



# Dakota County

## Board of Commissioners

### Minutes

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Tuesday, September 20, 2022

9:00 AM

Boardroom, Administration Center,  
Hastings, MN

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

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.

**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

#### 2. Pledge Of Allegiance

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

#### 3. Audience

Chair Gaylord noted that all public comments can be sent to [CountyAdmin@co.dakota.mn.us](mailto:CountyAdmin@co.dakota.mn.us). Several people were in attendance and the following people came forward to address the Board:

Twilla Hicks representing AFSCME Local 450 (Labor Negotiations)  
Rebekah Radiske representing AFSCME Local 306 (Labor Negotiations)  
Susan Stoeffel representing AFSCME Local 693 (Labor Negotiations)  
Josh Loahr representing Teamsters Local 320 (Labor Negotiations)  
Sue Holman-Sotich, Mendota Heights (Elections/Social Media)  
Heidi Flodin, Burnsville (Elections)

#### 4. Agenda

- 4.1** Resolution No: 22-385  
Approval of Agenda (Additions/Corrections/Deletions)

Motion: Mary Hamann-Roland

Second: Mike Slavik

The agenda was approved with this amendment.

Item 14.1 Authorization To Release Draft 2023-2027 Capital Improvement Program For Formal Review, was pulled from the agenda and will be brought

back to the General Government and Policy Committee on October 4, 2022 for additional discussion.

Ayes: 7

## **5. Public Hearing**

### **5.1 Resolution No: 22-387**

Public Hearing To Receive Comments And Approve Dakota County Program Year 2021 Consolidated Annual Performance And Evaluation Report

Motion: Joe Atkins

Second: Mike Slavik

The time being 9:33 a.m., and pursuant to public notice, a public hearing was conducted for the purpose of receiving comments on Dakota County Program Year 2021 Consolidated Annual Performance And Evaluation Report. Director of Community and Economic Development with CDA, Lisa Alfson briefed this item and the Public Hearing was opened. There were no comments received. The Public Hearing was unanimously closed at 9:34 a.m. (Resolution No. 22-386).

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; and

WHEREAS, the CDBG, HOME, and ESG Programs are guided by federal regulations, the Five-Year Consolidated Plan that outlines the 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 regulations require a year-end report called the Consolidated Annual Performance and Evaluation Report (CAPER) be submitted to the U.S. Department of Housing and Urban Development 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 also details the progress of the CDA, local governments, and housing providers in implementing the housing and community development strategies, projects, and activities identified in the Annual Action Plan; and

WHEREAS, public notice for comments on the Dakota County Program Year 2021 CAPER was placed in the *Star Tribune* on August 24, 2022, and on the CDA and Dakota County websites along with the draft CAPER document; and

WHEREAS, public notice for the public hearing for the Dakota County Program Year 2021 CAPER was placed in the *Star Tribune* on September 8, 2022, and

on the CDA and Dakota County websites along with the draft CAPER document; and

WHEREAS, no public comments were received on the CAPER document.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby conducts 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 Dakota County Program Year 2021 Consolidated Annual Performance and Evaluation Report to the U.S. Department of Housing and Urban Development; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby approves the submission of the Dakota County Program Year 2021 Consolidated Annual Performance and Evaluation report to the U.S. Department of Housing and Urban Development no later than September 28, 2022.

Ayes: 7

### **CONSENT AGENDA**

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

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

- 6.1** Resolution No: 22-388  
Approval of Minutes of Meeting Held on September 6, 2022

Motion: Mary Hamann-Roland

Second: Laurie Halverson

Ayes: 7

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

- 7.1** Resolution No: 22-389  
Scheduling Of 2023 County Board/Committee Of The Whole Meetings,  
Workshops And Public Hearings

Motion: Mary Hamann-Roland

Second: Laurie Halverson

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby adopts the following 2023 County Board/Committees of the Whole meeting schedule:

##### **County Board**

January 3, 24  
February 7, 28  
March 14, 28  
April 11, 25  
May 9, 23  
June 6, 20  
July 18  
August 1, 29

September 12, 26  
October 10, 24  
November 14, 28  
December 19

**General Government and Policy (GGP) Committee**

January 3  
February 7  
March 14  
April 11  
May 9  
June 6  
July 18  
August 1  
September 12  
October 10  
November 28  
December 19

**Community Services/Physical Development Committee**

January 10  
February 21  
March 21  
April 18  
May 16  
June 13  
July 11  
August 22  
September 19  
October 17  
November 21  
December 12

; and

BE IT FURTHER RESOLVED, That the location of the Board/Committee of the Whole meetings shall be scheduled as follows:

- All County Board meetings will be held at 9:00 a.m. in the Boardroom, Administration Center, in Hastings.
- General Government and Policy (GGP) Committee meetings will be held at 9:30 a.m. (or following the County Board meeting) in Conference Room 3A, Administration Center in Hastings.
- Community Services (9:00 a.m.) and Physical Development (at 10:00 a.m. or following). Committee meetings will be held in Conference Room L139, Western Service Center in Apple Valley.

; and

BE IT FURTHER RESOLVED, That the County Board will hold Special General Government and Policy meetings that will be held at 10:30 a.m. (or following the Committee meetings) in Conference Room L139, Western Service Center in Apple Valley, on the following dates during the Legislative session to discuss legislative topics:

February 21, March 21, April 18, May 16  
; and

BE IT FURTHER RESOLVED, That the County Board will hold a Special County Board meeting on Tuesday, August 8, 2023 at 10:00 a.m., Dakota County Fairgrounds, 4008 220th Street West, Farmington; and

BE IT FURTHER RESOLVED, That County Board workshops to discuss the 2024 budget are hereby scheduled as follows:

June 20, 2023	10:00 a.m. or following County Board
August 29, 2023	10:00 a.m. or following County Board
November 13, 2023	9:00 a.m.
November 14, 2023	10:00 a.m. or following County Board
November 16, 2023	9:00 a.m.

; and

BE IT FURTHER RESOLVED, That a public hearing is hereby scheduled for November 28, 2023, at 9:00 a.m., in the Boardroom, Administration Center, Hastings, Minnesota, to receive comments on the 2024-2028 Capital Improvement Program; and

BE IT FURTHER RESOLVED, That a public meeting is hereby scheduled for November 28, 2023, at 6:00 p.m., in the Boardroom, Administration Center, Hastings, Minnesota, to receive input on the 2024 levy and budget.

