



Dakota County

Board of Commissioners

Minutes

Tuesday, November 16, 2021

9:00 AM

**Boardroom, Administration Center,
Hastings, MN**

1. Call To Order And Roll Call

Present: Commissioner Mike Slavik
Commissioner Kathleen A. Gaylord
Commissioner Laurie Halverson
Commissioner Joe Atkins
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 Mary Liz Holberg who welcomed everyone and opened the meeting with the Pledge of Allegiance.

3. Audience

Chair Holberg 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: 21-530
Approval of Agenda (Additions/Corrections/Deletions)

Motion: Mary Hamann-Roland

Second: Liz Workman

Aye: 7

Nays: 0

CONSENT AGENDA

5. County Administration - Approval of Minutes

On a motion by Commissioner Slavik, seconded by Commissioner Halverson, the consent agenda was unanimously approved as follows, except for Item 6.7, which was not unanimous:

Aye: 7

Mike Slavik, Kathleen A. Gaylord, Laurie Halverson, Joe Atkins, Liz Workman, Mary Liz Holberg, and Mary Hamann-Roland

5.1 Resolution No: 21-531

Approval of Minutes of Meeting Held on November 2, 2021

Motion: Mike Slavik

Second: Laurie Halverson

6. Items Recommended By Board Committee*

6.1 Resolution No: 21-532

Authorization To Execute Contract For Volunteer Driver Transportation Services

Motion: Mike Slavik

Second: Laurie Halverson

WHEREAS, Dakota County Social Services provides both direct and contracted services across the transportation services continuum; and

WHEREAS, in order to ensure high quality services, Dakota County uses a routine Request for Proposal (RFP) process; and

WHEREAS, a RFP was issued on July 26, 2021, for volunteer driver services; and

WHEREAS, the contract included in the resolution is two years in duration as a result of it being a new contract; and

WHEREAS, staff recommends authorization to execute a contract for Volunteer Driver Transportation Services with GAPP Services, Inc., in a not to exceed contract amount of \$343,400 for the period of January 1, 2022 through December 31, 2023; and

WHEREAS, the contract funds are provided on a per mile basis and include the mileage for the volunteer driver and an administrative reimbursement rate/mile for the agency.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to execute a contract with GAPP Services, Inc., for Volunteer Driver Transportation Services in a not to exceed contract amount of \$343,400, for the period of January 1, 2022 through December 31, 2023, subject to approval by the County Attorney's Office as to form; and

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

sufficient to allow payment of the amounts due; and

BE IT FURTHER RESOLVED, That the Community Services Director is hereby authorized to amend said contract, within the amount budgeted, to alter the number and types of clients served, types of services provided, service expectations and rates, and the contract term, consistent with County contracting policies, subject to the approval by the County Attorney's Office as to form.

6.2 Resolution No: 21-533

Authorization To Execute Joint Powers Agreement With Intermediate School District 917 For Community Transition Interagency Committee Coordination And Facilitation Services

Motion: Mike Slavik

Second: Laurie Halverson

WHEREAS, Minn. Stat. § 125A.023, requires the development and implementation of a coordinated, multidisciplinary, interagency intervention service system; and

WHEREAS, Minn. Stat. § 125A.22, establishes that school districts, in cooperation with the county in which the districts are located may create a Community Transition Interagency Committee (CTIC) for youth with disabilities; and

WHEREAS, Intermediate School District 917 (ISD 917) and Dakota County have negotiated a joint powers agreement for Dakota County to provide coordination and facilitation services of the CTIC with ISD 917 compensating County staff time; and

WHEREAS, the parties agree on the scope and nature of the services to be provided.

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 Intermediate School District 917 (ISD 917) for Community Transition Interagency Committee coordination and facilitation services, effective upon the date of execution 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 this joint powers agreement, substantially as presented to the Community Services Committee of the Whole on November 9, 2021, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That upon execution of the joint powers agreement by both parties, ISD 917 will pay Dakota County \$12,000, per school year, for staff time executing these responsibilities through June 30, 2023; and

BE IT FURTHER RESOLVED, That the joint powers agreement shall contain a

provision that allows the County to immediately terminate the joint powers agreement in the event funds from county, state, or federal sources are not appropriated at a level sufficient to allow payment of the amounts due, and otherwise may be terminated with or without cause, by either party upon thirty days written notice.

6.3 Resolution No: 21-534

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

Motion: Mike Slavik

Second: Laurie Halverson

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, 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 and interagency coordination of interventions to serve these families; and

WHEREAS, Independent School Districts 191, 192, 194, 195, 196, 197, 199, 200, and Special School District 6 each have negotiated the framework of the scope and nature of services to be provided Countywide under a joint powers agreement (JPA) with Dakota County for the purpose of continuing interagency early intervention services; and

WHEREAS, the JPA will be offered to any and all Dakota County school districts based on the services and reimbursement provisions included in the JPA.

