and right of way guidelines in order that existing and future highway corridors are preserved to accommodate existing and forecasted traffic volumes safely and efficiently.

The Plat Commission examines plats prior to the time they are submitted for County Board approval. The Plat Commission has reviewed and recommends approval of the final plats by the County Board. The final plat approval by the County Board is subject to the conditions established by the Plat Commission review (Attachments: Meeting Notes and Location Maps).

**RECOMMENDATION**

Staff recommends approval of the final plats by the County Board as recommended by the Plat Commission.

**EXPLANATION OF FISCAL/FTE IMPACTS**

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

**RESOLUTION**

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:

LAKEVILLE 35 LOGISTICS CENTER NORTH ADDITION

Lakeville

**PREVIOUS BOARD ACTION**

None.

**ATTACHMENTS**

Attachment: Meeting Notes

Attachment: Location Map

**BOARD GOALS**

A Great Place to Live

A Successful Place for Business and Jobs

A Healthy Environment

Excellence in Public Service

**CONTACT**

Department Head: Erin Laberee

Author: Todd Tollefson

**DAKOTA COUNTY PLAT COMMISSION  
MEETING SUMMARY**

December 4, 2024

The Plat Commission meeting began at 1:30 pm via Teams. Members present included: Scott Peters, Kurt Chatfield, and Jake Chapek, and Tyler Krage. Others present: Todd Bentley.

<b>Plat Name:</b>	<b>LAKEVILLE 35 LOGISTICS PARK NORTH ADDITION</b>
<b>FKA:</b>	<b>LIKEWISE PARTNERS</b>
<b>PID:</b>	<b>220360007011</b>
<b>City:</b>	<b>Lakeville</b>
County Road:	CSAH 70 (Juniper Way)
Current ADT (2021):	15,842
Projected ADT (2040):	16,800
Current Type:	4-lane, divided
Proposed Type:	4-lane, divided
R/W Guideline:	75ft (½ R/W)
Spacing Guideline:	½ mile full access
Posted Speed Limit:	55 mph
Proposed Use:	Commercial
Status:	Preliminary
Location:	NW ¼ ; Sec. 36-114-21
In attendance (08/28/24):	Steven Buss (developer); Mark Nordland (developer); Erik Miller (engineer)
In attendance (12/04/24):	Zach Johnson (city); Frank Dempsey (city); Michael Kutz (city); Jonathan Nelson (city)

REVIEW 08/28/24:

The proposed site includes a 190,000 square foot speculative building, lying northerly of CSAH 70. The right-of-way needs are 75 feet of half right of way, which have been met. CSAH 70 is a future principal roadway that requires ½-mile full access spacing and ¼-mile for restricted access locations. A full access would be allowed on the northern portion of the site, which would require reconstruction for turn lanes, medians, and lane widening. As discussed, a full access on the southern portion of the site would meet the access spacing guidelines; however, there are future challenges for adequate sight lines and safety of the intersection. A restricted access movement was discussed for the southern portion of the site. Further discussions will continue to occur with the city, county transportation, and the developer regarding access design and estimated construction costs.

Restricted access should be shown along all of CSAH 70 except for two access openings. A quit claim deed to Dakota County for restricted access is required with the recording of the plat mylars.

RECOMMENDATION 08/28/24:

The Plat Commission has approved the preliminary plat provided that the described conditions are met. The Ordinance requires submittal of a final plat for review by the Plat Commission before a recommendation is made to the County Board of Commissioners.

REVIEW 12/04/24:

The proposed site includes a 190,000 square foot speculative building, lying northerly of CSAH 70. The right-of-way needs are 75 feet of half right of way, which have been met. CSAH 70 is a future principal roadway that requires ½-mile full access spacing and ¼-mile for restricted access locations. A full access would be allowed on the northern portion of the site, which would require reconstruction for turn lanes, medians, and lane widening. As discussed, a full access on the northern portion of the site was recommended and is planned for this site due to the future challenges for adequate sight lines and safety as a full access on the southern portion of the site. Further discussions will continue to occur with the city, county transportation, and the developer regarding access design and estimated construction costs.

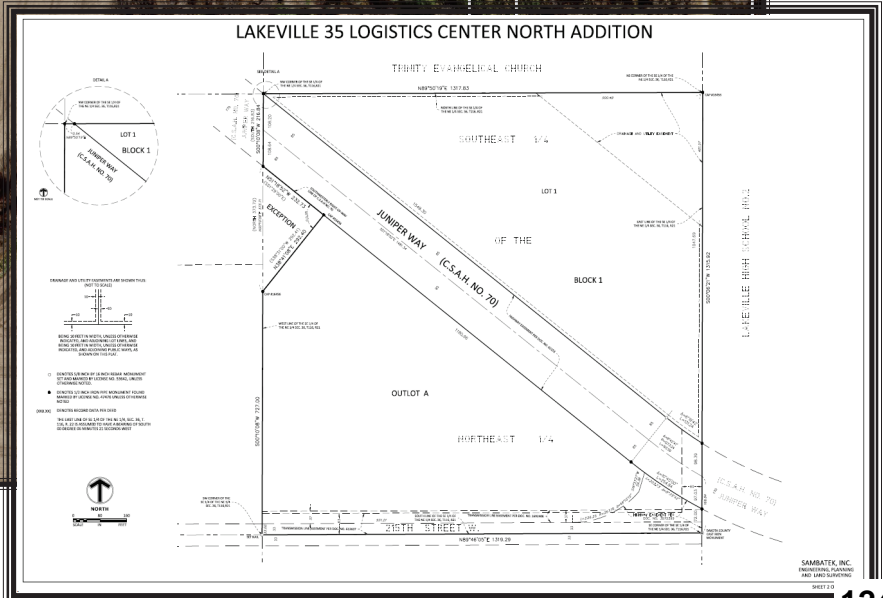
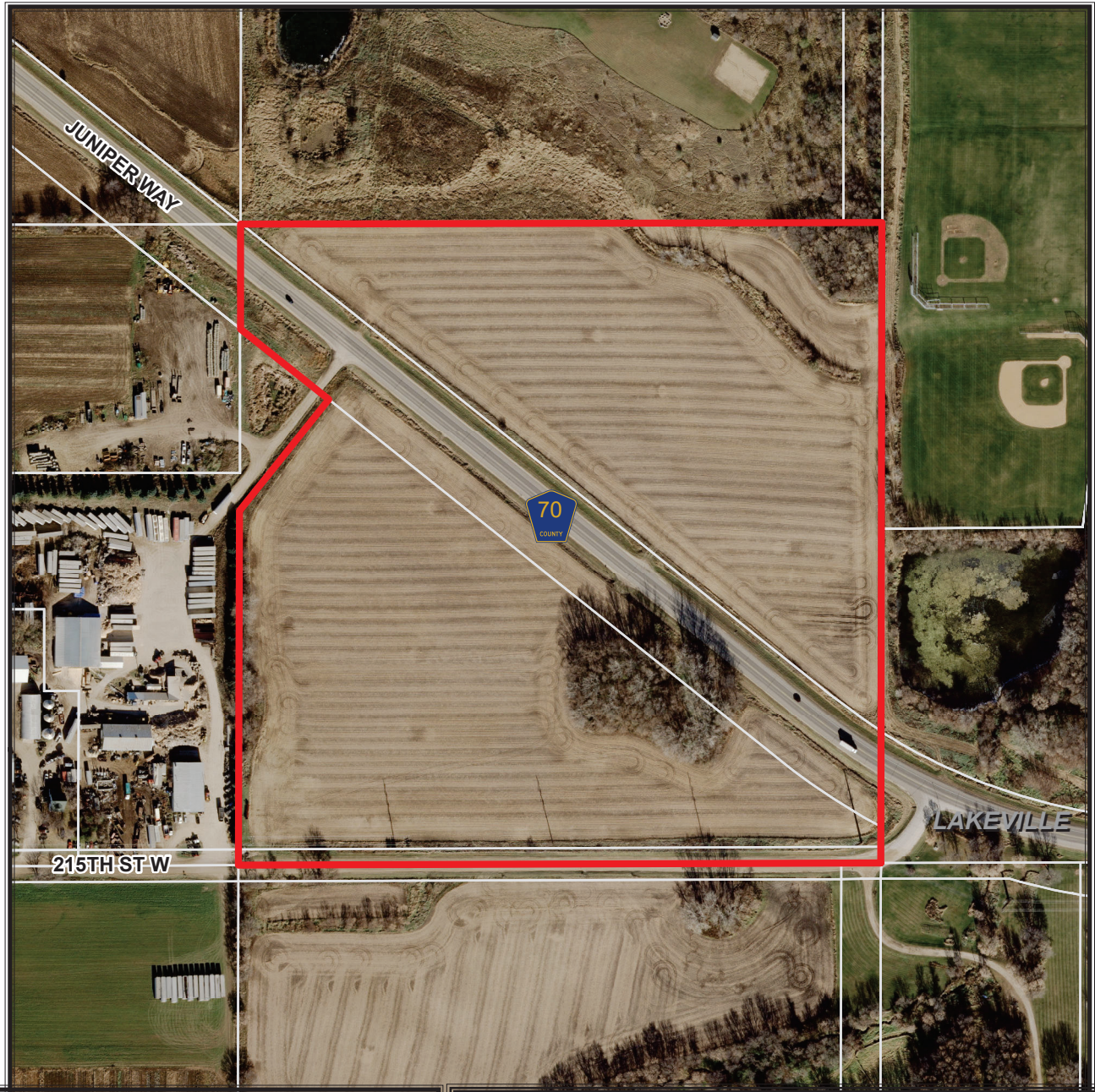
Restricted access should be shown along all of CSAH 70 except for the full access opening on the northern portion of the site. A quit claim deed to Dakota County for restricted access is required with the recording of the plat mylars.

RECOMMENDATION 12/04/24:

The Plat Commission has approved the final plat provided that the described conditions are met and will recommend approval to the County Board of Commissioners.

# LAKEVILLE 35 LOGISTICS CENTER NORTH ADDITION

Prepared by Dakota County Physical Development Division





# Board of Commissioners

## Request for Board Action

Item Number: DC-3632

Agenda #: 11.2

Meeting Date: 1/7/2025

**DEPARTMENT:** Transportation

**FILE TYPE:** Consent Action

### TITLE

**Award Of Bid And Authorization To Execute Construction Contract With McNamara Contracting Inc., And Amend 2025 Transportation Capital Improvement Program Budget For County State Aid Highway 23 Mill And Overlay In City Of Apple Valley, County Project 23-84**

### PURPOSE/ACTION REQUESTED

Award bid and authorize a contract with McNamara Contracting Inc. for mill and overlay of County State Aid Highway (CSAH) 23 in the city of Apple Valley for County Project (CP) 23-84. Authorize a budget amendment to the 2025 Transportation Capital Improvement Program Adopted Budget to add sufficient funding for construction and construction administration of CP 23-84.

### SUMMARY

To promote a safe and efficient transportation system, Dakota County is proceeding with CP 23-84 to design and construct improvements to CSAH 23 (Attachment: Project Location Map). County Project 23-84 includes the resurfacing of CSAH 23 from CSAH 42 to Trunk Highway (TH) 77 in the City of Apple Valley, which will improve ride quality and extend pavement life. The project also includes the reconstruction of pedestrian accommodations to meet Americans with Disabilities Act requirements, all overhead mast arm signs will be replaced, and repairs to underground public utilities. This segment of CSAH 23 is on the National Highway System (NHS), and the project received federal funds that were available for work on the NHS for construction for 2025.

County Project 23-84 construction bids were received and tabulated on December 6, 2024.

Three bidders submitted bids as follows:

<u>Bid Name</u>	<u>Total Amount</u>
McNamara Contracting Inc.	\$2,616,233.20
Bituminous Roadways Inc.	\$2,835,036.00
OMG Midwest Inc. dba Minnesota Paving & Materials	\$3,041,328.48
Engineer's Estimate	\$2,602,903.00

The lowest responsive and responsible bid for CP 23-84 is \$2,616,233.20 from McNamara Contracting Inc., which is 0.51 percent over the engineer's estimate of \$2,602,903.00. Staff has reviewed the bids and determined that the bid was competitive at the time of bidding.