Ayes: 7

**7.2 Resolution No: 22-390**  
**Approval Of 2023 Medical Plans And Premium Rates**

Motion: Mary Hamann-Roland

Second: Laurie Halverson

WHEREAS, PreferredOne has administered the County's self-funded medical plan since January 2013; and

WHEREAS, proposed premium rates for 2023 have been identified, taking into account utilization and claims experience of the three Plans, medical trends, Affordable Care Act fees, and administrative expenses; and

WHEREAS, self-funded medical plan expenses projected for 2023 result in a rate increase of 6.5 percent increase in the Advantage Plan, 4.9 percent increase in the Select Plan, and 4 percent increase in the HSA plan.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the rate increase of 6.5 percent for the Dakota Advantage Plan, 4.9 percent increase in the Dakota Select Plan, and 4 percent increase for the Dakota Health Savings Account Plan.

Ayes: 7

**7.3** Resolution No: 22-391

Authorization To Accept Rates For 2023 Group Short-Term Disability Benefits

Motion: Mary Hamann-Roland

Second: Laurie Halverson

WHEREAS, the employee-paid Short-term Disability plan expenses projected for 2023 results in no rate change for all elimination period 8-day, 15-day, 30-day and 75-day option.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the 2023 Short-term Disability plan rates.

Ayes: 7

**7.4** Resolution No: 22-392

Adoption Of Dakota County All Hazard Mitigation Plan

Motion: Mary Hamann-Roland

Second: Laurie Halverson

WHEREAS, the Disaster Mitigation Act of 2000 requires counties and cities to prepare an All-Hazard Mitigation Plan (Plan) every five years; and

WHEREAS, plans must address potential natural and manmade hazard and develop mitigation strategies to reduce the impacts of hazard events both in dollars and lives saved; and

WHEREAS, counties and cities must have an approved and adopted a Plan to be eligible for both federal disaster relief and mitigation project grant dollars; and

WHEREAS, the first Plan was approved by the Minnesota Department of Homeland Security and Emergency Management (MNHSEM) and the Federal Emergency Management Agency (FEMA) in 2006 and the was updated again in 2011 and 2017; and

WHEREAS, since late 2020, Dakota County staff has been coordinating the required five-year update to the Plan with the 14 urban and six rural cities of Dakota County; and

WHEREAS, each city is required to participate, develop their own mitigation strategies and adopt the Plan as their own once conditionally approved by MNHSEM and FEMA; and

WHEREAS, by Resolution No. 22-069 (February 22, 2022), the Dakota County Board of Commissioners authorized the submission of a draft All Hazard Mitigation Plan to MNHSEM and FEMA for initial review and to place the draft Plan on the Dakota County website for a 45-day public comment period; and

WHEREAS, the Plan received conditional approval by MNHSEM and FEMA on August 4, 2022.

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

Commissioners hereby supports the hazard mitigation planning effort and wishes to adopt the 2022 update to the Dakota County All-Hazard Mitigation Plan; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby directs staff to coordinate with the 14 urban and 6 rural cities of Dakota County on preparation of resolutions to adopt the Plan for submittal to Minnesota Department of Homeland Security and Emergency Management (MNHSEM) and the Federal Emergency Management Agency (FEMA).

Ayes: 7

**7.5** Resolution No: 22-393

Authorization To Execute Contracts For Interpretation And Translation Services

Motion: Mary Hamann-Roland

Second: Laurie Halverson

WHEREAS, Dakota County requires interpretation and translation services to meet the needs of residents who have Limited English Proficiency, or who are deaf or hard of hearing; and

WHEREAS, a Request for Proposal (RFP) was issued on May 31, 2022, to solicit proposals for the purchase of interpretation and translation services; and

WHEREAS, twenty-five proposals were received, and the selection team thoroughly reviewed all proposals to determine which proposals best met the selection criteria; and

WHEREAS, seventeen (17) vendors have been recommended to receive contracts for interpretation and translation services, eight (8) of these vendors are currently under contract with Dakota County for these services; and

WHEREAS, criteria included capacity and proven experience providing general, corrections, probation, and medical interpretation; and

WHEREAS, vendors are required to hire qualified interpreters who have been screened for cultural competency and tested for language proficiency, enforce a Code of Ethics and Competency Standards, conduct criminal background checks for all interpreters prior to their receiving an assignment in Dakota County, and be Health Insurance Portability and Accountability (HIPAA) compliant; and

WHEREAS, staff recommends execution of contracts with Andean Consulting Solutions International, LLC DBA ACSI Translations; Accurate Translation Bureau DBA Accutrans; Ad Astra Inc; All in One Translation Agency, LLC; ASL Interpreting Services, Inc. (ASLIS); Stuart B Consultants DBA Birnbaum Interpreters; Effectiff, LLC; Fox Translation Services; Idea Language Services, LLC; INGO International; Itasca Corporation; Kim Tong Translation Services, Inc.; Language Line Services, Inc.; Middle English Interpreting; The Minnesota Language Connection; Propio LS, LLC; and Telelanguage for the period of

January 1, 2023 through December 31, 2027.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to execute contracts for interpretation and translation services to meet the needs of residents who have Limited English Proficiency, or who are deaf or hard of hearing with Andean Consulting Solutions International, LLC DBA ACSI Translations; Accurate Translation Bureau DBA Accutrans; Ad Astra Inc; All in One Translation Agency, LLC; ASL Interpreting Services, Inc. (ASLIS); Stuart B Consultants DBA Birnbaum Interpreters; Effectiff, LLC; Fox Translation Services; Idea Language Services, LLC; INGO International; Itasca Corporation; Kim Tong Translation Services, Inc.; Language Line Services, Inc.; Middle English Interpreting; The Minnesota Language Connection; Propio LS, LLC; and Telelanguage for the period of January 1, 2023 through December 31, 2027, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That these contracts shall contain a provision that allows the County to immediately terminate the contracts 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 contracts, within the amount budgeted, to alter the types and amount of services provided, and contract term, consistent with County contracting policies, subject to approval by the County Attorney's Office as to form.

Ayes: 7

**7.6** Resolution No: 22-394  
Authorization To Amend 2022 Social Services Budget And Add 1.0 Full-Time Equivalent Social Worker Position

Motion: Mary Hamann-Roland

Second: Laurie Halverson

WHEREAS, state funding for adult protection services, in the amount of three (3) million dollars is allocated annually to support the county's duties for protective services and investigation services under Minnesota Statutes, section 626.557 for reports of suspected maltreatment of vulnerable adults received from the Minnesota Adult Abuse Reporting Center (MAARC); and

WHEREAS, allocations are administered under Minn. Stat. § 256M.40, Vulnerable Adult Act Children's and Adults Act (VCAA) formula; and

WHEREAS, Dakota County's State Fiscal Year (SFY) 2022 Adult Protection Services (APS) allocation under Minn. Stat. § 256M.40 is \$184,912; and

WHEREAS, Dakota County is required to spend the allocation on APS; and



WHEREAS, Dakota County is processing increased volume and complexity of adult protection reports; and

WHEREAS, the Social Services Department requests to add 1.0 full-time equivalent social worker and purchase of service budget to fulfill State grant requirements and meet community needs.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to add 1.0 full-time equivalent (FTE) social worker for purposes of providing expanded adult protection services; and

