



Dakota County

Physical Development Committee of the Whole

Minutes

Tuesday, August 16, 2022

10:00 AM

**Conference Room L139 Western
Service Center, Apple Valley**

(or following Community Services Committee of the Whole)

1. Call To Order And Roll Call

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

Due to Chair, Commissioner Liz Workman's absence, the meeting was called to order at 10:31 a.m. by Commissioner Kathleen Gaylord.

Present

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

Absent

Chairperson Liz Workman

2. Audience

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

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

3.1 Approval of Agenda (Additions/Corrections/Deletions)

Motion: Mary Liz Holberg

Second: Laurie Halverson

Ayes: 6

4. Consent Agenda

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

Ayes: 6

Commissioner Slavik, Commissioner Gaylord, Commissioner Halverson,
Commissioner Atkins, Commissioner Holberg, and Commissioner
Hamann-Roland

4.1 Approval of Minutes Of Meeting Held On July 12, 2022

Motion: Mary Hamann-Roland

Second: Joe Atkins

4.2 Authorization To Execute Joint Powers Agreement With City Of Burnsville For
Household Hazardous Waste Drop-Off Day Event

Motion: Mary Hamann-Roland

Second: Joe Atkins

WHEREAS, by Resolution No. 18-493 (September 18, 2018), the Dakota
County Solid Waste Master Plan (Master Plan) was adopted; and

WHEREAS, the Master Plan supports the Dakota County Board of
Commissioner's desire to remove household hazardous waste (HHW) from the
solid waste stream because of health, safety, and environmental concerns; and

WHEREAS, the Master Plan includes a strategy for proper HHW management
opportunities in communities located in the County; and

WHEREAS, each year, Dakota County requests feedback on community
interest and ability to host a one-day HHW drop-off day event to promote ease
of collection in each part of the County; and

WHEREAS, Dakota County has collaborated with cities for two to four HHW
events each year since 1985 through approved joint powers agreements (JPA);
and

WHEREAS, a HHW in 2022 has been requested by the City of Burnsville; and

WHEREAS, the City of Burnsville has identified the ability to provide the
necessary facilities and resources to serve the vehicle participants.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of
Commissioners hereby authorizes the Environmental Resources Director to
execute a joint powers agreement with the City of Burnsville to conduct a
household hazardous waste event in 2022, subject to the availability of
adequate funds, subject to review by the County Risk Manager, and subject to
approval by the County Attorney's Office as to form.

This item was approved and recommended for action by the Board of
Commissioners on 8/23/2022.

4.3 Authorization To Execute Joint Powers Agreements With Cities And Dakota County Drug Task Force For Pharmaceutical Drug Collection Programs

Motion: Mary Hamann-Roland

Second: Joe Atkins

WHEREAS, the Dakota County Board of Commissioners supports public safety and protection of public health and the environment; and

WHEREAS, the nonmedical use and disposal of prescription drugs and over-the-counter medications (pharmaceuticals) are growing problems in the United States; and

WHEREAS, expired or unwanted pharmaceuticals from households have traditionally been disposed of by flushing them down the toilet or drain, which can cause pollution in wastewater and which has been demonstrated to cause adverse effects to fish and other aquatic life; and

WHEREAS, pharmaceuticals are highly susceptible to diversion, misuse, and abuse; and

WHEREAS, removing expired or unwanted pharmaceuticals from the possibility of potential abuse and keeping them out of the environment are important goals; and

WHEREAS, by Resolution No. 11-514 (October 18, 2011) the County Board authorized an interim collection program for unused, unwanted, or expired pharmaceuticals by installing drop-boxes in the cities of West St Paul and Burnsville and at the Dakota County Law Enforcement Center in Hastings; and

WHEREAS, by Resolution No. 13-042 (January 22, 2013) the County Board authorized staff to implement a pharmaceutical drug collection program (Program) for the collection and proper disposal of pharmaceuticals, including controlled substances, by installing secure drop boxes at the cities of Apple Valley, Eagan, Farmington, Inver Grove Heights, Lakeville, Mendota Heights, Rosemount, and South St. Paul to expand on the Program already in place at the Dakota County Law Enforcement Center in Hastings and at the West St. Paul and Burnsville Police Departments; and

WHEREAS, by Resolution No. 18-324 (June 19, 2018), the County Board authorized staff to continue the Program; and

