



Dakota County

Board of Commissioners

Minutes

Tuesday, October 18, 2022

9:00 AM

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

1. Call To Order And Roll Call

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

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

2. Pledge Of Allegiance

The meeting was called to order at 9:00 a.m. by Chair 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. Several people were in attendance and the following people came forward to address the Board:

Susan Ferrozzo, Farmington (Election Poll Pads Security)
Linda Nara, Rosemount (Election Poll Pads Security)
Heidi Flodin, Burnsville (Election Poll Pads Security)
Deb Hrinda, South St. Paul (Elections)

4. Agenda

4.1 Resolution No: 22-432
Approval of Agenda (Additions/Corrections/Deletions)

Motion: Mary Hamann-Roland

Second: Laurie Halverson

Ayes: 7

5. Public Hearing**5.1** Resolution No: 22-434
Public Hearing To Receive Comments And Adoption Of Dakota County 2023
Recommended Fee Schedules

Motion: Joe Atkins

Second: Laurie Halverson

The time being 9:22 a.m., and pursuant to public notice, a public hearing was conducted for the purpose of receiving comments on the recommended Dakota County 2023 Fee Schedules. Director of Finance Peter Skwira briefed this item and the Public Hearing was opened. There were no comments received. The Public Hearing was unanimously closed at 9:23 a.m. (Resolution No. 22-433).

WHEREAS, Minn. Stat. § 373.41 authorizes the Dakota County Board to establish fees for various services provided to the public after holding a public hearing; and

WHEREAS, Dakota County desires to recover costs for services, except where an increase would adversely affect the use of a program or service; and

WHEREAS, notice of a public hearing on the recommended 2023 fee schedules was published from October 4, 2022 to October 18, 2022, on the Dakota County external website under Public Notices; and

WHEREAS, a public hearing was held on October 18, 2022, to receive comments on the 2023 fee schedules.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby adopts the Dakota County 2023 fee schedules, as presented at the General Government and Policy Committee of the Whole on October 4, 2022.

Ayes: 7

CONSENT AGENDA

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

6. County Administration - Approval of Minutes**6.1** Resolution No: 22-435
Approval of Minutes of Meeting Held on October 4, 2022

Motion: Mike Slavik

Second: Mary Hamann-Roland

Ayes: 7

7. Items Recommended By Board Committee*

- 7.1** Resolution No: 22-436
Ratification Of Minnesota Department Of Health Strong Foundations Grant Application, And Authorization To Accept Grant Funds And Execute Grant Agreement And Related Contracts

Motion: Mike Slavik

Second: Mary Hamann-Roland

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

WHEREAS, Public Health has a long history of providing home visiting services to families in Dakota County, utilizing the MDH Strong Foundations grant, and the Maternal, Infant, Early Childhood Home Visiting (MIECHV) grant to fund these services; and

WHEREAS, MIECHV is a federally funded program that uses evidence-based home visiting services to achieve positive outcomes for pregnant people and parents with young children; and

WHEREAS, the Strong Foundations grant is a combination of state and federal funds for evidence-based home visiting services supporting women, infants, young children, and families in the community; and

WHEREAS, the current Strong Foundations and MIECHV grants are set to expire on December 31, 2022; and

WHEREAS, in order to create efficiencies, MDH released a Request for Proposal that consolidated grant funding sources into one application also titled, Strong Foundations, ensuring stable funding to provide family home visiting services to county residents over the next five years; and

WHEREAS, beginning January 1, 2023, the Strong Foundations grant will be used exclusively to support the Maternal Early Childhood Sustained Home Visiting (MECSH) evidence-based home visiting model at Dakota County; and

WHEREAS, Dakota County Public Health applied and was awarded \$1,259,535 for a five-year Strong Foundations grant for the period of January 1, 2023 through December 31, 2023; and

WHEREAS, funding will be determined annually and is expected to remain stable; and

WHEREAS, in addition, MDH awarded Dakota County Public Health an additional \$19,477 to cover the salary and travel costs associated with Dakota