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, including Independent School Districts 191, 192, 194, 195, 196, 197, 199, 200, and Special School District 6, for health and human services related to interagency early intervention system services, effective upon the date of execution through June 30, 2022, 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 November 9, 2021, subject to approval by the County Attorney's Office as to form; 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 \$99,899.67 from the noted districts is anticipated.

6.4 Resolution No: 21-535

Authorization To Accept Additional Grant Funds From Minnesota Department Of Health For COVID-19 Vaccination Funding And Execute Grant Amendment

Motion: Mike Slavik

Second: Laurie Halverson

WHEREAS, the Dakota County Board of Commissioners acts as the Community Health Board and has responsibility to prevent disease and disability and to promote and protect the health and safety of County residents; and

WHEREAS, by Resolution No. 21-228 (May 4, 2021), the Dakota County Board of Commissioners accepted MDH's COVID-19 response grant award in the amount of \$1,985,509, for the period of April 1, 2021 through December 31, 2021; and

WHEREAS, in September 2021, MDH provided Dakota County with its additional COVID-19 response grant award in the amount of \$1,807,919, in addition to its original \$1,985,509, for a total of \$3,793,428, as well as extending the period to December 31, 2023; and

WHEREAS, these funds will be attached to PH's Local Public Health Grant; and

WHEREAS, staff plans to use the funds to plan and implement COVID-19 vaccination clinics, provide support for testing and implement other grant duties consistent with the MDH grant guidance; and

WHEREAS, the grant will continue funding existing Special Limited-Term and temporary staff, and those costs are included in the 2022 County Manager's Recommended Budget; and

WHEREAS, staff recommends that the Dakota County Board of Commissioners authorizes the Community Services Director to accept the additional \$1,807,919 MDH COVID-19 vaccination implementation grant funds effective April 1, 2021 through December 31, 2023; and

WHEREAS, staff recommends that the Dakota County Board of Commissioners authorizes the Community Services Director to authorize execution of the grant amendment extending the term through December 31, 2023.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to accept the additional \$1,807,919 MDH COVID-19 vaccination implementation grant funds, effective April 1, 2021 through December 31, 2023; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to execute the grant amendment, extending the term through December 31, 2023; and

BE IT FURTHER RESOLVED, That unless the grant program requirements change, the Community Services Division Director is hereby authorized to amend the grant to alter the grant term, and accept additional grant funds consistent with County contracting policies and inclusion of grant funds in future yearly recommended and adopted budgets, subject to approval by the County Attorney's office as to form.

6.5 Resolution No: 21-536
Authorization To Execute Multiple Agreements For Solar Photovoltaic Project
With Ideal Energies, LLC

Motion: Mike Slavik

Second: Laurie Halverson

WHEREAS, Dakota County has a goal of reducing energy consumption across the building portfolio, and on-site solar photovoltaic (PV) generation reduces that overall consumption; and

WHEREAS, by Resolution 13-563 (October 15, 2013), Dakota County entered into contracts with an Energy Services Company (ESCO), Newport Partners, to install, operate, and maintain four solar PV systems at the Empire Maintenance Facility campus; and

WHEREAS, over the time that the solar PV systems have been in production, the solar panels have experienced failures due to a suspected manufacturing defect; and

WHEREAS, the manufacturer of the panels is no longer in business, and attempts to rectify the failures with Newport Partners were unsuccessful; and

WHEREAS, in January 2021, the County and Newport Partners reached a settlement agreement releasing all parties from the contracts; and

WHEREAS, Xcel Energy still requires that the County produce energy from solar PV systems at the Empire Maintenance Facility campus; and

WHEREAS, Dakota County issued a Request for Proposals (RFP) to provide 1.) replacement of the existing solar PV systems to meet the Xcel requirements, and 2.) provide additional solar PV on the campus with a corresponding financing model based upon new solar programs; and

WHEREAS, Ideal Energies, LLC, provided the proposal of best value to the County; and

WHEREAS, the proposal both replaces the existing systems to honor the Xcel Energy agreements and increases the total solar PV production of the site from approximately 160 to 902 kilowatts direct current; and

WHEREAS, the capital costs for the installation of this solar PV system is borne by Ideal Energies, LLC, in exchange for the power purchase agreement where Ideal Energies, LLC, recaptures 80 percent of the energy generated for the first 20 years, and there is no cost to the County; and

WHEREAS, approvals to interconnect with Xcel Energy, contract execution, design and engineering, and installation would bring the new solar PV systems into service in Spring/Summer 2022.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Parks, Facilities, and Fleet Management Director to execute multiple agreements with Ideal Energies, LLC, to finance, construct, operate, and maintain seven solar photovoltaic systems at the Empire Maintenance Facility campus, subject to approval of the County Attorney's Office as to form.

