



Dakota County

Board of Commissioners

Minutes

Tuesday, December 13, 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. No comments were received for this agenda.

4. Agenda

4.1 Resolution No: 22-524
Approval of Agenda (Additions/Corrections/Deletions)

Motion: Mary Hamann-Roland

Second: Laurie Halverson

Ayes: 7

5. Presentation

5.1 Recognition of Conservation Minnesota's 2022 Blazing Star Award

John Anderson with Conservation Minnesota presented the 2022 Blazing Star Award for the Bison Reintroduction at Spring Lake Park Reserve. Parks Director Niki Geisler accepted the award and photos were taken.

5.2 Recognition of Association of Minnesota Counties (AMC) Awards

Two areas were recognized by the Association of Minnesota Counties (AMC).

AMC Award was presented for the Bison Reintroduction at Spring Lake Park Reserve. Parks Director Niki Geisler was present. Photos were taken.

AMC Award was presented for the Workforce Mobility Program in partnership with Inver Hills Community College and Dakota County Technical College. Workforce Development Director/Director of Dakota-Scott Workforce Board Mark Jacobs was present. Photos were taken.

CONSENT AGENDA

On a motion by Commissioner Workman, seconded by Commissioner Atkins, the consent agenda was approved as follows:

6. County Administration - Approval of Minutes

6.1 Resolution No: 22-525

Approval of Minutes of Meeting Held on November 15, 2022, Special Meeting November 29, 2022 and Budget and Levy Meeting November 29, 2022

Motion: Liz Workman

Second: Joe Atkins

Ayes: 7

7. Items Recommended By Board Committee*

7.1 Resolution No: 22-526

Authorization To Withdraw From Dakota Broadband Board And Terminate Agreement For Financial Management Services

Motion: Liz Workman

Second: Joe Atkins

The vote passed 6-1. Commissioner Hamann-Roland voted no.

WHEREAS, Dakota County has been a member of the Dakota Broadband Board since 2017; and

WHEREAS, the Dakota Broadband Board directed the Interim Executive Director to prepare a dissolution plan in July 2022 to be considered at a later date; and

WHEREAS, a draft dissolution plan was created and considered by the Dakota Broadband Board at the November 2022 board meeting; and

WHEREAS, the Dakota Broadband Board voted to table the consideration of the dissolution plan until May 1, 2023; and

WHEREAS, the Dakota Broadband Board joint powers agreement allows members who have not provided any system components to withdraw, effective

immediately, by providing written notice to the chair of the board; and

WHEREAS, Dakota County provides financial management services to the Dakota Broadband Board; and

WHEREAS, Dakota County will require all cities who use the county fiber network to sign an indefeasible right to use agreement.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby directs the County Manager to provide written notice on December 15, 2022 withdrawing from the Dakota Broadband Board effective March 1, 2023 and terminating the financial management services agreement with the Dakota Broadband Board; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby directs staff to continue to work with Dakota Broadband Board members to develop a dissolution plan that the Board can support.

Ayes: 6

Nay: 1

7.2 Resolution No: 22-527

Authorization To Execute Contract With Avivo For Minnesota Family Investment Program Employment Services

Motion: Liz Workman

Second: Joe Atkins

WHEREAS, Dakota County implements Minnesota Family Investment Programs (MFIP) to eligible Dakota County residents; and

WHEREAS, a competitive Request for Proposal (RFP) for MFIP Employment Services was issued on August 29, 2016; and

WHEREAS, upon careful review of the proposals, the Evaluation Committee members of the Dakota-Scott Workforce Development Board (WDB) selected the proposal for Avivo, and the WDB approved the committee's recommendation at its October 21, 2016, meeting; and

WHEREAS, by Resolution No. 21-583 (December 14, 2021), the Dakota County Board of Commissioners authorized execution of a contract with Avivo for the provision of MFIP Employment Services in an amount not to exceed \$983,244 for the period of January 1, 2022 through December 31, 2022; and