County's role as a MECOSH Apprentice Trainer; and

WHEREAS, the Strong Foundations grant will fund a total of 10.5 full-time equivalent (FTE) public health nurses, staff, and supervisors, as well as a reflective practice consultant who meets monthly with home visitors and supervisors to discuss best practice approaches to effectively promote health development in children and families.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners authorizes ratification of Dakota County's application for the Minnesota Department of Health (MDH) Strong Foundations grant for the period of January 1, 2023 through December 31, 2028; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners authorizes the Community Services Director to accept the Strong Foundations grant funds for the Dakota County Public Health Department, in the amount of \$1,259,535 effective January 1, 2023 through December 31, 2023; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners authorizes the Community Services Director to execute the grant agreement with MDH for the Strong Foundations grant for the period of January 1, 2023 through December 31, 2028, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners authorizes the Community Services Director to execute any necessary contracts that are a result of the need to provide services in relation to the MDH Strong Foundations work, 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 equivalents (FTEs), consistent with County contracting policies, and inclusion of grant funds in future yearly Recommended and Adopted Budgets, subject to approval by the County Attorney's Office as to form.

Ayes: 7

7.2 Resolution No: 22-437

Authorization To Execute Contracts For Children And Family In-Home And Community-Based Services

Motion: Mike Slavik

Second: Mary Hamann-Roland

WHEREAS, under the Minnesota Comprehensive Children's Mental Health Act, specifically Minn. Stat. § 245.4874, subd. 1, a variety of services are mandated for youth who are emotionally or severely emotionally disturbed; and

WHEREAS, the juvenile protection provisions of the Juvenile Court Act, Minn. Stat. § 260C, requires counties to make efforts to prevent out-of-home placement and address risks that may necessitate placement through child protection; and

WHEREAS, by Resolution No. 19-776 (October 29, 2019), the Dakota County Board of Commissioners authorized contracts with the selected vendors for the period of January 1, 2020 through December 31, 2021; and

WHEREAS, by Resolution No. 21-490 (October 19, 2021), the Dakota County Board of Commissioners authorized amendments to contracts with the selected vendors, extending the expiration date to December 31, 2022; and

WHEREAS, Children and Family Services conducted a comprehensive solicitation process in the summer of 2022 that resulted in 23 selected proposals, four (Arcpoint Labs, Lopno and Associates, Mosaic Services and Nexus-FACTS) of which require County Board authorization as their contracted services will exceed \$100,000 each over the two-year contract period of January 1, 2023 through December 31, 2024; and

WHEREAS, the array of services and vendors provides flexibility for the Children and Family Services to respond to issues to be addressed in casework, and the resulting contracts are the legal documents to protect and be responsive to Dakota County taxpayers to ensure effective service outcomes, competitive price, and liability protections; and

WHEREAS, funding for these contracts will be included in the 2023 and 2024 County Manager's Recommended Budget.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to execute contracts for In-home and Community-based services for youth and families for the period of January 1, 2023 through December 31, 2024, subject to approval by the County Attorney's Office as to form, as follows:

Arcpoint Labs - Drug Testing:

1. \$319.30 for Hair Follicle Testing
2. \$68.67 for Oral Saliva
3. \$319.30 for Nail Testing
4. \$33.19 for Transdermal Patch
5. IRS rate for travel
6. No Show at 80% of rate

Lopno and Associates:

1. Parenting Assessments - \$117.99/hour for up to 15 hours
2. Psychological Evaluations - Current Medical Assistance Rates

Mosaic:

1. Bridging Stabilization Program - \$8,328.23 per clinic Treatment
2. Systemic Family Therapy (SFT) - \$8,328.23 per clinic Treatment

Nexus-Facts:

1. Attachment & Behavioral Catch-Up:
 - a. \$30.09/hour - Non-Degreed Staff
 - b. \$85.36/hour - Degreed Staff
 - c. IRS rate for travel
2. Bridging Stabilization Program - \$8,328.23 per clinic Treatment
3. Systemic Family Therapy (SFT) - \$8,328.23 per clinic Treatment
4. Brief Counseling - \$145.19/hour for direct face-to-face contact with family
5. Day Treatment - Current Medical Assistance Rates
6. Psychological Evaluations - Current Medical Assistance Rates

; and

BE IT FURTHER RESOLVED, That the contract(s) 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, consistent with the amount budgeted, to alter the number and types of clients served, types of services provided, contract amount and the contract term, consistent with County contracting policies, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That service rates for contracts authorized for the period of January 1, 2023 through December 31, 2024, shall be increased by the inflation rate used in the Dakota County budget process as authorized by the Dakota County Board of Commissioners effective January 1, 2023, as applicable.

