Dakota County
Board of Commissioners
Minutes

Tuesday, January 3, 2023 **9:00 AM** **Boardroom, Administration Center, Hastings, MN**

1. Call To Order And Roll Call

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

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

2. Pledge Of Allegiance With Dakota County Sheriff's Honor Guard

The meeting was called to order at 9:00 a.m. by Commissioner Liz Workman who welcomed everyone and opened the meeting with the Pledge of Allegiance. The Dakota County Sheriff's Honor Guard presented the colors for the Pledge of Allegiance. Honor Guard members were: Sergeant Matt Regis, Sergeant Brian Smidt, Correctional Deputy Bruce Kleeberger, Deputy Mike Fendrick and Correctional Sergeant Tim Parker.

3. Administration Of Oath Of Office To County Elected Officials

Judge David Knutson administered the Oath of Office to newly elected and those re-elected.
- Kathryn M. Keena, Dakota County Attorney
- Joe Leko, Dakota County Sheriff
- Mike Slavik, Commissioner District 1
- Joe Atkins, Commissioner District 2
- Laurie Halverson, Commissioner District 3
- William Droste, Commissioner District 4
- Mary Liz Holberg, Commissioner District 6

4. Election Of 2023 Officers

4.1 Resolution No: 23-001
Election Of 2023 County Board Chair

Motion: Mary Liz Holberg Second: Mary Hamann-Roland

Commissioner Workman began the election of County Board officers for 2023

by calling for nominations for the office of County Board Chair. Commissioner Holberg placed the name of Commissioner Workman in nomination. No additional nominations were given.

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby closes nominations and casts a unanimous ballot to elect Commissioner Liz Workman as County Board Chair for 2023.

Ayes: 7

4.2 Resolution No: 23-002
Election Of 2023 County Board Vice-Chair

Motion: Mary Hamann-Roland Second: Laurie Halverson

Commissioner Workman assumed the duties of Chair. Chair Workman thanked her colleagues for electing her as Chair and highlighted goals for 2023.

At this time, Chair Workman called for nominations for the office of County Board Vice-Chair. Commissioner Hamann-Roland placed the name of Joe Atkins in nomination. The Chair called for additional nominations. No additional nominations were placed in nomination.

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby close nominations and casts a unanimous ballot to elect Commissioner Joe Atkins as County Board Vice-Chair for 2023.

Ayes: 7

5. Audience

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

6. Agenda

6.1 Resolution No: 23-003
Approval of Agenda (Additions/Corrections/Deletions)

Motion: Mike Slavik Second: Mary Liz Holberg

Ayes: 7

CONSENT AGENDA

Following brief discussion, a request to amend Item 9.4 Appointment Of County Board Members To Boards/Committees For 2023. The amended changes were to add Mike Slavik to the Association of Minnesota Counties Transportation and Infrastructure Policy Committee and to correct the appointments to the Vermillion River Watershed Joint Powers Board (Slavik, Hamann-Roland, Droste (alternate)).

Item 9.7 Approval Of Increase To Citizen Advisory Committee Per Diems And Approval Of Per Diems For Two Department Appointment Committees was recommended to be pulled from the Consent agenda for further discussion on the Regular agenda.

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

7. County Administration - Approval of Minutes

7.1 Resolution No: 23-004
Approval of Minutes of Meeting Held on December 13, 2022

Motion: Mary Liz Holberg Second: Mary Hamann-Roland

Ayes: 7

8. Items Recommended By Board Committee*

8.1 Resolution No: 23-005
Authorization To Amend Contract With McDowell Agency, Inc. For Employee Background Check Services

Motion: Mary Liz Holberg Second: Mary Hamann-Roland

WHEREAS, the County fills more than 300 full time, part time and temporary positions annually; and.

WHEREAS, all new employees require a background check before beginning employment with the County; and

WHEREAS, the County issued a Request for Proposal (RFP) on September 8, 2017 to assess background check vendors and select a background check vendor; and

WHEREAS, the County selected the McDowell Agency, Inc. to provide background check services; and

WHEREAS, the McDowell Agency, Inc. provides competitive pricing and flexibility in process that best meets the County's needs.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Employee Relations Director to amend a contract with the McDowell Agency, Inc. to provide background check services through the end of 2023 at a total cost not to exceed $65,000, substantially as presented on December 13, 2022, and subject to approval by the County Attorney's Office as to form.

Ayes: 7

9. County Board/County Administration

9.1 Official County Newspaper And Public Notices

The contracts continue until December 31, 2023, there is no change in the County's official newspaper or the second newspaper for first publication of the County's financial statement.
Beginning in 2019, the County Board authorized the publication solicitations of transportation projects on the County website, pursuant to Minn. Stat. § 331A.12. This item was on the agenda for informational purposes only.

Information only, no action requested.

9.2 Resolution No: 23-006
Adoption Of 2023 County Board Operating Rules And Guidelines

Motion: Mary Liz Holberg Second: Mary Hamann-Roland

WHEREAS, the Dakota County Board of Commissioners held a Governance Workshop on December 13, 2022, and reviewed the 2023 County Board Operating Rules and Guidelines; and

WHEREAS, the Board of Commissioners discussed the following amendments:

- Amended language to Audience Participation
- Non substantive language and formatting changes

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the 2023 County Board Operating Rules and Guidelines as discussed at the Governance Workshop on December 13, 2022; and

BE IT FURTHER RESOLVED, That these operating rules and guidelines shall be effective upon approval by the County Board.