6.6 Resolution No: 21-537

Authorization To Execute Joint Powers Agreement With Conservation Corps For Crew Labor

Motion: Mike Slavik

Second: Laurie Halverson

WHEREAS, Dakota County's (County) Natural Resource Management System Plan (NRMSP) calls for increases in acres of parkland restored, actively managed, and maintained; expansion of the County's Volunteer Program; and expansion of partnerships and collaborations to effectively leverage external funding resources; and

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

WHEREAS, Conservation Corps Minnesota (CCM) is a 501(c)(3) non-profit that provides hands-on environmental stewardship and service-learning opportunities to youth and young adults while accomplishing conservation, natural resource management, and emergency response work; and

WHEREAS, CCM is authorized by Minn. Stat. § 84.991, subd. 6 to enter into a joint powers agreement (JPA) with the County to perform natural resource restoration services; and

WHEREAS, by Resolutions No. 18-165 (March 27, 2018), No. 18-648 (December 18, 2018), and No. 20-123 (March 10, 2020), the County entered into JPAs with CCM providing two crews to the County that performed work aligned with the Natural Resource Program annual work plan as guided by the

NRMSP; and

WHEREAS, to provide additional assistance with plant propagation and volunteer event management, a third CCM crew will be added in 2022 and 2023; and

WHEREAS, a JPA has been prepared, which includes the following predominant terms:

Conservation Corps Minnesota will provide three fully trained and equipped, four-person young adult crews, including crew leaders, to the County at a rate of \$25.50 per corps member per hour and \$26.50 per corps member per hour in 2023, for a two-year contract maximum of \$615,680

; and

WHEREAS, sufficient funding has been included in the 2022 Proposed County Manager's Recommended Budget in the Natural Resources Base Funding line item within the Parks CIP.

NOW, THEREFORE, BE IT RESOLVED, that the Dakota County Board of Commissioners hereby authorizes the Parks, Facilities, and Fleet Management Director to execute a joint powers agreement with Conservation Corps Minnesota, as substantially presented, for the provision of three crews from January 1, 2022, through December 31, 2023, in an amount not to exceed \$615,680, and subject to approval as to form by the County Attorney's Office.

6.7 Resolution No: 21-538

Authorization To Execute Contract Amendment With Bolton And Menk, Inc. For Professional Services For Minnesota River Greenway Fort Snelling Segment

Motion: Mike Slavik

Second: Laurie Halverson

WHEREAS, the Minnesota River Greenway runs along the south side of the Minnesota River in Eagan and Burnsville, extending from I-35W in Burnsville to Lilydale Regional Park in Saint Paul; and

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

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

WHEREAS, by Resolution No. 18-487 (October 11, 2018), the Dakota County Board of Commissioners authorized staff to proceed with consultant selection for

the project to include 30 percent design for the river bottom trail (Project Component 1) and 100 percent design and engineering for the Union Pacific Railroad Bridge (Project Component 2); and

WHEREAS, by Resolution No. 18-608 (November 28, 2018), the Dakota County Board of Commissioners authorized staff to enter into a contract with Bolton & Menk, Inc. for design services for the Union Pacific pedestrian bridge for a not-to-exceed amount of \$269,850; and

WHEREAS, by Resolution No. 20-291 (June 16, 2020), the contract not-to-exceed amount was amended by \$69,730 to \$339,580 to address constraints to the bridge that are inherent to the project area; and

WHEREAS, design on the bridge has continued over the past year and has required additional revisions to its design resulting in several revisions and increased coordination with permitting agencies and private utilities; and

WHEREAS, staff and the project consultant have identified an alignment for the bridge that is feasible and can best avoid negative impacts to the project area; and

WHEREAS, significant work remains to advance this alignment through the design process to complete final plans; and

WHEREAS, staff recommends execution of a contract amendment to complete the final design for the Union Pacific Pedestrian Bridge to the satisfaction of Minnesota River Greenway Plan.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Parks, Facilities, and Fleet Director to execute a contract amendment with Bolton & Menk, Inc. to complete design services necessary to construct the Union Pacific Pedestrian Bridge for the Minnesota River Greenway Fort Snelling Segment (P00127) in an amount not to exceed \$297,600 resulting in a total amended contract not to exceed \$637,180, pending DNR approval of the proposed bridge design, and subject to approval by the County Attorney's Office as to form.