**RECOMMENDATION**

Staff recommends awarding the bid and authorizing execution of a construction contract with McNamara Contracting Inc. for CP 23-84 in the amount of \$2,616,233.20 and amending the 2025 Transportation Capital Improvement Adopted Budget.

**EXPLANATION OF FISCAL/FTE IMPACTS**

The 2025 Transportation Capital Improvement Program Adopted Budget includes \$2,350,000 in total funding for CP 23-84 including carryover from previous years for design, right of way acquisition, construction, and construction administration. The project currently has a remaining balance of \$2,050,000. A budget amendment of \$580,000 is required for sufficient funding for construction and construction administration of CP 23-84.

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

**RESOLUTION**

WHEREAS, to provide a safe and efficient transportation system, Dakota County and the City of Apple Valley are proposing to improve County State Aid Highway (CSAH) 23 County Project (CP) 23-84; and

WHEREAS, CP 23-84 will improve safety and ride quality by resurfacing CSAH 23 from CSAH 42 to Trunk Highway 77 in the City of Apple Valley; and

WHEREAS, CP 23-84 includes milling and paving of CSAH 23-84, reconstructing pedestrian ramps and revising signal systems to meet the requirements of the Americans with Disabilities Act and repairing public utility structures; and

WHEREAS, three bids were received for CP 23-84 on Friday, December 6, 2024; and

WHEREAS, the bid of McNamara Contracting Inc. in the amount of \$2,616,233.20 was the lowest responsive and responsible bid received; and

WHEREAS, the low bid from McNamara Contracting Inc. and Engineer’s Estimate exceeded the project budget because of higher-than-expected pavement, concrete walk, and signal revision prices, likely resulting from inflation; and

WHEREAS, the 2025 Transportation Capital Improvements Program (CIP) budget includes funding for CP 23-84 carried over from previous years; and

WHEREAS, a shortfall is anticipated based on the low bid from McNamara Contracting Inc.; and

WHEREAS, the 2025 Transportation CIP budget includes federal funding, dedicated for construction in 2025 for CP 23-84; and

WHEREAS, staff recommends awarding the bid to McNamara Contracting Inc., and amending the 2025 Transportation CIP budget.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby awards the bid to and authorizes the Physical Development Director to execute the contract with McNamara Contracting, Inc., for County Project 23-84 in the amount of \$2,616,233.20 based on their low bid, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the 2025 Transportation Capital Improvement Program Budget is hereby amended as follows:

<b>Expense</b>	
County Project 23-84	<u>\$580,000</u>
<b>Total Expense</b>	<b>\$580,000</b>
<b>Revenue</b>	
Transportation Fund Balance	<u>\$580,000</u>
<b>Total Revenue</b>	<b>\$580,000</b>

**PREVIOUS BOARD ACTION**

None.

**ATTACHMENTS**

Attachment: Location Map

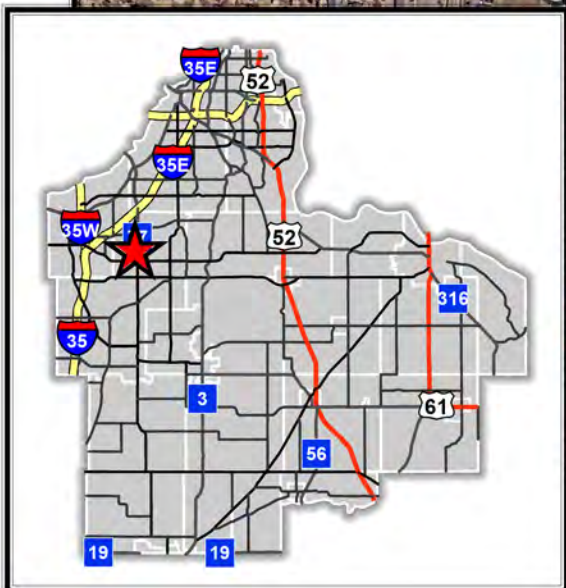
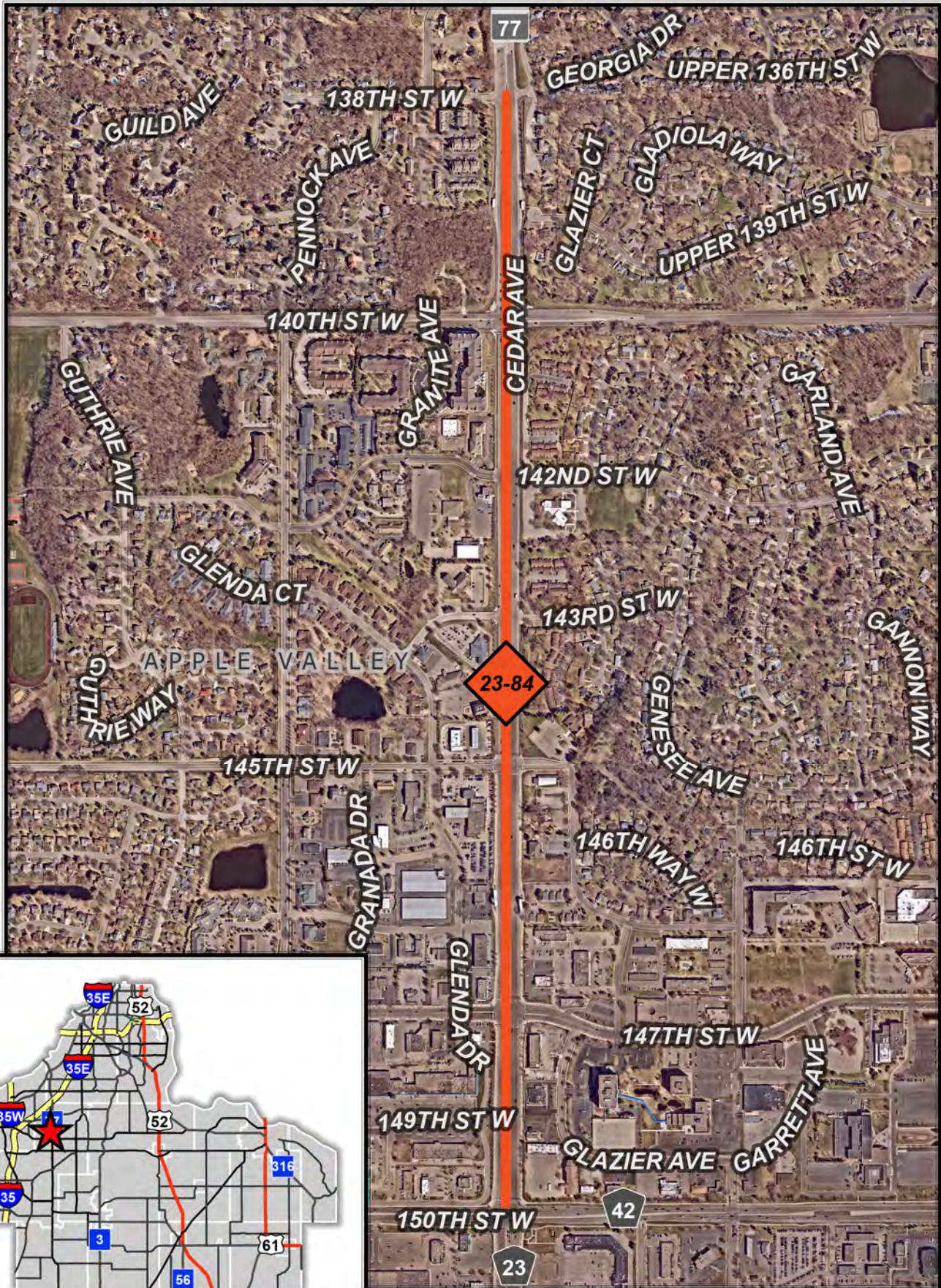
**BOARD GOALS**

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

**CONTACT**

Department Head: Erin Laberee

Author: John Sass



C.P. 23-84





# Board of Commissioners

## Request for Board Action

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Item Number: DC-3925

Agenda #: 11.3

Meeting Date: 1/7/2025

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**DEPARTMENT:** Physical Development Administration

**FILE TYPE:** Consent Action

### TITLE

#### Authorization To Purchase Fleet Vehicles And Equipment

### PURPOSE/ACTION REQUESTED

Authorize the purchase of vehicles and equipment

- Four survey trucks, three pickups, and two asphalt trailers assigned to the Transportation fleet
- Five police utility hybrids, three vans, one pickup, and one sedan assigned to the Sheriff's fleet
- Two offroad utility, one boom lift, one floor sweeper, one forklift, and two pickups assigned to the Parks fleet
- One van assigned to the Library fleet
- One police utility hybrid and one pickup assigned to the Community Corrections fleet

### SUMMARY

The Dakota County fleet consists of many equipment classifications, as far ranging as chainsaws, sedans, trucks, and construction equipment. To meet public expectations and deliver services, replacement of fleet equipment is programmed in the Fleet Capital Equipment Program (CEP) budget. Outdated equipment is replaced in accordance with the Fleet CEP Points Replacement Criteria (Attachment: Points Replacement Criteria).

The 2025 Fleet Adopted CEP includes the replacement of four survey trucks, five pickups, five police utility hybrids, three vans, two offroad utility, one sedan, and two asphalt trailers. These recommended replacements meet the approved replacement criteria of 23 or higher under the Fleet CEP Points Replacement Criteria and, therefore, are recommended for replacement. All these units being replaced will be sold at auction or traded in, with the proceeds used to offset the purchase price and setup costs of the new replacement units.

The 2025 Fleet Adopted CEP also includes the addition of one police utility hybrid, one boom lift, one floor sweeper, one forklift, two pickups, and one van. These units are needed to maintain the current level of service or for specific approved programs in the Sheriff's fleet, Parks fleet, and Community Corrections fleet.

Dakota County holds cooperative purchasing agreements with the State of Minnesota (State) and Sourcewell. Purchasing through these contracts allows Dakota County to take advantage of the time spent by the State and Sourcewell to perform the competitive bidding process, reducing duplication of activities and resulting in cost savings. The County Procurement Manager has reviewed these contracts and determined this contract pricing is the most cost-effective option for purchasing

vehicles and equipment.

As per previous board action, staff is requesting advanced authority for the Physical Development Deputy Director to purchase these additions and replacement units from cooperative purchasing contracts to reduce costs and to shorten purchasing timelines that continue to change due to supply chain issues, provided sufficient funds are available in the approved budget. These units are part of the approved 2025 Fleet CEP, and purchase orders are issued and approved through approved County Policies.

**RECOMMENDATION**

Staff requests authorization to purchase four survey trucks, seven pickups, two asphalt trailers, six police utility hybrids, four vans, one sedan, two offroad utility, one boom lift, one floor sweeper, and one forklift, per adopted 2025 Fleet CEP budget, provided sufficient funds are available and following approved County Policies (Attachment: Recommended Fleet Replacements).

**EXPLANATION OF FISCAL/FTE IMPACTS**

The approved 2025 Fleet CEP budget includes \$2,082,000 to purchase these 22 replacements and seven additions to the County fleet.

