



# Dakota County

## Board of Commissioners

### Minutes

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Tuesday, February 28, 2023

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 Matt Smith, 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 Liz Workman who welcomed everyone and opened the meeting with the Pledge of Allegiance.

#### 3. Audience

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

#### 4. Agenda

**4.1** Resolution No: 23-069  
Approval of Agenda (Additions/Corrections/Deletions)

Motion: Laurie Halverson

Second: Mike Slavik

Ayes: 7

#### 5. Metropolitan Mosquito Control District Annual Presentation

Alex Carlson, Metropolitan Mosquito Control District Public Affairs Manager presented the annual Mosquito Control District presentation. Alex spoke to District Services, Mosquito life cycle and control, Financial History and the 2023 plans. Jon Peterson, District Operations Manager (Rosemount Facility) was available for questions.

**CONSENT AGENDA**

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

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

**6.1** Resolution No: 23-070  
Approval of Minutes of Meeting Held on February 7, 2023

Motion: Mary Hamann-Roland Second: Joe Atkins

Ayes: 7

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

**7.1** Resolution No: 23-071  
Adoption Of Amendments To Policy 3220 HEROES And Years Of Service Employee Recognition Program

Motion: Mary Hamann-Roland Second: Joe Atkins

WHEREAS, the Employee Relations 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 County has authority pursuant to Minn. Stat. § 15.46 to operate a program of preventive health and employee recognition; and

WHEREAS, the County Board adopted Policy 3220 to implement the recognition program; and

WHEREAS, the County’s inclusion, diversity and equity goals improve the County’s work environment and to the health of the employee in relation to their employment; and

WHEREAS, the County seeks to recognize the outstanding efforts of County employee groups and individuals who have worked to make Dakota County a more inclusive, diverse, accessible and equitable organization through the support and advancement of the County’s inclusion, diversity and equity goals.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby adopts the proposed revisions to Policy 3220 HEROES and Years of Service Employee Recognition Program, which includes the addition of new Inclusion, Diversity, Equity and Access Leadership Awards (IDEA).

Ayes: 7

**7.2** Resolution No: 23-072  
Approval Of Public Art Citizen Advisory Committee And Library Advisory Committee 2023 Work Plans

Motion: Mary Hamann-Roland

Second: Joe Atkins

WHEREAS, County Policy states that citizen advisory committees are required to consult annually with the County Board to seek concurrence regarding the topics they will study or which they advise the County Board; and

WHEREAS, the Public Art Citizen Advisory Committee and the Library Advisory Committee have discussed and drafted potential directions for their efforts in 2023; and

WHEREAS, staff recommends that the Public Art Citizen Advisory Committee and the Library Advisory Committee 2023 work plans be approved.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the Public Art Citizen Advisory Committee and the Library Advisory Committee 2023 work plans.

Ayes: 7

**7.3** Resolution No: 23-073

Authorization To Execute Joint Powers Agreement With School Districts For Interagency Early Intervention Services

Motion: Mary Hamann-Roland

Second: Joe Atkins

WHEREAS, Dakota County Social Services and Dakota County Public Health are partners with the Dakota County School Districts in providing interagency early intervention services to young children at risk for developmental delays; and

WHEREAS, the Minnesota Department of Education allocates federal Individuals with Disabilities Education Act (IDEAS) Part C funding to each school district based on the number of children identified for early intervention services; and

WHEREAS, Independent School Districts 191, 192, 194, 195, 196, 197, 199, 200, and Special School District 6 have indicated that each intends to continue purchasing the services provided by Dakota County Social Services and Dakota County Public Health for early identification of developmental delays via Part C Mini Grants, services, and interagency service coordination; and

WHEREAS, Dakota County will receive a total of \$100,898.65 from the noted districts for services provided during State Fiscal Year 2023 (Independent School District 191: \$12,486.46; Independent School District 192: \$10,875.31; Independent School District 194: \$14,903.20; Independent School District 195: \$402.79; Independent School District 196: \$30,813.37; Independent School District 197: \$13,090.64; Independent School District 199: \$4,833.45; Independent School District 200: \$7,652.99; Special School District 6: \$5,840.44); and

WHEREAS, of this total amount, \$59,994.00 will be allocated to Public Health and \$40,904.65 to Social Services; and

WHEREAS, Public Health provides home visits supported through the IDEAS Part C allocation through their Maternal and Child Health (MCH) program, of which this allocation supplements the MCH program grant funds and revenue generated from health insurance and Medical Assistance for home visiting.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to execute a joint powers agreement with each participating school district in Dakota County for health and human services related to interagency early intervention system services, effective July 1, 2022 through June 30, 2023, or until completion by the parties of their respective obligations under the joint powers agreement, whichever occurs first, unless earlier terminated by law or according to the provisions of the joint powers agreement, substantially as presented to the Community Services Committee of the Whole on February 21, 2023, subject to approval by the County Attorney’s Office as to form, as follows:

- Independent School District 191 - \$12,486.46
- Independent School District 192 - \$10,875.31
- Independent School District 194 - \$14,903.20
- Independent School District 195 - \$ 402.79
- Independent School District 196 - \$30,813.37
- Independent School District 197 - \$13,090.64
- Independent School District 199 - \$ 4,833.45
- Independent School District 200 - \$ 7,652.99
- Special School District 6 - \$ 5,840.44

; and

BE IT FURTHER RESOLVED, that although the specific amounts due from each district are determined based on final state allocations to the schools, a total of \$100,898.65 from the noted districts is anticipated.

Ayes: 7

**7.4** Resolution No: 23-074  
 Authorization To Amend Contract With Stantec Consulting Services Inc. For Engineering Services For Construction Of Byllesby Dam Water-To-Wire Redevelopment Project

Motion: Mary Hamann-Roland

Second: Joe Atkins

WHEREAS, Dakota County owns the Byllesby Dam and operates its high-hazard hydroelectric facility under the Federal Energy Regulatory Commission (FERC) safety regulations; and

WHEREAS, a complete turbine and powerhouse upgrade is being made to the 110-year-old facility; and

WHEREAS, to complete the upgrade, the Dakota County Board of Commissioners authorized execution of agreements for engineering services, construction, and construction engineering and administration; and

WHEREAS, by Resolution No. 15-532 (October 20, 2015), the Dakota County Board of Commissioners authorized execution of a contract with Ayres Associates, Inc., to complete engineering design for the turbine upgrade project; and

WHEREAS, by Resolution No. 19-773 (October 29, 2019), the Dakota County Board of Commissioners authorized execution of a contract with Boldt Construction, LLC, to complete construction of the project; and

WHEREAS, by Resolution 20-198 (April 21, 2020), the Dakota County Board of Commissioners authorized execution of a contract with Wenck Associates, Inc. (now part of Stantec Consulting Services, Inc., as of 2021) for on-site construction administration and engineering for an amount not to exceed \$638,300; and

WHEREAS, Phase 1 of the project involved demolition of the existing powerhouse, which uncovered unanticipated sediment removals in the back bays and structural concrete mitigation not anticipated in the original contract; and

WHEREAS, a component of the project includes installation of a retaining wall for the adjacent substation for power distribution; and

WHEREAS, staff, in consultation with Stantec Consulting Services, Inc., has identified an opportunity to design a more cost-effective retaining wall than originally proposed by Ayres Associates without significant interruption of power services; and

WHEREAS, Stantec Consulting Services Inc. has provided a revised scope of services to provide construction administration through the anticipated end of construction and a revised retaining wall design at a cost not to exceed \$385,378; and

WHEREAS, staff recommends authorization of a one-year contract term extension with Stantec Consulting Services Inc. and increasing the contract maximum payment to \$1,023,678 for additional engineering services for the Project.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a contract amendment not to exceed \$1,023,678 with Stantec Consulting Services Inc. subject to the County Attorney's Office as to form.