WHEREAS, the Program continues to be successful, growing from collecting 1,200 pounds in 2011 to 11,800 pounds of pharmaceuticals in 2021; and

WHEREAS, the joint powers agreements that were authorized in 2018 are expiring, and the cities of Apple Valley, Burnsville, Eagan, Farmington, Inver Grove Heights, Lakeville, Mendota Heights, Rosemount, South St. Paul, and West St. Paul have expressed interest in continuing Program participation; and

WHEREAS, the Drug Task Force has expressed interest in continuing its role in the Program.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Division Director to execute separate joint powers agreements with the cities of Apple Valley, Burnsville, Eagan, Farmington, Inver Grove Heights, Lakeville, Mendota Heights, Rosemount, South St. Paul, and West St. Paul and the Dakota County Drug Task Force to continue pharmaceutical collection programs for residents, as substantially presented to the Physical Development Committee of the Whole on August 16, 2022, subject to funding levels approved by the County Board as part of the annual budget, and subject to approval by the County Attorney's Office as to form.

This item was approved and recommended for action by the Board of Commissioners on 8/23/2022.

4.4 Authorization To Execute Contract Amendment With American Cylinder, LLC For Compressed Gas Cylinder Disposal

Motion: Mary Hamann-Roland

Second: Joe Atkins

WHEREAS, Minn. Stat. § 115A.96 requires counties to have a household hazardous waste (HHW) program to help keep hazardous waste out of the solid waste stream; and

WHEREAS, the Dakota County Board of Commissioners wishes to provide an HHW program to further the goals of protecting public health and the environment; and

WHEREAS, Dakota County has an existing three-year contract with American Cylinder, LLC; and

WHEREAS, the current contract with American Cylinder, LLC, needs to be increased to \$130,000.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Division Director to amend the existing contract with American Cylinder, LLC, to a maximum payment of \$130,000, subject to approval by the County Attorney's Office as to form.

This item was approved and recommended for action by the Board of Commissioners on 8/23/2022.

4.5 Acquisition Of Conservation Easement On Bauer Property Adjacent To Spring Lake Park Reserve In Nininger Township And Authorization To Amend 2022 Environmental Resources Capital Improvement Program Budget

Motion: Mary Hamann-Roland

Second: Joe Atkins

WHEREAS, Alfred and Julie Bauer and Gordon and Cynthia Bauer (collectively Bauer) own 56.34 acres adjacent to Spring Lake Park Reserve (SLPR); and

WHEREAS, the Bauer's cooperated with the County in completing two ravine stabilization projects, including removal of solid waste from both the Bauer and park properties in early 2022; and

WHEREAS, the 2020 Land Conservation Plan for Dakota County identified 24 Preliminary Conservation Focus Areas (CFA), including the Spring Lake CFA in Nininger Township, which includes a portion of the Bauer property; and

WHEREAS, County staff proposed protecting and restoring a portion of the Bauer property that would include the ravine stabilization project area, provide a vegetative buffer between cultivated farmland and the park and additional wildlife habitat, and allow County staff to more easily access portions of SLPR for natural resource restoration and maintenance; and

WHEREAS, County staff completed, reviewed, and approved an independent appraisal of a 5.61-acre permanent natural area conservation easement (Easement) on the Bauer property in April 2022; and

WHEREAS, the Bauer's have agreed to sell the Easement for the appraised \$52,315 and contribute an estimated \$1,250 of the estimated \$12,500 restoration costs; and

WHEREAS, the estimated closing costs are \$1,000; and

WHEREAS, acquisition of the Easement and restoration is eligible for state Outdoor Heritage (OH) funding appropriated to the County by the Minnesota Legislature in 2022 (ML22); and

WHEREAS, the 2022 Environmental Resources (ER) Capital Improvement Program (CIP) budget includes adequate fund balance from Minnesota ML22 OH funds and County grant match funds for this project; and

WHEREAS, expenditure of OH funds by the County requires the County Board Chair to sign and the County to record a Notice of Funding Restriction (NOFR) for the Easement on the Bauer property if funded with OH funds; and