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

**RESOLUTION**

WHEREAS, to provide an efficient, effective, and responsive fleet, replacement of major equipment is programmed in the Fleet Capital Equipment Program (Fleet CEP); and

WHEREAS, outdated vehicles and equipment are replaced in accordance with the Fleet CEP replacement criteria; and

WHEREAS, the additional units recommended are needed to maintain the current level of service and to support approved programs; and

WHEREAS, vehicles and equipment recommended for purchase meet the points replacement criteria; and

WHEREAS, the purchase of the proposed units is necessary to meet service demands, reduce excessive downtime, reduce emissions, and reduce repair costs; and

WHEREAS, Dakota County holds cooperative purchasing agreements with the State of Minnesota (State) and Sourcewell that allow the County to purchase from these contracts; and

WHEREAS, the cooperative purchasing agreements result in reduced workload, provide competitive pricing, and enable the County to take advantage of the time spent by the State and Sourcewell to perform the competitive bidding process.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Deputy Director to utilize cooperative purchasing agreements with the State of Minnesota and Sourcewell to purchase the following units contingent on the

approved budget and following the prioritization established in the budget and approved County Policies:

Four survey trucks  
Seven pickups  
Two asphalt trailers  
Six police utility hybrids  
Four vans  
One sedan  
Two offroad utility  
One boom lift  
One floor sweeper  
One forklift

### **PREVIOUS BOARD ACTION**

24-026; 1/2/24

### **ATTACHMENTS**

Attachment: Points Replacement Criteria  
Attachment: Recommended Fleet Replacements

### **BOARD GOALS**

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

### **CONTACT**

Department Head: Erin Stwora  
Author: Kevin Schlangen

## Attachment: Fleet CEP Points Replacement Criteria

Factor	Points												
Age	One point for each year of chronological age, based on in-service date.												
Miles/Hours	On Road Vehicles and Equipment one point for each 10,000 miles or one point for each 20,000 miles with 7 liter or larger size diesel engines Off Road Equipment one point for each 1000 hours of use on over 150 horsepower diesel engines or one point for each 200 hours of use on under 150 horsepower diesel engines												
Type of Service	1, 3 or 5 points are assigned based on the type of service that vehicle receives. For instance, a police patrol car would be given a 5 because it is in severe duty service. In contrast, an administrative sedan would be given a 1												
Reliability	1 to 5 points are assigned based on the frequency that a unit was in for repairs last year. A 5 would be assigned to a unit that is in the shop three or more times per month on average, while a 1 would be assigned to a unit in the shop an average of once every three months or less.												
Maintenance & Repair Costs	1 to 5 points are assigned based on total M&R costs (not including repair of accident damage). A 5 is assigned to a unit with life to date M&R costs equal to or greater than the vehicle's original purchase price, while a 1 is given to a unit with life to date M&R costs equal to 20% or less of its original purchase cost.												
Condition	This category takes into consideration body condition, rust, interior condition, accident history, anticipated repairs, etc. A scale of 0 to 5 points is used with 5 being poor condition.												
Energy Efficiency	0 to a maximum of 6 points are assigned based on energy efficiency categories. Points from each category are added together to get total points. <ul style="list-style-type: none"> <li>• 1 for utilization or sharing across Fleet groups</li> <li>• 1 for right sizing of replacement unit</li> <li>• 1 for flex fuel unleaded compatible or bio diesel fuel compatible engines</li> <li>• 1 for hybrid or alternative fuel engine</li> <li>• 1 for alternative power unit or anti idle technology</li> </ul>												
Point Ranges	<table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">Under 18 points</td> <td style="width: 33%;">Condition I</td> <td style="width: 33%;">Excellent</td> </tr> <tr> <td>18 to 22 points</td> <td>Condition II</td> <td>Good</td> </tr> <tr> <td>23 to 27 points</td> <td>Condition III</td> <td>Qualifies for replacement</td> </tr> <tr> <td>28 points and above</td> <td>Condition IV</td> <td>Needs immediate consideration</td> </tr> </table>	Under 18 points	Condition I	Excellent	18 to 22 points	Condition II	Good	23 to 27 points	Condition III	Qualifies for replacement	28 points and above	Condition IV	Needs immediate consideration
Under 18 points	Condition I	Excellent											
18 to 22 points	Condition II	Good											
23 to 27 points	Condition III	Qualifies for replacement											
28 points and above	Condition IV	Needs immediate consideration											

As an example of the application of the above points system, a five year old police patrol sedan has 90,000 miles, is in poor condition, has poor reliability, has repair costs equal to 70% of its purchase price and the replacement police sedan will be E85 compatible. Points would be assigned as follows:

- Age = 5 points
- Mileage = 9 points
- Type of service (severe) = 5 points
- Reliability = 5 points
- M&R costs = 3 points
- Condition = 5 points
- Energy Efficiency = 1 points
- Total = 33 points

**Attachment: Recommended Fleet Replacements**

Unit Number	Assigned Fleet	Description of Current Unit	County wide Fleet Active number of this class	Trade in value or Estimated auction value	Fleet CEP Replacement Criteria Points	Type of vehicle or equipment to replace with	Maximum Replacement Unit Approved Pricing
					Current Miles or Hours		
62	Transportation Traffic	2015 Ford F150 pickup	88	\$8,000 Auction	32 Points	Pickup four-wheel drive	\$65,000 Sales tax included
					130,080 miles		
59	Transportation Surveyor Office	2013 Ford F250 pickup with survey body	88	\$10,000 Auction	32 Points	Truck with survey body	\$80,000 Sales tax included
					115,771 miles		
57	Transportation Surveyor Office	2015 Ford F250 pickup with survey body	88	\$10,000 Auction	32 Points	Truck with survey body	\$80,000 Sales tax included
					109,493 miles		
34	Transportation Construction	2015 Ford F350 Truck with survey body	37	\$21,000 Auction	28 Points	Truck with survey body	\$80,000 Sales tax included
					84,256 miles		

Unit Number	Assigned Fleet	Description of Current Unit	County wide Fleet Active number of this class	Trade in value or Estimated auction value	Fleet CEP Replacement Criteria Points	Type of vehicle or equipment to replace with	Maximum Replacement Unit Approved Pricing
					Current Miles or Hours		
69	Transportation Construction	2015 Ford F150 pickup	88	\$8,000 Auction	30 Points	Pickup four-wheel drive	\$70,000 Sales tax included
					115,756 miles		
35	Transportation Construction	2015 Ford F350 truck with survey body	37	\$21,000 Auction	30 Points	Truck with survey body	\$80,000 Sales tax included
					109,337 miles		
53	Transportation Construction	2013 Ford F150 pickup	88	\$8,000 Auction	30 Points	Pickup four-wheel drive	\$70,000 Sales tax included
					103,085 miles		
202	Transportation Maintenance	2010 Stepp SPHD-3.0 asphalt trailer	2	\$2,000 Auction	n/a	Asphalt patching trailer	\$58,000 Sales tax included
					42,377 miles		

Unit Number	Assigned Fleet	Description of Current Unit	County wide Fleet Active number of this class	Trade in value or Estimated auction value	Fleet CEP Replacement Criteria Points	Type of vehicle or equipment to replace with	Maximum Replacement Unit Approved Pricing
					Current Miles or Hours		
203	Transportation Maintenance	2010 Stepp SPHD-3.0 asphalt trailer	2	\$2,000 Auction	n/a	Asphalt patching trailer	\$58,000 Sales tax included
					59,489 miles		
1606	Sheriff Transport	2016 Dodge Grand Caravan minivan	24	\$5,000 Auction	32 Points	Minivan or small van	\$55,000 Sales tax included
					153,521 miles	\$50,000 Public Safety Aid	
1523	Sheriff Administration	2015 Ford Explorer sport utility	17	\$5,000 Auction	32 Points	Ford PI Utility hybrid electric with police systems	\$68,000 Sales tax included
					124,326 miles	\$63,000 Public Safety Aid	
1403	Sheriff Transport	2014 Chevrolet 3500E full size van with prisoner insert	24	\$10,000 Auction	31 Points	Van full size with police systems	\$80,000 Sales tax included
					131,256 miles	\$70,000 Public Safety Aid	

Unit Number	Assigned Fleet	Description of Current Unit	County wide Fleet Active number of this class	Trade in value or Estimated auction value	Fleet CEP Replacement Criteria Points	Type of vehicle or equipment to replace with	Maximum Replacement Unit Approved Pricing
					Current Miles or Hours		
1512	Sheriff Parks Lakes and Trails	2015 Ford F250 pickup with police systems	88	\$8,000 Auction	27 Points	Pickup four-wheel drive	\$65,000 Sales tax exempt
					96,015 miles		
2022	Sheriff Parks Lakes and Trails	2020 Ford Fusion sedan with police systems	25	\$4,000 Auction	27 Points	Sedan or compact pickup with police systems	\$40,000 Sales tax exempt
					97,586 miles		
2020	Sheriff Civil	2020 Ford PI Utility hybrid electric with police systems	54	\$5,000 Auction	29 Points	Ford PI Utility hybrid electric with police systems	\$68,000 Sales tax included
					103,255 miles		
2011	Sheriff Patrol	2020 Ford PI Utility hybrid electric with police systems	54	\$5,000 Auction	29 Points	Ford PI Utility hybrid electric with police systems	\$68,000 Sales tax exempt
					101,220 miles		



Unit Number	Assigned Fleet	Description of Current Unit	County wide Fleet Active number of this class	Trade in value or Estimated auction value	Fleet CEP Replacement Criteria Points	Type of vehicle or equipment to replace with	Maximum Replacement Unit Approved Pricing
					Current Miles or Hours		
2005	Sheriff Patrol	2020 Ford PI Utility hybrid electric with police systems	54	\$5,000 Auction	28 Points	Ford PI Utility hybrid electric with police systems \$63,000 Public Safety Aid	\$68,000 Sales tax exempt
					92,760 miles		
2019	Sheriff Patrol	2020 Ford PI Utility hybrid electric with police systems	54	\$5,000 Auction	27 Points	Ford PI Utility hybrid electric with police systems \$63,000 Public Safety Aid	\$68,000 Sales tax exempt
					106,582 miles		
Addition	Sheriff Transport	n/a	24	n/a	n/a	Full size passenger van \$80,000 Public Safety Aid	\$80,000 Sales tax included
					n/a		

Unit Number	Assigned Fleet	Description of Current Unit	County wide Fleet Active number of this class	Trade in value or Estimated auction value	Fleet CEP Replacement Criteria Points	Type of vehicle or equipment to replace with	Maximum Replacement Unit Approved Pricing
					Current Miles or Hours		
508	Parks Maintenance	2016 Bobcat Toolcat offroad utility with work attachments	22	\$25,000 Trade in	41 points	Offroad utility with work attachments	\$125,000 Sales tax exempt
					3,533 hours		
509	Parks Maintenance	2016 Bobcat Toolcat offroad utility with work attachments	22	\$25,000 Trade in	33 points	Offroad utility with work attachments	\$125,000 Sales tax exempt
					2,460 hours		
Addition	Parks Maintenance	n/a	0	n/a	n/a	Niftylift SD64 4x4x4 articulating boom lift all terrain	\$120,000 Sales tax exempt
					n/a		
Addition	Parks Maintenance	n/a	16	n/a	n/a	Toyota battery electric ride on forklift	\$60,000 Sales tax exempt
					n/a		

Unit Number	Assigned Fleet	Description of Current Unit	County wide Fleet Active number of this class	Trade in value or Estimated auction value	Fleet CEP Replacement Criteria Points	Type of vehicle or equipment to replace with	Maximum Replacement Unit Approved Pricing
					Current Miles or Hours		
Addition	Parks Maintenance	n/a	1	n/a	n/a	Tennant battery electric ride on floor sweeper	\$48,000 Sales tax exempt
					n/a		
Addition	Parks Natural Resources	n/a	88	n/a	n/a	Pickup compact four-wheel drive	\$50,000 Sales tax included
					n/a		
Addition	Parks Natural Resources	n/a	88	n/a	n/a	Pickup full-size four-wheel drive	\$65,000 Sales tax included
					n/a		
6304	Library	2010 Ford Transit Connect minivan	24	\$5,000 Auction	29 Points	Minivan or small van	\$55,000 Sales tax included
					37,930 miles		

Unit Number	Assigned Fleet	Description of Current Unit	County wide Fleet Active number of this class	Trade in value or Estimated auction value	Fleet CEP Replacement Criteria Points	Type of vehicle or equipment to replace with	Maximum Replacement Unit Approved Pricing
					Current Miles or Hours		
56	Corrections Juvenile Work Crew	2010 GMC K2500 pickup	88	\$5,000 Auction	34 Points	Pickup four-wheel drive	\$65,000 Sales tax included
					81,735 miles		
Addition	Corrections New Chance	n/a	54	n/a	n/a	Ford PI Utility hybrid electric with police systems	\$68,000 Sales tax included
					n/a		
<b>Explanation of Fiscal Impact (included in approved 2025 Fleet CEP budget)</b> - \$608,000 Public Safety Aid - \$200,000 Met Council Grant - \$245,000 Trade in or Estimated auction value - \$1,329,000 Net County Funds <b>Total Cost of Recommended Purchases</b>							<b>\$2,082,000</b>



# Board of Commissioners

## Request for Board Action

Item Number: DC-3987

Agenda #: 11.4

Meeting Date: 1/7/2025

**DEPARTMENT:** Physical Development Administration

**FILE TYPE:** Consent Action

### TITLE

**Authorization Of Second Amendment To Conveyor Lease With Holcim - MWR, Inc.**

### PURPOSE/ACTION REQUESTED

Authorize the execution of Second Amendment to a Conveyor Lease with Holcim - MWR, Inc. (Holcim) (formerly Aggregate Industries) on County property located in City of Empire (City).