Ayes: 7

7.3 Resolution No: 22-438
Authorization To Amend Contract With YMCA Of The Greater Twin Cities For Drop-In Childcare Services

Motion: Mike Slavik

Second: Mary Hamann-Roland

WHEREAS, the Community Service Division has provided drop-in childcare services at the Northern Service Center for many years to assist Dakota County customers accessing services; and

WHEREAS, YMCA staff must observe approved policies and procedures in accepting and releasing children for care, explaining policies and procedures to parents or guardians regarding use of the services, and caring for children in a safe, developmentally appropriate manner that provides a positive experience for children while at the childcare center; and

WHEREAS, by Resolution No. 15-588 (November 17, 2015), the County Board authorized execution of a contract with the YMCA of the Greater Twin Cities (YMCA) for the period of January 1, 2016 through December 31, 2016, for the provision of drop-in childcare services; and

WHEREAS, the Dakota County Services Division issued a Request for Proposal (RFP) on September 19, 2016, and one proposal was received in response to the RFP; and

WHEREAS, a team comprised of multidisciplinary County staff reviewed the proposal and recommended the contract be awarded to the YMCA for drop-in childcare services; and

WHEREAS, by Resolution No. 16-599 (November 29, 2016), the County Board authorized execution of a contract with the YMCA for the period of January 1, 2017 through December 31, 2017, for the provision of drop-in childcare services; and

WHEREAS, by Resolution No. 17-573 (November 14, 2017), the County Board authorized execution of a contract with the YMCA for the period of January 1, 2018 through December 31, 2020, for the provision of drop-in childcare services; and

WHEREAS, by Resolution No. 21-034 (January 12, 2021), the County Board authorized execution of a two-year contract with the YMCA for a period of January 1, 2021 through December 31, 2022, for the provision of the drop-in childcare services, in a not to exceed contract amount of \$159,491; and

WHEREAS, childcare services were not provided due to COVID 19, therefore this service was not solicited in 2022; and

WHEREAS, a solicitation for childcare services will be issued in 2023; and

WHEREAS, staff is seeking County Board approval to execute an amendment to the contract with the YMCA to add \$79,746 to the contract for a total not to exceed contract amount of \$239,237 and to extend the expiration date through December 31, 2023, to allow for a solicitation to occur in 2023.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to execute an amendment to the contract with the YMCA of the Greater Twin Cities for drop-in child care services to add \$79,746 for a total not to exceed contract amount of \$239,237 to be reimbursed at a rate of \$6,645.46 per month, totaling the respective contract amount, and to extend the expiration date through December 31, 2023, subject to approval by the County Attorney's Office as to form; and

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

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

BE IT FURTHER RESOLVED, That the contract amount authorized for the period of January 1, 2023 through December 31, 2023, shall be increased by the inflation rate used in the Dakota County budget process as authorized by the Dakota County Board of Commissioners effective January 1 of each year as applicable.

Ayes: 7

7.4 Resolution No: 22-439

Authorization To Amend Joint Powers Agreement With Minnesota Department Of Corrections To Provide Secure Programming For Juvenile Females

Motion: Mike Slavik

Second: Mary Hamann-Roland

WHEREAS, Dakota County Community Corrections currently has a joint powers agreement (JPA) with the Minnesota Department of Corrections (MN DOC) to provide secure placement, gender specific services, necessary assessment and programming for any juvenile female ("resident") that Dakota County agrees to accept; and

WHEREAS, Dakota County Community Corrections has complete discretion whether it will accept a particular resident, which will depend on its existing security, health, order and safety needs of its facility, the Juvenile Service Center (JSC), at the time a particular request by the State is made; and

WHEREAS, by Resolution No. 20-516 (October 20, 2020), the Dakota County Board of Commissioners authorized execution of a JPA with MN DOC for secure programming for juvenile females at the JSC; and