Ayes: 7

**7.5** Resolution No: 23-075

Approval Of Joint Powers Agreements And Authorization To Award Construction Contracts To Accomplish 2023 Transportation Capital Improvement Projects

Motion: Mary Hamann-Roland

Second: Joe Atkins

WHEREAS, the Dakota County Transportation Department regularly requests County Board approval for actions required to deliver projects in Transportation's adopted Capital Improvement Program (CIP); and

WHEREAS, joint powers agreements with Cities and cost-share agreements with the Minnesota Department of Transportation and other agencies are standard agreements needed on projects in the CIP that adhere to County policies and have consistent language; and

WHEREAS, awarding construction contracts to the lowest responsible bidder is a regular consent action item brought forward to the Board for Transportation projects in the CIP; and

WHEREAS, awards to bidders that are not the low bid would be brought to the County Board for approval; and

WHEREAS, this resolution does not alter the Board process for adopting projects in the CIP each year or the process for obtaining Board approval for professional services contracts, study recommendations, appraisals, and right of way settlements; and

WHEREAS, project updates would continue to be presented to the Board; and

WHEREAS, staff will provide the Board with a detailed list of authorized projects including budget reference information and provide periodic updates on executed joint powers agreements and construction contract awards.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners authorizes the County Manager or designee to enter into joint powers agreements with cities for projects that identify funding, maintenance and operational responsibilities associated with the planning, design and construction of projects, consistent with County policies, subject to the availability of funding identified in the CIP and subject to the County Attorney's Office as to form, as listed below:

- 04-017 on CR 4 (Butler Ave) from Robert St to TH 52 in West St Paul
- 04-018 on CR 4 (Butler Ave) from CSAH 63 (Delaware Ave) to Smith Ave in West St. Paul
- 06-006 on CSAH 6 (Thompson Ave) at CSAH 73 (Oakdale Ave) in West St. Paul
- 11-027 on CSAH 11 at Burnsville Parkway in Burnsville

- 23-084 on CSAH 23 (Cedar Ave) from CSAH 42 (138th St) in Apple Valley
- 23-086 on CSAH 23 from Shakespeare Blvd to Gemini Trail in Lakeville
- 26-054 on CSAH 26 (Lone Oak Rd) from TH 55 to TH 3 in Eagan and Inver Grove Heights
- 26-060 on CSAH 26 (70th St) from TH 3 to CSAH 73 (Babcock Trail) in Inver Grove Heights
- 26-068 on CSAH 26 (70th St) from CSAH 73 (Babcock Trail) to 1000' east of Cahill Ave in Inver Grove Heights
- 28-044 on CSAH 28 (Yankee Doodle Rd) at Elrene Rd and at Mike Collins Dr in Eagan
- 28-066 on CSAH 73 (Babcock Trail) to Bowman Ave in Inver Grove Heights
- 31-113 on CSAH 31 (Pilot Knob Rd) at CSAH 50 (west junction) (traffic signal) in Farmington
- 32-065 on 117th St (future CSAH 32) from Rich Valley Blvd (CSAH 71) to TH 52 in Inver Grove Heights
- 32-092 on CSAH 32 (Cliff Rd) at Slater Rd in Eagan
- 32-093 on CSAH 32 (Cliff Rd) from Johnny Cake Ridge Rd to CSAH 31 (Pilot Knob Rd) in Eagan
- 32-110 on CSAH 32 (Cliff Rd) from Trunk Highway 13 to I-35E in Eagan
- 32-112 on CSAH 32 (Cliff Rd) from I-35W to River Wood Dr in Burnsville
- 33-015 roundabout on CSAH 33 at 140th St/Connemara Tr in Apple Valley, Rosemount
- 33-019 on CSAH 33 (Diamond Path) from 140th St/Connemara Trail to CSAH 31 (Pilot Knob Rd) in Apple Valley and Rosemount
- 38-061 on CSAH 38 (McAndrews Road) from CSAH 5 to Aldrich Ave in Burnsville
- 38-064 on CSAH 38 (McAndrews Road) from CSAH 11 to Johnny Cake Ridge Road in Apple Valley
- 42-161 on CSAH 42 (Nininger Rd) from 1st St to Riverdale Dr in Hastings
- 42-163 on CSAH 42 from Redwood Drive to 147th St in Apple Valley, Burnsville
- 42-164 on CSAH 42 at I-35W southbound exit to Burnsville Center, MnDot
- 42-168 on CSAH 42 at Southcross Drive (east junction) (traffic signal) in Burnsville
- 43-055 on CSAH 43 (Lexington Ave) from CSAH 30 (Diffley Rd) to Wescott Dr in Eagan
- 50-033 on CSAH 50 at I-35 Interchange in Lakeville
- 53-004 on CR 53 (Arkansas Ave) from CSAH 47 (Northfield Blvd) to CSAH 86 (280th St) in Sciota and Waterford Townships
- 54-011 on CSAH 54 (Ravenna Trl) from Hastings city limit to CSAH 68 (200th St) in Ravenna Township
- 63-027 on new CR 63 (Delaware Ave) from CSAH 28 (Amana Trl) to 65th St in Inver Grove Heights

- 63-032 on CSAH 63 (Delaware Ave) from Trunk Highway 62 to Marie St in Mendota Heights, West St. Paul
- 63-033 on CSAH 63 (Delaware Ave) from Marie Ave to TH 149 (Dodd Rd) in Mendota Heights and West St Paul
- 97-144 on Igna Avenue for Bridge Replacement (L3285) in Hampton and Douglas Townships
- 97-217 Pedestrian Crossing Enhancements on CSAH 8 (Wentworth Ave) in West St Paul and CSAH 31 (Pilot Knob Rd) and CSAH 43 (Lexington Ave) in Eagan
- 97-218, retaining wall assessment in various cities and townships in Dakota County.
- ST00015 on TH 77 from 138th Street to I-494 Traffic Analysis
- ST00017 on TH 3 from TH 62 to CSAH 46 Preliminary Engineering

; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners authorizes the County Manager or designee to enter into joint power agreements that identify funding, maintenance, and operational responsibilities associated with the planning, design, and construction of projects consistent with County policies, subject to the availability of funding identified in the CIP and subject to the County Attorney's Office as to form with the Cities of Apple Valley, Burnsville, Eagan, Farmington, Hastings, Inver Grove Heights, Lakeville, Mendota Heights, Rosemount, South St. Paul, West St. Paul for the following projects:

- Preservation of Paved Highway Surfaces
- Storm Sewer System Maintenance
- Trail Gaps
- Preservation of Pedestrian and Bicycle Facilities
- Signal Revisions/Communications
- Traffic Signal - New/Replacement
- Future Studies/Professional Studies under \$100,000

; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners delegates authority to the County Manager or designee to award construction contracts to the lowest responsible bidder, consistent with County Policies, provided sufficient funds are available for the following projects:

- 09-064 on CSAH 9 (Dodd Blvd) from Glasgow Way to CSAH 31 (Pilot Knob Rd) in Lakeville
- 23-084 on CSAH 23 (Cedar Ave) from CSAH 42 to 138th St in Apple Valley
- 28-044 on CSAH 28 (Yankee Doodle Rd) at Elrene Rd and at Mike