### SUMMARY

Dakota County (County) owns 80 acres of real property [Parcel Identification Number (PIN) 12-00500-02-010]] in the City, where the Empire Transportation Facility and Communication Center are located. Aggregate Industries, Holcim is an international corporation with four business segments: cement, ready-mix concrete, aggregates, and building solutions and products, operating on 350 sites in 43 states. Holcim acquired Aggregate Industries (A.I.) and owns the 80-acre parcel (PIN 12-00500-01-010) immediately east and a 50-acre parcel (PIN 12-00500-75-011) southwest of the County property where it is actively mining sand and aggregate under an interim use permit from the City. Holcim also owns two parcels totaling 311 acres and mineral rights on a third 152-acre parcel - all immediately adjacent to Whitetail Woods Regional Park.

In 2009, A.I. requested a Conveyor Lease from the County to install, operate, and maintain a 1,322-foot-long conveyor belt across the southern portion of the County property, legally described as “the South one hundred fifty (150) feet of the West ½ of the Northeast ¼ of Section 5, Township 114 North, Range 19 West in the City of Empire” (Lease Area) to move the mined aggregate to an A.I. processing facility to the west.

By Resolution No. 10-007 (January 5, 2010), the Dakota County Board of Commissioners approved the Conveyor Lease with A.I. with the following terms:

A.I. will pay \$6,750 per year, adjusted annually using the Minneapolis-St. Paul Consumer Price Index for Urban Area (CPIU) for the previous 12 months, as calculated by the U.S. Department of Labor, to lease approximately 4.5 acres from the County for a term of 10 years, effective January 1, 2010.

A.I. will not perform any mining activities within the Lease Area or within at least 50 feet from County property; will indemnify the County for any damages incurred to person or property as a result of mining activities on or adjacent to County property; will immediately cease and desist any operations within the Lease Area that interfere with the Communication Center providing 911 service to County residents; and will operate consistent with all current and future Federal, state, and local government laws rules, regulations, and ordinances, including any and all Empire Township interim use permit

requirements.

The Conveyor Lease may be extended for a one or two five-year extension, with the lease payment negotiated for the “then fair market value.” The County may terminate the Conveyor Lease for cause upon a one-year notice.

A.I. met all requirements of the Conveyor Lease and requested an extension of the Conveyor Lease in 2019. A First Amendment to the Conveyor Lease was approved, amending Article 2 Lease Term to commence on January 1, 2020, and continue until December 31, 2024, or such earlier or later date as shortened or extended in accordance with the Conveyor Lease. Article 12 Notices was also amended to update names of County and A.I. staff for receiving or transmitting any notices required or permitted under the Conveyor Lease. All other provisions of the original Conveyor Lease remained in full force.

Holcim continues to mine the former A.I. property, satisfactorily meets the terms of the original and First Amendment to the Conveyor Lease, and has requested another extension. County and Holcim staff have agreed that it is in their collective best interests to extend the Conveyor Lease by an additional five years with an automatic five-year extension unless Holcim provides written notice not to extend. The same formula used in the original and First Amendment to the Conveyor Lease to determine the annual payment would continue to be used. The associate annual payment for 2024 was \$8,065.77. Based on the CPIU rate of 1.9 percent, the annual payment for 2025 would be \$8,219.02 and adjusted annually. Article 12 Notices would also be amended to reflect changes in County and Holcim staff to receive and transmit notices.

County Board approval of all leases involving County property is required.

### **RECOMMENDATION**

Staff recommends that the County Board authorize execution of a Second Amendment to the Conveyor Lease with Holcim on County property.

### **EXPLANATION OF FISCAL/FTE IMPACTS**

Revenue for this Conveyor Lease is included in the 2025 and future Facilities Management operation budgets.

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

### **RESOLUTION**

WHEREAS, Dakota County (County) owns 80 acres of real property [Parcel Identification Number (PIN) 12-00500-02-010]] in the City of Empire (City) where the Empire Transportation Facility and Communication Center are located; and

WHEREAS, Aggregate Industries (A.I.), formerly a Minnesota corporation, owned the 80-acre parcel (PIN 12-00500-01-010) immediately east and a 50-acre parcel (PIN 12-00500-75-011) southwest of the County parcel where the Empire Transportation Facility and Communication Center are located to actively mine sand and aggregate under an interim use permit from the City; and

WHEREAS, in 2009 A.I. requested a Conveyor Lease from the County to install, operate and maintain a 1,322-foot-long conveyor belt across the southern portion of the County property, legally described as “the South one hundred fifty (150) feet of the West ½ of the Northeast ¼ of Section 5, Township 114 North, Range 19 West” in the City of Empire (Lease Area) to move the mined aggregate to an A.I. processing facility to the west; and

WHEREAS, by Resolution No. 10-007 (January 5, 2010), the Dakota County Board of Commissioners approved the Conveyor Lease with A.I. with the following terms:

A.I. will pay \$6,750 per year, adjusted annually using the Minneapolis-St. Paul Consumer Price Index for Urban Area (CPIU) for the previous 12 months, as calculated by the U.S. Department of Labor, to lease approximately 4.5 acres from the County for a term of ten years, effective January 1, 2010.

A.I. will not perform any mining activities within the Lease Area or within at least 50 feet from County property; will indemnify the County for any damages incurred to person or property as a result of mining activities on or adjacent to County property; will immediately cease and desist any operations within the Lease Area that interfere with the Communication Center providing 911 service to County residents; and will operate consistent with all current future Federal, state, and local government laws rules, regulations, ordinances, including any and all Empire Township interim use permit requirements.

The Conveyor Lease may be extended for a one or two five-year extension, with the lease payment negotiated for the “then fair market value.” The County may terminate the Conveyor Lease for cause upon a one-year notice.

; and

WHEREAS, A.I. met all requirements of the Conveyor Lease and requested an extension of the Conveyor Lease in 2019; and

WHEREAS, a First Amendment to the Conveyor Lease was approved, amending the original Article 2 Lease Term to commence on January 1, 2020, and continue until December 31, 2024, or such earlier or later date as shortened or extended in accordance with the Conveyor Lease; and

WHEREAS, Article 12 Notices of the original Conveyor Lease was also amended to update names of County and A.I. staff for receiving or transmitting any notices required or permitted under the Conveyor Lease; and

WHEREAS, all other provisions of the original Conveyor Lease remained in full force; and

WHEREAS, Holcim - MWR, Inc. (Holcim) acquired A.I., continues to mine the former A.I property, has satisfactorily met the terms of the Conveyor Lease, and has requested an extension of the Conveyor Lease; and

WHEREAS, County and Holcim staff have agreed that it is in their collective best interests to extend the Conveyor Lease by an additional five years with an automatic five year-extension unless Holcim

provides written notice not to extend; and

WHEREAS, the same formula used in the original and First Amendment to the Conveyor Lease would continue to be used to determine the annual payment; and

WHEREAS, the annual Conveyor Lease payment for 2024 was \$8,065.77, and based on the 2023 CPIU rate of 1.9 percent, the annual payment for 2025 would be \$8,219.02 and adjusted annually thereafter; and

WHEREAS, the Recitals will reflect the change and change of ownership and Article 12 Notices would also be amended to reflect changes in the names of County and Holcim staff to receive and transmit notices; and

WHEREAS, County Board approval of all leases involving County property is required.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes a Second Amendment to the Conveyor Lease with Holcim - MWR, Inc. for the use of County property to convey sand and aggregate from Aggregate Industry property across County property to process at an Aggregate Industries facility west of County property; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioner hereby approves the terms of the Second Amendment to the Conveyor Lease, including a five-year extension and automatic five-year renewal with payment based on Consumer Price Index for Urban Area for the previous 12 months, as calculated by the U.S. Department of Labor, approved as to form by the County Attorney's Office.

### **PREVIOUS BOARD ACTION**

10-007; 1/5/10

### **ATTACHMENTS**

None.

### **BOARD GOALS**

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

### **CONTACT**

Department Head: Erin Stwora

Author: Al Singer





# Board of Commissioners

## Request for Board Action

Item Number: DC-4100

Agenda #: 12.1

Meeting Date: 1/7/2025

**DEPARTMENT:** Communications and Public Affairs

**FILE TYPE:** Regular Action

### TITLE

**Legislative Update And Adoption Of 2025 Legislative Platform**

### PURPOSE/ACTION REQUESTED

Receive an update on the 2025 state legislative session, and state and federal legislative affairs, and adopt the 2025 legislative platform.

### SUMMARY

Staff will provide updates on state and federal legislative affairs and activities, Minnesota Inter-County Association (MICA), Association of Minnesota Counties (AMC), and National Association of Counties (NACo) activities, related county activities and other legislative topics of interest to Dakota County.

In addition, staff have revised the 2024 Legislative Platform document to incorporate changes for 2025. A version of the legislative platform with all recommended changes incorporated is attached and recommended for adoption.

### RECOMMENDATION

Staff recommends that the Board adopt the proposed 2025 Legislative Platform as presented.

### EXPLANATION OF FISCAL/FTE IMPACTS

There are no direct fiscal impacts as a result of adopting the legislative platform and priorities. If certain positions are adopted by the state or federal legislatures, the budget for county activities may be affected. In such cases, budget amendments will be recommended for the Board's approval.

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

### RESOLUTION

WHEREAS, the Minnesota Legislature will convene its 2025 session on January 14, 2025; and

WHEREAS, the interests of Dakota County and its residents will be directly affected by the decisions of the 2025 Legislature.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby adopts the amended 2025 Legislative Platform as presented at the January 7, 2025 County Board meeting.

### PREVIOUS BOARD ACTION

None.

### ATTACHMENTS

Attachment: Marked-up Legislative Platform

Attachment: Legislative Platform as amended

Attachment: Presentation Slides

### BOARD GOALS

A Great Place to Live

A Successful Place for Business and Jobs

A Healthy Environment

Excellence in Public Service

### CONTACT

Department Head: Mary Beth Schubert

Author: Mary Beth Schubert

# Legislative Platform



## CAPITAL INVESTMENT

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### DAKOTA COUNTY SUPPORTS:

- State and federal funding for priority Dakota County projects:
  - ~~117<sup>th</sup> Street Reconstruction and Modernization – \$8,000,000~~
  - ~~County Road 46 Reconstruction – \$21,400,000~~
  - ~~County 54 Highway Improvements and Trail Construction – \$15,000,000~~
  - ~~Interstate 35 Bridge and County Road 50 Improvements – \$25,000,000 for I-35 bridges, County Road 50 Interchange, \$8,000,000 for County Road 50 Improvements~~
  - ~~Mendota to Lebanon Greenway TH 55 Crossing – \$3,300,000~~
  - ~~North Creek Greenway Pedestrian Crossings – \$5,400,000~~
  - ~~Thompson County Park Improvements – \$10,000,000~~
  - Recycling Zone Plus
  - County Energy Efficiency and Generation
- State funding for projects within Dakota County:
  - TH 13/Nicollet Intersection
  - TH 50 Safety Improvements east of TH 52
  - TH 77 Northbound Lane Addition
  - Water infrastructure improvement projects within the cities of Apple Valley, Burnsville, Coates, Hastings, and South St. Paul.
- A study related to an Amateur Sports Complex in the southern Twin Cities Metropolitan Area.
- ~~The Minnesota Pollution Control Agency's request for funding for the construction of a regional household hazardous waste collection and recycling facility in Dakota County.~~
- The Metropolitan Council's request for capital improvements to the Metropolitan Regional Park system.
- ~~Corrections to previous Veterans Memorial Greenway appropriations to allow for phased construction.~~
- Direct allocation of funding to support capital costs for emergency shelter development.