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

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

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the expenditure of up to \$65,815, including \$52,315 to acquire the 5.61-acre Easement on the Bauer property, an estimated \$1,000 in closing costs, and an estimated \$12,500 for restoration costs; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the PDD to execute the PA with the Bauer's to acquire the 5.61-acre Easement, subject to approval by the County Attorney's Office (CAO) as to form; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Board Chair to execute a NOFR as required for use of OH funds for acquiring the Easement on the Bauer property, subject to approval by the CAO as to form; and

BE IT FURTHER RESOLVED, That the 2022 ER CIP budget is hereby amended as follows:

Expense

Acquisition of the Easement on Bauer property (LC10081)	\$53,315
Restoration of the Bauer Easement (LC30048)	\$11,250
ML 22 OH (LC00010)	<u>(\$64,565)</u>
Total Expense	\$0

Revenue

Acquisition:

ML 22 OH Grant Funding - Bauer Acquisition (LC10081)	\$39,986
ML 22 OH County Grant Match - Bauer Acquisition (LC10081)	\$13,329
ML 22 OH Grant Funding (LC00010)	<u>(\$39,986)</u>
ML 22 OH County Grant Match (LC00010)	<u>(\$13,329)</u>
Total Revenue - Acquisition	\$0

Restoration:

ML 22 OH Grant Funding - Bauer Restoration (LC30048)	\$8,438
ML 22 OH County Grant Match - Bauer Restoration (LC30048)	\$2,812
ML 22 OH Grant Funding - Bauer Restoration (LC00010)	<u>(\$8,438)</u>
ML 22 OH County Grant Match (LC00010)	<u>(\$2,812)</u>
Total Revenue - Restoration	\$0

; and

BE IT FURTHER RESOLVED, That, following acquisition of the Easement on the Bauer property, staff will submit the necessary forms and documentation to

the State of Minnesota (State) to receive approximately \$48,424 of reimbursement funds; and

BE IT FURTHER RESOLVED, That such reimbursement from the State will be returned to the 2022 ER CIP.

This item was approved and recommended for action by the Board of Commissioners on 8/23/2022.

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4.6 Authorization To Execute \$6,066,000 State Outdoor Heritage Fund Grant Agreement For Natural Resource Protection And Restoration And Amend 2022 Environmental Resources Capital Improvement Program And Environmental Legacy Fund Budgets

Motion: Mary Hamann-Roland

Second: Joe Atkins

WHEREAS, in 2008, Minnesota residents approved the Minnesota constitutional amendment to increase the State sales and use tax rate and to dedicate this revenue to protecting, improving, and enhancing natural land and water resources, providing increased hunting and fishing opportunities, improving park and trail opportunities and facilities, and benefiting arts and preserving cultural heritage; and

WHEREAS, the 2009 Minnesota Legislature provided direction on the administration and dispersal of the dedicated revenue through various agencies and grant programs, including the Lessard-Sams Outdoor Heritage Council (LSOHC); and

WHEREAS, the County has previously submitted funding proposals to the LSOHC and a total of \$13.57 million of Outdoor Heritage (OH) funds have been appropriated by the Minnesota Legislature (ML) to the County for acquisition and restoration between 2009 and 2021; and

WHEREAS, protection, restoration, and enhancement of environmentally sensitive and priority natural areas owned by the County, other public entities, and private landowners provide multiple public benefits and are a priority for the Dakota County Board of Commissioners, as demonstrated in the approved County Park and Greenway Master Plans and associated Natural Resource Management Plans, and the Land Conservation (LC) Plan for Dakota County; and

WHEREAS, the LSOHC requested OH funding proposals for State fiscal year 2023 for 2022 Minnesota Legislature (ML22) review and approval; and

WHEREAS, staff developed an \$8.1 million ML22 OH funding request matched by \$1,570,000 of County funds that emphasized: 1) restoration of County-owned lands, other publicly owned lands within Regional Greenway corridors and Conservation Focus Areas (CFA), and existing and new conservation easements (Easements) on private land; and 2) acquisition of Easement and/or fee title within Regional Greenways, CFAs, and other significant areas described in the LC Plan; and

WHEREAS, by Resolution No. 21-265 (May 18, 2021), the County Board of Commissioners authorized the submission of a ML22 OH grant request to the LSOHC; and