Aye: 6

Mike Slavik, Kathleen A. Gaylord, Laurie Halverson, Joe Atkins, Liz Workman, and Mary Hamann-Roland

Nay: 1

Mary Liz Holberg

6.8 Resolution No: 21-539
Project Review And Authorization For Staff To Negotiate Purchase of Property For Youth Shelter

Motion: Mike Slavik

Second: Laurie Halverson

WHEREAS, there is an ongoing need for temporary emergency housing and support services for youth; and

WHEREAS, there is an opportunity to purchase an existing property and facility that could be minimally renovated to adequately serve as a shelter facility for youth; and

WHEREAS, staff has completed a condition assessment and property appraisal and will complete additional due diligence efforts on the property; and

WHEREAS, staff has identified several supportive partners for this project, including funding commitments from Washington County; and

WHEREAS, staff will return to the Board to request approval to enter into a Purchase Agreement after completing due diligence on the property; and

WHEREAS, staff recommends that the County Board authorize staff to negotiate the purchase of the property in Mendota Heights, MN, subject to County Board approval.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes staff to negotiate the purchase of property in Mendota Heights, MN to be developed and operated as a youth shelter, subject to future approval by the Board of Commissioners.

6.9 Resolution No: 21-540

Authorization To Extend And Renegotiate Lease Agreement Between Dakota County And Specialized Environmental Technologies, Inc, For Use Of County-Owned Property In Empire Township

Motion: Mike Slavik

Second: Laurie Halverson

WHEREAS, Dakota County has leased approximately 37 acres of land in Empire Township to Specialized Environmental Technologies, Inc. (SET) for solid waste management purposes, including source separated organics composting, yard waste composting, and mixed municipal solid waste transfer since March 22, 1995; and

WHEREAS, these activities support County and State waste management goals for waste processing and composting; and

WHEREAS, Metropolitan counties are required to ensure systems are in place that foster the growth of organics recovery; and

WHEREAS, all Metropolitan Solid Waste Master Plans include progressive

organics programs; and

WHEREAS, SET is one of only two permitted organics composting sites serving the Metropolitan area, and the site is needed now and over the next few years to bridge the gap as County organics programs expand and more facilities are built; and

WHEREAS, current capacity for the two sites is 44,000 tons/year, and current regional plans project over 200,000 tons/year by 2030; and

WHEREAS, SET provided notice of their intent to extend the lease on September 29, 2021; and

WHEREAS, the County is required to provide written notice of its decision to grant or deny SET's request for an extension of the term of the lease within 90 days of receipt of SET's request for the extension.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Environmental Resources Director to notify Specialized Environmental Technologies of their decision to grant an extension of the lease, subject to completion of negotiation of the lease extension; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Environmental Resources Director to enter into negotiations with Specialized Environmental Technologies to renegotiate the current lease, subject to approval by the County Attorney's Office as to form, for Dakota County Board of Commissioners review and approval prior to June 30, 2022.

6.10 Resolution No: 21-541

Authorization To Execute Joint Powers Agreement For Multi-County Residential Opinion Survey Project

Motion: Mike Slavik

Second: Laurie Halverson

WHEREAS, Dakota, Olmsted, St. Louis, and Washington Counties propose to survey residential households in the four counties in order to assess residential opinions and the performance of county government; and

WHEREAS, the counties have agreed to collaborate on a joint Residential Survey in 2022, selecting Polco / National Research Center (NRC) to conduct the survey and compile results; and

WHEREAS, the cost to Dakota County will be under \$55,000 and these funds are contained in the adopted budget for the Office of Performance and Analysis; and

WHEREAS, the counties must enter into a joint powers agreement in order to carry out the Residential Survey initiative.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the County Manager to execute a joint powers agreement with Olmsted, St. Louis and Washington Counties to conduct a residential survey of households in the four counties and to analyze the results, subject to approval by the County Attorney's Office as to form.

6.11 Resolution No: 21-542

Authorization To Serve As Fiscal Agent For Multi-County Residential Opinion Survey Project

Motion: Mike Slavik

Second: Laurie Halverson

WHEREAS, Dakota, Olmsted, St. Louis, and Washington Counties propose to survey residential households in the four counties in order to assess residential opinions and the performance of county government; and

WHEREAS, the counties have agreed to collaborate on a joint Residential Survey in 2022, selecting Polco / National Research Center (NRC) to conduct the survey and compile results; and

WHEREAS, the cost to Dakota County will be under \$55,000 and these funds are contained in the 2021 budget and the County Manager recommended 2022 budget for the Office of Performance and Analysis; and

WHEREAS, the counties must enter into an agreement with Polco / National Research Center (NRC) to carry out the Residential Survey initiative.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the County Manager to execute an agreement with Polco / National Research Center (NRC) for Dakota County to serve as the fiscal agent for the Joint Powers Agreement with Olmsted, St. Louis and Washington Counties to conduct a residential survey of households in the four counties and to analyze the results, subject to approval by the County Attorney's Office as to form.