## ENVIRONMENTAL PROTECTION

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### DAKOTA COUNTY SUPPORTS:

- Legislation and policies that support providing efficient, cost effective, affordable, clean, renewable and sustainable energy.
- Development of local priorities and the provision of cost-effective, efficient, and environmentally sound statewide waste management practices.
- Efforts to protect and improve the quality of ground and surface water in Minnesota.
- Efforts to actively address groundwater contamination due to nitrates, ~~and~~ PFAS and other emerging contaminants of concern.
- Adequate state resources for the long-term care of existing landfills, including the return of diverted CLIF funds.

- The use of state ~~funding bonding~~ to support solid waste management projects as a match to the funds counties invest in infrastructure for solid waste management activities mandated by the state.
- Maintaining Minnesota's existing waste management hierarchy that prioritizes waste management in the preferred order: waste and toxicity reduction, reuse, recycling and organics recovery/diversion, resource recovery, and land disposal.
- The establishment of a long-term state program to assist public and private drinking water well owners with the treatment of contaminated well water that exceeds safe drinking water levels.
- ~~The re-distribution of the collected State Waste Management Tax that is currently distributed to the State General Fund to counties for state-mandated landfill abatement programs.~~ Increased SCORE funding to metropolitan counties to offset the cost of meeting increased state mandates on waste diversion.
- ~~Practical Effective State-state and Federal-federal~~ product stewardship and extended producer responsibility laws with an emphasis on products that ~~pose a public health or safety risk~~ support producer-led toxicity reduction, source reduction, reuse and recycling.
- State and federal funding for local water infrastructure improvement projects.
- Coordinated efforts among state agencies to prevent tree waste and ~~Efforts to~~ ensure regional capacity to dispose of large quantities of wood waste as a result of Emerald Ash Borer infestation and other tree diseases.
- Coordinated efforts among state agencies to develop updated state rules and guidelines for the standardized implementation and oversight of wastewater, graywater, and combined rainwater/stormwater reuse systems.
- Legislation and/or MPCA actions that provide funding to properly close the Freeway Landfill in accordance with existing State Rules to protect public health and the environment and benefit the local community.
- A comprehensive plan by the legislature, the Minnesota Department of Natural Resources and the Minnesota Board of Animal Health to slow the spread of Chronic Wasting Disease.
- Appropriations to cover the cost of required electric vehicle charging stations at County buildings or other locations.
- State and federal funding opportunities that will assist the county in investing in energy efficiency, greenhouse gas reduction, clean energy production and fleet electrification, and set the county on a path to achieving net-zero status.
- State-led coordinated market development efforts to recover materials from waste that prioritizes high-value uses of recovered materials including for hard-to-recycle materials.
- Maintaining support for the ~~A~~ statewide Extended Producer Responsibility and product stewardship approach that reduces the amount and toxicity of product packaging and increases the recyclability of packaging waste ~~that and focusing on effective implementation of this approach to reduce the quantity of packaging entering landfills. builds on existing reuse and recycling infrastructure and requires producers to contribute financially to the infrastructure system.~~
- Increased State Aid for Aquatic Invasive Species and Establish Base Funding for Terrestrial Invasive Species Management.
- State support of ongoing efforts to financially assist landowners with replacement of non-compliant septic systems for protection of essential groundwater resources, such as increased funding for the AgBMP programs or direct grant funds used for septic system replacement.
- Efforts to update Minn. Statute 103I (Wells, Borings, and Underground Uses) to allow the commissioner of health the ability to delegate the inspection, reporting, and enforcement duties for all borings.
- Strengthening legislation to identify and eliminate PFAS contamination sources, including investigating PFAS in biosolids, and increased funding to local communities and private well owners for PFAS mitigation.

## HEALTH AND HUMAN SERVICES

---

### DAKOTA COUNTY SUPPORTS:

- A child welfare system designed to keep children safe and with their families through adequate funding with the impact of providing manageable caseloads and keeping children in safe permanent housing arrangements.

- Moving educational neglect from child protection to child welfare response.
- Stable, flexible state funding and public policy to improve and maintain healthy communities by supporting:
  - ~~Sustainable funding for local public health foundational responsibilities.~~
  - ~~Sustainable funding to improve maternal and child health outcomes.~~
  - ~~Sustainable funding to respond to emerging public health emergencies and response.~~
  - ~~Data sharing infrastructure to ensure timely, secure collection and evaluation and data.~~
  - ~~Permanent dedicated funding for SHIP.~~
  - Addressing the impact of Adverse Childhood Experiences (ACEs).
    - State funding for home and community-based care.
- Sustainable funding for community-based Family Resource Centers.
- ~~State financial resources and public policy to protect the public from communicable disease and promote health behaviors to prevent chronic disease.~~
- State policy and financing to assure a full range of community-based mental health services that promote mental health, prevent mental health problems, promote mental wellbeing, treat mental health conditions, and allow people with mental health conditions to function as effectively as possible thrive in the community.
- ~~Use of state funds to develop a flexible benefits financing model and policy waivers in support of the Pathways to Prosperity and Well-being Pilot.~~
- The full funding of mental health crisis services, including:
  - 24/7 phone and mobile crisis response
  - ~~Crisis follow up and stabilization services, including embedded social workers with local law enforcement.~~
  - Direct appropriations to Dakota County until there is an increase in state funding.
- Interventions that address workforce challenges and resulting impacts in disability services including:
  - Stabilizing home and community-based services staffing through targeted wage increases and other strategies (i.e. educational incentives, etc.)
  - Maximizing flexibility in self-directed programs to increase informal support options for people.
  - Simplifying paperwork and administrative requirements where they don't add value so direct support staff can focus on direct support.
  - Increasing availability of assistive technology to supplement paid caregivers.
  - ~~Providing grants and technical assistance to businesses and other mainstream organizations to promote inclusive communities and lessen demand on formal services.~~
- Investments in modernizing technology solutions for Department of Human Services programs.
- Simplification of Department of Human Services program rules and reporting requirements.
- An Interstate Funding Formula (IFF) for distribution of federal Older Americans Act (OAA) resources that adequately funds the growing needs of older adults in the 7-County Twin Cities Metropolitan Area.
- Addressing an eligibility gap in the waiver system related to older adults with significant mental health needs.
- Policies and legislation that address cannabis and THC impacts including:
  - Enhancing local control
  - Reducing public health impacts
  - Dedicating cannabis-related tax and fee revenues for public health prevention activities
  - Strengthening efforts to monitor product safety, conduct inspections, prevent access to minors, and enforce rules and regulations.
- Flexibility for Elder Waiver renewals for individuals in long term care.
- Policies and legislation that promotes better communication for MNChoices generally, and in the MNChoices Assessment process.
- The elimination of health and human services-related cost shifts to counties.
- Setting the assessment adjustment for Medical Assistance to three years.
- The work of the 2024 Working Group on Youth Interventions in promoting best practices and improving the system of care.

## HOUSING AND ECONOMIC STABILITY

---

## DAKOTA COUNTY SUPPORTS:

- State funding and policy to strengthen the public safety net for those unable to work and to remove disincentives that discourage able-bodied people from achieving self-sufficiency.
- Ensuring the county receives its fair share of state housing funding to:
  - Fully fund emergency shelter for people experiencing homelessness
  - Enhance and expand state rental assistance programs and other homelessness prevention resources.
  - Enhance and expand dependable streams of funding to support services that help people find and maintain housing.
  - Increase the number of affordable, accessible, and available rental units throughout Dakota County.
- Funding to expand the Housing Demonstration program.

## JOBS AND ECONOMIC GROWTH

---

### DAKOTA COUNTY SUPPORTS:

- State assistance to communities in reaching their workforce and economic development potential in order to enhance the quality of life for all Minnesotans.
- Equitable distribution of Broadband Grant program funds to include unserved and underserved areas in metro-area counties.
- Updates to policies within the Office of Broadband to expand eligible program costs to take advantage of advances in broadband technology.
- Investments to maintain and expand the Dakota County Workforce Mobility Program, creating better job opportunities in critical occupations.

## LOCAL GOVERNMENT

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### DAKOTA COUNTY SUPPORTS:

- Policies that promote effective and efficient county government that provides quality services to meet the needs of Dakota County residents without infringing on the decision-making ability of local elected officials.
- The authority delegated to democratically elected officials to make budget decisions for the unit of government for which they were duly elected.
- Authority to create a service district, by adoption of a resolution, for the purpose of levying upon a portion of Dakota County to finance governmental services benefiting a service area within that county.
- Maintained or increased appropriations for programs to enhance library services.
- ~~The Minnesota Deputy Registrar Association and the Minnesota Association of County Officers request for a fee increase for license transactions.~~
- Revising eminent domain statutes to ensure equitable processes for determining landowner compensation and attorney fees.
- The amendment of Minn. Stat. § 216G.05 to require that the permitting state agency, rather than county boards, be required to hold a public meeting regarding the construction or operation of a pipeline.
- Efforts to adjust the Homestead Market Value Exclusion formula to support homeowner property tax relief by increasing the market value threshold and including an index to adjust annually with changing residential market values.

### DAKOTA COUNTY OPPOSES:

- Measures that would interfere with the ability of local governments to manage their budgets.

## NATURAL RESOURCES STEWARDSHIP AND PARKS

---

### DAKOTA COUNTY SUPPORTS:

- Sustainable and balanced management of the state's environmental and natural resources through effective enhancement of local, state and federal governance.
- The Metropolitan Council's request from the Environmental and Natural Resources Trust Fund to acquire private inholdings within regional parks and greenways.
- Increasing State funding for Metropolitan Parks O&M.
- Increasing the Park and Trail Legacy funding share to the Metropolitan Regional Park System.
- Increasing or maintaining the current allocations and funding distribution of Lottery in Lieu funding.
- Reauthorization of the lottery dedication to the Environment and Natural Resources Trust Fund.
- ~~Decriminalization of Authorization to issue administrative fines for park ordinance violations to allow for administrative fines.~~

## PUBLIC SAFETY & CORRECTIONS

---

### DAKOTA COUNTY SUPPORTS:

- Programs and policies that promote safe communities through effective prevention, education, supervision and treatment.
- Full funding of the research-driven community supervision funding formula in state statute to ensure effective implementation of these critical policy reforms continue after the sunset of supervision fees in 2027.
- Expanded, indexed and sustainable funding levels for community supervision of people in the corrections system.
- State funding for the recruitment, retention and training of law enforcement officers.
- ~~The state fully funding the costs for continued health insurance costs for public safety officers disabled in the line of duty under Minn. Stat. § 299A.465.~~

## STATE GOVERNMENT AND ELECTIONS

---

### DAKOTA COUNTY SUPPORTS:

- Reformation of the Metropolitan Council governance structure to increase accountability to their regional constituency.
- ~~Legislation granting counties the authority to fill mid-term vacancies in County Sheriff or County Attorney positions either through a special election or by appointing a replacement until the next regular election.~~
- Full funding of local costs for or relaxation of state mandates.