WHEREAS, the LSOHC reviewed the County's proposal and included

\$6,060,000 of funding for the County in its recommendations to the ML22; and

WHEREAS, the ML22 approved and appropriated \$6,066,000 of OH funds to the commissioner of natural resources [ML 2022, Ch. 77, Art. 1, Sec. 2, subd. 5(a) Habitat Protection in Dakota County, Phase VIII] for an agreement with the County for the acquisition of permanent easements fee title and enhancement and restoration of aquatic and associated upland habitat in Dakota County; and

WHEREAS, the LSOHC approved the “Dakota County Habitat Protection/Restoration Phase VIII” Accomplishment Plan at its June 22, 2022, meeting; and

WHEREAS, the ML22 OH grant agreement is administered by the Minnesota Department of Natural Resources (DNR) and requires a County Board resolution attesting that the County act as the grantee for the grant; has the financial capability to complete the projects by June 30, 2027, or five years after acquisition, whichever is later; will comply with all laws and regulations; and authorizes execution of the agreement; and

WHEREAS, the 2022 Environmental Resources (ER) Capital Improvement Program (CIP) budget was approved based on \$5.2 million of OH funds being requested and matched by \$1.4 million of County funds; and

WHEREAS, a 2022 ER CIP budget amendment is required based on the final ML22 appropriation and reduced County funding match.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute the ML22 OH Grant Agreement [ML 2022, Ch. 77, Art. 1, Sec. 2, subd.5(a) Habitat Protection in Dakota County, Phase VIII] with the DNR for habitat protection and restoration/enhancement projects in Dakota County, subject to approval by the County Attorney’s Office as to form; and

BE IT FURTHER RESOLVED, That Dakota County hereby attests that it has the financial capability to ensure adequate completion of the habitat protection projects and certifies that it will comply with all applicable laws and regulations as stated in the ML22 OH Grant Agreement; and

BE IT FURTHER RESOLVED, That the County of Dakota shall act as the grantee for the ML22 OH Grant Agreement for habitat protection and restoration projects in Dakota County; and

BE IT FURTHER RESOLVED, That the 2022 Environmental Resources CIP is hereby amended as follows:

Expense

Land Acquisition and Restoration/Enhancement \$570,246

Total Expense	\$570,246
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Revenue

ML22 OH Grant Funds	\$830,000
County Match to ML22 OH Funds(ELF)	<u>(\$259,754)</u>
Total Revenue	\$570,246

; and

BE IT FURTHER RESOLVED, That the 2022 Environmental Legacy Fund is hereby amended as follows:

Revenue

Reimburse Env. Resources CIP	\$259,754
Use of ELF Fund Balance	<u>(\$259,754)</u>
Total Revenue	\$0

This item was approved and recommended for action by the Board of Commissioners on 8/23/2022.

4.7 Authorization To Revise Access Easement On McCoy Property Adjacent To Miesville Ravine Park Reserve In Douglas Township

Motion: Mary Hamann-Roland

Second: Joe Atkins

WHEREAS, by Resolution No. 07-549 (November 27, 2007), the County Board of Commissioners authorized acquisition of a permanent agricultural conservation easement (Agricultural Easement) from the Trust; and

WHEREAS, as part of the negotiated agreement, the Trust granted and conveyed a 16-foot wide, permanent access railway easement (Access Easement) to the County on portions of the property within and outside of the Agricultural Easement area filed in the office of Dakota County Recorder as Document No. 2564115 on January 3, 2008; and

WHEREAS, this Access Easement was limited for use by County staff and their agents and maintenance vehicles for the purpose of natural resource management, construction, repair, and replacement within Miesville Ravine Park Reserve; and

WHEREAS, the Access Easement was not for use by the general public unless permission was granted by the Trust; and

WHEREAS, the Trust property was subsequently sold to Randall E. McCoy, who recently requested that the Access Easement be relocated to accommodate a planned parcel subdivision and sale of a portion of the property to Kimberly A. and Andrew C. Sandness and the planned construction of a new house outside of the Agricultural Easement; and

WHEREAS, County staff worked with Mr. McCoy and the Sandesses to revise the terms and select a new location for the Access Easement.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby accepts a revised Access Easement that preserves the intent and purpose and new location of the existing access easement from Randall E. McCoy, subject to approval by the County Attorney's Office as to form.

This item was approved and recommended for action by the Board of Commissioners on 8/23/2022.