Ayes: 7

9.3 Resolution No: 23-007
Ratification Of Appointment Of Chairs Of Committees Of The Whole For 2023

Motion: Mary Liz Holberg Second: Mary Hamann-Roland

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby ratifies the County Board Chair's recommendation and appoints the following County Board members to serve as Chairs for the Committees of the Whole for 2023:

General Government and Policy Committee of the Whole Chair Atkins

Community Services Committee of the Whole Chair Halverson

Physical Development Committee of the Whole Chair Holberg

; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby endorses the County Board Chair's following recommendation for Chair of the Dakota County Regional Railroad Authority for 2023, and refers the appointment to the Dakota County Regional Railroad Authority:

Regional Railroad Authority Chair Hamann-Roland

Regional Railroad Vice-Chair Atkins

Ayes: 7

9.4 Resolution No: 23-008
Appointment Of County Board Members To Boards/Committees For 2023

Motion: Mary Liz Holberg Second: Mary Hamann-Roland

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby appoints, as recommended by the County Board Chair, County Board members to serve on interagency boards, in-County boards, and as liaison Commissioners for 2023, as follows:

Board Committees of the Whole -
General Government and Policy Committee:
All Commissioners
Atkins (Chair)

Community Services Committee:
All Commissioners
Halverson (Chair)

Physical Development Committee:
All Commissioners
Holberg (Chair)

Metropolitan Inter-Agency Appointments -
Association of MN Counties:
Board of Directors Member - Atkins, Workman (Alternate)
District X - Atkins, Workman (Alternate)
General Government Policy Committee - Hamann-Roland
Environment & Natural Resources Policy Committee - Workman and Atkins
Health & Human Services Policy Committee - Halverson
Public Safety Policy Committee - Droste
Transportation & Infrastructure Policy Committee - Holberg and Slavik

Cannon River One Watershed One Plan:
Slavik, Hamann-Roland (Alternate)

Dakota Communications Center Board of Directors:

Slavik
Holberg (Alternate)

Dakota Broadband Board:
Workman
Atkins (Alternate)

Facility Operations Advisory Committee for Thompson Park Centers:
Atkins
Halverson

Greater MSP (appointed by Dakota County Community Development Agency)

Greater Metropolitan Workforce Council:
Hamann-Roland

I-35W Solutions Alliance Board:
Workman (Chair)
Holberg (Alternate)

Metropolitan Emergency Services Board (MESB):
Atkins
Hamann-Roland
Droste (Alternate)

MESB Executive Committee:
Atkins
Hamann-Roland (Alternate)

Metropolitan Library Service Agency Board (MELSA):
Halverson

Metropolitan Mosquito Control District (MMCD):
Workman
Hamann-Roland
Halverson

MMCD Executive Committee:
Workman

Minnesota Inter-County Association Board (MICA):
Halverson
Droste

Regional Solid Waste Hauler Licensing Board:
Workman

State Community Health Services Advisory Committee:

Atkins

Suburban County Work Group on Regional Issues:
Workman
Holberg
Atkins

Transportation Advisory Board-Metropolitan Council:
Holberg
Droste (Alternate)

Vermillion River Watershed Joint Powers Board:
Slavik
Hamann-Roland
Droste (Alternate)

In-County Appointments -
Dakota County Board/Court Policy Committee:
Holberg
Atkins

Dakota County Law Library Board:
Holberg

Dakota County Legislative Advisory Workgroup (LAW) Lead:
Atkins

Dakota County Legislative Advisory Workgroup (LAW) Liaisons:
Slavik
Halverson

Dakota County Regional Railroad Authority:
All Commissioners
Hamann-Roland (Chair)
Atkins (Vice-Chair)
Halverson (Secretary)

Liaison Commissioner Appointments -
Dakota-Scott Workforce Development Board:
Hamann-Roland

; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby appoints the following individuals to the Community Development Agency Board for a three-year term ending January, 2026:

District 4, William Droste

District 5, Liz Workman
District 6, Mary Liz Holberg
; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby appoints the following individual to the Community Development Agency Board for a remaining three-year term ending January, 2025:

District 2, Joe Atkins

Ayes: 7

9.5 Resolution No: 23-009
Designation Of 2023 Official Voting Delegates For Association Of Minnesota Counties

Motion: Mary Liz Holberg Second: Mary Hamann-Roland

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby designates the following County officials as official voting delegates to represent Dakota County at the Association of Minnesota Counties (AMC) Annual Conference and during the year 2023:

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

Ayes: 7

9.6 Resolution No: 23-010
Designation Of Local Officials For Campaign Finance And Public Disclosure Board Reporting Requirement

Motion: Mary Liz Holberg Second: Mary Hamann-Roland

Minnesota Rules 4501.0400, subpts. 1 and 2, require a metropolitan governmental unit (MGU) to determine which positions within the MGU meet the definition of local official as defined in Minn. Stat. § 10A.01, subd. 22; and

WHEREAS, the MGU must provide a list to the Campaign Finance and Public Disclosure Board of the full-time and part-time positions meeting this definition annually.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby designates the following Dakota County positions as

local officials in 2023, as defined in Minn. Stat. § 10A.01, subd. 22, for the purpose of reporting to the Campaign Finance and Public Disclosure Board:

Adult Services Director, Social Services
Assessing Services Director/County Assessor
Assistant County Engineer
Budget Manager
Capital Projects Management Manager
Chief Deputy County Attorney
Chief Deputy Sheriff
Chief Information Officer
Children and Family Services Director, Social Services
Communications Director
Community Corrections Director
Community Services Director
Community Services Administration Director
Construction Engineer
County Attorney
County Commissioner
County Manager
County Sheriff
Deputy County Manager
Employee Relations Director
Employment and Economic Assistance Director
Enterprise Finance and Information Services Deputy Director
Enterprise Finance and Information Services Director
Environmental Resources Director
Facilities Management Director
Financial Services Deputy Director
Financial Services Director
First Assistant County Attorney
Fleet Management Manager
Library Director
Parks Director
Parks, Facilities and Fleet Director
Physical Development Deputy Director
Physical Development Director
Property Taxation and Records Director
Public Health Director
Public Services and Revenue Deputy Director
Public Services and Revenue Director
Service and License Centers Director
Transportation Director/County Engineer
Veterans Services Director

Ayes: 7

9.8 Resolution No: 23-011
Appointments To Metropolitan Emergency Services Board Radio Technical Operations Committee And 911 Technical Operations Committee

Motion: Mary Liz Holberg Second: Mary Hamann-Roland

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

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

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

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby appoints the following individuals to the Radio Technical Operations Committee of the Metropolitan Emergency Services Board for 2023:

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

Alternate: B.J. Battig, Dakota County Risk and Homeland Security Manager

; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby appoints the following individuals to the 911 Technical Operations Committee of the Metropolitan Emergency Services Board for 2023:

Representative: Brent Anderson, Operations Manager, Dakota911

Alternate: Tom Folie, Executive Director, Dakota911 or successor

Ayes: 7

9.9 Resolution No: 23-012
Appointment To Extension Committee

Motion: Mary Liz Holberg Second: Mary Hamann-Roland

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

District 5, Amber Cameron

Ayes: 7

9.10 Resolution No: 23-013
Appointments To Library Advisory Committee

Motion: Mary Liz Holberg Second: Mary Hamann-Roland

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

District 2, Kevin Hendricks
District 5, Rien Harms
District 6, Lynette Cargill
; and

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

At-large Youth, Peter Mendez

Ayes: 7

9.11 Resolution No: 23-014
Appointment To Personnel Board Of Appeals

Motion: Mary Liz Holberg Second: Mary Hamann-Roland

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby appoints the following individual to the Personnel Board of Appeals for a three-year term ending December 31, 2025:

At-large, Randall Kins

Ayes: 7

9.12 Resolution No: 23-015
Appointments To Planning Commission

Motion: Mary Liz Holberg Second: Mary Hamann-Roland

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby appoints/reappoints the following individuals to the Planning Commission for one-year terms ending January 2, 2024:

District 1, Dennis Peine
District 1, Jerry Rich
District 2, Lori Hansen
District 2, Amy Hunting
District 3, Jill Smith
District 4, Barry Graham
District 6, Nate Reitz

District 6, James Guttmann
District 7, Anthony Nelson
District 7, Kelly Kausel

Ayes: 7

9.13 Resolution No: 23-016
Appointments To Public Art Citizen Advisory Committee

Motion: Mary Liz Holberg Second: Mary Hamann-Roland

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby reappoints the following individuals to the Public Art Citizen Advisory Committee for a two-year term ending December 31, 2024:

District 3, Helen Leslie
District 7, JuliAnne Jonker
; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby appoints the following individual to the Public Art Citizen Advisory Committee to complete a one-year term ending December 31, 2023:

District 1, Sydney Seufer
District 2, Cheryl O'Donnell
; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby appoints the following Youth to the Public Art Citizen Advisory Committee for a one-year Youth term ending December 31, 2023:

At-large Youth, Savanna Jensen

Ayes: 7

9.14 Resolution No: 23-017
Appointments To Special Board Of Appeals And Equalization

Motion: Mary Liz Holberg Second: Mary Hamann-Roland

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby appoints/reappoints the following individuals to the Special Board of Appeal and Equalization for a two-year term ending December 31, 2024:

District 2, Jane Bro
District 3, Adam Dorn
District 7, Chris Ellickson

Ayes: 7

10. Enterprise Finance and Information Services

10.1 Report On Invoices Paid In November 2022

Information only; no action requested.

10.2 Resolution No: 23-018
Authorization To Purchase SplashBI Database Software For Oracle Cloud Enterprise Resource Planning And Human Capital Management

Motion: Mary Liz Holberg Second: Mary Hamann-Roland

WHEREAS, the County is implementing a new cloud-based Enterprise Resource Planning (ERP) and Human Capital Management (HCM) system, Oracle Cloud ERP/HCM; and

WHEREAS, Oracle Cloud ERP/HCM does not allow direct access to the cloud hosted database; and

WHEREAS, staff need direct access to the database hosting the data for the County's Oracle Cloud ERP/HCM system for development and maintenance of interfaces to local systems and to support business reporting needs; and

WHEREAS, software produced by SplashBI will allow County IT staff access to the real time database behind the County's Oracle Cloud ERP/HCM system as well as hosting a near real time copy of the database as well as real time hosting the data for the County's Oracle Cloud ERP/HCM system; and

WHEREAS, the Splash BI Enterprise Business Reporting & Analytics software will cost $98,800; and

WHEREAS, cost includes a one-year agreement, software set up, training, and support costs.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Information Technology Chief Information Officer to purchase the Splash BI Enterprise Business Reporting & Analytics software, in the amount of $98,800, subject to approval by the County Attorney's Office as to form.