## TRANSPORTATION

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### DAKOTA COUNTY SUPPORTS:

- A statewide, integrated, multi-modal transportation system that keeps Minnesota competitive in a global marketplace with long-term sustainable funding to ensure safe systems that efficiently move people and goods.

#### Highways and Bridges

- Maintaining the current distribution of the Motor Vehicle Lease Sales Tax.
- Issuance of general obligation bonds for the Local Road Improvement, Local Bridge Replacement Bonding, and Local Road Wetland Replacement programs.
- Issuance of trunk highway bonds contingent upon increased long-term funding.

#### Rail

- Efforts to encourage railroads to work with local governments on opportunities to improve safe crossings near and along rail corridors.
- State and local acquisition of rail corridors that are currently under- or un-utilized to improve non-motorized transportation systems.
- The use of the Dan Patch Corridor as a greenway for non-motorized transportation.

## DAKOTA COUNTY SUPPORTS:

- ~~Federal funding to support creation of the Veterans Memorial Greenway.~~
- Federal funding to support improvement of the Interstate 35 Bridge/County Road 50 interchange.
- ~~Federal funding to support construction of the Mississippi River Greenway.~~
- Ensuring federal approval as necessary of human services administrative waivers passed by the Minnesota Legislature in 2021.
- Efforts to encourage railroads to work with local governments on opportunities to improve safe crossings near and along rail corridors.
- Efforts to support state and local acquisition of rail corridors that are currently under- or un-utilized to improve non-motorized transportation systems.
- The amendment of the Medicaid Inmate Exclusion Policy in the Social Security Act, allowing pre-trial detainees to access Medicaid services while awaiting trial and in the month prior to release from incarceration. Doing so will support appropriate supports for mental health and substance use disorder treatment that will increase health and decrease recidivism.

## Other Organizations

---

In addition to the initiatives contained in this platform, the Dakota County Board of Commissioners generally supports the legislative recommendations of the local units of government within the county and organizations in which it holds membership, including, but not limited to:

- National Association of Counties (NACo) and its associated professional organizations.
- Association of Minnesota Counties (AMC) and its associated professional organizations, including:
  - Local Public Health Association of Minnesota (LPHA)
  - Minnesota Association of County Social Services Administrators (MACSSA)
  - Minnesota Association of County Officers (MACO)
  - Minnesota Association of Community Corrections Act Counties (MACCAC)
  - Minnesota County IT Leadership Association (MCITLA)
  - Solid Waste Administrators Association (SWAA)
  - Minnesota Association of County Veterans Service Officers (MACVSO)
- Minnesota Inter-County Association (MICA)
- Association of Minnesota Emergency Managers (AMEM)
- Metropolitan Library Service Agency (MELSA)
- Minnesota Association of Watershed Districts (MAWD)
- Minnesota County Engineers Association (MCEA)
- Minnesota Association of Workforce Boards (MAWB)
- Minnesota Juvenile Detention Alternative (MnJDA)
- Juvenile Justice Advisory Committee (JJAC)

The county board may choose to take a different position on individual items within the platforms of these and other organizations whose platforms they generally support. The county board may also consider additional positions in response to issues that emerge during the legislative session.



## CAPITAL INVESTMENT

---

### DAKOTA COUNTY SUPPORTS:

- State and federal funding for priority Dakota County projects:
  - Interstate 35 Bridge and County Road 50 Improvements
  - Recycling Zone Plus
  - Thompson County Park Improvements
  - County Energy Efficiency and Generation
- State funding for projects within Dakota County:
  - TH 13/Nicollet Intersection
  - TH 50 Safety Improvements east of TH 52
  - TH 77 Northbound Lane Addition
- A study related to an Amateur Sports Complex in the southern Twin Cities Metropolitan Area.
- Direct allocation of funding to support capital costs for emergency shelter development.
- The Metropolitan Council's request for capital improvements to the Metropolitan Regional Park system.
- Water infrastructure improvement projects within the cities of Apple Valley, Burnsville, Coates, Hastings, and South St. Paul.

## ENVIRONMENTAL PROTECTION

---

### DAKOTA COUNTY SUPPORTS:

- A comprehensive plan by the legislature, the Minnesota Department of Natural Resources and the Minnesota Board of Animal Health to slow the spread of Chronic Wasting Disease.
- Adequate state resources for the long-term care of existing landfills, including the return of diverted CLIF funds.
- Appropriations to cover the cost of required electric vehicle charging stations at County buildings or other locations.
- Coordinated efforts among state agencies to develop updated state rules and guidelines for the standardized implementation and oversight of wastewater, graywater, and combined rainwater/stormwater reuse systems.
- Coordinated efforts among state agencies to prevent tree waste and ensure regional capacity to dispose of large quantities of wood waste as a result of Emerald Ash Borer infestation and other tree diseases.
- Development of local priorities and the provision of cost-effective, efficient, and environmentally sound statewide waste management practices.
- Effective state and federal product stewardship and extended producer responsibility laws with an emphasis on products that support producer-led toxicity reduction, source reduction, reuse and recycling.
- Efforts to actively address groundwater contamination due to nitrates, PFAS and other emerging contaminants of concern.
- Efforts to protect and improve the quality of ground and surface water in Minnesota.

- Efforts to update Minn. Statute 103I (Wells, Borings, and Underground Uses) to allow the commissioner of health the ability to delegate the inspection, reporting, and enforcement duties for all borings.
- Increased SCORE funding to metropolitan counties to offset the cost of meeting increased state mandates on waste diversion.
- Increased State Aid for Aquatic Invasive Species and Establish Base Funding for Terrestrial Invasive Species Management.
- Legislation and policies that support providing efficient, cost effective, affordable, clean, renewable and sustainable energy.
- Legislation and/or MPCA actions that provide funding to properly close the Freeway Landfill in accordance with existing State Rules to protect public health and the environment and benefit the local community.
- Maintaining Minnesota’s existing waste management hierarchy that prioritizes waste management in the preferred order: waste and toxicity reduction, reuse, recycling and organics recovery/diversion, resource recovery, and land disposal.
- Maintaining support for the statewide Extended Producer Responsibility and product stewardship approach that reduces the amount and toxicity of product packaging and increases the recyclability of packaging waste and focusing on effective implementation of this approach to reduce the quantity of packaging entering landfills.
- State and federal funding for local water infrastructure improvement projects.
- State and federal funding opportunities that will assist the county in investing in energy efficiency, greenhouse gas reduction, clean energy production and fleet electrification, and set the county on a path to achieving net-zero status.
- State support of ongoing efforts to financially assist landowners with replacement of non-compliant septic systems for protection of essential groundwater resources, such as increased funding for the AgBMP programs or direct grant funds used for septic system replacement.
- State-led coordinated market development efforts to recover materials from waste that prioritizes high-value uses of recovered materials including for hard-to-recycle materials.
- Strengthening legislation to identify and eliminate PFAS contamination sources, including investigating PFAS in biosolids, and increased funding to local communities and private well owners for PFAS mitigation.
- The establishment of a long-term state program to assist public and private drinking water well owners with the treatment of contaminated well water that exceeds safe drinking water levels.
- The use of state funding to support solid waste management projects as a match to the funds counties invest in infrastructure for solid waste management activities mandated by the state.

## HEALTH AND HUMAN SERVICES

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### DAKOTA COUNTY SUPPORTS:

- A child welfare system designed to keep children safe and with their families through adequate funding with the impact of providing manageable caseloads and keeping children in safe permanent housing arrangements.
- Addressing an eligibility gap in the waiver system related to older adults with significant mental health needs.
- An Interstate Funding Formula (IFF) for distribution of federal Older Americans Act (OAA) resources that adequately funds the growing needs of older adults in the 7-County Twin Cities Metropolitan Area.
- Flexibility for Elder Waiver renewals for individuals in long term care.
- Interventions that address workforce challenges and resulting impacts in disability services including:
  - Stabilizing home and community-based services staffing through targeted wage increases and other strategies (i.e. educational incentives, etc.)

- Maximizing flexibility in self-directed programs to increase informal support options for people.
- Simplifying paperwork and administrative requirements where they don't add value so direct support staff can focus on direct support.
- Increasing availability of assistive technology to supplement paid caregivers.
- Investments in modernizing technology solutions for Department of Human Services programs.
- Moving educational neglect from child protection to child welfare response.
- Policies and legislation that address cannabis and THC impacts including:
  - Enhancing local control
  - Reducing public health impacts
  - Dedicating cannabis-related tax and fee revenues for public health prevention activities
  - Strengthening efforts to monitor product safety, conduct inspections, prevent access to minors, and enforce rules and regulations.
- Policies and legislation that promotes better communication for MNChoices generally, and in the MNChoices Assessment process.
- Setting the assessment adjustment for Medical Assistance to three years.
- Simplification of Department of Human Services program rules and reporting requirements.
- Stable, flexible state funding and public policy to improve and maintain healthy communities by supporting:
  - Addressing the impact of Adverse Childhood Experiences (ACEs).
  - State funding for home and community-based care.
- State policy and financing to assure a full range of community-based mental health services that promote mental health, prevent mental health problems, promote mental wellbeing, treat mental health conditions, and allow people with mental health conditions to thrive in the community.
- Sustainable funding for community-based Family Resource Centers.
- The elimination of health and human services-related cost shifts to counties.
- The full funding of mental health crisis services, including:
  - 24/7 phone and mobile crisis response
  - Crisis follow up and stabilization services, including embedded social workers with local law enforcement.
  - Direct appropriations to Dakota County until there is an increase in state funding.
- The work of the 2024 Working Group on Youth Interventions in promoting best practices and improving the system of care.

## HOUSING AND ECONOMIC STABILITY

---

### DAKOTA COUNTY SUPPORTS:

- Ensuring the county receives its fair share of state housing funding to:
  - Fully fund emergency shelter for people experiencing homelessness
  - Enhance and expand state rental assistance programs and other homelessness prevention resources.
  - Enhance and expand dependable streams of funding to support services that help people find and maintain housing.
  - Increase the number of affordable, accessible, and available rental units throughout Dakota County.
- Funding to expand the Housing Demonstration program.
- State funding and policy to strengthen the public safety net for those unable to work and to remove disincentives that discourage able-bodied people from achieving self-sufficiency.

# JOBS AND ECONOMIC GROWTH

---

## DAKOTA COUNTY SUPPORTS:

- Equitable distribution of Broadband Grant program funds to include unserved and underserved areas in metro-area counties.
- Investments to maintain and expand the Dakota County Workforce Mobility Program, creating better job opportunities in critical occupations.
- State assistance to communities in reaching their workforce and economic development potential in order to enhance the quality of life for all Minnesotans.
- Updates to policies within the Office of Broadband to expand eligible program costs to take advantage of advances in broadband technology.

# LOCAL GOVERNMENT

---

## DAKOTA COUNTY SUPPORTS:

- Authority to create a service district, by adoption of a resolution, for the purpose of levying upon a portion of Dakota County to finance governmental services benefiting a service area within that county.
- Efforts to adjust the Homestead Market Value Exclusion formula to support homeowner property tax relief by increasing the market value threshold and including an index to adjust annually with changing residential market values.
- Maintained or increased appropriations for programs to enhance library services.
- Policies that promote effective and efficient county government that provides quality services to meet the needs of Dakota County residents without infringing on the decision-making ability of local elected officials.
- Revising eminent domain statutes to ensure equitable processes for determining landowner compensation and attorney fees.
- The amendment of Minn. Stat. § 216G.05 to require that the permitting state agency, rather than county boards, be required to hold a public meeting regarding the construction or operation of a pipeline.
- The authority delegated to democratically elected officials to make budget decisions for the unit of government for which they were duly elected.

## DAKOTA COUNTY OPPOSES:

- Measures that would interfere with the ability of local governments to manage their budgets.