WHEREAS, the WDB Executive Committee has recommended executing a contract with Avivo and on October 28, 2021, the WDB approved executing a contract with Avivo in an amount not to exceed \$1,043,244 for the period of January 1, 2023 through December 31, 2023; and

WHEREAS, staff recommends executing a contract with Avivo in an amount not to exceed \$1,043,244 for the period of January 1, 2023 through December 31, 2023.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to execute a contract with Avivo to provide employment and obtain case management services and job club services for Minnesota Family Investment Programs participants in an amount not to exceed \$1,043,244 for the period of January 1, 2023 through December 31, 2023, 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 contract, consistent with the Minnesota Family Investment Programs Employment Services grants awarded by the Minnesota Department of Human Services and the Minnesota Department of Employment and Economic Development, to alter the number and types of clients served, types of services provided, contract amount, reporting requirements, 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 this 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.

Ayes: 7

7.3 Resolution No: 22-528

Authorization To Accept A Gift From HealthPartners To Dakota County In Support Of Public Health And Amend 2022 Public Health Budget

Motion: Liz Workman

Second: Joe Atkins

WHEREAS, by Resolution No. 09-246 (May 19, 2009), it is required that gifts of real or personal property exceeding \$500 in value must be accepted by resolution of the County Board; and

WHEREAS, in September 2022, Dakota County received notification of being awarded an unrestricted grant in the amount of \$100,000 in support of the work in the Public Health Department; and

WHEREAS, the goal is that Dakota County uses the grant to benefit HealthPartners Medicaid members which may include the following activities:

- General support done by both public health and social services
- Support family home visiting
- Support behavioral health care and services

- Support services needs post pandemic

; and

WHEREAS, a letter signed by the Board Chair will be sent to HealthPartners to thank them for their contribution to the Public Health Department; and

WHEREAS, the Dakota County Public Health Department recommends acceptance of this gift and an amendment to the budget.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby accepts the gift from HealthPartners and expresses its appreciation for this generous gift; and

BE IT FURTHER RESOLVED, That the 2022 Public Health Budget is hereby amended as follows:

Expense

Program Expenses	<u>\$100,000</u>
Total Expense	\$100,000

Revenue

Grant Revenue	<u>\$100,000</u>
Total Revenue	\$100,000

Ayes: 7

7.4 Resolution No: 22-529
Authorization To Execute Joint Powers Agreement With Independent School District 196 For Infant Feeding Support Group

Motion: Liz Workman

Second: Joe Atkins

WHEREAS, research shows that breastfeeding offers many health benefits for infants and mothers, as well as potential economic and environmental benefits for communities; and

WHEREAS, Dakota County Public Health identified a need for services around lactation and breastfeeding support to residents in Dakota County; and

WHEREAS, lactation support is limited in Dakota County, not only within the community, but also within the health care setting; and

WHEREAS, of the three hospitals that are located within Dakota County, Fairview Ridges Hospital had the largest percentage of births at 48 percent (data from 2018 births) and most hospitals offer outpatient lactation support, but transportation can be a barrier, especially considering that majority of births of

Dakota County residents occur outside of the county according to the 2015 Dakota County Community Breastfeeding Assessment; and

WHEREAS, the assessment also identified many clinics refer lactation concerns to one central clinic, which typically was outside of Dakota County; and

WHEREAS, the first twelve weeks of an infant's life are a critical time for infant nutrition, especially breastfeeding; and

WHEREAS, Dakota County Public Health and Independent School District 196 (ISD 196) Early Childhood Family Education are partnering to provide a weekly infant feeding support group at the Dakota Valley Learning Center in Apple Valley; and

WHEREAS, the group facilitators include Family Home Visiting nurses, Women, Infants and Children lactation consultants, and an ISD 196 parent educator; and

WHEREAS, the purpose of the group is to provide families an opportunity to have access to lactation support, information, and assistance from peers and lactation professionals on a consistent and regular basis at critical points during early infant nutrition with the target audience being families providing human milk to their infants within Dakota County in the target age of newborn to 12 weeks; and

WHEREAS, there is no cost to families, and they can continue to participate after 12 weeks of age if they desire; and

WHEREAS, the group will be open to pregnant individuals looking for lactation information, support, and connection with others in the community; and

WHEREAS, staff recommends executing a joint powers agreement (JPA) with ISD 196 for the parties to agree to their respective responsibilities, effective upon execution of the JPA through June 30, 2024; and

WHEREAS, staff recommends authorizing approval for an amendment for one year through June 30, 2025, subject to approval by the County Attorney's Office as to form.