Ayes: 7

10.3 Resolution No: 23-019
Authorization To Execute Contract With Arthur J. Gallagher For Insurance Brokerage Services

Motion: Mary Liz Holberg Second: Mary Hamann-Roland

WHEREAS, Dakota County purchases insurance brokerage services; and

WHEREAS, staff evaluated available services through a review of the marketplace for brokerage services; and

WHEREAS, the results of the review and a request for proposal process showed that Arthur J. Gallagher & Co. offers the best value for brokerage services; and

WHEREAS, the Risk and Homeland Security Manager recommends Arthur J. Gallagher & Co. as the Dakota County's provider of brokerage services for insurance placement and risk management services.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Enterprise Finance and Information Systems Director to execute a contract with Arthur J. Gallagher & Co., for a five-year term, January 1, 2023 through December 31, 2027, in the amount of $209,000, subject to approval by the County Attorney's Office as to form.

Ayes: 7

10.4 Resolution No: 23-020
Authorization To Execute Contract With Minnesota Department Of Public Safety For 2022 Urban Area Security Initiative Homeland Security Grant And Amend Office of Risk Management 2023 Budget

Motion: Mary Liz Holberg Second: Mary Hamann-Roland

WHEREAS, the Minnesota Department of Public Safety, Division of Homeland Security and Emergency Management, has been provided funding from the federal government under the homeland security grant program to enhance preparedness activities related to natural disasters and terrorism; and

WHEREAS, Dakota County desires to improve internal preparedness efforts and to assist local agencies to be better prepared for any potential disasters/emergencies in Dakota County; and

WHEREAS, the State of Minnesota, acting through the Minnesota Department of Public Safety, Division of Homeland Security and Emergency Management, has awarded a 2022 Homeland Security Grant in the amount of $409,500 to Dakota County for the period of January 1, 2023 through June 30, 2024.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the County Board Chair to execute a contract with the Minnesota Department of Public Safety, Division of Homeland Security and Emergency Management, for the 2022 Urban Area Security Initiative (UASI) Homeland Security Grant in the amount of $409,500 for the period of January 1, 2023 through June 30, 2024, 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 amends the Office of Risk Management 2023 budget as follows:

Expense	
2022 UASI Homeland Security Grant CEP	$195,500
2022 UASI Homeland Security Grant Operational	$214,000
Total Expense	**$409,500**

Revenue	
2022 UASI Homeland Security Grant	$409,500
Total Revenue	**$409,500**

Ayes: 7

11. Physical Development

11.1 Resolution No: 23-021
Authorization To Award And Execute Contract With McNamara Contracting And Amend 2023 Transportation CIP Budget For CP 9-56 On CSAH 9 In City Of Lakeville

Motion: Mary Liz Holberg Second: Mary Hamann-Roland

WHEREAS, to provide a safe and efficient transportation system, Dakota County is proceeding with County Project (CP) 9-56; and

WHEREAS, the County is the lead agency for the Project, with construction scheduled for summer 2023; and

WHEREAS, the previously approved CP 9-56 budget is $9,820,000 for project design, right of way acquisition, and construction; and

WHEREAS, the remaining project budget is $6,324,088; and

WHEREAS, the bid of McNamara Contracting in the amount of $11,207,634.63 was the lowest responsive and responsible bid received; and

WHEREAS, the estimated total construction cost is $13,050,441, including pavement incentives, testing, and potential contract changes; and

WHEREAS, a budget amendment is necessary to account for the project costs above the Capital Improvement Program (CIP) amount and additional revenue from the City; and

WHEREAS, Dakota County currently has a sufficient transportation fund balance for the additional costs of the project; and

WHEREAS, the Minnesota Department of Transportation and the City concur in the award of a construction contract to McNamara Contracting, as the lowest responsive and responsible bidder; and

WHEREAS, the 2023 Transportation CIP budget for CP 9-56 shall be amended by $6,726,353; and

WHEREAS, staff recommends awarding the bid to and authorizing execution of a contract with McNamara Contracting and amending the 2023 Transportation CIP.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby awards the bid to and authorizes the Physical Development Director to execute the contract with McNamara Contracting for County Project 9-56 in the amount of $11,207,634.63 based on their low bid, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the contract amount may be increased by up to $100,000 for additional costs of pavement incentives met by McNamara Contracting, as specified in the contract documents; and

BE IT FURTHER RESOLVED, That the 2023 Transportation Capital Improvement Program Adopted Budget is hereby amended as follows:

Expense	
CP 9-56	$6,726,353
Total Expense	**$6,726,353**
Revenue	
City of Lakeville	$2,690,541
Transportation Fund Balance	$4,035,812
Total Revenue	**$6,726,353**

Ayes: 7

11.2 Resolution No: 23-022
Authorization To Amend Transportation Capital Improvement Program Budget For County Project 88-24, County State Aid Highway 88 Reconstruction From Trunk Highway 56 To Finch Court In Randolph Township