# NATURAL RESOURCES STEWARDSHIP AND PARKS

---

## DAKOTA COUNTY SUPPORTS:

- Authorization to issue administrative fines for park ordinance violations.
- Increasing or maintaining the current allocations and funding distribution of Lottery in Lieu funding.
- Increasing State funding for Metropolitan Parks O&M.
- Increasing the Park and Trail Legacy funding share to the Metropolitan Regional Park System.
- Reauthorization of the lottery dedication to the Environment and Natural Resources Trust Fund.
- Sustainable and balanced management of the state's environmental and natural resources through effective enhancement of local, state and federal governance.
- The Metropolitan Council's request from the Environmental and Natural Resources Trust Fund to acquire private inholdings within regional parks and greenways.

# PUBLIC SAFETY & CORRECTIONS

---

## DAKOTA COUNTY SUPPORTS:

- Expanded, indexed and sustainable funding levels for community supervision of people in the corrections system.
- Full funding of the research-driven community supervision funding formula in state statute to ensure effective implementation of these critical policy reforms continue after the sunset of supervision fees in 2027.
- Programs and policies that promote safe communities through effective prevention, education, supervision and treatment.
- State funding for the recruitment, retention and training of law enforcement officers.
- The state fully funding the costs for continued health insurance costs for public safety officers disabled in the line of duty under Minn. Stat. § 299A.465.

# STATE GOVERNMENT AND ELECTIONS

---

## DAKOTA COUNTY SUPPORTS:

- Full funding of local costs for or relaxation of state mandates.
- Reformation of the Metropolitan Council governance structure to increase accountability to their regional constituency.

# TRANSPORTATION

---

## DAKOTA COUNTY SUPPORTS:

- A statewide, integrated, multi-modal transportation system that keeps Minnesota competitive in a global marketplace with long-term sustainable funding to ensure safe systems that efficiently move people and goods.

### Highways and Bridges

- Issuance of general obligation bonds for the Local Road Improvement, Local Bridge Replacement Bonding, and Local Road Wetland Replacement programs.
- Issuance of trunk highway bonds contingent upon increased long-term funding.
- Maintaining the current distribution of the Motor Vehicle Lease Sales Tax.

### Rail

- Efforts to encourage railroads to work with local governments on opportunities to improve safe crossings near and along rail corridors.
- State and local acquisition of rail corridors that are currently under- or un-utilized to improve non-motorized transportation systems.
- The use of the Dan Patch Corridor as a greenway for non-motorized transportation.

# Federal

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## DAKOTA COUNTY SUPPORTS:

- Efforts to encourage railroads to work with local governments on opportunities to improve safe crossings near and along rail corridors.
- Efforts to support state and local acquisition of rail corridors that are currently under- or un-utilized to improve non-motorized transportation systems.
- Ensuring federal approval as necessary of human services administrative waivers passed by the Minnesota Legislature in 2021.
- Federal funding to support improvement of the Interstate 35 Bridge/County Road 50 interchange.
- The amendment of the Medicaid Inmate Exclusion Policy in the Social Security Act, allowing pre-trial detainees to access Medicaid services while awaiting trial and in the month prior to release from incarceration. Doing so will support appropriate supports for mental health and substance use disorder treatment that will increase health and decrease recidivism.

## Other Organizations

---

In addition to the initiatives contained in this platform, the Dakota County Board of Commissioners generally supports the legislative recommendations of the local units of government within the county and organizations in which it holds membership, including, but not limited to:

- National Association of Counties (NACo) and its associated professional organizations.
- Association of Minnesota Counties (AMC) and its associated professional organizations, including:
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  - Minnesota Association of County Social Services Administrators (MACSSA)
  - Minnesota Association of County Officers (MACO)
  - Minnesota Association of Community Corrections Act Counties (MACCAC)
  - Minnesota County IT Leadership Association (MCITLA)
  - Solid Waste Administrators Association (SWAA)
  - Minnesota Association of County Veterans Service Officers (MACVSO)
- Minnesota Inter-County Association (MICA)
- Association of Minnesota Emergency Managers (AMEM)
- Metropolitan Library Service Agency (MELSA)
- Minnesota Association of Watershed Districts (MAWD)
- Minnesota County Engineers Association (MCEA)
- Minnesota Association of Workforce Boards (MAWB)
- Minnesota Juvenile Detention Alternative (MnJDA)
- Juvenile Justice Advisory Committee (JJAC)

The county board may choose to take a different position on individual items within the platforms of these and other organizations whose platforms they generally support. The county board may also consider additional positions in response to issues that emerge during the legislative session.



## Legislative Update and Adoption of 2025 Legislative Platform

January 7, 2025

### Agenda



- Lobbyist Update
- Legislative Platform Updates
- Other

## Legislative Platform Update



- Minor additions, corrections and deletions.
- Addition of statements of support for national and statewide organizations (National Association of Counties, Association of Minnesota Counties and Minnesota Inter-County Association) and their affiliates.



**Request: Approval of Legislative Platform**



## Upcoming Events



- Start of Legislative Session – Jan. 14
- Legislative Breakfast – Jan. 31



# Board of Commissioners

## Request for Board Action

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Item Number: DC-4068

Agenda #: 13.1

Meeting Date: 1/7/2025

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**DEPARTMENT:** Library

**FILE TYPE:** Regular Action

### **TITLE**

**Approval Of Library Materials Policy**

### **PURPOSE/ACTION REQUESTED**

Approve the updated Library Materials Policy.

### **SUMMARY**

The adoption of the modified county manager form of government by the Dakota County Board of Commissioners in 2014, by operation of law, resulted in the dissolution of the Dakota County Library Board that previously oversaw the operations, budget, policies, and other administrative responsibilities of the Dakota County Libraries pursuant to Minnesota Statutes, Chapter 134. As a result, the Dakota County Board of Commissioners oversees the operations, budget, policies, and other administrative responsibilities of the Dakota County Libraries.

By Resolution No. 14-400 (August 12, 2014), the Dakota County Board of Commissioners established the Dakota County Library Advisory Committee with the following powers and duties:

- Maintain and develop the collection of materials available in County libraries (within the County Board-approved budget);
- Review and make decisions on disputed materials;
- Advise the Library Director and the County Board in the development of public programming for library services;
- Develop recommended annual work plans for the Committee;
- Review and make recommendations on long-range plans for the Library;
- Accept gifts of up to \$500.00 for public library purposes; and
- Recommend rules governing library operations.

The passage of Minn. Stat. § 134.51, Access to Library Materials and Rights Protected, during the 2024 legislative session, required several additions to the Library Materials Policy. The changes include enhancing the definitions section to include the education requirements for selection staff, a more robust selection criteria, and an explanation of the Request for Reconsideration of Material procedures. As the governing body of the Dakota County Libraries, the Dakota County Board of Commissioners must adopt a policy that establishes procedures for selection of, challenges to, and reconsideration of library materials in accordance with section 134.51.

The delegation of authority to the Dakota County Library Advisory Committee to maintain and develop the collection of materials and review and make decisions on disputed materials will be

subject to this updated Library Materials Policy. To implement the new policy, staff prepared the attached Request for Reconsideration Operating Procedures for Library staff and the Dakota County Library Advisory Committee.

**RECOMMENDATION**

Staff recommend the board approval the Materials Policy.

**EXPLANATION OF FISCAL/FTE IMPACTS**

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

**RESOLUTION**

WHEREAS, the adoption of the modified county manager form of government by the Dakota County Board of Commissioners in 2014, by operation of law, resulted in the dissolution of the Dakota County Library Board that previously oversaw the operations, budget, policies, and other administrative responsibilities of the Dakota County Libraries pursuant to Minnesota Statutes, Chapter 134; and

WHEREAS, as a result, the Dakota County Board of Commissioners oversees the operations, budget, policies, and other administrative responsibilities of the Dakota County Libraries; and

WHEREAS, by Resolution No. 14-400 (August 12, 2014), the Dakota County Board of Commissioners established the Dakota County Library Advisory Committee with the following powers and duties:

- Maintain and develop the collection of materials available in County libraries (within the County Board-approved budget);
- Review and make decisions on disputed materials;
- Advise the Library Director and the County Board in the development of public programming for library services;
- Develop recommended annual work plans for the Committee;
- Review and make recommendations on long-range plans for the Library;
- Accept gifts of up to \$500.00 for public library purposes; and
- Recommend rules governing library operations.

; and

WHEREAS, the passage of Minn. Stat. § 134.51, Access to Library Materials and Rights Protected, during the 2024 legislative session, required several additions to the Library Materials Policy; and

WHEREAS, the changes to the Library Materials Policy include enhancing the definitions section to include the education requirements for selection staff, a more robust selection criteria, and an explanation of the Request for Reconsideration of Material procedures; and

WHEREAS, as the governing body of the Dakota County Libraries, the Dakota County Board of Commissioners must adopt a policy that establishes procedures for selection of, challenges to, and reconsideration of library materials in accordance with section 134.51; and

WHEREAS, the delegation of authority to the Dakota County Library Advisory Committee to maintain

and develop the collection of materials and review and make decisions on disputed materials is subject to the updated Library Materials Policy.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the Library Materials Policy as presented.

### **PREVIOUS BOARD ACTION**

14-400; 8/12/14

### **ATTACHMENTS**

Attachment: Library Materials Policy - Draft

Attachment: Presentation Slides

Attachment: Minn. Stat. § 134.51

### **BOARD GOALS**

A Great Place to Live

A Successful Place for Business and Jobs

A Healthy Environment

Excellence in Public Service

### **CONTACT**

Department Head: Margaret Stone

Author: Margaret Stone



## Policy # Library Materials Policy

**Version:** 0.00

**Effective Date:** MM/DD/YYYY

**Board or Administrative:**

### Policy Statement

It is the policy of Dakota County to offer library services to county residents including a robust collection of materials for educational and entertainment purposes. The intent of this policy is to guide library staff and to inform the public of the principles the library uses to purchase material. The public, through knowing the principles on which library collections are developed, gains a better understanding of the scope of the collections and why specific items, formats, or topics are included or not included.

The Dakota County policy complies with Minn. Stat. § 134.51(1) which prohibits any ban, removal, or restricted access to a book or other material based solely on its viewpoint or the messages, ideas, or opinions it conveys. Nothing in this policy impairs or limits the rights of a parent, guardian, or an adult student under Minn. Stat. § 120B.20.

### Definitions

The word *Materials* means print and digital books, audiobooks, and magazines, electronic resources, music and movies in any format, and the vast array of physical or digital items a library could collect.

*Selection* means the decision to add materials to the collection or to retain or withdraw material already in the collection, or to acquire licenses for proprietary online databases. Selection does not mean recommendation.

*Collection* refers to the entire body of materials the library has available for customers to use and borrow. This includes books, newspapers, magazines, in all formats, kits, and electronic devices.

*Collections Manager* is the staff member who oversees the selection, purchasing and cataloging of all items in the collection. A Master of Library Science degree is required for this position.

*Selection staff* are the library personnel who choose and purchase items for the collection. There may be several selection staff each having a particular category such as children's books, as their responsibility. This position requires expertise in the subject area of responsibility and being trained in library collection management.

*Review Committee* will be comprised of the Library Director, Deputy Director, Collections Manager, Selection Manager, and a Selection Librarian. Each member of the committee has experience, education or advanced training and understanding of library collections.

## Source

Minn. Stat. § 134.51

Library Bill of Rights and Freedom to Read Statements

The Dakota County Library, therefore, incorporates as part of these guidelines the [Library Bill of Rights](#), adopted by the Council of the American Library Association on January 23, 1996, and the [Freedom to Read Statement](#) as revised June 30, 2004 by the Council of the American Library Association, and the [Freedom to View Statement](#) endorsed by the American Library Association, January 10, 1990.

## General

### Maintenance

All materials are periodically evaluated by staff to ensure that they are still useful to the public. Items may be withdrawn due to:

1. Damage or wear
2. Outdated or inaccurate information
3. Superseded
4. Low usage
5. Space considerations

## Objectives

The Dakota County Library acquires, makes available, and encourages the use of materials in all formats which:

- Address the information needs and serve the diverse interests of the people of Dakota County without exclusion.
- Stimulate thoughtful participation in the affairs of the community, the country, and the world.
- Enlighten and entertain.
- Tell the stories of a wide representation of the community.
- Give access to a variety of opinions on matters of current interest and encourage freedom of expression.
- Support literacy for all ages, self-education, supplement formal study and continued lifelong learning.