NOW, THEREFORE, BE IT RESOLVED, The Dakota County Board of Commissioners hereby authorizes the Community Services Director to execute a joint powers agreement with Independent School District 196 for an infant feeding support group effective upon execution of the parties through June 30, 2024, 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 joint powers agreement contract term, consistent with County contracting policies, subject to approval by the County Attorney's Office as to form.

Ayes: 7

7.5 Resolution No: 22-530

Authorization To Execute Amendment With 360 Communities For Family Homelessness Prevention And Assistance Utilizing Minnesota Housing Finance Agency Program Grant Funds

Motion: Liz Workman

Second: Joe Atkins

WHEREAS, the Minnesota Legislature established the Family Homelessness Prevention and Assistance Program (FHPAP) in 1993 to assist families with children, youth and single adults who are homeless or are at imminent risk of homelessness; and

WHEREAS, by Minn. Stat. § 462A.204, FHPAP grant funding must be administered by counties in the metro area who, in turn, may sub-grant some or all funds to other entities; and

WHEREAS, funding is awarded through a competitive grant application process with predetermined criteria in four categories: planning, project design, program capacity/performance and need; and

WHEREAS, Minnesota Statute also requires the establishment of an advisory committee to assist in preparing the project proposal and the design, implementation, and evaluation of the project; and

WHEREAS, the Dakota County Affordable Housing Coalition (AHC) acts as the FHPAP Advisory Committee and a community-based subcommittee has been established by the AHC to help inform project direction and priorities; and

WHEREAS, by Resolution 21-260 (May 18, 2021), the Dakota County Board of Commissioners authorized executing contracts for the provision of FHPAP, utilizing the grant funds that were authorized under the same resolution; and

WHEREAS, this resolution included authorization to contract with 360 Communities in an amount not to exceed \$293,308 for homelessness prevention services; and

WHEREAS, due to changes in the provision of FHPAP grant services approved by the Minnesota Housing Finance Agency, staff recommends amending the 360 Communities FHPAP contract by an additional \$136,967 to an amount not to exceed \$430,275 through September 30, 2023; and

WHEREAS, 360 Communities will provide additional homelessness prevention services as well as rapid re-housing services.

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

Commissioners hereby authorizes the Community Services Director to execute an amendment with 360 Communities in an amount not to exceed \$430,275 for the Family Homeless Prevention and Assistance Program for the period of September 1, 2021 through September 30, 2023, 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, within the amount budgeted, to alter the number and types of clients served, type of services provided, 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 the contracts shall contain a provision that allows the County to immediately terminate the contracts in the event sufficient funds from county, state, or federal sources are not appropriated at a level sufficient to allow payment of the amounts due.

Ayes: 7

7.6 Resolution No: 22-531
Authorization To Execute Contract With 360 Communities For Dakota County Housing Clinic Housing Support Workers

Motion: Liz Workman

Second: Joe Atkins

WHEREAS, Dakota County Social Services staff, Dakota County Courts and partners have collaborated to create an eviction court clinic called the Dakota County Housing Clinic (DCHC); and

WHEREAS, the DCHC is a voluntary program that offers support, including legal assistance, financial assistance, and access to housing support services, to tenants at the first appearance for eviction cases; and

WHEREAS, housing support workers are present at court hearings scheduled three days per week; and

WHEREAS, these positions work with the courts, do pre-court outreach to tenants, connect tenants to resources and services, provide support for applications for federal Emergency Rental Assistance (ERA), Emergency Assistance and Emergency General Assistance funds, and assist with communication and coordination between tenants, landlords and courts; and