4.8 Scheduling Of Public Hearing For Program Year 2021 Consolidated Annual Performance And Evaluation Report

Motion: Mary Hamann-Roland

Second: Joe Atkins

WHEREAS, the Dakota County Community Development Agency (CDA) administers the Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), and Emergency Solutions Grant (ESG) Programs on behalf of Dakota County as the grantee; and

WHEREAS, the CDBG, HOME, and ESG Programs are guided by federal regulations, the Five-Year Consolidated Plan that outlines Dakota County's strategies and objectives, and the Annual Action Plan that serves as the annual planning document allocating CDBG, HOME, and ESG funds to local governments and housing providers via approved activities; and

WHEREAS, the federal government requires submission of a year-end report, the Consolidated Annual Performance and Evaluation Report (CAPER), to be submitted to the U.S. Department of Housing and Urban Development (HUD) no later than 90 days after the end of the program year; and

WHEREAS, the CAPER is an evaluation of the prior program year, detailing financial expenditures, persons assisted, and activity outcomes; and

WHEREAS, the CAPER must be available for citizens to comment on before its submission to HUD; and

WHEREAS, the draft CAPER report will be made available to the public on the CDA and Dakota County websites, and the public may request written copies of the CAPER by contacting the CDA at its offices at 1228 Town Centre Drive, Eagan, Minnesota; and

WHEREAS, CDA and County staff recommend scheduling a public hearing on September 20, 2022, on or after 9:00 a.m. at the Dakota County Administration Center in Hastings regarding the Program Year 2021 CAPER.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby schedules a public hearing on September 20, 2022, at 9:00 a.m. in the Boardroom, Administration Center, 1590 Highway 55, Hastings, Minnesota, to receive comments on the Program Year 2021 Consolidated Annual Performance and Evaluation Report; and

BE IT FURTHER RESOLVED, That the staff of Dakota County is hereby authorized and directed to coordinate with Dakota County Community Development Agency staff to publish the public hearing notice in the *Star Tribune* and post said notice on the Dakota County Community Development Agency website at www.dakotacda.org <<http://www.dakotacda.org>> and the Dakota County website at www.co.dakota.mn.us <<http://www.co.dakota.mn.us>>.

This item was approved and recommended for action by the Board of Commissioners on 8/23/2022.

4.9 Approval Of Grant Application Submittals To Safe Streets and Roads for All (SS4A) For Rural Intersection Improvements And Trail Gaps In Burnsville Center Village Redevelopment

Motion: Mary Hamann-Roland

Second: Joe Atkins

WHEREAS, U.S. Department of Transportation is requesting project submittals for federal funding under the Safe Streets and Roads for All Discretionary Grant Program through the Bipartisan Infrastructure Law; and

WHEREAS, these federal programs fund up to 80 percent of project construction costs; and

WHEREAS, federal funding of projects reduces the burden local taxpayers for regional improvements; and

WHEREAS, non-federal funds must be at least 20 percent of the project costs; and

WHEREAS, project submittals are due on September 15, 2022; and

WHEREAS, all proposed rural intersection projects are consistent with the rural road intersection assessment and adopted Dakota County 2040 Transportation Plan; and

WHEREAS, all County highway trail gaps included in the City of Burnsville's proposal are consistent with the Dakota County Pedestrian and Bicycle Study and adopted Dakota 2040 Transportation Plan; and

WHEREAS, subject to federal funding award, the Dakota County Board of Commissioners would be asked to consider authorization to execute a grant agreement at a future meeting.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the County to submit rural road intersections improvement for the Safe Streets and Roads for All Grant Program for federal funding and recommended infrastructure improvements; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby supports the City of Burnsville's Safe, Equitable, and Multimodal Access to the Burnsville Center Village Redevelopment submission to the Safe Streets and Roads for All Grant Program for federal funding for trail gaps around Burnsville Center Village redevelopment area including trails along County State Aid Highway (CSAH) 5 and CSAH 42.

This item was approved and recommended for action by the Board of Commissioners on 8/23/2022.

4.10 Update On Dakota County Plat Needs Map

Motion: Mary Hamann-Roland

Second: Joe Atkins

Information only; No action requested.