7. County Board/County Administration

7.1 Resolution No: 21-543

Rescind Resolution No. 21-515 To Schedule A Board Governance Workshop And Authorization To Reschedule

Motion: Mike Slavik

Second: Laurie Halverson

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby rescinds Resolution No. 21-515 and schedules the Governance Workshop for

December 14, 2021, following the General Government and Policy meeting, in Conference Room 3A, Administration Center, 1590 Highway 55, Hastings, MN for the purpose of discussing Board leadership in 2022 and other governance matters.

8. Operations, Management And Budget

8.1 Update On Dakota County Investment Portfolio Third Quarter 2021

Information only; no action requested.

This item was on the agenda for informational purposes only.

9. Physical Development

9.1 Resolution No: 21-544

Approval Of Right Of Way Acquisition And Authorization To Initiate Quick-Take Condemnation For County Projects 31-103 And 26-69

Motion: Mike Slavik

Second: Laurie Halverson

WHEREAS, Dakota County is proceeding with County Project (CP) 31-103 and CP 26-69; and

WHEREAS, CP 31-103 is a traffic signal and intersection improvement project for County State Aid Highway (CSAH) 31 and Corporate Center Drive in the City of Eagan, scheduled for construction in 2023; and

WHEREAS, CP 26-69 is the construction of a trail on CSAH 26 from Vincent Trail to CSAH 31 in the City of Eagan, scheduled for construction in 2022; and

WHEREAS, right of way acquisition is needed for both projects to allow for construction to begin as scheduled; and

WHEREAS, the following acquisitions are necessary to proceed with CP 31-103: Parcel 1

A permanent easement for highway purposes over that part of Lot 1, Block 2, Eagandale Office Park 2nd Addition, according to the recorded plat thereof, Dakota County, Minnesota, described as follows:

Beginning at the northwest corner of said Lot 1; thence South 89 degrees 58 minutes 32 seconds East, assumed bearing, along the north line of said Lot 1 a distance of 30.00 feet; thence South 45 degrees 02 minutes 38 seconds West a distance of 33.95 feet; thence South 00 degrees 03 minutes 27 seconds West a distance of 52.24 feet; thence North 89 degrees 56 minutes 33 seconds West a distance of 6.00 feet to the west line of said Lot 1; thence North 00 degrees 03 minutes 27 seconds East along said west line of Lot 1 a distance of 76.24 feet to the point of beginning

A temporary easement for highway purposes over that part of Lot 1, Block 2, Eagandale Office Park 2nd Addition, according to the recorded plat thereof,

Dakota County, Minnesota, lying westerly of the following described line:
Commencing at the northwest corner of said Lot 1; thence South 89 degrees 58 minutes 32 seconds East, assumed bearing, along the north line of said Lot 1 a distance of 45.56 feet to the point of beginning of the line to be described;
thence South 45 degrees 02 minutes 38 seconds West a distance of 29.09 feet;
thence South 00 degrees 03 minutes 27 seconds West a distance of 55.69 feet;
thence North 89 degrees 56 minutes 33 seconds West a distance of 19.00 feet;
thence South 00 degrees 03 minutes 27 seconds West a distance of 70.00 feet;
thence South 89 degrees 56 minutes 33 seconds East a distance of 19.00 feet;
thence South 00 degrees 03 minutes 27 seconds West a distance of 175.74 feet to the south line of said Lot 1 and said line there terminating EXCEPTING from said temporary easement that part of said Lot 1 described as follows: Beginning at the northwest corner of said Lot 1; thence South 89 degrees 58 minutes 32 seconds East, assumed bearing, along the north line of said Lot 1 a distance of 30.00 feet; thence South 45 degrees 02 minutes 38 seconds West a distance of 33.95 feet; thence South 00 degrees 03 minutes 27 seconds West a distance of 52.24 feet; thence North 89 degrees 56 minutes 33 seconds West a distance of 6.00 feet to the west line of said Lot 1; thence North 00 degrees 03 minutes 27 seconds East along said west line of Lot 1 a distance of 76.24 feet to the point of beginning

Parcel 2

A permanent easement for highway purposes over that part of Lot 1, Block 1, Eagandale Office Park 4th Addition, according to the recorded plat thereof, Dakota County, Minnesota, lying southerly and westerly of the following described line:

Commencing at the southeast corner of said Lot 1; thence North 89 degrees 58 minutes 32 seconds West, assumed bearing, along the south line of said Lot 1 a distance of 112.49 feet to the point of beginning of the line to be described;
thence North 00 degrees 01 minute 28 seconds East a distance of 10.00 feet;
thence North 89 degrees 58 minutes 32 seconds West a distance of 80.71 feet;
thence North 00 degrees 01 minute 28 seconds East a distance of 5.00 feet;
thence North 89 degrees 58 minutes 32 seconds West a distance of 236.39 feet; thence North 44 degrees 57 minutes 34 seconds West a distance of 31.20 feet to the west line of said Lot 1 and said line there terminating

A temporary easement for highway purposes over that part of Lot 1, Block 1, Eagandale Office Park 4th Addition, according to the recorded plat thereof, Dakota County, Minnesota, lying southerly and westerly of the following described line:

Commencing at the southeast corner of said Lot 1; thence North 89 degrees 58 minutes 32 seconds West, assumed bearing, along the south line of said Lot 1 a distance of 112.49 feet to the point of beginning of the line to be described;
thence North 00 degrees 01 minute 28 seconds East a distance of 20.00 feet;
thence North 89 degrees 58 minutes 32 seconds West a distance of 220.69 feet; thence North 00 degrees 01 minute 28 seconds East a distance of 6.00

feet; thence North 89 degrees 58 minutes 32 seconds West a distance of 114.47 feet to the southwesterly line of said Lot 1 and said line there terminating EXCEPTING from said temporary easement that part of said Lot 1 lying southerly and westerly of the following described line: Commencing at the southeast corner of said Lot 1; thence North 89 degrees 58 minutes 32 seconds West, assumed bearing, along the south line of said Lot 1 a distance of 112.49 feet to the point of beginning of the line to be described; thence North 00 degrees 01 minute 28 seconds East a distance of 10.00 feet; thence North 89 degrees 58 minutes 32 seconds West a distance of 80.71 feet; thence North 00 degrees 01 minute 28 seconds East a distance of 5.00 feet; thence North 89 degrees 58 minutes 32 seconds West a distance of 236.39 feet; thence North 44 degrees 57 minutes 34 seconds West a distance of 31.20 feet to the west line of said Lot 1 and said line there terminating

; and

WHEREAS, the following acquisition is necessary to proceed with CP 26-69:
Parcel 1

A permanent easement for highway purposes over, under, and across the south 10.00 feet of the east 64.71 feet of Lot 1, Block 1, Zehnder Acres, according to the recorded plat thereof, Dakota County, Minnesota

A temporary easement for highway purposes over, under, and across the south 10.00 feet of Lot 1, Block 1, Zehnder Acres, according to the recorded plat thereof, Excepting therefrom the east 64.71 feet thereof, Dakota County, Minnesota. Together with a temporary easement for highway purposes over, under, and across the north 10.00 feet of the south 20.00 feet of the east 64.71 feet of said Lot

; and

WHEREAS, appraisals have been completed for three total parcels by Valbridge Property Advisors, Inc.; and

WHEREAS, the total appraised value for CP 31-103 is \$119,500; and

WHEREAS, the total appraised value for CP 26-69 is \$45,700; and

WHEREAS, the 2021-2025 Transportation Capital Improvement Program Adopted Budget includes sufficient funds for both CP 31-103 and CP 26-69 right of way acquisition.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the appraised value for the acquisition of the properties associated with the two parcels for County Project 31-103 and one parcel for County Project 26-69 and authorizes County staff, in its discretion, to share the appraisal data with the respective landowners, including all or portions

of the completed parcels; 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 in the event that timely acquisition by direct negotiations of all properties does not appear possible.

9.2 Resolution No: 21-545

Authorization To Execute Encroachment Agreement With Magellan Pipeline Company, Limited Partnership, For County Project 96-07 In Greenvale Township

Motion: Mike Slavik

Second: Laurie Halverson

WHEREAS, to provide a safe and efficient transportation system, Dakota County and Rice County are proceeding with Dakota County Project (DCP) 96-07/Rice County Project (RCP) 101-01; and

WHEREAS, DCP 96-07/RCP 101-01 will reconstruct approximately a half-mile of Rice County Road (RCR) 101 (70th Street West) in Webster Township, Rice County, and approximately four miles of Dakota County Road (DCR) 96 (320th Street West) in Greenvale Township, Dakota County; and

WHEREAS, the purpose and need for the project is to improve roadway quality, increase safety, and provide for multi-modal mobility on RCR 101/DCR 96; and

WHEREAS, to address the purpose and need for this Project, safety will be improved along the corridor by paving the roadway, realigning the roadway to remove horizontal curves, adding turn lanes, and providing paved shoulders; and

WHEREAS, Dakota County is the lead agency for DCP 96-07/ RCP 101-01; and

WHEREAS, Magellan Pipeline Company Limited Partnership (Magellan) owns a blanket utility easement that crosses DCR 96 and has existing gas pipeline within the easement; and