Motion: Mary Liz Holberg Second: Mary Hamann-Roland

WHEREAS, Dakota County and Randolph Township are partnering on County Project 88-24 (the "Project"); and

WHEREAS, the Project includes the segment of County State Aid Highway (CSAH) 88 from Finch Court to TH 56; and

WHEREAS, the purpose and need for the Project is to improve safety, operations, and capacity along the Project corridor; and

WHEREAS, to address the purpose and need for the Project, the County is proposing to reconstruct CSAH 88 to address pavement quality, safety, and operational issues by improving drainage, modifying access, improving sight angles, and adding turn lanes; and

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

WHEREAS, the County utilized public engagement for this project, including a public open house on October 8, 2020, at Lake Byllesby Park and December 16, 2021, at United Methodist Church and presentations at the Randolph Township

Meetings on September 15, 2020, May 24, 2022, and June 14, 2022; and

WHEREAS, right of way acquisition is needed to allow CP 88-24 construction to begin in 2024 as scheduled; and

WHEREAS, appraisals have been completed for all necessary parcels on CP 88-24, which has informed the right-of-way budget estimate of $4,500,000; and

WHEREAS, a budget amendment is needed in the 2023 Transportation Capital Improvement Program for County Project 88-24 necessary for right of way acquisitions.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a budget amendment for County Project 88-24 to add $4,500,000 for right of way acquisitions, subject to approval by the County Attorney's Office as to form; and

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

Expense	
CP 88-24 ROW Expense	$4,500,000
Total Expense	**$4,500,000**
Revenue	
Transportation Fund Balance	$4,500,000
Total Revenue	**$4,500,000**

Ayes: 7

11.3 Resolution No: 23-023
Authorization To Execute Third Amendment With Kimley-Horn And Associates, Inc. On CP 26-54 (CSAH 26) And 63-27 (Argenta Trail) In Cities Of Inver Grove Heights And Eagan

Motion: Mary Liz Holberg Second: Mary Hamann-Roland

WHEREAS, Dakota County (County) is constructing County Project 26-54 and County Project 63-27 in the City of Inver Grove Heights and City of Eagan (Cities); and

WHEREAS, to provide a safe and efficient transportation system, the County and the Cities are proceeding with County Project 26-54 and County Project 63-27; and

WHEREAS, County Project 26-54 will expand approximately two miles of County State Aid Highway (CSAH) 26 (Lone Oak Road in Eagan, 70th Street in Inver Grove Heights) from Trunk Highway (TH) 55 to TH 3 from an existing two-lane roadway rural section to a four-lane divided urban roadway; and

WHEREAS, County Project 63-27 will construct on a new alignment CSAH 63 (Argenta Trail) from CSAH 28 (Amana Trail) north to 65th Street and from 65th Street to old Argenta Trail (CSAH 63) to the north of CSAH 26; and

WHEREAS, the purpose and need for the project is to improve safety, multi-modal mobility, and traffic operations on CSAH 26 and CSAH 63 and provide additional capacity on CSAH 26; and

WHEREAS, to address the purpose and need for this Project, safety will be improved along the corridor by managing the number of conflict points (access management), adding turn lanes, realigning intersections to improve spacing, providing paved shoulders, and adding multi-use trails to both sides of the road; and

WHEREAS, on August 3rd, 2021, Dakota County awarded the bid and executed a contract with S.M. Hentges & Sons Inc. for $24,776,465.25; and

WHEREAS, since the construction contract was awarded, the scope and complexity of the consulting services contract with Kimley-Horn and Associates, Inc., has evolved to include plan revision work necessary to accommodate new development along CSAH 26 and additional construction phase services due to changes in project phasing and private utility relocations; and

WHEREAS, by Resolution No. 19-496 (April 23, 2019), the Dakota County Board of Commissioners authorized execution of the original contract with Kimley-Horn and Associates, Inc., to perform preliminary and final design engineering consulting services in an amount of $1,704,910; and

WHEREAS, by Resolution No. 20-527 (October 20, 2020), the Dakota County Board of Commissioners authorized the execution of the first contract amendment with Kimley-Horn and Associates, Inc., to perform preliminary and final design engineering consulting services for a new contract amount not to exceed $2,003,895; and

WHEREAS, by Resolution No. 21-372 (July 20, 2021), the Dakota County Board of Commissioners authorized execution of a second contract amendment with Kimley-Horn and Associates, Inc., to perform preliminary and final design engineering consulting services for a new contract amount not to exceed $2,311,085; and

WHEREAS, the cost of the additional out-of-scope and unforeseen work tasks to be performed by Kimley-Horn and Associates, Inc., is $58,375 for a new contract amount not to exceed $2,369,460 to complete the construction; and

WHEREAS, County Projects 26-54 and 63-27 are included in the 2023 Transportation Capital Improvement Program (CIP) adopted budget with a total budget of $44,867,674 for County Projects 26-54 and 63-27 carried over from

previous years; and

WHEREAS, sufficient funds remain available in the 2023 Transportation CIP budget for the contract amendment for County Projects 26-54 and 63-27; and

WHEREAS, engineering and right of way cost will be shared between Dakota County and the Cities in accordance with adopted County policy; and

WHEREAS, the County Engineer recommends execution of a contract amendment with Kimley-Horn and Associates, Inc.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to amend the contract with Kimley-Horn and Associates, Inc., in an amount of $58,375 for a new contract amount not to exceed $2,369,460 to complete the construction subject to approval by the County Attorney's Office as to form.