BE IT FURTHER RESOLVED, That the 2022 Social Services Budget is hereby amended as follows:

**Expense**

1.0 FTE Social Worker, 4 months	\$ 27,560
Purchase of Services	<u>\$156,440</u>
<b>Total Expense</b>	<b>\$184,000</b>

**Revenue**

Program Revenue	<u>\$184,000</u>
<b>Total Revenue</b>	<b>\$184,000</b>

Ayes: 7

- 7.7** Resolution No: 22-395  
Ratification Of Minnesota Department Of Human Services Combined Mobile Crisis Services And Home And Community Based Services Medical Assistance Percentage Grant Application, And Authorization To Accept Grant Funds And Execute Grant Agreement

Motion: Mary Hamann-Roland

Second: Laurie Halverson

WHEREAS, Dakota County operates a crisis services continuum that meets the requirements of Minn. Stat. § 256B.0944, Minn. Stat. § 256B.0624, and 245I; and

WHEREAS, the Department of Human Services (DHS) administers State and federal funds through grant agreements for the provision of mental health crisis services in accordance with Minn. Stat. § 256B.0944, Minn. Stat. § 256B.0624 and 245I; and

WHEREAS, by Resolution No.18-363 (July 17, 2018), the Dakota County Board of Commissioners authorized staff to apply for and execute grant agreements with DHS for crisis grant funds for the provision of mental health crisis services

in accordance with Minn. Stat. § 256B.0944 and Minn. Stat. § 256B.0624 and subsequently, grant agreements, and amendments for crisis services, were executed for CY 2019, 2020, 2021, and 2022; and

WHEREAS, DHS requires that counties submit an application for calendar year 2023 and 2024 for mobile crisis services; and

WHEREAS, by Resolution No. 21-461 (September 21, 2021) and by Resolution No. 21-618 (December 14, 2021), the Dakota County Board of Commissioners authorized adding 17.0 new full-time equivalents (FTEs) to Dakota County's crisis continuum team to meet community needs, in preparation for having an actionable plan when DHS funding was available; and

WHEREAS, staff will prepare and submit grant applications for crisis services funding to meet DHS submission requirements.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby ratifies the Combined Mobile Crisis Services and Home and Community Based Services Medical Assistance Percentage Grant Application submission to the Minnesota Department of Human Services for calendar years (CY) 2023 and 2024, and State Fiscal Years (SFY) 2022, 2023, and 2024 for a total grant amount of up to \$5,000,000; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to accept the grant funds, and execute the mobile crisis grant agreement for CY 2023 and 2024, and State Fiscal Years (SFY) 2022, 2023, and 2024, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That unless the grant program requirements change, the Community Services Director is hereby authorized to amend the grant to alter the grant term, accept additional grant funds, and continue grant-funded full-time equivalent(s) (if relevant), consistent with County contracting policies, and inclusion of grant funds in the future yearly recommended and approved budgets, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the Community Services Director is hereby authorized to execute the mobile crisis grant renewal contract for CY 2023 and 2024, and State Fiscal Years (SFY) 2022, 2023, and 2024, in the amount of the grant awarded, subject to approval by the County Attorney's Office as to form.

Ayes: 7

- 7.8** Resolution No: 22-396  
Adoption Of Natural Resource Management Plan For North Creek Greenway

Motion: Mary Hamann-Roland

Second: Laurie Halverson

WHEREAS, by Resolution No. 17-274 (May 23, 2017), the County Board adopted the Natural Resources Management System Plan, which determined that Natural Resource Management Plans (NRMPs) would be developed for all County Parks, Greenways, and Easements; and

WHEREAS, Stantec was hired to develop the Lake Marion and North Creek Greenway NRMPs, and it addresses natural resource management on non-County lands in proximity to the Greenway; and

WHEREAS, a Technical Advisory Committee consisting of staff from host communities, other agencies, and major landowners convened on January 7, 2022, to discuss future development and natural resource management on these lands; and

WHEREAS, the Dakota County Planning Commission reviewed the Lake Marion and North Creek Greenway NRMP Study Areas and initial findings on July 22, 2021, then reviewed the recommendations, restoration work plan, and proposed cost-share structure and recommended the Drafts be released to the public on February 24, 2022; and

WHEREAS, by Resolution No. 22-122 (March 22, 2022), the County Board approved the release of the Drafts to the public for a 60-day review period; and

WHEREAS, during the public review period, County staff presented and solicited feedback from municipal citizen advisory boards and two Public Open Houses; and

WHEREAS, the Dakota County Planning Commission reviewed the final Draft of the North Creek Greenway NRMP and recommended the adoption of the Plan on August 25, 2022.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby adopts the North Creek Greenway Natural Resources Management Plan.

Ayes: 7

**7.9** Resolution No: 22-397

Authorization To Submit Grant Applications To Federal Railroad Authority For Infrastructure Investment And Jobs Act Railroad Crossing Elimination Grant For Funding To Remove Or Improve Railroad Crossings

Motion: Mary Hamann-Roland

Second: Laurie Halverson

WHEREAS, to promote a safe and efficient transportation system throughout Dakota County, the County pursues transportation funding through external sources to address priority transportation needs; and

WHEREAS, the Federal Railroad Authority is requesting project submittals for the Railroad Crossing Elimination (RCE) grant allocated by the Infrastructure Investment and Jobs Act that is funded with \$573,264,000 in federal funding; and

WHEREAS, the RCE grants provide funding for highway-rail and pathway-rail grade crossing improvement projects that focus on improving the safety and mobility of people and goods; and

WHEREAS, the RCE grant funds up to 80 percent of project construction costs; and

WHEREAS, application submittals are due on October 4, 2022; and

WHEREAS, all projects proposed are consistent with the adopted Dakota County Comprehensive 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 approves the following County led projects for submittal to Infrastructure Investment and Jobs Act for federal funding:

- 1) Mississippi River Greenway along Pine Bend Trail in Rosemount
- 2) Minnesota River Greenway in Fort Snelling State Park at the Union Pacific railroad crossing in Eagan

Ayes: 7

**7.10 Resolution No: 22-398**

Authorization To Execute Jurisdictional Transfer Agreement, County State Aid Highway 9 And Accept Quit Claim Deed For Right Of Way From City Of Lakeville

Motion: Mary Hamann-Roland

Second: Laurie Halverson

WHEREAS, Dakota County's 2040 Transportation Plan identifies a portion of County State Aid Highway (CSAH) 9 (Dodd Boulevard) between Hayes Avenue and CSAH 31 (Pilot Knob Road) as a turnback to the City of Lakeville; and

WHEREAS, Dakota County's 2040 Transportation Plan identifies 179th Street W between Hayes Avenue and CSAH 31 (Pilot Knob Road) as a future County Highway; and