WHEREAS, on August 1, 2021, Dakota County entered into a contract with 360 Communities to begin this work for \$99,000 for the period of August 1, 2021 through September 30, 2022; and

WHEREAS, by Resolution 21-415 (August 24, 2021), the Dakota County Board of Commissioners authorized an amendment to add an additional \$56,000 for additional services in the same contract period, for a total not to exceed contract

amount of \$155,000 effective upon execution which was fully funded with Emergency Rental Assistance funds for Housing Stability Services, including court coordination services; and

WHEREAS, with the passage of the Eviction Moratorium Off-Ramp legislation, the DCHC planning committee anticipated a high volume of evictions to be filed and a high volume of cases to flow through eviction court; and

WHEREAS, to accommodate this work, Social Services proposed to add three additional Housing Support Worker positions to DCHC via a contract with 360 Communities; and

WHEREAS, by Resolution 22-295 (July 19, 2022), the Dakota County Board of Commissioners authorized an amendment to add an additional \$82,835 to the contract for a total of \$237,835 and extend the term to December 31, 2022; and

WHEREAS, the additional time has allowed this team to continue serving clients in eviction court and the additional funds will allow this team to expand by one full-time Housing Support Worker; and

WHEREAS, to support continued Housing Clinic activities, staff proposes a new contract with 360 Communities for the period of January 1, 2023 through December 31, 2023, for a total not to exceed amount of \$359,276.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to execute a contract with 360 Communities for housing clinic housing support workers funded by the Emergency Rental Assistance funds for Housing Stability Services for a total not to exceed contract amount of \$359,000, for the period of January 1, 2023 through December 31, 2023, 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 contract, within the amount budgeted, to alter the number and types of clients served, types of services provided, service expectations and rates, and the contract term, consistent with County contracting policies, subject to the approval by the County Attorney's Office as to form; 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.

Ayes: 7

7.7 Resolution No: 22-532

Authorization To Amend Joint Powers Agreement With City Of South St. Paul
For Mississippi River Greenway: Wakota Bridge Trailhead

Motion: Liz Workman

Second: Joe Atkins

WHEREAS, by Resolution No. 21-268 (May 18, 2021), the County Board authorized a joint powers agreement (JPA) #C0034615 with the City of South St. Paul for final design of the Mississippi River: Wakota Bridge Trailhead; and

WHEREAS, the construction of a new trailhead facility on the Mississippi River Greenway is a shared priority between the City of South St Paul and Dakota County; and

WHEREAS, through this partnership, Dakota County and South St. Paul have secured \$1,100,000 in state and federal grants; and

WHEREAS, the final project construction estimate is \$1,450,000, including a 10 percent contingency; and

WHEREAS, Dakota County and the City of South St. Paul will each contribute up to an additional \$170,000 towards final construction costs; and

WHEREAS, Dakota County and City of South St. Paul will equally share in deferred maintenance as needed to keep the trailhead facility operational; and

WHEREAS, a future Supplemental Maintenance Agreement will be established between the City of South St. Paul and Dakota County for ongoing maintenance; and

WHEREAS, the construction cost share for Dakota County of the joint power agreement is amended to add up to \$170,000, including a ten percent contingency; and

WHEREAS, sufficient revenues are available in the recommended 2023 Dakota County Park Capital Improvement Program within the Greenway Collaborative set-aside.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to amend a joint powers agreement with City of South St. Paul to fund the construction of the Mississippi River Greenway: Wakota Bridge Trailhead for the period of January 1, 2023, through December 31, 2024, as presented, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a supplemental maintenance agreement with the City of South St Paul for the Mississippi River Greenway, including the Wakota Bridge Trailhead, subject to approval by the

County Attorney's Office as to form.