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4.11 Scheduling Of Public Hearing To Receive Comments On Proposed Amendments To Ordinance 128: Water Surface Use Ordinance Regulating Lake Byllesby Reservoir

Motion: Mary Hamann-Roland

Second: Joe Atkins

WHEREAS, by Resolution No. 03-208 (April 22, 2003), the Dakota County Board of Commissioners adopted Dakota County Ordinance 128 to regulate the surface use of the waters of Lake Byllesby to promote the health, safety, and welfare of all persons using the lake, as well as to protect the lands surrounding the lake from damage during high water conditions; and

WHEREAS, Dakota County has designed and constructed a new recreational river access area below the Byllesby Dam, introducing new use to the site; and

WHEREAS, amendments to Ordinance 128 are required to prohibit surface water access to the Byllesby Dam in the interest of personal safety and homeland security; and

WHEREAS, the proposed amendments clarify the extent of surface water restrictions above and below the dam, and staff are also using this opportunity to make technical corrections and propose additional updates to improve formatting and clarity of the ordinance for ease of understanding, interpretation, and enforcement; and

WHEREAS, Minn. Stat. § 86B.205, subd. 2(b) states that if a body of water is located within more than one county, a water surface use ordinance is not effective until adopted by the county boards of all counties where the body of water lies, and because the waters of Lake Byllesby and the Cannon River are wholly located within the boundaries of both Dakota and Goodhue Counties, the two Counties must enact a single, uniform ordinance; and

WHEREAS, Goodhue County has reviewed the proposed amendments and is proceeding with public review and consideration by the Goodhue County Board of Commissioners on a similar timeframe as Dakota County; and

WHEREAS, Minnesota counties must comply with the Water Surface Management Standards found in Minnesota Statutes Chapter 86B and Minnesota Rules 6110.3700 when formulating any ordinance which may affect the use of watercraft on surface waters within the State of Minnesota; and

WHEREAS, the Minnesota Department of Natural Resources has reviewed the proposed amendments for compliance with State requirements.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby schedules a public hearing for 9:00 a.m. on September 6, 2022, in the Boardroom of the Dakota County Administration Center, 1590 Highway 55, Hastings, Minnesota, to receive comments on the proposed

amendments to Dakota County Ordinance 128: Water Surface Use Ordinance
Regulating Lake Byllesby Reservoir.

This item was approved and recommended for action by the Board of
Commissioners on 8/23/2022.

5. Regular Agenda

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5.1 Authorization To Update School Zone Speed Limits Along County State Aid Highway 28 At Simley High School In Inver Grove Heights And County State Aid Highway 30 (Diffley Road) Adjacent To Eagan Area Schools

Motion: Joe Atkins

Second: Laurie Halverson

Kristi Sebastian, Traffic Engineer, presented this item and responded to questions.

WHEREAS, to provide a safe and efficient transportation system, Dakota County designs and operates traffic control devices in accordance with the Minnesota Manual on Uniform Traffic Control Devices (MMUTCD); and

WHEREAS, school zone speed limits can be effective in promoting pedestrian safety in school zones adjacent to County Highways; and

WHEREAS, Minn. Stat. § 169.14 Subd. 5a enables local authorities to establish speed limits within a school zone of a public or non-public school upon the basis of an engineering and traffic investigation as prescribed by the Commissioner of Transportation; and

WHEREAS, the placement of signage for a school zone speed limit must comply with the MMUTCD; and

WHEREAS, a school speed limit shall not be lower than 15 miles per hour and shall not be more than 30 miles per hour below the established speed limit on an affected street or highway based on results of the prescribed engineering investigation; and

WHEREAS, effective school zone speed limits consider the roadway design elements and area conditions to gain compliance with the established speed to maximize driver compliance and safety; and

WHEREAS, Roadway improvements were recently implemented along both County State Aid Highway (CSAH) 28 (80th Street) near Boyd Road adjacent to Simley High School in Inver Grove Heights and along County State Aid Highway (CSAH) 30 (Diffley Road) from west of Daniel Drive to east of Braddock Trail in Eagan; and

WHEREAS, implementation of an updated school zone speed limit based on the engineering and traffic investigations at both Simley High School and the Diffley Road School Area is desired as a tool to enhance safety; and

WHEREAS, Independent School District 199, the City of Inver Grove Heights, and Dakota County worked together to improve pedestrian safety, including engaging in the development of a safe route to school study, development of a route plan, and implementation of safety enhancements and education for the crossing of CSAH 28 at Boyd Avenue adjacent to Simley High School; and