WHEREAS, the County State Aid Screening Board awarded Dakota County an additional 39.6 miles of CSAHs to be added to Dakota County's State Aid Highway System in the fall of 2012; and

WHEREAS, Minn. Stat. § 163.11 Subdivision 5 and 9 authorize the County Board to transfer jurisdiction and ownership of a County highway to another road authority upon agreement; and

WHEREAS, the Transportation Director/County Engineer recommends revoking County State Aid status from Dodd Boulevard between Hayes Avenue and CSAH 31 (Pilot Knob Road); and

WHEREAS, Dakota County will turnback operations and maintenance of this segment of Dodd Boulevard to the City of Lakeville in accordance with the terms of the turnback agreement; and

WHEREAS, Dakota County will construct Dodd Boulevard to Municipal State Aid standards as part of County Project (CP) 9-56 and CP 9-64; and

WHEREAS, Dakota County accepts the jurisdictional transfer of 179th Street W between Hayes Avenue and CSAH 31 (Pilot Knob Road) from the City of Lakeville in accordance with the terms of the turnback agreement; and

WHEREAS, Dakota County will construct 179th Street W between Hayes Avenue and CSAH 23 (Cedar Avenue) to County State Aid standards as part of CP 9-56; and

WHEREAS, the City of Lakeville constructed 179th Street W between CSAH 23 (Cedar Avenue) and CSAH 31 (Pilot Knob Road) to County State Aid standards as part of CP 97-203; and

WHEREAS, the Transportation Director/County Engineer recommends designating County State Aid status for 179th Street W between Hayes Avenue and CSAH 31 (Pilot Knob Road) as CSAH 9.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to enter into an agreement with the City of Lakeville for the revocation and turnback of a portion of County State Aid Highway 9 (Dodd Boulevard) between Hayes Avenue and County State Aid Highway 31 (Pilot Knob Road) and accept the jurisdictional transfer of 179th Street W between Hayes Avenue and County State Aid Highway 31 (Pilot Knob Road); and

BE IT FURTHER RESOLVED, By the County Board of the County of Dakota, that the road described as follows, to-wit:  
Dodd Boulevard between Hayes Avenue and County State Aid Highway 31 (Pilot Knob Road)  
be, and hereby is, revoked as a County State Aid Highway of said County, subject to the approval of the Commissioner of Transportation of the State of Minnesota; and

BE IT FURTHER RESOLVED, By the County Board of the County of Dakota,

that the road described as follows, to-wit:

179th Street W between Hayes Avenue and County State Aid Highway 31 (Pilot Knob Road)

be, and hereby is, established, located, and designated a County State Aid Highway of said County, subject to the approval of the Commissioner of Transportation of the State of Minnesota; and

BE IT FURTHER RESOLVED, That the County Auditor is hereby authorized and directed to forward two certified copies of this resolution to the Commissioner of Transportation for consideration and that upon approval of the designation of said road or portion thereof, that same be constructed, improved, and maintained as a County State Aid Highway of the County of Dakota, to be numbered and known as a County State Aid Highway.

Ayes: 7

**7.11** Resolution No: 22-399

Authorization To Amend County State Aid Highway 31 Wetland Bank

Motion: Mary Hamann-Roland

Second: Laurie Halverson

WHEREAS, planned improvements to County State Aid Highway 31 in the early 2000s would negatively impact existing wetlands; and

WHEREAS, the state Wetland Conservation Act of 1991 required mitigation for wetland impacts; and

WHEREAS, a 17.1-acre wetland bank, administered through the Minnesota Board of Water and Soil Resource (BWSR), was proposed to locally mitigate these wetland impacts; and

WHEREAS, by Resolution No. 02-562 (November 5, 2002), the County Board of Commissioners approved the establishment of a 17.1-acre wetland bank and authorized the execution of a Declaration of Restrictions and Covenants for Dakota County State Aid Highway 31 Wetland Bank (Declaration) which described wetland bank requirements and the legal description of the wetland bank area; and

WHEREAS, the intent of the mitigation project and Declaration was to also exclude 25 feet of the southern portion of the identified property parcel and reserve it for future public use as a trail corridor; and

WHEREAS, it was recently discovered during the North Creek Greenway trail design and construction process that the legal description for the Declaration did not exclude the future trail corridor in the wetland bank area; and

WHEREAS, the Declaration includes language to request the modification of the Declaration with written approval by the City of Lakeville and BWSR; and

WHEREAS, staff and the County Attorney's Office prepared an Amendment to

Declaration of Restrictions and Covenants for Dakota County State Aid Highway 31 Wetland Bank; and

WHEREAS, the Amendment to Declaration of Restrictions and Covenants for Dakota County State Aid Highway 31 Wetland Bank includes a revised legal description for the wetland bank area that excludes the trail corridor and reaffirms that all other terms and conditions of the 2002 Declaration shall remain in full force and effect for the amended wetland bank area.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes amending the Declaration of Restrictions and Covenants for Dakota County State Aid Highway 31 Wetland Bank; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Chair to execute the Amendment to Declaration of Restrictions and Covenants for Dakota County State Aid Highway 31 Wetland Bank and to submit the amended Declaration to Minnesota Board of Water and Soil Resources; and

BE IT FURTHER RESOLVED, That upon approval by the Minnesota Board of Water and Soil Resources, the fully executed Declaration of Restrictions and Covenants for Dakota County State Aid Highway 31 Wetland Bank will be recorded in the County's Recorder's Office and a copy of the recorded Amendment to Declaration of Restrictions and Covenants for Dakota County State Aid Highway 31 Wetland Bank will be provided to the Minnesota Board of Water and Soil Resources.

Ayes: 7

## **8. County Board/County Administration**

- 8.1** Resolution No: 22-400  
Acceptance Of Resignation From Member Of Dakota-Scott Workforce Development Board

Motion: Mary Hamann-Roland

Second: Laurie Halverson

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby accepts the resignation received from Pam Oeffler, Private sector representative on the Dakota-Scott Workforce Development Board and authorizes staff to begin the process to fill the vacancy.

Ayes: 7

## **9. Community Services**

- 9.1** Resolution No: 22-401  
Ratification Of USDA SNAP Fiscal Year 2022 Process And Technology Improvement Grant Application, And Authorization To Accept Grant Funds, Execute Grant Agreement And Related Contracts, And Amend 2022 Employment And Economic Assistance Budget

Motion: Mary Hamann-Roland

Second: Laurie Halverson

Ayes: 7

**10. Enterprise Finance and Information Services**

**10.1 Report On Invoices Paid In August 2022**

Information only; no action requested.