WHEREAS, the end date in the resolution was erroneously written as August 31, 2021, however, the correct end date is listed in the JPA, August 31, 2023; and

WHEREAS, staff is requesting an amendment to the JPA to increase the daily rate Dakota County will bill MN DOC from \$295 to \$340; and

WHEREAS, the total obligation of the State under this agreement will not exceed \$150,000 per youth, or \$295,000 in total, which has not changed from the original JPA.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Service Director to amend the joint powers agreement with the Minnesota Department of Corrections to provide secure programming for juvenile females, 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 amend said contracts, consistent with the amount budgeted, to alter the number and types of clients served, types of services provided, service rates, contract amount and the contract term, consistent with County contracting policies, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That this service will end immediately in the event that sufficient funds from county, state or federal sources are no longer available to continue this service.

Ayes: 7

7.5 Resolution No: 22-440

Authorization To Enter Into A Joint Powers Agreement With State Of Minnesota, Acting Through Its Commissioner Of Minnesota Department Of Veterans Affairs, For Transportation Services To Veteran Affairs Medical Center In Minneapolis

Motion: Mike Slavik

Second: Mary Hamann-Roland

WHEREAS, the Hastings Veterans Home, owned and operated by the Minnesota Department of Veteran Affairs (MDVA), is a 179-bed domiciliary care facility for honorably discharged veterans and their spouses, located in Hastings, Minnesota; and

WHEREAS, the Hastings Veterans Home provides residents twice daily round-trip van rides from the Hastings Veterans Home to the Minneapolis VA Medical Center (VAMC) for those who need additional medical and dental care at the VAMC; and

WHEREAS, the relationship and respective responsibilities between the Dakota County Veteran Services Office and the MDVA have been positive and long-standing through a JPA arrangement; and

WHEREAS, staff recommends authorization to execute a JPA between the Dakota County Veteran Services Office and the MDVA for the purpose of providing free transportation services for Dakota County veterans who do not reside at the Hastings Veterans Home, and to allow increased access for veterans utilizing the VAMC.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to execute a joint powers agreement between the Minnesota Department of Veterans Affairs and Dakota County Veterans Services Office for the purpose of providing

free transportation services for Dakota County veterans who do not reside at the Hastings Veterans Home, and to allow increased access for veterans utilizing the Minneapolis VA Medical Center through August 14, 2023, subject to approval by the County Attorney's Office as to form.

Ayes: 7

7.6 Resolution No: 22-441

Authorization For Expansion Of Electric Vehicle Charging Infrastructure At County Service Centers And Maintenance Facility And Amend 2022 Fleet Capital Equipment Program Budget

Motion: Mike Slavik

Second: Mary Hamann-Roland

WHEREAS, Dakota County's programs, policies, and practices reflect a commitment to energy and environmental stewardship as a cornerstone of healthy and vibrant communities in alignment with the County's vision, mission, and goals; and

WHEREAS, Dakota County continues to invest in energy conservation measures that reduce its reliance on fossil fuels (e.g., geothermal) and support production of energy from non-fossil fuel-based sources (e.g., hydro and solar) consistent with the adopted County Energy Conservation and Greenhouse Gas Reduction Strategy (Resolution No. 22-068; February 22, 2022); and

WHEREAS, the Dakota County Board of Commissioners supports County efforts to reduce energy consumption by County facilities, vehicles, and equipment when such efforts result in reduced consumption of fossil fuels and reduction in greenhouse gases; and

WHEREAS, adopting a strategy of electrifying the County's fleet when a business case and life cycle cost analysis justifies investment in Hybrid, Battery Electric (BEV) and Plug In Electric Vehicles (PHEV) is consistent with the County's broader Energy Conservation and Green House Gas Reduction Strategy; and

WHEREAS, Electric Vehicle Charging infrastructure is necessary to support the County's ability to transition it's fleet to an electrified platform.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby affirms and formally adopts a strategy of investing in Fleet Electrification under the following conditions:

- Identify and invest in electric vehicle (EV) charging infrastructure to support transition to fleet electrification, using external revenues where available to offset some or all initial infrastructure costs, and public charging revenues to offset ongoing costs of repair and maintenance of EV charging stations
- Invest in EVs when the use is consistent with a Dakota County business

need, the cycle time fits with the electric vehicle range, and the return on investment on the vehicle is within the life of the vehicle, including any external revenues applied to the vehicle purchase price

; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners authorizes the County Manager to use Countywide Budget Incentive funds up to \$103,816 to expand the County's EV Charging infrastructure to the three main service centers (Northern, Western, and Hastings facilities) and the Empire Maintenance Facility.