## Selection Criteria

To build an inclusive and relevant collection, all acquisitions whether purchased or donated will be considered by selection staff according to the following selection criteria.

Customer interest, both expressed and anticipated, as well as the library's strategic plan, are the primary influences for the materials and formats that are selected. Materials are also selected to ensure that the collection as a whole contains materials on many different topics, that there is a choice of materials or formats on the subject, and that multiple viewpoints are expressed.

The library allows each library customer to choose materials which suit their tastes and needs and to reject for themselves materials of which they do not approve without restricting the freedom of others to read what they desire.

Collection development staff use a set of criteria to guide selection decisions. Not all criteria are applied to each selection decision.

General criteria for selection:

- Publicity, critiques, and reviews (Most library materials are selected on the basis of reviews).
- Customer requests and/or suggestions which are gathered through the public website, emails, phone calls or in-person visits.
- Present and potential relevance to community needs.
- Format options.
- Price of material.
- Relation to the existing collection.
- Relevance to current trends and events.
- Physical design-suitable for library use.
- Relation to other resources in the community.

Content criteria for selection:

- Competence, reputation and qualifications of author or publisher.
- Consideration of the work as a whole.
- Currency of information.
- Objectivity and clarity.
- Comprehensiveness.
- Represents a diverse point of view.
- Sustained interest or demand.
- Usefulness of the information.
- Relevance to local history collections.
- Provides unique contribution to a field of study.
- The content's serious literary, artistic, political, or scientific value.

## Access to Materials

Dakota County Library has collections housed in 10 library locations which are linked through electronic and delivery networks designed to make its total resources readily available and widely accessible. The number of items selected will vary according to the size and location of our branch libraries.

- Dakota County Library applies its content selection criteria to evaluate the presence of materials and other resources in the collection and is responsible for making a wide variety of viewpoints available to all.
- Dakota County Library does not limit the selection and development of library resources simply because minors will have access to them. Dakota County Library's failure to acquire materials on the grounds that minors may be able to access those materials diminishes the credibility of the library in the community and restricts access for all library users.
- Dakota County Library uses labels as a means of organizing resources; labels serve as directional aids intended to facilitate access by making it easier for customers to locate resources.
- Dakota County Library recognizes the purposes and resources of other libraries and media centers in Dakota County and in the metropolitan area and shall not needlessly duplicate functions and materials.
- Dakota County Library will not attempt to develop a complete research collection. Requests for books not owned by the library, especially for scholarly materials, will be referred to other libraries in the metropolitan area through established channels. The library will actively seek to broaden these sources through agreements with other libraries and groups of libraries.

## Request for Reconsideration

Library customers may request a selection decision be reconsidered by completing a Request for Reconsideration of Materials form available from any Dakota County Library. The completed form should be returned to the library and will be sent to the Review Committee.

The Review Committee shall consider a customer's challenge based on the library's objectives, general selection criteria, content selection criteria, and guidelines found in the Library Bill of Rights, Freedom to Read Statement and Freedom to Write Statement adopted as part of this policy. To the extent the request is based on banning, removing, or restricting access to a book or other material based solely on that material's viewpoint, message, ideas, or opinions, the request may be summarily denied by the Review Committee under Minn. Stat. § 134.51(1). The customer will receive written notification of the Review Committee's decision.

If the customer does not accept the Review Committee's decision, they may appeal to the Library Advisory Committee. Appeals must be received by the library at least fourteen days in advance of the next regularly scheduled meeting of the committee.

Following the Library Advisory Committee decision, a written response will be sent to the customer providing the Library Advisory Committee's decision.



Upon completion of a content challenge or reconsideration process, notification of the challenge will be sent by the Library Director to the Commissioner of Education within the Minnesota Department of Education.

## Procedures

Procedures will be maintained by the library.

## History

Version	Revision Date
1.0	Second Result
1.1	Sixth Result
1.2	Tenth Result
2.0	Fourteenth Result

## Related Policies

- None

## Contact

[margaret.stone@co.dakota.mn.us](mailto:margaret.stone@co.dakota.mn.us)

## Approval

Resolution No. and Date (Board Policies)

**OR**

/s/ County Manager Name and Date (Administrative Policies)



## Library Materials Policy

Margaret Stone  
Library Director

### Access to Library Materials and Rights Protected



A public library must not ban, remove or otherwise restrict access to a book or other material based solely on its viewpoint or the messages, ideas or opinions it conveys.

134.51 Subdivision 1

## Library Materials Policy



It is the policy of Dakota County to offer library services to county residents including a robust collection of materials for educational and entertainment purposes. The intent of this policy is to guide library staff and to inform the public of the principles the library uses to purchase material.

## Request for Reconsideration of Materials



1. Customer completes the reconsideration form and it is sent to library administration.
2. Staff Review Committee.
3. Decision is sent to customer and informs them they may appeal to Library Advisory Committee
4. The Committee reviews the book at the next meeting and the decision is sent to customer.
5. Details of the reconsideration title are sent to State Library Services.

## Variety of Stories



## Q & A



Questions?

## **134.51 ACCESS TO LIBRARY MATERIALS AND RIGHTS PROTECTED.**

### **Subdivision 1. Book banning prohibited.**

A public library must not ban, remove, or otherwise restrict access to a book or other material based solely on its viewpoint or the messages, ideas, or opinions it conveys.

### **Subd. 2. Definitions.**

(a) For purposes of this section, the terms defined in this subdivision have the meanings given.

(b) "Public library" means:

(1) a library that provides free access to all residents of a city or county, receives at least half of its financial support from public funds, and is organized under the provisions of this chapter, except that a library under this clause does not include libraries such as law, medical, or other libraries organized to serve a special group of persons and not the general public;

(2) a library jointly operated by a city and a school district under section [134.195](#);

(3) a school district or charter school library or media center under section [124D.991](#), including libraries operated by an intermediate school district or cooperative unit under section [123A.24, subdivision 2](#); or

(4) a public higher education institution library.

(c) "Governing body" means a group of persons that oversees the operations, budget, policies, and other administrative responsibilities of a regional public library system under section [134.20, subdivision 2](#); a multicounty, multitype library system under section [134.351, subdivision 4](#); a combination library under section [134.195, subdivision 7](#); a school library under section [124D.991](#), including libraries operated by an intermediate school district or cooperative unit under section [123A.24, subdivision 2](#); or any other public library under section [134.001, subdivision 2](#).

### **Subd. 3. Limitations.**

(a) Nothing in this section limits a public library's authority to decline to purchase, lend, or shelve or to remove or restrict access to books or other materials legitimately based upon:

(1) practical reasons, including but not limited to shelf space limitations, rare or antiquarian status, damage, or obsolescence;

(2) legitimate pedagogical concerns, including but not limited to the appropriateness of potentially sensitive topics for the library's intended audience, the selection of books and materials for a curated collection, or the likelihood of causing a material and substantial disruption of the work and discipline of the school; or

(3) compliance with state or federal law.

(b) Nothing in this section impairs or limits the rights of a parent, guardian, or an adult student under section [120B.20](#).

**Subd. 4. Collection management.**

A governing body of a public library or any other public body with personnel authority for a public library may not discriminate against or discipline an employee for complying with this section.

**Subd. 5. Library materials policy.**

(a) A governing body of a public library must adopt a policy that establishes procedures for selection of, challenges to, and reconsideration of library materials in accordance with this section.

(b) The policy must not impair or limit the rights of a parent, guardian, or adult student under section [120B.20](#).

(c) The policy must establish that the procedures for selection and reconsideration will be administered by:

- (1) a licensed library media specialist under Minnesota Rules, part [8710.4550](#);
- (2) an individual with a master's degree in library science or library and information science; or
- (3) a professional librarian or a person trained in library collection management.

(d) Upon the completion of a content challenge or reconsideration process in accordance with the governing body's adopted policy, the governing body must submit a report of the challenge to the commissioner of education that includes:

- (1) the title, author, and other relevant identifying information about the material being challenged;
- (2) the date, time, and location of any public hearing held on the challenge in question, including minutes or transcripts;
- (3) the result of the challenge or reconsideration request; and
- (4) accurate and timely information on who from the governing body the Department of Education may contact with questions or follow-up.



# Board of Commissioners

## Request for Board Action

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**Item Number:** DC-4106

**Agenda #:** 16.1

**Meeting Date:** 1/7/2025

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### Information

See Attachment for future Board meetings and other activities.

**January 7, 2025**

Tuesday

- 9:00 AM - 9:00 AM                      **Dakota County Board of Commissioners Meeting -- Administration Center, 1590 Highway 55, Boardroom, Hastings or View Live Broadcast**  
<https://www.co.dakota.mn.us/Government/BoardMeetings/Pages/default.aspx>
- 9:30 AM - 9:30 AM                      **Regional Railroad Authority (or following CB) -- Administration Center, 1590 Highway 55, Boardroom, Hastings or View Live Broadcast**  
<https://www.co.dakota.mn.us/Government/BoardMeetings/Pages/default.aspx>
- 10:00 AM - 10:00 AM                      **Dakota County General Government and Policy Committee Meeting - CANCELED**

**January 8, 2025**

Wednesday

- 10:00 AM - 10:00 AM                      **Metropolitan Emergency Services Board Committee Meeting -- Metro Counties Government Center, 2099 University Ave, St. Paul**
- 4:00 PM - 4:00 PM                      **Vermillion River Watershed Planning Commission Meeting -- Dakota County Extension & Conservation Center, 4100 220th St. W, Farmington**

**January 9, 2025**

Thursday

- 7:30 AM - 7:30 AM                      **I-35W Solutions Alliance Board Meeting -- Richfield City Hall, 6700 Portland Avenue South, Bartholomew Room, Richfield**

**January 13, 2025**

Monday

- 12:00 PM - 12:00 PM                      **Dakota-Scott Workforce Development Board Executive Committee Meeting -- Zoom**  
(<https://us02web.zoom.us/j/89744523163?pwd=amhmRIF3ZlloREJyVGJ2RnQxbXc4Zz09>)

**January 14, 2025**

Tuesday

- 9:00 AM - 9:00 AM                      **Dakota County General Government and Policy Committee Meeting -- Administration Center, 1590 Highway 55, Conference Room 3A, Hastings**
- 9:30 AM - 9:30 AM                      **Dakota County Physical Development Committee of the Whole (or following GGP) -- Administration Center, 1590 Highway 55, Conference Room 3A, Hastings**
- 1:00 PM - 1:00 PM                      **Dakota County Community Services Committee of the Whole -- Administration Center, 1590 Highway 55, Conference Room 3A, Hastings**



**January 17, 2025**

Friday

8:30 AM - 8:30 AM

**Dakota-Scott Workforce Development Board Meeting -- Northern Service Center, 1 Mendota Road West, Room 520, West St. Paul**

**January 20, 2025**

Monday

All Day

**County Offices Closed - Martin Luther King, Jr. Day Holiday**

**January 21, 2025**

Tuesday

9:00 AM - 9:00 AM

**Dakota County Board of Commissioners Meeting -- Administration Center, 1590 Highway 55, Boardroom, Hastings or View Live Broadcast  
<https://www.co.dakota.mn.us/Government/BoardMeetings/Pages/default.aspx>**

9:30 AM - 9:30 AM

**Dakota County General Government and Policy Committee Meeting (or following CB) -- Administration Center, 1590 Highway 55, Conference Room 3A, Hastings**

3:00 PM - 3:00 PM

**Dakota County Community Development Agency Annual & Regular Meeting -- CDA, 1228 Town Centre Drive, Eagan, Boardroom**



# Board of Commissioners

## Request for Board Action

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**Item Number:** DC-4107

**Agenda #:** 17.1

**Meeting Date:** 1/7/2025

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Adjournment