**11. Physical Development**

**11.1 Resolution No: 22-402**

Approval Of Right Of Way Acquisition And Authorization To Initiate Quick Take Condemnation For County Project 91-29 In Marshan Township, County Road 91 Reconstruction

Motion: Mary Hamann-Roland

Second: Laurie Halverson

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

WHEREAS, CP 91-29 will reconstruct County State Aid Highway (CSAH) 91 (Nicolai Avenue) from 210th Street to Trunk Highway 316 (Red Wing Boulevard) in Marshan Township, improve drainage, and replace culverts; and

WHEREAS, to address the purpose and need for this Project, safety will be improved along the corridor by improving the roadway surface, adding turn lanes, and improving drainage; and

WHEREAS, Dakota County is the lead agency for CP 91-29; and

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

WHEREAS, the partial acquisition of the following 21 parcels as identified on Dakota County Right of Way Map 492 is necessary to move forward with the Project:

Parcel 1; RUSSELL E. ANDERSON AS TRUSTEE AND ELIZABETH L. ANDERSON, AS TRUSTEE OR THE SUCCESSOR(S) IN TRUST, UNDER THE ANDERSON REVOCABLE TRUST AGREEMENT DATED 7-25-2003; Highway Easement 0 SF; Temporary Easement 2,000 SF;

Parcel 2; RUSSELL E. ANDERSON AS TRUSTEE AND ELIZABETH L. ANDERSON, AS TRUSTEE OR THE SUCCESSOR(S) IN TRUST, UNDER THE ANDERSON REVOCABLE TRUST AGREEMENT DATED 7-25-2003; Highway Easement 37,842 SF; Temporary Easement 749 SF;

Parcel 3; SCHULTZ FAMILY FARM LLC.; Highway Easement 74,365 SF; Temporary Easement 3,683 SF;



Parcel 4; PATRICK K. MAHER & DIANE M. MAHER; Highway Easement 87,838 SF;  
Temporary Easement 6,773 SF;

Parcel 5; PATRICK K. MAHER & DIANE M. MAHER; Highway Easement 10,045 SF;  
Temporary Easement 996 SF;

Parcel 6; ALLEN J. GALE & PATRICIA A. GALE AS TRUSTEES OF THE TRUST AGREEMENT OF ALLEN AND PATRICIA GALE; Highway Easement 12,946 SF; Temporary Easement 1,798 SF;

Parcel 7; BAILEY NURSERIES, INC., A MINNESOTA CORPORATION;  
Highway Easement 25,667 SF; Temporary Easement 7,467 SF;

Parcel 8; BAILEY NURSERIES, INC., A MINNESOTA CORPORATION;  
Highway Easement 27,629 SF; Temporary Easement 0 SF;

Parcel 9; BAILEY NURSERIES, INC., A MINNESOTA CORPORATION;  
Highway Easement 22,464 SF; Temporary Easement 0 SF;

Parcel 10; BAILEY NURSERIES, INC., A MINNESOTA CORPORATION;  
Highway Easement 10,775 SF; Temporary Easement 0 SF;

Parcel 14; JEFFREY M. REINARDY & WENDY S. REINARDY; Highway Easement 10,778 SF; Temporary Easement 0 SF;

Parcel 15; EARLE R. ALMQUIST; Highway Easement 22,462 SF;  
Temporary Easement 0 SF;

Parcel 16; EARLE R. ALMQUIST; Highway Easement 33,960 SF;  
Temporary Easement 0 SF;

Parcel 17; JOHN D. MAHER & BARBARA A. MAHER; Highway Easement 16,323 SF;  
Temporary Easement 0 SF;

Parcel 19; PATRICK K. MAHER & DIANE M. MAHER; Highway Easement 48,608 SF;  
Temporary Easement 2,424 SF;

Parcel 20; STEPHEN P. FOX & ANNA J. FOX; Highway Easement 2,800 SF; Temporary Easement 0 SF;

Parcel 21; ROGER A. FOX & PATRICIA A. FOX; Highway Easement 31,350 SF; Temporary Easement 0 SF;

Parcel 22; HARRY R. SNYDER & MARJORY J. SYNDER; Highway Easement 6,693 SF; Temporary Easement 0 SF;

Parcel 23; JAMES G. CANEFF & ROBERT M. CANEFF; Highway Easement 85,457 SF; Temporary Easement 554 SF;

Parcel 24; JAMES G. CANEFF & M. ELEANOR CANEFF UNDIVIDED ONE-HALF INTEREST  
ROBERT M. CANEFF & JO ANN CANEFF UNDIVIDED ONE-HALF INTEREST; Highway Easement 9,000 SF; Temporary Easement 0 SF;

Parcel 25; CANEFF BROTHERS, A PARTNERSHIP; Highway Easement 600 SF; Temporary Easement 3,550 SF

; and

WHEREAS, 15 appraisals have been completed by Nicollet Partners, Inc., for a total appraised value of \$544,200; and

WHEREAS, the 2022-2026 Dakota County Transportation Capital Improvement Program budget for the Project includes sufficient funds for right of way acquisition; and

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

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the appraised value for the acquisition of the identified property interest from the 21 parcels for County Project 91-29; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby approves the acquisition of the properties associated with the 21 parcels for County Project 91-29 at the approved appraised value and authorizes payment from the 2022-2026 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 in the event that timely acquisition by direct negotiations of all properties does not appear possible.

Ayes: 7

**11.2 Resolution No: 22-403**

Award Of Bid And Authorization To Execute Contract With Eureka Construction, Inc. And Amend 2022 Sales And Use Tax Capital Improvement Program Budget For County Project 46-58 For Median Changes On CSAH 46 (160th Street) at CSAH 33 (Diamond Path)

Motion: Mary Hamann-Roland

Second: Laurie Halverson

WHEREAS, to provide a safe and efficient transportation system, Dakota County is proceeding with County Project (CP) 46-58; and

WHEREAS, the County is the lead agency for the Project, with construction scheduled for summer 2022; and

WHEREAS, the 2022 Sales and Use Tax Capital Improvement Program (CIP) Amended Budget includes \$600,000 for CP 46-58 for the project design and construction; and

WHEREAS, the remaining 2022 Sales and Use Tax CIP Budget includes an unencumbered balance of \$422,893 for CP 46-58 project design, construction, and construction administration; and

WHEREAS, the bid of Eureka Construction, Inc. in the amount of \$712,264.87 was the lowest responsive and responsible bid received; and

WHEREAS, a budget amendment is necessary to account for the project costs above the CIP amount; and

WHEREAS, Dakota County currently has a sufficient Sales and Use Tax funds for the additional costs of the project; and

WHEREAS, the Minnesota Department of Transportation concurs with the award of a construction contract to Eureka Construction, Inc., as the lowest responsive and responsible bidder; and

WHEREAS, the 2022 Sales and Use Tax CIP budget for CP 46-58 shall be amended to \$889,372; and