Ayes: 7

11.4 Resolution No: 23-024
Approval Of Final Plats Recommended By Plat Commission

Motion: Mary Liz Holberg Second: Mary Hamann-Roland

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:

ROSEWOOD COMMONS SECOND ADDTION	Rosemount
VOYAGEUR FARMS 2ND ADDITION	Lakeville
DEER CREEK	Empire

Ayes: 7

11.5 Resolution No: 23-025
Authorization To Purchase Fleet Vehicles And Equipment

Motion: Mary Liz Holberg Second: Mary Hamann-Roland

WHEREAS, to provide an efficient, effective, and responsive fleet, replacement of major equipment is programmed in the Fleet Capital Equipment Program (Fleet CEP); and

WHEREAS, outdated vehicles and equipment is replaced in accordance with the Fleet CEP replacement criteria; and

WHEREAS, the additional units recommended are needed to maintain the current level of service and to support approved programs; and

WHEREAS, vehicles and equipment recommended for purchase meet the points replacement criteria; and

WHEREAS, the purchase of the proposed units is necessary to meet service demands, reduce excessive downtime, reduce emissions, and reduce repair costs; and

WHEREAS, Dakota County holds cooperative purchasing agreements with the State of Minnesota (State) and Sourcewell that allow the County to purchase from these contracts; and

WHEREAS, the cooperative purchasing agreements result in reduced workload, provide competitive pricing, and enables the County to take advantage of the time spent by the State and Sourcewell to perform the competitive bidding process.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Parks, Facilities, and Fleet Management Director to utilize cooperative purchasing agreements with the State of Minnesota (State) and Sourcewell to purchase these units contingent on the approved budget and following the prioritization established in the budget and approved County Policies.

Eight police utility hybrids
Five sedans
Two sport utility vehicles
Nine pickups
Eight vans
Two tractors
Two skid steer loaders
One off-road utility

Ayes: 7

11.6 Resolution No: 23-026
Certification Of Property Assessed Clean Energy Charges For Energy Improvements On Property In City Of Rosemount And Rescind Resolution No. 22-496

Motion: Mary Liz Holberg Second: Mary Hamann-Roland

WHEREAS, the Dakota County Board of Commissioners approved the joint powers agreement (JPA) with the Port Authority of the City of Saint Paul (Port Authority) by Resolution No. 17-144 (March 21, 2017), designating the Port Authority to implement and administer Property Assessed Clean Energy (PACE) improvement financing on behalf of the County and providing for the impositions of special assessments pursuant to Minn. Stat. § 216C.435 and 216C.436 and Chapter 429 and as needed in connection with that program; and

WHEREAS, the County understands that the Port Authority will issue its PACE special assessment revenue bonds to finance the improvements and that the sole security for the bond will be special assessments imposed by the other cities and/or counties participating in PACE; and

WHEREAS, after imposition of the special assessments, the County shall collect such assessments twice a year and remit them to the Port Authority for use in the repayment of the loan(s) or bond(s); and

WHEREAS, the County will take all actions permitted by law to recover the assessments, including, without limitation, reinstating the outstanding balance of assessments when the land returns to private ownership, in accordance with Minn. Stat. § 429.071, subd. 4; and

WHEREAS, the special assessment shall be certified to the County Treasurer-Auditor and entered into the tax lists for the following year; and

WHEREAS, the annual installment and interest shall be collected at the same time and in the same manner as real property taxes; and

WHEREAS, the special assessment, with accruing interest, is a lien upon the benefited property until paid; and

WHEREAS, Resolution No. 22-496 (November 15, 2022), had the interest rate listed incorrectly.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the County Treasurer-Auditor to extend the proposed special assessment plus accruing interest on the property set forth and listed below:

Property Owner: Coventry Properties of Rosemount, LLC
Parcel Number: 34-64852-010-60
Assessment: $2,500,000.00

Interest Rate: 7.70%
Finance Period: 20 years
Accrual Date: 1/1/2023

; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners authorizes the County Treasurer-Auditor to extend the proposed special assessment plus interest on the properties identified herein and record this assessment against the properties with the Dakota County Recorder; and

BE IT FURTHER RESOLVED, That Resolution No. 22-496 is hereby rescinded in its entirety.

Ayes: 7

11.7 Resolution No: 23-027
Certification Of Property Assessed Clean Energy Charges For Energy Improvements On Properties In Cities Of South St. Paul And Burnsville And Rescind Resolution No. 22-560

Motion: Mary Liz Holberg Second: Mary Hamann-Roland

WHEREAS, the Dakota County Board of Commissioners approved the joint powers agreement (JPA) with the Port Authority of the City of Saint Paul (Port Authority) by Resolution No. 17-144 (March 21, 2017), designating the Port Authority to implement and administer Property Assessed Clean Energy (PACE) improvement financing on behalf of the County and providing for the impositions of special assessments pursuant to Minn. Stat. § 216C.435 and 216C.436 and Chapter 429 and as needed in connection with that program; and