WHEREAS, DCP 96-07 includes reconstruction and roadway widening of DCR 96, which will cross Magellan's utility easement at the following crossing location:

Crossing Location 1: DCR 96 about 600 feet east of Holyoke Avenue

; and

WHEREAS, because Magellan's pipeline is within their own easement at the crossing location, an encroachment agreement is needed to complete DCP 96-07 work within the easement; and

WHEREAS, in order to proceed with project development, Magellan is requesting that Dakota County execute the encroachment agreement at the crossing location; and

WHEREAS, staff recommends execution of the encroachment agreement for the crossing location.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute an encroachment agreement with Magellan Pipeline Company, Limited Partnership, for the portion of County Road 96 within Magellan Pipeline Company, Limited Partnership, easement, subject to approval by the County Attorney's Office as to form.

9.3 Resolution No: 21-546

Award Of Bid And Authorization To Execute Contract With Associated Courier, Inc., Doing Business As Street Fleet For Library And Interoffice Mail Delivery Services

Motion: Mike Slavik

Second: Laurie Halverson

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

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

WHEREAS, the current contract ends on December 31, 2021; and

WHEREAS, the request for bid(s) was publicly advertised on October 1, 2021; and

WHEREAS, bids were received and tabulated on October 15, 2021; and

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

WHEREAS, the 2022 rates reflect a nine percent increase over the current 2021 rates; and

WHEREAS, staff recommends that the County Board award a contract to Associated Courier, Inc., doing business as Street Fleet, for library and interoffice mail delivery services in an amount not to exceed \$95,364.

NOW, THEREFORE, BE IT RESOLVED, That the County Board hereby authorizes the Parks, Facilities, and Fleet Management Director to execute a contract with Associated Courier, Inc., doing business as Street Fleet, 2340

County Road C West, Roseville, Minnesota 55113 for library and interoffice mail delivery services in an amount not to exceed \$95,364, from January 1, 2022, through December 31, 2022, 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 Parks, Facilities, and Fleet Management Director to execute up to two additional one-year contract extensions provided that: (1) the County determines that the Contractor has satisfactorily performed the contracted services; (2) the total contract price is included in the County's budget for the applicable year; and (3) the cost of services are consistent with the 2023 and 2024 bid amounts of \$98,225 and \$101,172 respectively, subject to approval by the County Attorney's Office as to form.

10. Public Services and Revenue

10.1 Resolution No: 21-547

Scheduling Of Public Hearing To Receive Comments On 2022 Off Sale Intoxicating Liquor License Applications

Motion: Mike Slavik

Second: Laurie Halverson

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

WHEREAS, a Notice of the public hearing will be given to all interested parties, Castle Rock Township Clerk, Randolph Township Clerk and published in the County's Official Newspaper on November 19, 2021.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby schedules a public hearing at 9:00 a.m. on November 30, 2021, in the Boardroom of the Dakota County Administration Center, 1590 Highway 55, Hastings, Minnesota to receive comments on all 2022 off sale intoxicating liquor license applications; and

BE IT FURTHER RESOLVED, That the Dakota County Public Service and Revenue Division is hereby directed to publish in the Official County newspaper, notice of the public hearing and give notice to all interested parties and to any city located within three miles of the premises proposed to be licensed.

10.2 Resolution No: 21-548

Approval Of Application For Assemblage Of Large Number Of People License For Dakota City Heritage Village

Motion: Mike Slavik

Second: Laurie Halverson

WHEREAS, an application has been submitted by Dakota City Heritage Village to hold a Christmas in the Village gathering at Dakota County Fairgrounds in

Castle Rock Township; and

WHEREAS, the Dakota County Board of Commissioners is the local governing body having jurisdiction over the proposed license, and the application has been reviewed for compliance with the County Ordinance No. 112 and has been approved by the Public Services and Revenue Division, Public Health Department, Risk Management, Transportation Department and Sheriff's Office; and

WHEREAS, Castle Rock Township approved the application on October 12, 2021.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the application for Assemblage of Large Numbers of People License received by Dakota City Heritage Village to hold a Christmas in the Village gathering at Dakota County Fairgrounds on Saturday, December 4, 2021, Sunday, December 5, 2021, Saturday, December 11, 2021, and Sunday, December 12, 2021, from 1:00 p.m. to 8:00 p.m. each day, and authorizes the Public Services and Revenue division to issue the license.