Ayes: 7

7.8 Resolution No: 22-533
Approval Of 2023 Planning Commission Work Plan

Motion: Liz Workman

Second: Joe Atkins

WHEREAS, Dakota County Ordinance No. 118 establishes the powers and duties of the Planning Commission to make recommendations on plans, policies, and programs, as directed by the County Board; and

WHEREAS, County Policy No. 1015 provides direction regarding its citizen advisory committees and states that the Planning Commission is required to consult annually with the County Board to seek concurrence regarding the topics they will study or on which they will advise the County Board; and

WHEREAS, the County Board has identified topics for 2023, including the preparation of plans for natural resources, parks, greenways, and transportation; and

WHEREAS, the 2023 Planning Commission Work Plan is consistent with County Board projects.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the 2023 Planning Commission Work Plan as presented to the Physical Development Committee of the Whole on November 29, 2022.

Ayes: 7

7.9 Resolution No: 22-534
Authorization Of Resolution Of Support For 2022 Minnesota Department Of Transportation Active Transportation Funding Applications

Motion: Liz Workman

Second: Joe Atkins

WHEREAS, the Minnesota Department of Transportation (MnDOT) is requesting funding application submittals for funding under the Active Transportation (AT) program; and

WHEREAS, the AT program funds up to 100 percent of project construction costs; and

WHEREAS, funding application submittals are due December 30, 2022; and

WHEREAS, all projects proposed are consistent with the adopted Dakota County Pedestrian and Bicycle study as well as the Dakota County Pedestrian Crossing Safety Assessment; and

WHEREAS, applications to the AT program require a full resolution of support

from the sponsoring agency.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board hereby supports the submittal of 2022 Minnesota Department of Transportation Active Transportation program applications for the following projects:

1. County Project 97-217, Pedestrian Crossing Safety Enhancements
2. County Project 56-14, Concord Boulevard Pedestrian and Bicycle Improvements

Ayes: 7

7.10 Resolution No: 22-535

Authorization To Execute Agreement With Minnesota Pollution Control Agency For Household Hazardous Waste Program And Execute Agreement With PaintCare Inc.

Motion: Liz Workman

Second: Joe Atkins

WHEREAS, the Dakota County Board of Commissioners wishes to participate in the statewide household hazardous waste (HHW) program to further the goals of protecting public health and the environment; and

WHEREAS, Minn. Stat. § 115A.96 allows Metropolitan HHW programs to be administered by a public entity through an agreement with the Minnesota Pollution Control Agency (MPCA); and

WHEREAS, Minn. Stat. § 115A.1415 requires paint producers to implement a product stewardship program for architectural paint in Minnesota; and

WHEREAS, paint producers created PaintCare Inc., a non-profit organization, to administer and implement paint product stewardship programs across the country; and

WHEREAS, PaintCare Inc.'s product stewardship program went into effect in Minnesota on November 1, 2014, with a per-can fee on architectural paint sold; and

WHEREAS, funds collected by PaintCare Inc. are used to reimburse counties for costs associated with managing and the transportation of architectural paint collected at The Recycling Zone, at events, and for paint taken by the public for reuse; and

WHEREAS, staff recommends execution of an Agreement with the MPCA for HHW Program operations; and

WHEREAS, to participate in the product stewardship program, Minnesota counties must enter into an Agreement with PaintCare Inc. that addresses indemnification rights and obligations, insurance coverage, spill reporting, and the right for PaintCare to inspect county HHW facilities and records related to

paint reimbursement.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Environmental Resources Department Director to execute an agreement between Dakota County and the Minnesota Pollution Control Agency to operate the Dakota County Household Hazardous Waste Program, as substantially presented to the Physical Development Committee of the Whole on November 29, 2022, and subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Environmental Resources Department Director to execute an agreement with Dakota County and PaintCare Inc. to address indemnification, insurance coverage, and reimbursement to Dakota County for costs associated with managing and transportation of architectural paint, as substantially presented to the Physical Development Committee of the Whole on November 29, 2022, and subject to approval by the County Attorney's Office as to form.