BE IT FURTHER RESOLVED, That the 2022 Fleet Capital Equipment Program Budget is hereby amended as follows:

Expense

EV Charging Infrastructure \$103,816

Total Expense **\$103,816**

Revenue

Fund Balance \$103,816

Total Revenue **\$103,816**

; and

BE IT FURTHER RESOLVED, That the 2022 Non-Departmental Budget is hereby amended as follows:

Expense

Countywide BIP Expense (\$103,816)

Total Expense **(\$103,816)**

Revenue

Fund Balance (\$103,816)

Total Revenue **(\$103,816)**

Ayes: 7

7.7 Resolution No: 22-442

Authorization To Adopt Dakota County Agricultural Chemical Reduction Effort Plan

Motion: Mike Slavik

Second: Mary Hamann-Roland

WHEREAS, developing the Agricultural Chemical Reduction Effort (ACRE) Plan is a 2022 Board priority; and

WHEREAS, the 2020-2030 Dakota County Groundwater Plan identified reduction of agricultural chemical contamination as a high priority (strategy 1B1); specifically, tactic 1B1 states that the County will develop an ACRE Plan; and

WHEREAS, the purpose of ACRE is to reduce agricultural chemicals in

groundwater to levels that no longer pose threats to human health and the environment; and

WHEREAS, the ACRE Plan was developed through extensive research on current Minnesota programs and other state programs focused on improving water quality from agricultural operations, completion of a groundwater nitrate model, a robust stakeholder engagement process, and guidance provided by the County Board, County Planning Commission, and an Agricultural Advisory Group; and

WHEREAS, by Resolution No. 22-289 (July 19, 2022), the County Board authorized the release of the draft ACRE Plan for a 45-day public review period from July 20 to September 3, 2022; and

WHEREAS, comments were received from county residents and five organizations during the public review period resulting in no substantial changes to the ACRE Plan; and

WHEREAS, the Dakota County Planning Commission reviewed the revised ACRE Plan on September 22, 2022, and recommended the adoption of the ACRE Plan to the Physical Development Committee of the Whole.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby adopts the Dakota County Agricultural Chemical Reduction Effort (ACRE) Plan.

Ayes: 7

7.8 Resolution No: 22-443
Authorization To Execute Joint Powers Agreement With City Of Burnsville For Preliminary Engineering Of Multi-Use Trails Along County State Aid Highways 42 And 5 And Amend 2022 Transportation Capital Improvement Program Budget

Motion: Mike Slavik

Second: Mary Hamann-Roland

WHEREAS, to promote a safe and efficient transportation system throughout Dakota County, the County is partnering with the City of Burnsville to conduct preliminary engineering for missing trail segments along County State Aid Highway (CSAH) 42 and CSAH 5; and

WHEREAS, the Dakota County Pedestrian and Bicycle Study identified these trail gaps as high priorities for improving safety and mobility of pedestrians and bicyclists; and

WHEREAS, preliminary engineering of the trail gaps will assess feasibility, identify property impacts, provide opportunities for public engagement, and estimate trail construction costs; and

WHEREAS, the preliminary engineering effort will include preparation of grant applications for external funding with City and County approval; and

WHEREAS, the City of Burnsville is the lead agency for the preliminary engineering of the two trail gap projects, County Projects (CP) 42-167 and 05-054, with active participation of Dakota County staff; and

WHEREAS, costs of the preliminary engineering effort will be shared 85 percent County funds and 15 percent City funds in accordance with adopted County Policy; and

WHEREAS, the 2022-2026 Transportation Capital Improvement Program Adopted Budget includes \$200,000 in County set-aside funds that have not yet been utilized for trail gap design; and