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- Collins Dr in Eagan
  - 31-079 on CSAH 31 (Pilot Knob Rd) at CSAH 32 (Cliff Rd) (traffic signals) in Eagan
  - 31-103 on CSAH 31 (Pilot Knob Rd) at Corporate Center Dr (traffic signal) in Eagan
  - 31-107 Rehabilitate Bridge 19512 on CSAH 31 (Denmark Ave) south of CSAH 50 in Farmington
  - 31-108 on CSAH 31 (Denmark Ave) at 206th St (southbound left turn lane) in Farmington
  - 31-110 on CSAH 31 (Pilot Knob Rd) at 179th St (future CSAH 9) (traffic signal) in Lakeville
  - 31-113 on CSAH 31 (Pilot Knob Rd) at CSAH 50 (west junction) (traffic signal) in Farmington
  - 33-015 on CSAH 33 (Diamond Path) from CSAH 42 to 140th St/Connemara Trail in Apple Valley and Rosemount
  - 42-168 on CSAH 42 at Southcross Drive (east junction) (traffic signal) in Burnsville
  - 47-045 on CSAH 47 at CSAH 85 (Goodwin Ave) in Vermillion Township
  - 85-023 Rehabilitate Bridge 19504 on CSAH 85 (Goodwin Ave) north of CSAH 62 (190th St) in Vermillion Township
  - 88-024 on CSAH 88 from TH 56 to west of Finch Ct. in Randolph Township
  - 91-029 on CSAH 91 (Nicolai Ave) from 210th St to TH 316 in Marshan Township
  - 97-144 Replace Bridge L3285, Inga Ave - Pine Creek
  - 97-217 Pedestrian Crossing Enhancements on CSAH 8 (Wentworth Ave) in West St Paul and CSAH 31 (Pilot Knob Rd) and CSAH 43 (Lexington Ave) in Eagan
  - Preservation of Paved Highway Surfaces
  - Preservation of Gravel Highway Surfaces
  - Gravel Resurfacing/Chloride
  - Crack Seal
  - Traffic Safety & Operations
  - Pavement Markings
  - Storm Sewer System Maintenance
  - Trail Gap Setaside
  - Preservation of Pedestrian and Bicycle Facilities
  - Signal Revisions/Communications
  - Traffic Signal - New/Replacement
  - Retaining Walls

Ayes: 7

- 7.6** Resolution No: 23-076  
Authorization For Contract Amendment With Short-Elliot-Hendrickson, Inc. To Provide Additional Design For Veterans Memorial Greenway, And Refined Memorial Concepts In Cities Of Inver Grove Heights And Eagan

Motion: Mary Hamann-Roland

Second: Joe Atkins

WHEREAS, to provide a safe and efficient transportation system, Dakota County is proceeding with the Veterans Memorial Greenway County Project (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 County utilized public engagement for this project, including public open houses, project websites, and project mailings; and

WHEREAS, by Resolution No. 20-430 (September 1, 2020), the County executed a contract with Short-Elliott-Hendrickson, Inc. for preliminary and final design engineering consulting services; and

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

WHEREAS, staff negotiated an amount of \$204,590 with Short-Elliott-Hendrickson, Inc. to complete the work; and

WHEREAS, the 2023 Parks Capital Improvement Program Budget includes sufficient funding for CP 98-020 (P00147).

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute an amendment to the contract with Short-Elliott-Hendrickson, Inc. for additional services necessary for County Project 98-020 (P00147) in an amount not to exceed \$204,590, resulting in a total amended contract not to exceed \$1,503,741, subject to approval by the County Attorney's Office as to form.

Ayes: 7

**7.7** Resolution No: 23-077

Authorization To Award Bid And Execute Contract With G Urban Companies Inc. To Provide General Contractor Services For Dakota Homeland Interpretive Features Project (P00144), Authorization To Amend Contract with Ten x Ten, LLC To Provide Additional Professional Services, And Authorization To Amend 2023 Parks Capital Improvement Program

Motion: Mary Hamann-Roland

Second: Joe Atkins

WHEREAS, by Resolution No. 17-400 (August 1, 2017), the County Board adopted the Minnesota River Greenway Cultural Resources Interpretive Plan developing the conceptual vision for interpreting the cultural and natural history of the Minnesota River along the trail length in Dakota County; and

WHEREAS, the County contracted with Ten x Ten to conduct Indigenous Dakota community engagement and prepare final design documents, which were substantially completed in January 2022 and updated in December 2022; and

WHEREAS, the project was previously bid in 2022 with all bids coming in over budget, and the bids were formally rejected; and

WHEREAS, County staff explored ways to modify the project, which informed changes to the original project design and strategy; and

WHEREAS, four (4) competitive bids were received on January 26, 2023; and

WHEREAS, G Urban Companies Inc submitted a bid of \$607,000 which includes two alternates; and

WHEREAS, staff and Ten x Ten reviewed the qualifications of the bidder and recommend award to G Urban Companies Inc as the lowest responsive and responsible bidder in an amount not to exceed \$607,000 for the Dakota Homeland Interpretive Features Project.

WHEREAS, Ten x Ten has provided additional services for the increased scope and complexity of this project, including updating the design, repackaging and rebidding the project, extended involvement with the elders of the Dakota community, and construction administration of more complex nodes than originally anticipated.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes Parks, Facilities, and Fleet Management Director to execute a contract with G Urban Companies Inc, 3781 Labore Road, St Paul, MN, in an amount not to exceed \$607,000 for the Dakota Homeland Interpretive Features project; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes Parks, Facilities, and Fleet Management Director to execute a contract amendment with Ten x Ten LLC, 575 9th Street SE, Suite 210, Minneapolis, MN 55414 in an amount not to exceed \$16,600 for the Dakota Homeland Interpretive Features project; and,

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

**Expense**

Dakota Homeland Interpretive Project	<u>\$150,000</u>
<b>Total Expense</b>	<b>\$150,000</b>

**Revenue**

Allocate Available and Eligible Parks and Trails Legacy Funds	<u>\$150,000</u>
<b>Total Revenue</b>	<b>\$150,000</b>

Ayes: 7

- 7.8** Resolution No: 23-078  
Authorization To Submit Grant Application For Minnesota Pollution Control Agency’s Volkswagen Mitigation Settlement, Phase Two And Subsequent Electric Vehicle Charging Infrastructure At County Libraries

Motion: Mary Hamann-Roland Second: Joe Atkins

WHEREAS, Dakota County maintains a strategy for the use of electric vehicles (EVs) in reducing greenhouse gas emissions, an interest in environmental stewardship, and a desire to reduce costs and increase efficiency; and

WHEREAS, Dakota County has a fleet of electric vehicles and plug-in gas hybrid electric vehicles that are scheduled to increase in size, and charging infrastructure is required for their successful deployment across the County; and

WHEREAS, the Minnesota Pollution Control Agency (MPCA) has an open grant to provide funds to cover the purchase and installation of level 2 chargers; and

WHEREAS, County staff have identified the locations of Galaxie and Wescott Libraries as meeting both grant criteria and fitting with the internal EV charging locations strategy and future use.