WHEREAS, staff recommends awarding the bid to and authorizing execution of a contract with Eureka Construction, Inc. and amending the 2022 Sales and Use Tax CIP; and

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby awards the bid to and authorizes the Physical Development Director to execute the contract with Eureka Construction, Inc. for County Project 46-58 in the amount of \$672,264.87, plus possible incentives totaling \$40,000 for a total contract amount of \$712,264.87 based on their low bid, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the 2022 Sales and Use Tax Capital Improvement Program Budget is hereby amended as follows:

**Expense**

CP 46-58	<u>\$289,372</u>
<b>Total Expense</b>	<b>\$289,372</b>

**Revenue**

Sales & Use Tax (Fund Balance)	<u>\$289,372</u>
<b>Total Revenue</b>	<b>\$289,372</b>

Ayes: 7

**11.3** Resolution No: 22-404

Authorization To Exchange Excess Right Of Way North Of County State Aid Highway 26 And East Of Trunk Highway 55 In City Of Eagan

Motion: Mary Hamann-Roland

Second: Laurie Halverson

WHEREAS, in 1999, Dakota County purchased three complete parcels (PIN Nos. 100010003055, 100010004055, and 10010006055) jointly with the City of Eagan for widening County State Aid Highway (CSAH) 26 (Lone Oak Road) from CSAH 43 (Lexington Avenue) through the Trunk Highway (TH) 55 intersection for County Project (CP) 26-28; and

WHEREAS, the southerly portion of the parcels is needed to reconstruct CSAH 26 (CP 26-54) in 2022 and 2023 and is currently needed to maintain the highway; and

WHEREAS, County staff has reviewed the survey and parcel information for accuracy and concurs with the property description brought forward in the plat; and

WHEREAS, a land exchange between the County and Developer would meet and exceed the half right of way needs for CSAH 26 and benefit both parties; and

WHEREAS, the County has received requests to exchange excess right of way north of County State Aid Highway (CSAH) 26 (Lone Oak Road) in exchange for the remnant parcels between two adjoining County-owned parcels; and

WHEREAS, the remnant County parcels will be combined with the adjoining

County-owned parcels to create additional developable property; and

WHEREAS, the City of Eagan staff supports the exchange of the property that is in excess of the needs for CSAH 26; and

WHEREAS, the County Engineer has determined that the property located more north of the proposed CSAH 26 project is in excess of the County's needs and recommends the exchange of the property in accordance with Minnesota Statute 373.01, with conditions protecting CSAH 26 and TH 55; and

WHEREAS, staff recommends transfer of the northern 12 feet of PID#10-00100-55-040 Dakota County Parcel containing approximately 2,505 square feet as part of the Eagan MOB plat; and

WHEREAS, staff recommends transfer of the portion of PID# 10-00100-95-020 between County owned parcels 10-00100-55-030 and 10-00100-55-040 Parcels containing approximately 3,187 square feet to Dakota County.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the exchange of the property as part of the Eagan MOB plat in accordance with Minn. Stat. § 373.01; and

BE IT FURTHER RESOLVED That the Dakota County Board of Commissioners hereby approves the deed exchange as part of the platting and authorizes the Board Chair to execute the Quit Claim Deed for Lot 1 subject to approval as to form by the County Attorney's Office, in exchange for a Quit Claim Deeds for outlots A and B.

Ayes: 7

**11.4** Resolution No: 22-405

Designation Of 185th Street As County State Aid Highway 60 In City Of Lakeville

Motion: Mary Hamann-Roland

Second: Laurie Halverson

WHEREAS, Dakota County and the City of Lakeville are partnering on County Project (CP) 60-28; and

WHEREAS, County Project 60-28 is the design engineering, right-of-way acquisition, construction, and construction administration for construction of future CSAH 60 (185th Street) as an urban divided roadway, on new alignment from CSAH 9 (Dodd Boulevard) to Highview Avenue; and

WHEREAS, County Project 60-28 includes construction of a proposed roundabout at CSAH 60 (185th Street) and Highview Avenue, pedestrian underpasses of 185th Street and Highview Avenue, and a potential signal need at CSAH 23 (Cedar Avenue); and

WHEREAS, an amendment to the existing joint powers agreement for CP 60-28 is necessary to extend eastern termini from the intersection at Highview Avenue

to the intersection at CSAH 23 (Cedar Avenue); and

WHEREAS, the joint powers agreement amendment will provide scope for developing a design and constructing a signal at the intersection of CSAH 23 (Cedar Avenue) and jurisdictional transfer and designation of CSAH status for 185th Street between CSAH 9 (Dodd Boulevard) and CSAH 23 (Cedar Avenue); and

WHEREAS, the County State Aid Screening Board awarded Dakota County an additional 39.6 miles of County State Aid Highways to be added to Dakota County's State Aid Highway System in the fall of 2012; and

WHEREAS, Minn. Stat. § 162.02, subd. 7 and 8 permits a county board to establish a CSAH upon any established road with the approval of the governing city; and

WHEREAS, Dakota County's 2040 Transportation Plan identifies a portion of County State Aid Highway (CSAH) 60 (185th Street) from CSAH 9 (Dodd Boulevard) to CSAH 23 (Cedar Avenue) as a future County State Aid Highway minor arterial route; and

WHEREAS, the Transportation Director/County Engineer recommends designating County State Aid Status, according to the recommendation in the adopted State Aid Mileage Request and as necessary for changes in alignment due to planned roadway construction; and

WHEREAS, as part of CP 60-28, 185th Street will be constructed to CSAH standards to support a county highway function and allow for CSAH designation; and

WHEREAS, Dakota County accepts the jurisdictional transfer of 185th Street between CSAH 9 (Dodd Boulevard) and CSAH 23 (Cedar Avenue) from the City of Lakeville in accordance with the terms of the turnback agreement.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to enter into an agreement with the City of Lakeville for the accept the jurisdictional transfer of 185th Street between CSAH 9 (Dodd Boulevard) to CSAH 23 (Cedar Avenue); and

BE IT FURTHER RESOLVED, By the County Board of the County of Dakota, that the road described as follows, to-wit:

185th Street between County State Aid Highway No. nine (9) (Dodd Boulevard) to County State Aid Highway No. twenty three (23) (Cedar Avenue) designation as County State Aid Highway No. 60 beginning at the County State Aid Highway No. nine (9), Dodd Boulevard in Section 17, Township 114 North, Range 21 West, in the City of Lakeville; thence continue in a easterly direction through

Sections 16 and 17 Township 114 North, Range 21 West, to County state Aid Highway No. twenty three (23), Cedar Avenue, and there terminating be, and hereby is, established, located, and designated a County State Aid Highway of said County, subject to the approval of the Commissioner of Transportation of the State of Minnesota  
; and

BE IT FURTHER RESOLVED, That the Dakota County Transportation Director/County Engineer is hereby authorized and directed to forward two certified copies of this resolution to the Commissioner of Transportation for consideration and that upon approval of the designation of said road or portion thereof, that same be constructed, improved, and maintained as a County State Aid Highway of the County of Dakota, to be numbered and known as a County State Aid Highway; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute an amendment to the joint powers agreement with the City of Lakeville for developing a design and constructing a signal at the intersection of CSAH 23 (Cedar Avenue) and jurisdictional transfer and designation of CSAH status for 185th Street between CSAH 9 (Dodd Boulevard) and CSAH 23 (Cedar Avenue) for County Project 60-28, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a turnback agreement with the City of Lakeville to outline details for the City to provide continued maintenance of 185th Street until completion of construction in the Fall of 2023, subject to approval by the County Attorney's Office as to form.