WHEREAS, a budget amendment is required to transfer the funds from the trail gap set aside to CPs 42-167 and 05-054.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a joint powers agreement with the City of Burnsville to identify costs and responsibilities for preliminary engineering and preparation of approved external grant applications in accordance with County policy for trail gaps along County State Aid Highway 42 and County State Aid Highway 5 for County Projects 42-167 and 05-054, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the 2022 Transportation Capital Improvement Program Adopted Budget is hereby amended as follows:

Expense

CP 42-167	\$100,000
CP 05-054	\$100,000
Trail Gap Setaside	<u>(\$200,000)</u>
Total Expense	\$0

Revenue

CP 42-167 - City Funding	\$ 15,000
CP 42-167 - County Funding	\$ 85,000
CP 05-054 - City Funding	\$ 15,000
CP 05-054 - County Funding	\$ 85,000
Trail Gap Setaside - City Funding	<u>(\$ 30,000)</u>
Trail Gap Setaside - County Funding	<u>(\$170,000)</u>
Total Revenue	\$0

Ayes: 7

8. County Attorney

8.1 Resolution No: 22-444

Authorization To Execute Agreement With West Publishing Corporation For Westlaw Legal Research Subscription

Motion: Mike Slavik

Second: Mary Hamann-Roland

WHEREAS, the Dakota County Attorney's Office (CAO) has used Westlaw PROFLEX electronic legal research solutions on a subscription basis since 2017 to access caselaw, statutes, federal code, jury instructions, secondary sources and other resources and tools to perform the duties of the CAO; and

WHEREAS, the CAO renewed the subscription in 2019; and

WHEREAS, the CAO desires to renew the subscription for another three-year period at the rate of \$5,370.89 for the first year and 1 percent annual increases thereafter; and

WHEREAS, the proposed rate represents a 1 percent increase from the current monthly charge and an increase in the number of licenses for attorneys to access the system since the last renewal from 40 to 43; and

WHEREAS, the CAO also have nine law clerks who utilize the subscription at no cost; and

WHEREAS, the three-year total cost of the subscription is \$195,292.08.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the County Attorney to execute a purchase order agreement with West Publishing Corporation for a three-year subscription to Westlaw electronic legal research tools for a total amount not to exceed \$195,292.08, subject to approval by the County Attorney's Office as to form.

Ayes: 7

9. County Board/County Administration

9.1 Resolution No: 22-445
Acceptance Of Resignation From Members Of Dakota-Scott Workforce Development Board

Motion: Mike Slavik

Second: Mary Hamann-Roland

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby accepts the resignations received from Melissa Lutz and Jack Phillips, both Private sector representatives on the Dakota-Scott Workforce Development Board and authorizes staff to begin the process to fill the vacancies.

Ayes: 7

10. Enterprise Finance and Information Services

10.1 Report On Invoices Paid In September 2022
Information only; no action requested.

11. Physical Development

11.1 Resolution No: 22-446
Ratification Of Quarterly Entitlement And Special Funding Requests To U.S. Department Of Housing And Urban Development

Motion: Mike Slavik

Second: Mary Hamann-Roland

WHEREAS, the Dakota County Community Development Agency (CDA)

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

WHEREAS, funds expended from previously approved projects for Fiscal Years 2018-2021 of the CDBG, HOME, and ESG programs and special allocations must be ratified by the Dakota County Board of Commissioners; and

WHEREAS, the CDBG entitlement and special allocation expenses during the timeframe of April 1, 2022-June 30, 2022, totaled \$1,183,615.01; and

WHEREAS, the HOME entitlement and special allocation expenses during the timeframe of April 1, 2022-June 30, 2022, totaled \$658,708.44; and

WHEREAS, the ESG entitlement and special allocations expenses during the timeframe of April 1, 2022-June 30, 2022, totaled \$820,441.51; and

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

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby ratifies the requisitions to the U.S. Department of Housing and Urban Development for \$2,662,764.96 for April 1, 2022-June 30, 2022, as presented.