NOW, THEREFORE BE IT RESOLVED, That the Dakota County Board of Commissioners authorizes the Minnesota Pollution Control Agency Level 2 Charging grant application for Galaxie and Wescott Libraries; and

BE IT FURTHER RESOLVED, the County may proceed to purchase and install electric vehicle chargers at each site that receives the \$15,000 in grant funds, apply for the Dakota Electric rebate, and use 2023 Fleet Capital Equipment Program (CEP) funds for the remaining costs if locations receive the grant.

Ayes: 7

- 7.9** Resolution No: 23-079  
Authorization To Amend Professional Services Contract With Wold Architects And Engineers For Crisis And Recovery Center

Motion: Mary Hamann-Roland Second: Joe Atkins

WHEREAS, Dakota County Community Services, in partnership with Guild Inc., submitted a grant to the Minnesota Department of Human Services (DHS) to build a Regional Behavioral Health Crisis Services Center; and

WHEREAS, the grant submission was authorized by the Dakota County Board in Resolution No. 21-387 (July 20, 2021); and

WHEREAS, the grant was successful, and by Resolution No. 22-095 (March 8, 2022), the Board accepted the \$3,459,928 in state funds for the project; and

WHEREAS, the predesign, based on a site selection at the Northern Service Center property in West St. Paul, was presented to the Board, and the project was authorized to proceed into design by Resolution No. 22-254 (June 21, 2021); and

WHEREAS, Capital Projects Management used a Request for Proposals process to unanimously recommend Wold Architects and Engineers to provide design services for this project; and

WHEREAS, Wold Architects and Engineers was approved by Resolution No. 22-306 (July 19, 2022) to provide design services for this project and to enter into a professional services contract; and

WHEREAS, the Core Planning Group and Wold completed the schematic design phase of the project; and

WHEREAS, Capital Projects Management staff solicited an independent cost estimate and compared that to a second estimate provided by the design consultant to conclude that the project as designed exceeded the project budget; and

WHEREAS, staff worked through a value engineering process to try to align the project scope and size with the budget, only to find the project still exceeded the approved budget; and

WHEREAS, the project schematic design was presented, and a project budget amendment was requested at the Physical Development Committee Meeting on January 10, 2023; and

WHEREAS, the schematic design was approved as presented, and the total project budget increase to \$13,500,000 was approved by Resolution No. 23-039 (January 24, 2023); and

WHEREAS, the design consultant has requested an increase to their professional services fees to cover the added design requirements of this project, totaling \$258,111; and

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

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Parks, Facilities, and Fleet Management Director to execute a contract amendment to the professional services contract with Wold Architects and Engineers, 332 Minnesota Street, Suite W2000, St. Paul, MN, to increase professional design fees for the Regional Behavioral

Health Crisis Services Center, in an amount not to exceed \$258,111, subject to approval by the County Attorney’s Office as to form.

Ayes: 7

**7.10** Resolution No: 23-080

Authorization To Award Bid And Execute Contract With Construction Results Corporation To Provide General Contractor Services For Juvenile Service Center Generator Replacement Project

Motion: Mary Hamann-Roland

Second: Joe Atkins

WHEREAS, the 2023 Building Capital Improvement Program (CIP) Adopted Budget authorized the Juvenile Service Center (JSC) Generator Replacement project; and

WHEREAS, bid documents and specifications were prepared by Emanuelson-Podas, Inc., and advertised on December 23, 2022; and

WHEREAS, six competitive bids were received on January 17, 2023; and

WHEREAS, Construction Results Corporation has submitted a bid of \$522,639; and

WHEREAS, staff and Emanuelson-Podas, Inc., reviewed the qualifications of the bidder and recommended award to Construction Results Corporation as the lowest responsive and responsible bidder, in an amount not to exceed \$522,639, for the JSC Generator Replacement; and

WHEREAS, funding for the project is within the approved Building CIP Adopted Budget total of \$720,000.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Parks, Facilities, and Fleet Management Director to execute a contract with Construction Results Corporation, 5465 Highway 169 North, Plymouth, MN 55442, in an amount not to exceed \$522,639, for the JSC Generator Replacement, substantially as presented and attached, subject to approval by the County Attorney’s office as to form.

Ayes: 7

**8. County Board/County Administration**

**8.1** Resolution No: 23-081

Approval Of Revisions To Policy 3020 Philosophy, Mission, And Scope, Policy 3041 Conflict Of Interest, And Policy 3122 Job Evaluation And Classification

Motion: Mary Hamann-Roland

Second: Joe Atkins

WHEREAS, the Employee Relations 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, revisions for Policy 3020 Philosophy, Mission, and Scope (Employee Relations)\_ and Policy 3041 Conflict of Interest are non substantive; and

WHEREAS, the following substantive revisions are recommended for Policy 3122:

Policy 3122 Job Evaluation and Classification

- Added definitions
- Adapt language to reflect current practices

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby adopts the proposed revisions to Policy 3020 Philosophy, Mission, and Scope, Policy 3041 Conflict of Interest, and Policy 3122 Job Evaluation and Classification, and authorizes the Employee Relations Director to modify said policies accordingly.

Ayes: 7

**8.2** Resolution No: 23-082  
Scheduling Of Dakota County Board Of Commissioners Opioid Settlement Workshop

Motion: Mary Hamann-Roland Second: Joe Atkins

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby schedules an Opioid Settlement Workshop on March 28, 2023, at 10:00 (or following Regional Railroad Authority), in Conference Room 3A, Administration Center, 1590 Highway 55, Hastings, MN, for the purpose of discussing the Opioid Settlement Funds.

Ayes: 7

**8.3** Resolution No: 23-083  
Appointment To Public Art Citizen Advisory Committee

Motion: Mary Hamann-Roland Second: Joe Atkins

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby appoints the following individual to the Public Art Citizen Advisory Committee for a term ending December 31, 2024:

District 4, Cheryl Eslinger

Ayes: 7

**8.4** Resolution No: 23-084  
Appointment To Planning Commission

Motion: Mary Hamann-Roland Second: Joe Atkins

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby appoints the following individual to the Planning Commission for a one-year term

ending January 2, 2024:

District 4, Mike Cahn

Ayes: 7

- 8.5 Resolution No: 23-085  
Appointment To Extension Committee

Motion: Mary Hamann-Roland

Second: Joe Atkins

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby appoints the following individual to the Extension Committee for a one-year term ending August 31, 2023:

At-large Youth, Lizzie Tullis

Ayes: 7

- 8.6 Resolution No: 23-086  
Appointments To Library Advisory Committee

Motion: Mary Hamann-Roland

Second: Joe Atkins

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby appoints the following individual to the Library Advisory Committee to a two-year term ending December 31, 2024:

District 4, Kari Cahn  
; and

BE IT FUTHER RESOLVED, That the Dakota County Board of Commissioners hereby appoints the following individual to the Library Advisory Committee to a one-year Youth term ending December 31, 2023:

At-large Youth, Charlie Schubert

Ayes: 7

- 8.7 2022 Gift Acceptance Report  
Information only; no action requested.

**9. Enterprise Finance and Information Services**

- 9.1 Resolution No: 23-087  
Authorization To Execute Contract For Fiber Optics Network Maintenance And Engineering With Local Government Information Systems (LOGIS)

Motion: Mary Hamann-Roland

Second: Joe Atkins

WHEREAS, Dakota County will not be a member of the Dakota Broadband Board Joint Powers Organization effective March 1, 2023; and

WHEREAS, Dakota County requires a contract for fiber optic network

maintenance and engineering; and

WHEREAS, Local Government Information Systems (LOGIS) is willing and capable of providing services; and

WHEREAS, sufficient funding is available in the 2023 Information Technology budget.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Dakota County Enterprise Finance and Information Services Director to execute a contract with Local Government Information Systems (LOGIS) from March 1, 2023 through February 28, 2026 in the amount of \$358,167 in 2023 for fiber optic network maintenance and engineering with additional network footage constructed or added to the Dakota County owned network to be used to calculate the cost for the next calendar year, subject to approval by the County Attorney’s Office as to form.