WHEREAS, the engineering investigation for the establishment of a legal school speed zone that maximizes safety was prepared and recommended for CSAH 28, 80th Street of 25 miles per hour in the vicinity of Boyd Avenue; and

WHEREAS, Independent School District 196, the City of Eagan, and Dakota County collaborated on a Safe Route to School study, following the roadway changes in the area and education effort plus school guards to improve school crossing; and

WHEREAS, an engineering investigation was conducted for each roadway based on the implemented improvements to establish an updated legal school speed zone that maximized safety; and

WHEREAS, the school zone speed limit, in conjunction with a sound school route plan, school zone hazard evaluation and correction, pedestrian education, and enforcement, can effectively promote pedestrian safety in school zones.

NOW, THEREFORE, BE IT RESOLVED, That the County Engineer is hereby authorized to establish and place signage creating a school zone speed limit of 25 miles per hour on County State Aid Highway 28 (80th street) focused around the crossing at Boyd Avenue, in the City of Inver Grove Heights in accordance with the Minnesota Manual On Uniform Traffic Control Devices based upon the School Route Plan for the area established by Independent School District 199, the findings of prescribed engineering investigation required per Minn. Stat. § 169.14 Subd. 5a, and recognizing implementation of roadway, school enhancements, and education that was put in place based on the Safe Route To School Report and School Area Travel Safety study completed in fall 2021, consistent with the investigation; and

BE IT FURTHER RESOLVED, That the County Engineer is hereby authorized to retain the school zone speed limit of 30 miles per hour on County State Aid Highway (CSAH) 30 (Diffley Road) between CSAH 43 (Lexington Avenue) and Dodd Road, in the City of Eagan in consideration of the project updated completed in fall 2021 and in accordance with the Minnesota Manual On Uniform Traffic Control Devices based upon the School Route Plan for the area established by Independent School District 196, the findings of prescribed engineering investigation required per Minn. Stat. § 169.14 Subd. 5a, and implementation of recommended corrective actions required by the investigation.

This item was approved and recommended for action by the Board of Commissioners on 8/23/2022.

Ayes: 6

5.2 Overview Of Preliminary Draft Dakota County 2023 Capital Improvement Program

Georg Fischer, Physical Development Director, and Erin Stwora, Deputy Director presented this item and responded to questions.

The following people were in the audience and also spoke to this item:

Jay Biedny, Capital Projects Manager
Taud Hoopingarner, Parks, Facilities, and Fleet Director
Erin Laberee, Transportation Director/County Engineer
Gina Mitteco, Regional and Multi-Modal Transportation Manager

Staff provided an overview of the draft Physical Development 2023-2027 Capital Improvement Program (CIP). Staff provided a recommendation for a funding formula for the County share of Greenway Projects. This recommendation was based on an analysis of current approved uses of the Environmental Legacy Fund and statutory language and federal guidelines related to the Sales and Use Tax revenues. The Physical Development Committee supported the proposed 85% Sales and Use Tax and 15% Environmental Legacy Fund formula for budgeting purposes. In addition, the Physical Development Committee provided guidance to keep projects that were dependent on external funding which was not realized within the CIP for two years, followed by a discussion on whether or not the project should remain. Staff will continue to develop the CIP and present a draft for consideration and public comment on September 20, 2022.

Information only; no action requested.

5.3 Update And Discussion Of Proposed Transit Investments In Capital Improvement Program

Gina Mitteco, Regional and Multi-Modal Transportation Manager, presented this item and responded to questions.

Staff provided an overview of the three projects currently planned for Transit investments within the 2023-2027 Capital Improvement Program (CIP). Based on discussion, Off-system Bus pads will be removed from the draft CIP. Projects related to the DARTS loops project will be brought before the PDC to provide additional details and have additional discussion prior to entering into any agreements.

Information only; no action requested.

6. Physical Development Director's Report

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

7. Adjournment

7.1 Adjournment

Motion: Mary Hamann-Roland

Second: Mike Slavik

On a motion by Commissioner Mary Hamann-Roland, seconded by
Commissioner Mike Slavik, the meeting was adjourned at 12:07 p.m.

Ayes: 6

Respectfully submitted,

Liz Hansen
Administrative Coordinator

DRAFT