Ayes: 7

11.2 Resolution No: 22-447

Authorization To Purchase Fleet Vehicles And Equipment

Motion: Mike Slavik

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 (CEP); and

WHEREAS, outdated equipment is replaced in accordance with the Fleet CEP replacement criteria; 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 allows the County to purchase from these contracts; and

WHEREAS, the cooperative purchasing agreements result in reduced workload, provides 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.

- Four minivans
- Three trucks with special bodies

Ayes: 7

11.3 Resolution No: 22-448

Authorization To Execute Contract With Erickson Engineering For Bridge Design Services For County Project 31-107 In City Of Farmington And County Project 85-23 In Vermillion Township

Motion: Mike Slavik

Second: Mary Hamann-Roland

WHEREAS, to provide a safe and efficient transportation system, Dakota County is rehabilitating two bridges; and

WHEREAS, the first bridge is located on County State Aid Highway (CSAH) 31 over the Vermillion River in the City of Farmington; and

WHEREAS, the second bridge is located on CSAH 85 over the Vermillion River in Vermillion Township; and

WHEREAS, both bridge decks need replacement, and additional work is needed to bring the bridges up to current state-aid standards; and

WHEREAS, design expertise from an engineering firm is needed to complete rehabilitation plans and specifications; and

WHEREAS, two firms submitted proposals that were evaluated by Transportation staff as follows:

<u>Engineering Firm</u>	<u>Total Cost</u>
Erickson Engineering	\$123,824
LHB	\$139,647

; and

WHEREAS, the proposal from Erickson Engineering highlights their strong

technical expertise and experience working with the Minnesota Department of Transportation bridge office and was the lowest cost proposal; and

WHEREAS, the County Engineer recommends the execution of a contract with Erickson Engineering for bridge design services.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a contract with Erickson Engineering Company for bridge design services for County Project 31-107 and County Project 85-23 for \$123,824, subject to approval by the County Attorney's office as to form.

Ayes: 7

11.4 Resolution No: 22-449

Authorization To Execute Agreement With Castle Rock Township For Jurisdictional Transfer Of Portions Of County State Aid Highway 78 And Amend 2022 Transportation Capital Improvement Program Budget

Motion: Mike Slavik

Second: Mary Hamann-Roland

WHEREAS, Dakota County and Castle Rock Township ("the Township") each manages and maintains the appropriate roadways based on the role they provide to the overall transportation system; and

WHEREAS, in 2020 and 2021, the County reconstructed County Road 78 between Trunk Highway (TH) 3 and TH 50; and

WHEREAS, as a result of the reconstruction, there are segments of the roadway that are to be transferred to Castle Rock Township; and

WHEREAS, in accordance with Minn. Stat. § 163.11, a public hearing be held a public hearing be held at the Castle Rock Town Hall on August 29, 2022, to hear comments on the proposed jurisdictional transfer; and

WHEREAS, no comments or concerns were received regarding the proposed jurisdictional transfers at the public hearing; and

WHEREAS, an amount of \$76,400 has been calculated as payment for the township taking over the maintenance and operation based on the expected maintenance costs over the next ten years; and

WHEREAS, staff recommends authorizing execution of an agreement for the jurisdictional transfer of portions of County State Aid Highway 78.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute an agreement with Castle Rock Township for the jurisdictional transfer of portions of County State Aid Highway 78; and

BE IT FURTHER RESOLVED, That the 2022 Transportation Capital Improvement Plan is hereby amended as follows:

Expense

County Project 78-12	<u>\$76,400</u>
Total Expense	\$76,400

Revenue

Transportation Fund Balance	<u>\$76,400</u>
Total Revenue	\$76,400

Ayes: 7

11.5 Resolution No: 22-450

Approval Of Final Plats Recommended By Plat Commission

Motion: Mike Slavik

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:

DNH EMPIRE ADDITION	Empire Township
PRESTWICK PLACE 24TH ADDITION	Rosemount
PRESTWICK PLACE 25TH ADDITION	Rosemount
SCHMIDT ADDITION	Apple Valley

Ayes: 7

REGULAR AGENDA

12. Legislative Update

Paul Cassidy with Stinson was available but did not have any update to share with the Board. This item was on the agenda for informational purposes only.