Ayes: 7

**9.2 Report On Invoices Paid In January 2023**

Information only; no action requested.

**10. Physical Development**

**10.1 Resolution No: 23-088**

Schedule Public Hearing To Receive Comments On Proposed Establishment Of Dakota County CDA Tax Increment Financing District No. 4-17, A Housing District, And Adopt Tax Increment Financing Plan

Motion: Mary Hamann-Roland

Second: Joe Atkins

WHEREAS, the Dakota County Community Development Agency (CDA) has requested that Dakota County schedule a public hearing to consider the approval of the Tax Increment Financing (TIF) Plan for its TIF District No. 4-17 (Amber Fields Housing Project) pursuant to and in conformity with Minn. Stat. § 469.174 through 469.1794; and

WHEREAS, the scheduling of the public hearing and publication notice thereof is consistent with the legal authority and public purposes of Dakota County.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby schedules a public hearing for May 9, 2023, at 9:00 a.m. in the Boardroom, Dakota County Administration Center, Hastings, Minnesota for the purpose of receiving comments on the proposed establishment of Tax Increment Financing District No. 4-17 (a housing district) and the proposed adoption of a Tax Increment Financing Plan therefore, pursuant to and in accordance with all applicable Minnesota Statutes, in an effort to provide affordable housing in Dakota County; and

BE IT FURTHER RESOLVED, That Dakota County staff are hereby authorized

and directed to work with Community Development Agency staff, Northland Securities, Inc., and any other consultants approved by the Dakota County Manager and Community Development Agency Executive Director to prepare the Tax Increment Financing Plan for Tax Increment Financing District No. 4-17 and to forward documents to the appropriate taxing jurisdictions, including Dakota County and Independent School District No. 196; and

BE IT FURTHER RESOLVED, That Dakota County staff are hereby authorized and directed to publish notice of said hearing, including a map of the area of Tax Increment Financing District No. 4-17 from which tax increment will be collected in a newspaper of general circulation in the County at least once not less than ten days nor more than 30 days prior to the date of the hearing and to place a copy of Plan on file in the Community Development Agency office at 1228 Town Centre Drive, Eagan, Minnesota, and to make such copy available for inspection by the public.

Ayes: 7

**10.2** Resolution No: 23-089

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

Motion: Mary Hamann-Roland

Second: Joe Atkins

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

WHEREAS, funds expended from previously approved projects for Fiscal Years 2018-2022 of the CDBG, HOME, and ESG programs and special allocations must be ratified by the Dakota County Board of Commissioners; and

WHEREAS, the CDBG entitlement and special allocation expenses during the timeframe of October 1, 2022-December 31, 2022, totaled \$876,217.58; and

WHEREAS, the HOME entitlement and special allocation expenses during the timeframe of October 1, 2022-December 31, 2022, totaled \$690,329.83; and

WHEREAS, the ESG entitlement and special allocations expenses during the timeframe of October 1, 2022-December 31, 2022, totaled \$253,269.66; and

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

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

Housing and Urban Development for \$1,819,817.07 for October 1, 2022-December 31, 2022, as presented.

Ayes: 7

**10.3** Resolution No: 23-090  
Authorization To Execute Joint Powers Agreement With City Of West St. Paul For County Road 4 Improvements, County Project 04-017

Motion: Mary Hamann-Roland Second: Joe Atkins

WHEREAS, to promote a safe and efficient transportation system throughout Dakota County, the County is partnering with the City of West St. Paul on County Project (CP) 04-017; and

WHEREAS, CP 04-017 will design and construct a multiuse trail on County Road (CR) 4 (Butler Avenue) between Robert Street and Trunk Highway (TH) 52; perform a mill and overlay of pavement on CR 4 between Robert Street and TH 52 and design and construct intersection safety improvements at the intersection of CR 4 at Sperl Street in the City of West St. Paul; and

WHEREAS, the City of West St. Paul is the lead agency for the design and construction of CP 04-017; and

WHEREAS, Dakota County is the lead agency for the acquisition of right of way required to complete the project; and

WHEREAS, costs for the multiuse trail for CP 04-017 will be shared 85 percent County and 15 percent City in accordance with adopted County policy; and

WHEREAS, costs for pavement overlay and intersection safety improvements for CP 04-017 will be shared 100 percent County and zero percent City in accordance with adopted County policy.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the County Manager or designee to execute a joint powers agreement with the City of West St. Paul to identify costs and responsibilities for the design, right of way acquisition, and construction of County Project 04-017 in the City of West St. Paul, subject to approval by the County Attorney’s Office as to form.

Ayes: 7

**10.4** Resolution No: 23-091  
Approval Of Right Of Way Acquisition And Authorization To Initiate Quick Take Condemnation For County Road 88 Reconstruction In Randolph Township And City Of Randolph, County Project 88-23

Motion: Mary Hamann-Roland Second: Joe Atkins

WHEREAS, to provide a safe and efficient transportation system, Dakota County is proceeding with County Project (CP) 88-23; and

WHEREAS, CP 88-23 will reconstruct County State Aid Highway (CSAH) 88 from approximately 800-feet west of County Road 94 (Cooper Avenue) to Trunk Highway 56 and portions of County Road 83 in Randolph Township and the City of Randolph; and

WHEREAS, to address the purpose and need for this project, safety will be improved along the corridor by improving the roadway surface, improving drainage, adding a center left turn lane and pedestrian crossing improvements while coordinating with a city-wide sanitary sewer project; and

WHEREAS, the City of Randolph is the lead agency for the design of CP 88-23 to easily coordinate the sanitary sewer project along with Dakota County roadway Improvements, and Dakota County is the lead agency for right of way acquisition for CP 88-23; and

WHEREAS, right of way acquisition is necessary to allow for construction to begin in 2023 as scheduled; and

WHEREAS, the partial acquisition of the following 59 parcels as identified on Dakota County Right of Way Map No. 500 by the County is necessary to move forward with the project:

Parcel 1; TODD HARO AND MARY HARO; Temporary Easement 1,410 SF

Parcel 2; JACOB M. FREDRICH; Temporary Easement 1,410SF

Parcel 12; CITY OF RANDOLPH; Highway Easement 1,117 SF;

Parcel 13; DAVID R. NEUMAN AND LUANN T. NEUMAN; Temporary Easement 667 SF;

Parcel 14; INDEPENDENT SCHOOL DISTRICT NO. 195; Temporary Easement 6,414 SF

Parcel 15; DOUGLAS A. & NORA L. FELTON; Highway Easement 499 SF; Temporary Easement 1,022 SF

Parcel 16; JASON Q. PODRITZ AND HILLARY M PODRITZ; Highway Easement 276 SF; Temporary Easement 722 SF

Parcel 17; RICHARD C. PODRITZ; Temporary Easement 416 SF

Parcel 19; ERIC AND MICHELLE BROCKMAN; Highway Easement 1,255 SF; Temporary Easement 126 SF