WHEREAS, the County understands that the Port Authority will issue its PACE special assessment revenue bonds to finance the improvements and that the sole security for the bond will be special assessments imposed by the other cities and/or counties participating in PACE; and

WHEREAS, after imposition of the special assessments, the County shall collect such assessments twice a year and remit them to the Port Authority for use in the repayment of the loan(s) or bond(s); and

WHEREAS, the County will take all actions permitted by law to recover the assessments, including, without limitation, reinstating the outstanding balance of assessments when the land returns to private ownership, in accordance with Minn. Stat. § 429.071, subd. 4; and

WHEREAS, the special assessment shall be certified to the County Treasurer-Auditor and entered into the tax lists for the following year; and

WHEREAS, the annual installment and interest shall be collected at the same time and in the same manner as real property taxes; and

WHEREAS, the special assessment, with accruing interest, is a lien upon the benefited property until paid; and

WHEREAS, Resolution No. 22-560 (December 13, 2022), had the finance period listed incorrectly.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the County Treasurer-Auditor to extend the proposed special assessment plus accruing interest on the properties set forth and listed below:

Property Owner: Hardman Properties, LLC
Parcel Number: 36-48841-02-010
Assessment: $420,000
Interest Rate: 4.25%
Finance Period: 10 years
Accrual Date: 08/01/2023

Property Owner: Rivoli Properties, Inc.
Parcel Number: 02-26102-01-010
Assessment: $122,000
Interest Rate: 5.00%
Finance Period: 10 years
Accrual Date: 1/1/2023

; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners authorizes the County Treasurer-Auditor to extend the proposed special assessments plus interest on the properties identified herein and record this assessment against the properties with the Dakota County Recorder; and

BE IT FURTHER RESOLVED, That Resolution No. 22-560 is hereby rescinded in its entirety.

Ayes: 7

12. Public Services and Revenue

12.1 Resolution No: 23-028
Approval Of Application For Exempt Permit For Ducks Unlimited To Hold Raffle

Motion: Mary Liz Holberg Second: Mary Hamann-Roland

WHEREAS, gambling licenses are issued by the Minnesota Gambling Control Board; and

WHEREAS, the Minnesota Gambling Control Board requires County approval of an application when the gambling premises are located in a township; and

WHEREAS, as application for an Exempt Permit to hold a raffle at Gopher Hills Golf Course in Douglas Township has been submitted by Ducks Unlimited; and

WHEREAS, the Dakota County Board of Commissioners is the local governing body having jurisdiction over the proposed gambling activity.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the application from Ducks Unlimited to hold an Exempt Permit for a raffle at Gopher Hills Golf Course in Douglas Township on January 30, 2023.

Ayes: 7

REGULAR AGENDA

13. County Board/County Administration

9.7 Resolution No: 23-029
Approval Of Increase To Citizen Advisory Committee Per Diems

Motion: Mary Liz Holberg Second: Mike Slavik

This item was pulled from the Consent Agenda for additional discussion. Following discussion, a motion was made to amend the resolution language to remove any reference to the Workforce and Staffing Shortage Workgroup, and the Pathways to Prosperity and Well-Being Advisory Council. The motion only included the language to increase the per diem rate from $35 to $50. Further discussion on allowing a per diem for these other workgroups/councils will be held at a future General Government and Policy Committee.

WHEREAS, a Citizen Advisory Committee serves a statutory, policy, or operational purpose to support county government; and

WHEREAS, Dakota County Board Policies 1015 (Citizen Advisory Committee Membership) and 1550 (Voluntary-Advisory Committee Reimbursement) set the current per diem rate for Board Appointees at $35 for attendance at regular and special meetings of committees; and

WHEREAS, to better align with standard rates for advisory committees serving our neighboring counties, staff suggests increasing this rate to $50 for all Board Appointed Committees beginning in 2023.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby increases the Citizen Advisory Committee per diem rate to $50 beginning in 2023.

Ayes: 7

13.1 Resolution No: 23-030
Adoption Of 2023 Legislative Platform

Motion: Mary Hamann-Roland Second: Joe Atkins

Intergovernmental Analyst Nathan Hanson briefed this item and responded to questions. Commissioner Holberg voted no on this item.

WHEREAS, the Minnesota Legislature will convene its 2023 session on January 3, 2023; and

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

WHEREAS, on December 13, 2022, the General Government and Policy Committee of the Whole reviewed items for inclusion in Dakota County's 2023 Legislative Platform.

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

Ayes: 6

Nay: 1

13.2 Resolution No: 23-031
Adoption Of Resolution Of Support For Efforts Of Community Supervision Work Group

Motion: Mary Hamann-Roland Second: Mike Slavik

Community Corrections Director Suwana Kirkland briefed this item and responded to questions.