13. Physical Development**13.1 Resolution No: 22-451**

Authorization To Release Draft 2023-2027 Capital Improvement Program For Formal Review

Motion: Mary Hamann-Roland

Second: Joe Atkins

Physical Development Deputy Director Erin Stwora briefed this item and responded to questions.

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.

Ayes: 7

14. Closed Executive Session**14.1 Resolution No: 22-452**

Settlement Authority For Acquisition Of Certain Property Rights Necessary For County Projects 26-54 And 63-27

Motion: Joe Atkins

Second: Laurie Halverson

This item did not go into closed session. Commissioners unanimously authorized the County Attorney's Office to proceed as noted in the confidential memo distributed to the Board.

WHEREAS, Dakota County (County) is proceeding with County Project (CP) 26-54 and County Project 63-27 in the Cities of Inver Grove Heights and Eagan to provide a safe and efficient transportation system; and

WHEREAS, CP 26-54 will expand approximately two miles of County State Aid Highway (CSAH) 26 (Loan 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, CP 63-27 will construct on a new alignment CSAH 62 (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, to construct the recommended improvements, Dakota County must acquire certain property rights from Joseph Steininger and Lynn Steininger identified in Dakota County Right of Way Map No. 471 as Parcels 60 and 62; and

WHEREAS, on October 13, 2022, the Dakota County Attorney's Office provided a confidential memorandum to the Dakota County Board of Commissioners explaining the legal strategy for accomplishing Dakota County's acquisition of the property rights identified in Dakota County Right of Way Map No. 471 as Parcels 60 and 62; and

WHEREAS, after review of the information contained in the confidential memorandum the County Board determined a closed session discussion with the County Attorney's Office was not required prior to providing settlement direction.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the County Attorney's Office to proceed with settlement of the acquisition of property rights identified in Dakota County Right of Way Map No. 471 as Parcels 60 and 62 in the amount of \$286,000, with an additional \$35,000 of authority to resolve any claim for attorney fees and costs associated with litigation of these parcels.

Ayes: 7

14.2 Resolution No: 22-453

Closed Executive Session: Discuss Labor Negotiations Strategy

Motion: Laurie Halverson

Second: Liz Workman

The time being 9:55 a.m. and pursuant to public notice, the County Board recessed to Conference Room 3A, Administration Center, Hastings, to discuss Labor Negotiations Strategy.

The following were present:

Commissioner Mike Slavik, District 1

Commissioner Kathleen A. Gaylord, District 2
Commissioner Laurie Halverson, District 3
Commissioner Joe Atkins, District 4
Commissioner Liz Workman, District 5
Commissioner Mary Liz Holberg, District 6
Commissioner Mary Hamann-Roland, District 7
Matt Smith, County Manager
Tom Donely, First Assistant County Attorney
Kathy Keena, County Attorney
Andrew Benish, Employee Relations Director
Nathan Hanson, Intergovernmental Analyst
Jeni Reynolds, Sr. Administrative Coordinator to the Board

The Closed Executive Session continued until 10:13 a.m.

WHEREAS, upon adoption of a resolution by majority vote, the Dakota County Board is authorized, pursuant to Minn. Stat. § 13D.03, to hold a closed executive session to discuss labor negotiations strategy; and

WHEREAS, the Dakota County Board of Commissioners desires to meet to discuss labor negotiations strategy.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby closes the County Board meeting on August 23, 2022, and recesses to Conference Room 3A, Administration Center, Hastings, Minnesota, in order to discuss labor negotiations strategy.

Ayes: 7

15. Interagency Announcements/Reports

Interagency announcements and reports were then presented.

16. County Manager's Report

County Manager Matt Smith commented on the following:

- Thank you to all who attended the We Are Water Event
- Staff will be preparing submissions to submit for the AMC Awards

17. Information

17.1 Information

See Attachment for future Board meetings and other activities.

18. Adjournment

18.1 Resolution No: 22-454

Adjournment

Motion: Mary Hamann-Roland

Second: Mike Slavik

On a motion by Commissioner Hamann-Roland, seconded by Commissioner Slavik, the meeting was adjourned at 10:14 a.m.

Ayes: 7

Kathleen A. Gaylord
Chair

ATTEST

Matt Smith
County Manager