Parcel 20; DENNIS NORSTAD; Highway Easement 250 SF; Temporary

Easement 238 SF

Parcel 21; KAILA S. & RYAN A. OZMUN; Highway Easement 250 SF;  
Temporary Easement 329 SF

Parcel 22; TODD A. HARO AND MARY A. HARO; Highway Easement  
569 SF; Temporary Easement 950 SF

Parcel 23; CITY OF RANDOLPH; Highway Easement 243 SF; Temporary  
Easement 243 SF

Parcel 24; CITY OF RANDOLPH; Highway Easement 387 SF; Temporary  
Easement 396 SF

Parcel 25; CITY OF RANDOLPH; Temporary Easement 4,215 SF

Parcel 26; RANDALL M. LINNELL AND AMY B. LINNELL; Drainage &  
Utility 418 SF;

Parcel 28; DUANE GREENSLADE; Temporary Easement 1,666 SF

Parcel 29; CHAINS, INC.; Highway Easement 2,011 SF; Temporary  
Easement 1,306 SF

Parcel 30; VERONE C. MORTENSON, GARY D. ANDERSON, LARRY  
D. ANDERSON, DURENE R. HARO MIES; Temporary Easement 585 SF

Parcel 31; GARY D. ANDERSON; Temporary Easement 1,400 SF

Parcel 32; PETER T. AND JOYCE M. SCHAFFER; Temporary Easement  
516 SF

Parcel 33; LARRY ANDERSON; Temporary Easement 497 SF

Parcel 34; TODD D. ROLF; Temporary Easement 739 SF

Parcel 35; BRYAN A. AND CHERYL A. DAHLEN; Temporary Easement  
559 SF

Parcel 36; DONALD C. AND CANDACE NORSTAD; Temporary  
Easement 1,092 SF

Parcel 37; KIMBERLY ANN BETTIN AND STEVEN L. LINDENFELSER;  
Temporary Easement 700 SF

Parcel 38; JEROLD A. OTTE AND KAREN M. OTTE, TRUSTEES  
UNDER THE JEROLD A. & KAREN M. OTTE LIVING TRUST DATES  
MARCH 13, 1996; Temporary Easement 31 SF

Parcel 39; RICHARD R. AND LAUREL J. RUPE; Highway Easement 1,540 SF; Temporary Easement 948 SF

Parcel 40; CHARLES C. AND TERESA L. NIEBUR; Temporary Easement 493 SF

Parcel 41; JEROLD A. OTTE AND KAREN M. OTTE, TRUSTEES UNDER THE JEROLD A. & KAREN M. OTTE LIVING TRUST DATED MARCH 13, 1996; Highway Easement 10 SF; Temporary Easement 54 SF

Parcel 42; CAROLYN J. HORSCH AS TRUSTEE OF THE TRUST AGREEMENT OF CAROLYN J. HORSCH UNDER AGREEMENT DATED MARCH 15, 2004; Highway Easement 323 SF; Temporary Easement 1,724 SF

Parcel 43; CASTLE ROCK BANK; Highway Easement 104 SF; Temporary Easement 765 SF

Parcel 45; CITY OF RANDOLPH; Temporary Easement 1,915 SF

Parcel 46; DANIEL M. AND KORRINE L. MAHER; Temporary Easement 1,608 SF

Parcel 47; DOUGLAS A. REICH, WAYNE A. REICH, JERRY D. REICH R, AND BRIAN E, REICH, SUBJECT TO A LIFE ESTATE FOR JERRY D. AND DOLORES A. REICH; Temporary Easement 1,511 SF

Parcel 48; CINDY AND RONALD WOODBECK; Temporary Easement 3,626 SF; Drainage & Utility Easement 425 SF

Parcel 49; LISA M. VOEGELE AND JESSIE A. ROIGER; Temporary Easement 1,525 SF

Parcel 50; CORLISS E. MORTENSON AND VERONE C. MORTENSON, TRUSTEES OF THE TRUST AGREEMENT OF CORLISS AND VERONE MORTENSON; Temporary Easement 1,394 SF

Parcel 51; RANDOLPH AREA HISTORICAL SOCIETY; Highway Easement 677 SF; Temporary Easement 976 SF

Parcel 52; ASHLEY B. GERGEN AND NATHANIEL A. ICAZA AND JAMES OTTO AND SARA OTTO AND UNKNOWN HEIRS OF HAROLD A. REINKE; Highway Easement 349 SF; Temporary Easement 252 SF

Parcel 53; MISSOURI & MINNESOTA POSTAL HOLDING LLC; Highway Easement 300 SF; Temporary Easement 180 SF

Parcel 54; VAL RAE KOLSTAD; Highway Easement 300 SF; Temporary Easement 180 SF

Parcel 55; PETER T. SCHAFFER AND JOYCE M. SCHAFFER; Temporary Easement 875 SF

Parcel 56; BENJAMIN BRADY; Temporary Easement 1,080 SF

Parcel 57; ROBERT F. KLAHR AND SHAWN D. KLAHR; Temporary Easement 270 SF

Parcel 59; INDEPENDENT SCHOOL DISTRICT NO. 195; Temporary Easement 216 SF

Parcel 59; ROBERT AND SHAWN D. KLAHR; Temporary Easement 532 SF

Parcel 60; PAUL C. AND SHEILA A. EKSTROM; Temporary Easement 701 SF

Parcel 61; TRENT PODRITZ AND SARAH PODRITZ; Temporary Easement 1,203 SF;

Parcel 62; DOUGLAS A. DUSCHER; Temporary Easement 1,372 SF;

Parcel 63; CITY OF RANDOLPH; Drainage & Utility Easement 15,236 SF

Parcel 64; ANTHONY C. GILLETTE AND AMANDA GILLETTE; Temporary Easement 940 SF

Parcel 65; INDEPENDENT SCHOOL DISTRICT NO. 195; Temporary Easement 459 SF; Drainage & Utility Easement 11,255 SF

Parcel 66; INDEPENDENT SCHOOL DISTRICT NO. 195; Temporary Easement 2,241 SF

Parcel 67; JACOB TOLEDO AND KATELYN CRIPPS AKA KATELYN MORRISON CRIPPS; Drainage & Utility Easement 706 SF

Parcel 68; JOHN DOYLE AND JENNIFER DOYLE; Highway Easement 766 SF; Temporary Easement 328 SF

Parcel 71; ALEX AND SARAH J. FAIRBANKS; Highway Easement 1,564 SF; Temporary Easement 504 SF

Parcel 72; DANIEL J. LEE; Highway Easement 34,160 SF; Temporary Easement 2,261 SF;

Parcel 73; RANDAL J. FERGUSON, TRUSTEE OF THE JUDITH H. FERGUSON TRUST; Drainage and Utility Easement 17,757 SF; and

WHEREAS, the parcels have been appraised, and offers are being prepared for a total appraised value of \$389,275; and

WHEREAS, the 2023 Transportation Capital Improvement Program Budget includes sufficient funds for CP 88-23 right of way acquisition; and

WHEREAS, if timely acquisition by direct negotiation of all required parcels does not appear possible, it is necessary for the County Board to authorize the County Attorney’s Office to initiate quick-take condemnation of the remaining parcels to allow for a spring 2023 construction.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the appraised values prepared by Patchin Messner Valuation Counselors for the parcel acquisition of the 59 parcels identified for County Project 88-23 and authorizes County staff, in its discretion, to share the appraisal data with the respective landowners, including all or portions of the completed appraisals as part of the negotiation process; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby approves the acquisition of right of way for County Project 88-23 at the approved appraised values and in accordance with County policy, authorizes payment from the 2023 Transportation Capital Improvement Program Budget; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the County Attorney’s Office to initiate quick-take condemnation on the properties identified if the timely acquisition by direct negotiation of all properties does not appear possible.