10.3 Resolution No: 21-549

Authorization To Execute Contract Extensions With Brodart and Midwest Tape

Motion: Mike Slavik

Second: Laurie Halverson

WHEREAS, the library currently has contracts with Brodart and Midwest Tape for the purchase of materials; and,

WHEREAS, in order to continue to take advantage of discounts offered through the contracts; and,

WHEREAS, the current agreements end in 2022; and

WHEREAS, the extension of the agreements would be for the time period February 1, 2022 - February 1, 2024; and,

WHEREAS, the library has sufficient funds for the contract extensions included in the recommended budget.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Library Director to execute an extension of the contracts with Brodart and Midwest Tape for the purchase of library materials for the time period February 1, 2022 - February 1, 2024.

10.4 Resolution No: 21-550

Authorization To Accept Allocation From Emergency Connectivity Fund

Motion: Mike Slavik

Second: Laurie Halverson

WHEREAS, the Federal Communications Committee has established the Emergency Connectivity Fund for public libraries to assist residents in getting wired internet in their homes; and

WHEREAS, the library will work with social services to identify and assist eligible county residents in connecting to the internet using an internet service provider; and,

WHEREAS, the Emergency Connectivity Fund has granted the library with an allocation of \$35,940.

NOW, THEREFORE, BE IT RESOVED, that the Dakota County Board of Commissioners hereby authorizes the library to accept the allocation from the Emergency Connectivity Fund.

BE IT FURTHER RESOLVED, That the 2021 Library Department's budget is amended as follows:

Revenue

ECF funds \$35,940

Total Revenue \$35,940

Expense

ECF funds \$35,940

Total Expense \$35,940

REGULAR AGENDA

11. Physical Development

11.1 Update On 2021 Transportation Capital Improvement Construction Projects

Information only; no action requested.

Construction Engineer Jeannine Briol briefed this item and responded to questions. This item was on the agenda for informational purposes only.

12. County Board/County Administration

12.1 Resolution No: 21-551

Update On COVID Trends And Planning For OSHA COVID-19 Vaccination, Testing, Face Covering Emergency Temporary Standard Implementation And Authorization To Amend Contract With GovernmentJobs.com, Inc. For NEOGOV eForms

Motion: Laurie Halverson

Second: Kathleen A. Gaylord

WHEREAS, Dakota County wishes to purchase a solution to capture staff COVID-19 vaccination status and monitor weekly COVID-19 testing for unvaccinated staff for the purpose of complying with the Occupational Health & Safety Administration Emergency Temporary Standard ("OSHA ETS"); and

WHEREAS, Dakota County presently has an enterprise software license for NEOGOV Insight, an online candidate recruitment and applicant tracking solution, pursuant to a duly executed contract with GovernmentJobs.com, Inc. (d/b/a "NEOGOV") dated December 12, 2017; and

WHEREAS, Dakota County presently also has a subscription to NEOGOV Onboard, a fully automated virtual employee onboarding solution, pursuant to a duly executed contract amendment with NEOGOV dated October 28, 2020, as ratified by the Board on December 1, 2020 (Resolution No. 20-592); and

WHEREAS, NEOGOV offers an additional solution, NEOGOV eForms, that will assist in meeting Dakota County's anticipated need to comply with the OSHA ETS; and

WHEREAS, NEOGOV eForms may also enable the County to track other processes, beyond vaccination tracking, that are currently manually tracked

WHEREAS, Dakota County wishes to amend its contract with NEOGOV to include a one-year subscription to NEOGOV eForms; and

WHEREAS, the cost of the proposed contract amendment for the subscription to NEOGOV eForms will not exceed \$42,000; and

WHEREAS, all or part of this cost may be eligible for paying using American Rescue Plan Act funding.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the County Manager, or their designee, to execute a contract amendment with NEOGOV to purchase a NEOGOV eForms subscription for an amount not to exceed \$42,000 from NEOGOV when necessary to timely comply with the Occupational Health & Safety Administration Emergency Temporary Standard ("OSHA ETS"), subject to approval by the County Attorney's Office as to form.

Aye: 5

Mike Slavik, Kathleen A. Gaylord, Laurie Halverson, Joe Atkins, and Mary Hamann-Roland

Nay: 2

Liz Workman, and Mary Liz Holberg

Public Health Director Gina Adasiewicz, First Assistant County Attorney Tom Donely and Employee Relations Director Andrew Benish briefed this item and responded to questions.

13. Legislative Update

Paul Cassidy with Stinson gave a brief update at the State level. This item was on the agenda for informational purposes only. No direction was given by the Committee.

14. Interagency Announcements/Reports

Interagency announcements and reports were then shared.

15. County Manager's Report

County Manager Matt Smith gave a brief update on the following:
Capital Funding Request with Department of Human Services
Update on November 30, 2021 meetings

16. Adjournment

16.1 Resolution No: 21-552
Adjournment

Motion: Mike Slavik

Second: Mary Hamann-Roland

Aye: 7

Nays: 0

Mary Liz Holberg

Chair

ATTEST

Matt Smith
County Manager