WHEREAS, community supervision is a fundamental part of the criminal justice system in Minnesota and funding sufficient to ensure effective services is vital to public safety in all communities across the state; and

WHEREAS, community supervision includes services such as probation, supervised release, and intensive supervised release; and

WHEREAS, Minnesota's counties provide essential community supervision services both as mandated by M.S. Chapter 244.19 and also as delegated by the Department of Corrections under M.S. Chapter 401; and

WHEREAS, when the Legislature decided that community supervision was best delivered through a state-county partnership, it stated a clear intent that the state would provide significant funding to the counties for the operation of local programs; and

WHEREAS, over the past 20 years, Minnesota has become the state with the lowest level of corrections funding in the nation because the Legislature has not upheld its promise to provide adequate state resources to support community

supervision; and

WHEREAS, the Legislature's failure to adequately fund community supervision has increased local property taxes on residents and businesses; and

WHEREAS, a revised community supervision funding formula is necessary to ensure that all communities in Minnesota have enough state funding to provide a consistent standard for effective, evidence-based community supervision services, regardless of local capacity to pay; and

WHEREAS, the Association of Minnesota Counties assembled the Community Supervision Work Group including county leaders and experts in community supervision from all three supervision delivery systems to study the needs of community supervision departments statewide and develop a single funding formula that is transparent, needs based, and equitable among county and state supervision providers; and

WHEREAS, the Community Supervision Workgroup has taken up its charge to convene stakeholders across the three probation delivery systems to oversee a study to create a unified recommendation for an equitable and adequate funding formula and appropriation; and

WHEREAS, the Board of Directors of the Association of Minnesota Counties that represents the diverse interests of Minnesota's 87 counties, voted to support a new funding formula that provides counties with the resources needed to keep communities safe.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby endorses the efforts of the Community Supervision Work Group and urges the Legislature to pass a new funding formula and significant appropriation during the 2023 legislative session.

Ayes: 7

14. Closed Executive Session

14.1 Resolution No: 23-032
Authorization Of Settlement For Acquisition Of Certain Property Rights From Clifford Gergen For County Project 88-24

Motion: Mike Slavik Second: Mary Liz Holberg

This item did not go into closed session.

WHEREAS, Dakota County and Randolph Township are partnering on County Project 88-24 (Project); and

WHEREAS, the Project includes the segment of County State Aid Highway (CSAH) 88 from Trunk Highway (TH) 52 to TH 56; and

WHEREAS, the purpose and need for the Project is to improve safety, operations, and capacity along the Project corridor; and

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

WHEREAS, to build the Project, the County must partially acquire property owned by Clifford Gergen ("Owner"), identified as Parcels 8 & 9 by Dakota County R/W Map No. 495 ("Subject Property"); and

WHEREAS, the County's certified appraisal of value for the acquisition is $354,000; and

WHEREAS, the County's acquisition will require the Owner to relocate from the Subject Property; and

WHEREAS, Minn. Stat. § 117.187 requires the County to compensate the owner in an amount sufficient for an owner to purchase a comparable property in the community; and

WHEREAS, the County's relocation consultant performed an analysis that indicated $565,000 would be necessary for the Owner to purchase a comparable property within the community; and

WHEREAS, as a condition of settlement, the Owner indicated his desire for the County to purchase the totality of the Subject Property in fee rather than be left with the remainder tract; and

WHEREAS, 49 CFR 24.403(a)(3) of the Uniform Relocation and Real Estate Acquisition Act allows the County to offer to purchase the entirety of a tract when the partial acquisition of which requires relocation of the owner and the remaining land comprises a buildable lot; and

WHEREAS, to facilitate settlement of this acquisition, the County is agreeable to purchasing the entirety of the Subject Property in fee for $565,000; and

WHEREAS, the County Attorney and Transportation Department staff recommend approval of the settlement agreement as being a fair and equitable settlement of the claims in view of the impacts to the property, real estate market data, the additional time, expense and risk involved in initiating condemnation proceedings.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the acquisition of property from Clifford Gergen, legally described below, as being in the best interest of the County, and authorizes the Transportation Department to execute a purchase agreement for the same and to effectuate final settlement of the acquisition in the amount of $565,000.

Outlot A, Byllesby Shores 3rd Addition, according to the recorded plat thereof, Dakota County, Minnesota.

Also:

That part of the Southwest Quarter of the Northwest Quarter, Section 10, Township 112 North, Range 18 West, Dakota County, Minnesota, described as follows:

Beginning at the northwest corner of said Southwest Quarter of the Northwest Quarter; thence South 89 degrees 42 minutes 18 seconds East, bearing assumed, along the north line of said Southwest Quarter of the Northwest Quarter, a distance of 250.00 feet; thence South 00 degrees 17 minutes 28 seconds East a distance of 447.60 feet; thence North 89 degrees 49 minutes 47 seconds West a distance of 250.00 feet to the West line of said Southwest Quarter of the Northwest Quarter; thence North 00 degrees 17 minutes 28 seconds West, along said west line, a distance of 448.15 feet to the point of beginning.

Ayes: 7

15. Interagency Announcements/Reports

Interagency announcements and reports were then presented.

16. County Manager's Report

County Manager Matt Smith gave an update on the following:
- Community Services Committee of the Whole and Physical Development Committee of the Whole 2023 meetings will be held at the Western Service Center in Apple Valley, conference room L139.
- The County Board annual Planning Workshop will be held on January 24, 2023 following the Regional Railroad Authority meeting in Hastings.

17. Information

17.1 Information
See Attachment for future Board meetings and other activities.

18. Adjournment

18.1 Resolution No: 23-033
Adjournment

Motion: Mike Slavik Second: Laurie Halverson

On a motion by Commissioner Slavik, seconded by Commissioner Halverson, the meeting was adjourned at 10:03 a.m.

Ayes: 7

Liz Workman
Chair

ATTEST

Matt Smith
County Manager