Ayes: 7

**11. Public Services and Revenue**

**11.1 Resolution No: 23-092**

Authorization To Execute Grant Agreement With Dakota County Law Library For American Rescue Plan Act State And Local Fiscal Recovery Funds

Motion: Mary Hamann-Roland

Second: Joe Atkins

WHEREAS, adequate law library resources serve the citizens hardest hit by the current economic environment or who may otherwise encounter barriers to navigating our judicial system; and

WHEREAS, all county law libraries are governed by Minnesota Statutes Chapter 134A which specifies how fees are determined; and

WHEREAS, Dakota County Law Library funding is generated by collecting a fee from filings associated with court cases, both civil and criminal; and

WHEREAS, Fee income for years 2020 through 2022 is down between 24 and 33 percent annually from 2019 revenue levels and current trends do not indicate signs of recovery to former levels; and

WHEREAS, due to the increasing cost of materials, staff salaries and benefits, and the simultaneous lack of growth in filing fee revenues, the Law Library fund balance is drawn upon annually to fund law library services and is anticipated to be depleted by mid-2024; and

WHEREAS, by Resolution No. 21-618 (December 14, 2021) and Resolution No. 22-507 (November 15, 2022), the County Board approved using American Rescue Plan (ARP) Act State and Local Recovery Funds (SLFRF) revenue replacement funds for a \$115,000 Law Library grant in 2022; and

WHEREAS, by Resolution No. 22-575 (December 13, 2022), the County Board approved using American Rescue Plan (ARP) Act State and Local Recovery Funds (SLFRF) revenue replacement funds for a \$150,000 Law Library grant in 2023; and

WHEREAS, all expenses are ARP-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.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Public Services and Revenue Director to execute a grant agreement with the Dakota County Law Library in an amount not to exceed \$150,000 for the Law Library 2023 budget, subject to approval by the County Attorney's Office as to form.

Ayes: 7

## **REGULAR AGENDA**

### **12. Public Services and Revenue**

#### **12.1 Resolution No: 23-093**

Recognition Of Empire Township's Incorporation To City Of Empire

Motion: William Droste

Second: Mike Slavik

Public Services and Revenue Deputy Director Teresa Mitchell opened this item and introduced Empire Township Board members Terry Homes (Chairman), Jamie Elvestad (Supervisor) and Eric Hanson (Supervisor). Chair Workman read the resolution and congratulated/recognized Empire Township's incorporation to the City of Empire.

WHEREAS, Empire Township decided to seek incorporation as part of a proactive plan to keep Empire together as a community and maintain the services that it currently provides; and

WHEREAS, incorporation solidifies Empire Township's borders, allowing the Township to engage in efficient long-range planning; and

WHEREAS, effective August 31, 2022, an Administrative Law Judge granted permission to proceed with the process that would transition Empire from a township to a city; and

WHEREAS, following the February 14, 2023 election of a new city council made up of a mayor and four council members, Empire Township is becoming the City of Empire, Minnesota's newest city; and

WHEREAS, the Empire Township Board of Supervisors has been a strong partner with the County for many years; and

WHEREAS, Township Chair Terry Holmes and Supervisor Jamie Elvestad are retiring after long and dedicated service.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby recognizes Empire Township's incorporation to the City of Empire.

Ayes: 7

## **12.2 2023 Market Value Update**

County Assessor Director Scott Lyons briefed this item and responded to questions. This item was on the agenda for informational purposes only.

Information only, no action requested.

## **13. County Board/County Administration**

### **13.1 Resolution No: 23-094**

Legislative Update And Adoption Of Modifications To Legislative Platform

Motion: Joe Atkins

Second: Mike Slavik

Mike Erlandson and Tom Downs with Downs gave a brief federal update. Joe Atkins provided a state update and Intergovernmental Analyst Nathan Hanson gave a brief presentation and responded to questions.

WHEREAS, the Minnesota Legislature convened the 2023 session on January 3, 2023; and

WHEREAS, the interests of Dakota County and its citizens will be directly affected by the decisions of the 2023 Legislature; and

WHEREAS, on February 7, 2023, and February 21, 2023 the General Government and Policy Committee of the Whole reviewed items for inclusion in Dakota County's 2023 Legislative Platform.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners supports the use of the Dan Patch Corridor as a greenway for non-motorized transportation; and

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

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners supports state funding for a study related to an Amateur Sports Complex in the southern Twin Cities Metropolitan Area; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners supports reauthorization of the lottery dedication to the Environment and Natural Resources Trust Fund; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby adopts the amended 2023 Legislative Platform.

Ayes: 6

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

Nay: 1

Mary Liz Holberg

**13.2** Resolution No: 23-095

Authorization To Submit Resolution Requesting Federal Funding For Priority Projects

Motion: Joe Atkins

Second: William Droste

Intergovernmental Analyst Nathan Hanson, Physical Development Director Georg Fischer and Community Services Director Marti Fischbach briefed this item and responded to questions. Following discussion, the resolution language for this item was completed by requesting federal funding for the following projects:

- Veteran's Memorial Greenway
- Mississippi River Greenway
- Crisis Response Programming
- Regional Household Hazardous Waste Recycling Facility

WHEREAS, the 118th United States Congress is accepting applications for congressionally directed spending for Fiscal Year 2024; and

WHEREAS, the interests of Dakota County and its citizens will be directly affected by the decisions of the 118th United States Congress; and

WHEREAS, Dakota County appreciates the efforts of the Minnesota Delegation to the 117th United States Congress in securing federal funding for the Veterans Memorial Greenway and the I-35 Corridor and Interchange Study; and

WHEREAS, the residents of Dakota County have continuing needs for federal funding assistance for important infrastructure projects.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby requests federal funding for the following projects in Fiscal Year 2024 as discussed at the February 28, 2023 County Board meeting:

- Veterans Memorial Greenway
- Mississippi River Greenway
- Crisis Response Programming
- Regional Household Hazardous Waste and Recycling Facility

Ayes: 5

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

Nay: 2

Liz Workman, and Mary Liz Holberg

#### **14. Closed Executive Session**

##### **14.1 Resolution No: 23-096**

Authorization Of Acquisition Settlement With John F. And Mary Jo Stockman For Acquisition Of Certain Property Rights Necessary For County Project 78-12

Motion: Mike Slavik

Second: Joe Atkins

This item did not go into closed session.

WHEREAS, Dakota County (County) is proceeding with County Project (CP) 78-12 in the townships of Hampton and Castle Rock to provide a safe and efficient transportation system; and

WHEREAS, CP 78-12 consists of the reconstruction of County State Aid Highway (CSAH) 78 (240th Street) from CSAH 79 (Blaine Avenue) to County Road 47 (Northfield Boulevard) which includes replacing the aging and deteriorating pavement and improving roadway safety through the addition of paved shoulders, possible turn lanes and ditch modifications; and

WHEREAS, to construct the recommended improvements, the County must acquire certain property rights from John F. and Mary Jo Stockman (Owners) identified in Dakota County Right of Way Map No. 489 as Parcel 25; and

WHEREAS, the County offered the Owners compensation based on the County's approved appraised values for the parcel; and

WHEREAS, the Owners rejected the offer seeking additional damages for costs related to the acquisition; and

WHEREAS, the parties in this action have agreed to settle all damages caused by the taking whereby the County will pay the Owners \$41,100; and

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

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the County Attorney's Office to proceed with settlement of the acquisition of property rights identified in Dakota County Right of Way Map No. 489 as Parcel 25 in the amount of \$41,100, inclusive of all costs related to the taking, and costs related to appraisal of this parcel and to effectuate final settlement of the acquisition.