Ayes: 7

**11.5** Resolution No: 22-406

Approval Of Final Plats Recommended By Plat Commission

Motion: Mary Hamann-Roland

Second: Laurie Halverson

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

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

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

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

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

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

SUITE LIVING SENIOR CARE OF EAGAN	Eagan
KESWICK MEDICAL ADDITION	Lakeville
VOYAGEUR FARMS	Lakeville
RICH VALLEY INDUSTRIAL PARK SECOND ADDITION	Rosemount
SAINT GEORGE CHURCH	West St. Paul

Ayes: 7

**11.6** Resolution No: 22-407

Authorization To Approve Release Of Restricted Access On Plat Of Christ Lutheran

Motion: Mary Hamann-Roland

Second: Laurie Halverson

WHEREAS, the Plat Commission examines plats to County Roads for conformity with County platting standards prior to County Board approval; and

WHEREAS, the plat of CHRIST LUTHERAN is contiguous to CSAH 30 (Diffley Road) and was recorded on July 9, 2009, along with a quit-claim deed to Dakota County for restricted access as document no.2669936; and

WHEREAS, the Plat Commission has reviewed and recommended approval of the proposed plat of SUITE LIVING OF EAGAN with the relocation of the existing access openings; and

WHEREAS, the restricted access along County State Aid Highway 30 as shown on the plat of CHRIST LUTHERAN should be released to allow for the new access opening to be relocated to the west (across from Beaver Dam Road) for the proposed plat of SUITE LIVING OF EAGAN; and

WHEREAS, a new quit-claim deed for restricted access will be recorded to Dakota County from the property owner with the recording of the proposed plat SUITE LIVING OF EAGAN.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the County Board Chair to execute a quit-claim deed releasing the restricted access along CHRIST LUTHERAN as described in document 2669933, subject to the recording of the proposed plat of SUITE LIVING OF EAGAN.

Ayes: 7

**11.7** Resolution No: 22-408

Authorization To Award Bid And Execute Contract With Shaw-Lundquist Associates, Inc. To Provide General Contractor Services For Law Enforcement Center Interior Renovations And Authorization To Amend 2022 Buildings Capital Improvement Program



Motion: Mary Hamann-Roland

Second: Laurie Halverson

WHEREAS, the Law Enforcement Center Interior Renovation is included in the 2022 Building Capital Improvement Program (CIP) Adopted Budget; and

WHEREAS, bid documents and specifications were prepared by Leo A Daly, and advertised on August 5, 2022; and

WHEREAS, seven competitive bids were received on August 30, 2022; and

WHEREAS, Shaw-Lundquist Associates, Inc. has submitted a bid of \$3,102,000; and

WHEREAS, staff and Leo A Daly reviewed the qualifications of the bidder and recommend award to Shaw-Lundquist Associates, Inc. as the lowest responsive and responsible bidder in an amount not to exceed \$3,102,000 for the Law Enforcement Center Interior Renovations project; and

WHEREAS, funding for the project is within the amended 2022 Buildings CIP Adopted Budget.

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 Shaw-Lundquist Associates, Inc., 2757 West Service Road, Saint Paul, MN 55121 in an amount not to exceed \$3,102,000 for the Law Enforcement Center Interior Renovations, subject to approval by the County Attorney's office as to form.

BE IT FURTHER RESOLVED, That the 2022 Buildings Capital Improvement Program budget is hereby amended as follows:

**Expense**

Prior Project Savings Setaside (B70092)	(\$400,000)	
Law Enforcement Center Interior Renovation Project (B20029)		<u>\$400,000</u>
<b>Total Expense</b>	<b>\$0</b>	

**Revenue**

Prior Project Savings - County Funding (B70092)	(\$400,000)	
LEC Interior Renovation Project - County Funding (B20029)		<u>\$400,000</u>
<b>Total Revenue</b>	<b>\$0</b>	

Ayes: 7

**11.8 Resolution No: 22-409**

Authorization To Execute License Agreement Between Dakota County And Nexus Family Healing For Space Located At Aspen House

Motion: Mary Hamann-Roland

Second: Laurie Halverson

WHEREAS, Dakota County recently acquired a 5,787-square-foot property to be used as a youth shelter for up to 12 individuals per night, now referred to as the

Aspen House; and

WHEREAS, Community Services staff has contracted with Nexus Family Healing to manage the operation of the shelter; and

WHEREAS, for Nexus Family Healing to operate in a County-owned facility, a license agreement for use of that space is required; and

WHEREAS, the Dakota County Board of Commissioners must approve all leases and licenses for space use; and

WHEREAS, the Aspen House will be used entirely by Nexus Family Healing to provide services; and

WHEREAS, Nexus Family Healing will manage all aspects of youth care in addition to most of the day-to-day operations including maintenance and utilities; and

WHEREAS, Dakota County will retain management of three key items including property insurance through Risk Management, the parking lot access agreement with the neighboring church through Facilities Management, and life/safety requirements through Facilities Management; and

WHEREAS, staff from Facilities Management, Community Services, and Nexus Family Healing have agreed to license terms for their space; and

WHEREAS, the license terms provide for a 90-day notice of termination to align with the contract for services term; and

WHEREAS, the County Board finds that the license is consistent with the County's interest in cooperating with Nexus Family Healing to provide space in the Dakota County Aspen House.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Parks, Facilities, and Fleet Management Director to execute a license agreement with Nexus Family Healing for use of approximately 5,787 square feet of rentable space in the Aspen House for the period of October 1, 2022, through December 31, 2024, at the following rental rates, subject to the approval of the County Attorney's Office as to form:

October 1 through December 31, 2022	\$1,320 per period or \$440 per month.
January 1 through December 31, 2023	\$5,280 per year or \$440 per month.
January 1 through December 31, 2024	\$5,280 per year or \$440 per month.