Ayes: 7

**14.2** Resolution No: 23-097

Authorization Of Acquisition Settlement With Earle R. Almquist For Acquisition Of Certain Property Rights Necessary For County Project 91-29

Motion: Mike Slavik

Second: William Droste

This item did not go into closed session.

WHEREAS, Dakota County (County) is proceeding with County Project (CP) 91-29 in the township of Marshan to provide a safe and efficient transportation system; and

WHEREAS, CP 91-29 is a project which consists of the reconstruction of County State Aid Highway (CSAH) 91 (Nicolai Avenue) from 210th Street to Trunk Highway 316 (Red Wing Boulevard) in Marshan Township to improve safety along the corridor by improving the roadway surface, adding turn lanes, and improving drainage; and

WHEREAS, to construct the recommended improvements, the County must acquire certain property rights from Earle R. Almquist (Owner) to property he owns identified in Dakota County Right of Way Map No. 492 as Parcels 15 and 16; and

WHEREAS, the County offered the Owner compensation based on the County's

appraised values for the parcels; and

WHEREAS, the Owner rejected the offer seeking additional damages for costs related to the acquisition; and

WHEREAS, the County and the Owner have agreed to settle all damages caused by the taking whereby the County will pay the Owner the sum of \$193,600.00 as full and final settlement of all compensation claims related to the taking; and

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

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the County Attorney's Office to proceed with settlement of the acquisition of property rights identified in Dakota County Right of Way Map No. 492 as Parcels 15 and 16 in the amount of \$193,600, inclusive of all costs related to the taking of these parcels and to effectuate final settlement of the acquisition.

Ayes: 7

**14.3** Resolution No: 23-098  
Settlement Authority For Acquisition Of Certain Property Rights Necessary For County Project 78-10

Motion: Mike Slavik

Second: Joe Atkins

This item did not go into closed session.

WHEREAS, in 2021, Dakota County (County) completed County Project (CP) 78-10 in Castle Rock Township to provide a safe and efficient transportation system; and

WHEREAS, CP 78-10 reconstructed County State Aid Highway (CSAH) 78 (240th Street) to a paved 2-lane highway from Highway 3 to County Road 79 (Blaine Avenue) in Castle Rock Township where the project improved safety and operations along the highway and upgraded the driving surface from gravel to a paved condition along the project corridor; and

WHEREAS, to construct the improvements, the County acquired certain property rights from Bette Mae Stapf identified in Dakota County Right of Way Map No. 475 as Parcel 17; and

WHEREAS, on February 21, 2023, the Dakota County Attorney's Office provided a confidential memorandum to the Dakota County Board of

Commissioners explaining the legal strategy for accomplishing Dakota County's acquisition of the property rights identified in Dakota County Right of Way Map No. 475 as Parcel 17; and

WHEREAS, after transmittal of the confidential memorandum, the County Attorney's Office received an updated settlement offer from the landowner; and

WHEREAS, after review of the information contained in the confidential memorandum and additional discussion with the County Attorney's office, the County Board determined a closed session was not necessary to provide settlement direction.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the County Attorney's Office to proceed with settlement of the acquisition of property rights identified in Dakota County Right of Way Map No. 475 as Parcel 17 in the amount of \$57,700.

Ayes: 7

**14.4** Resolution No: 23-099

Closed Executive Session To Review County Commissioner Emergency Procedures

Motion: Mary Hamann-Roland

Second: Laurie Halverson

The time being 10:49 a.m. and pursuant to public notice, the County Board convened in Conference Room 3A to hold a Closed Executive Session to review County Commissioner emergency procedures and the subsequent response by law enforcement.

The following were present:

Commissioner Mike Slavik, District 1

Commissioner Joe Atkins, District 2

Commissioner Laurie Halverson, District 3

Commissioner Bill Droste, District 4

Commissioner Liz Workman, District 5

Commissioner Mary Liz Holberg, District 6

Commissioner Mary Hamann-Roland, District 7

Matt Smith, County Manager

Kathy Keena, County Attorney

Tom Donely, First Assistant County Attorney

Jen Wolf, Civil Division Head

BJ Battig, Risk and Homeland Security Manager

Ben Rutter, Homeland Security Specialist

Andy Benish, Employee Relations Director

Joseph Leko, Sheriff

Thomas Jacobson, Captain

Jim Gabriel, Commander

Matt Schuster, Sergeant

Tom Novak, Public Services and Revenue Director

Teresa Mitchell, Public Services and Revenue Deputy Director

Jessica Johnson, Administrative Assistant to the County Manager  
David McKnight, Director of Enterprise Finance and Information Services  
Jessie Parker Carlson, Enterprise Finance and Information Services Deputy Director  
Paul Sikorski, Budget Manager  
Marti Fischbach, Community Services Director  
Erin Stwora, Physical Development Deputy Director  
Mike Lexvold, Facilities Management Director  
Jeni Reynolds, Sr. Administrative Coordinator to the Board  
Nathan Hanson, Intergovernmental Analyst

The Closed Executive Session continued until 11:35 a.m., at which time the Board reconvened to adjourn the meeting with all members present.

WHEREAS, a review of County Commissioner emergency procedures in the event of a building emergency or threat and the subsequent response by law enforcement has been prepared; and

WHEREAS, a clear understanding and knowledge of these procedures by the Dakota County Board of Commissioners will facilitate a timely response during such an emergency; and

WHEREAS, the data in this security briefing is Security Information which is classified as non-public data under Minn. Stat. § 13.37, Subdivision 1 (a), and classified by statute or federal law as not accessible to the public; and

WHEREAS, Minn. Stat. § 13D.05, subd. 3 (d), authorizes a public body to close a meeting to receive security briefings and reports and to discuss issues related to security systems.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby closes the County Board Meeting on February 28, 2023, and recesses to Conference Room 3A, Administration Center, Hastings, Minnesota, in order to receive a review of County Commissioner procedures in the event of a building emergency or threat and the subsequent response by law enforcement.

Ayes: 7

## **15. Interagency Announcements/Reports**

Interagency announcements and reports were then presented.

## **16. County Manager's Report**

County Manager Matt Smith gave an update on the following:

- On March 2, 2023 Dakota County will meet with Townships and Small Cities to discuss alternative funding methods for additional Deputy Patrol in rural areas.
- Effective March 1, 2023, Dakota County is no longer a member of the Dakota Broadband

Board. A contract with LOGIS for fiber optic network maintenance and engineering was approved per the consent agenda today.

- Additional Special General Government and Policy Committee of the Whole meetings will be scheduled for March, April and May to provide for additional discussion around legislative matters.

**17. Information**

**17.1 Information**

See Attachment for future Board meetings and other activities.

**18. Adjournment**

**18.1 Resolution No: 23-100  
Adjournment**

Motion: Mary Liz Holberg

Second: William Droste

On a motion by Commissioner Holberg, seconded by Commissioner Droste, the meeting was adjourned at 11:36 a.m.

Ayes: 7

Liz Workman  
Chair

ATTEST

Matt Smith  
County Manager