Ayes: 7

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**12. Public Services and Revenue****12.1** Resolution No: 22-410  
Acceptance Of Gifts To Dakota County Library

Motion: Mary Hamann-Roland

Second: Laurie Halverson

WHEREAS, the Dakota County Board of Commissioners, by Resolution No. 14-400 (August 12, 2014), delegated to the Dakota County Library Advisory Committee, the authority to accept gifts of personal property of not more than \$500 for public library purposes; and

WHEREAS, the Dakota County Board of Commissioners must approve and accept gifts to County libraries with a value greater than \$500; and Friends of Inver Glen donated \$10,496.73 for summer programming support; and Friends of Farmington Library donated \$800 to support Lego STEM programming; and City of Hastings donated \$1000 to Pleasant Hill from Doffing Fund for Pride Celebration; and

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

WHEREAS, the Dakota County Library Advisory Committee supports acceptance of these gifts.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby accepts from Friends of Inver Glen \$10,496.73 for summer programming support; and from Friends of Farmington Library \$800 to support Lego STEM programming; and from City of Hastings \$1000 to Pleasant Hill from Doffing Fund for Pride celebration; and

BE IT FURTHER RESOLVED, That the adopted 2022 budget be amended as follows:

**Revenue**

Inver Glen Gifts	\$10,496.73
Farmington Gifts	\$ 800.00
Pleasant Hill Gifts	<u>\$ 1,000.00</u>
<b>Total Revenue</b>	<b>\$12,296.73</b>

**Expense**

Inver Glen Gifts	\$10,496.73
Farmington Gifts	\$ 800.00
Pleasant Hill Gifts	<u>\$ 1,000.00</u>
<b>Total Expense</b>	<b>\$12,296.73</b>

Ayes: 7

**12.2** Resolution No: 22-411

Approval Of Application For 1 to 4 Day Temporary Intoxicating On-Sale Liquor License For Dakota County Agricultural Society, Inc.

Motion: Mary Hamann-Roland

Second: Laurie Halverson

WHEREAS, an application was received from Dakota County Agricultural Society, Inc. for a 1 to 4 day temporary on-sale intoxicating liquor license; and

WHEREAS, Castle Rock Township approved the application on September 13, 2022; and

WHEREAS, the Minnesota Department of Public Safety, Alcohol and Gambling Enforcement Division will not issue a 1 to 4 day temporary on-sale intoxicating liquor license without prior approval by the County Board.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the application from Dakota County Agricultural Society, Inc. for a 1 to 4 day temporary on-sale intoxicating liquor license issued by Minnesota Department of Public Safety, Alcohol and Gambling Enforcement Division for October 7-8, 2022; and

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

Ayes: 7

### **REGULAR AGENDA**

**13. Legislative Update**

Paul Cassidy with Stinson gave an update at the State level and Tom Downs with Downs gave an update at the Federal level. This item was on the agenda for informational purposes only. No direction was given.

**14. Physical Development****14.1** Authorization To Release Draft 2023-2027 Capital Improvement Program For Formal Review

This item was pulled from the agenda and will be discussed at General Government and Policy Committee on October 4, 2022.

WHEREAS, the Dakota County Board of Commissioners recognizes the need to identify and plan for future capital projects; and

WHEREAS, the County desires input from local communities in developing its Capital Improvement Program (CIP); and

WHEREAS, staff has compiled the draft 2023-2027 CIP; and

WHEREAS, by Resolution No. 21-515 (November 2, 2021), the County Board scheduled budget workshops to discuss the 2023 Budget, beginning on November 14, 2022; and

WHEREAS, by Resolution No. 22-368 (September 6, 2022), the County Board also scheduled a public hearing to be held in November to receive comments on the 2023-2027 CIP.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the County Manager to submit the draft 2023-2027 Capital Improvement Program summary to the cities and townships for formal review and comment prior to the public hearing; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the County Manager to post the draft 2023-2027 Capital Improvement Program to the Dakota County website to allow review from interested parties as a means of receiving further input prior to adoption of the Capital Improvement Program in December 2022.

## **15. County Board/County Administration**

### **15.1 Resolution No: 22-415**

Adoption Of 2023 Certified Dakota County Maximum Proposed Property Tax Levy

Motion: Mike Slavik

Second: Mary Hamann-Roland

Budget Manager Paul Sikorski briefed this item and responded to questions.

After discussion, a motion was made by Commissioner Slavik, seconded by Commissioner Hamann-Roland to approve the presented resolution. A motion to amend that motion and vote on a 2.9% proposed maximum was made by Commissioner Atkins, seconded by Commissioner Halverson. The vote failed 4-3. Commissioner Workman, Slavik, Gaylord and Holberg voted no. (Resolution No. 22-412)

The vote was then taken on the original motion made by Commissioner Slavik, seconded by Commissioner Hamann-Roland on a 1.9% proposed maximum. The vote failed 6-1. Commissioner Slavik held the yes vote. (Resolution No. 22-413)

Further discussion was held, a motion was made by Commissioner Holberg, seconded by Commissioner Gaylord to reconsider the vote on a 1.9% proposed maximum. The vote passed 6-1 to reconsider. Commissioner Workman voted no. (Resolution No. 22-414)

Further discussion was held, the motion by Commissioner Slavik, seconded by Commissioner Hamann-Roland was reconsidered. The vote passed 5-2.

Commissioner Workman and Holberg voted no.

WHEREAS, the Dakota County Board of Commissioners is required to adopt a maximum proposed property tax levy by September 30, 2022, and to establish the date of a public hearing for input on levy and budget consideration.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby adopts the 2023 maximum proposed property tax levy of \$147,361,306 (1.9% increase from 2022), to finance the 2023 County budget; and

BE IT FURTHER RESOLVED, That staff are directed to conduct appropriate calculations and file necessary documentation with the State of Minnesota to certify this action; and

BE IT FURTHER RESOLVED, That a public Budget/Levy (Truth in Taxation) hearing to receive public input on the County's property tax levy and 2023 budget is hereby scheduled for 6:00 p.m. on November 29, 2022, in the Boardroom, Administration Center, 1590 Highway 55, Hastings, Minnesota or via telephone or other electronic means if necessary due to the ongoing COVID-19 pandemic.

Ayes: 5

Nay: 2

## **16. Interagency Announcements/Reports**

Interagency announcements and reports were then presented.

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

County Manager Matt Smith commented on the following:

- Minnesota City-County Facilities Management Association, Mike Lexvold is the President. Congratulations on becoming an affiliate.

## **18. Information**

### **18.1 Information**

See Attachment for future Board meetings and other activities.

## **19. Adjournment**

### **19.1 Resolution No: 22-416 Adjournment**

Motion: Mike Slavik

Second: Mary Liz Holberg

On a motion by Commissioner Slavik, seconded by Commissioner Holberg, the meeting was adjourned at 10:42 a.m.

Ayes: 7

Kathleen A. Gaylord  
Chair

ATTEST

Matt Smith  
County Manager