Ayes: 7

7.11 Resolution No: 22-536

Authorization To Execute Host Fee Agreements For Burnsville Sanitary Landfill, Burnsville Dem/Con Landfill, Pine Bend Sanitary Landfill, Dawnway Demolition Landfill, And SKB Environmental

Motion: Liz Workman

Second: Joe Atkins

WHEREAS, Burnsville Sanitary Landfill, Inc., (BSLI) is the owner and operator of the Burnsville Sanitary Landfill, located in the city of Burnsville, which accepts solid waste for disposal; and

WHEREAS, Dakota County entered into five Host Fee Agreements with BSLI for payment of host fees in lieu of statutory surcharge fees on solid waste disposed of at the Burnsville Sanitary Landfill from 1997 through 2022; and

WHEREAS, the current Host Fee Agreement between Dakota County and BSLI expires on December 31, 2022; and

WHEREAS, BSLI and Dakota County have reached an agreement on the terms of a Host Fee Agreement that requires BSLI to pay Dakota County a host fee on solid waste disposed of at the Burnsville Sanitary Landfill from January 1, 2023, through December 31, 2027, in lieu of the surcharge fee provided for by Minn. Stat. § 115A.919; and

WHEREAS, BSLI is the owner and operator of the Burnsville Dem/Con Landfill, located in the city of Burnsville, which accepts solid waste for disposal; and

WHEREAS, Dakota County entered into five Host Fee Agreements with BSLI for the payment of host fees at the Burnsville Dem/Con Landfill from 1998 through

2022; and

WHEREAS, the current Host Fee Agreement between Dakota County and BSLI expires on December 31, 2022; and

WHEREAS, BSLI and Dakota County have reached an agreement on the terms of a Host Fee Agreement that requires BSLI to pay Dakota County a host fee on solid waste disposed at the Burnsville Dem/Con Landfill from January 1, 2023, through December 31, 2027, in lieu of the surcharge fee provided for by Minn. Stat. § 115A.919; and

WHEREAS, BFI Waste Systems of North America, LLC, (BFI) is the owner and operator of the Pine Bend Sanitary Landfill, located in the city of Inver Grove Heights, which accepts solid waste for disposal; and

WHEREAS, Dakota County entered into five Host Fee Agreements with BFI for payment of host fees in lieu of statutory surcharge fees on solid waste disposed of at the Pine Bend Sanitary Landfill from 1997 through 2022; and

WHEREAS, the current Host Fee Agreement between Dakota County and BFI expires on December 31, 2022; and

WHEREAS, BFI and Dakota County have reached an agreement on the terms of a Host Fee Agreement that requires BFI to pay Dakota County a host fee on solid waste disposed of at the Pine Bend Sanitary Landfill from January 1, 2023, through December 31, 2027, in lieu of the surcharge fee provided for by Minn. Stat. § 115A.919; and

WHEREAS, Frattalone's Dawnway, LLLP, (Frattalone) is the owner and operator of the Frattalone Dawnway Demolition Landfill, located in the Cities of Inver Grove Heights and South St. Paul, which accepts solid waste for disposal; and

WHEREAS, Dakota County entered into three host fee agreements with Frattalone for payment of host fees on waste disposed of in the Landfill from 2008 through 2022; and

WHEREAS, the current Host Fee Agreement between Dakota County and Frattalone expires on December 31, 2022; and

WHEREAS, Frattalone and Dakota County have reached an agreement on the terms of a host fee agreement that requires Frattalone to pay Dakota County a host fee on solid waste disposed at the Dawnway Demolition Landfill from January 1, 2023, through December 31, 2027, in lieu of the surcharge fee provided for by Minn. Stat. § 115A.919; and

WHEREAS, SKB Environmental, Inc., (SKB) is the owner and operator of the SKB Industrial Waste Landfill and SKB Demolition Landfill, located in the city of Rosemount, and SKB Rich Valley Demolition Landfill, located in the city of Inver

Grove Heights, which accept solid waste for disposal; and

WHEREAS, Dakota County entered into five host fee agreements with SKB for payment of host fees on waste disposed of in the Landfills from 2000 through 2022; and

WHEREAS, the current Host Fee Agreement between Dakota County and SKB expires on December 31, 2022; and

WHEREAS, SKB and Dakota County have reached an agreement on the terms of a host fee agreement that requires SKB to pay Dakota County a host fee on solid waste disposed at the SKB Rosemount Industrial Waste, the SKB Rosemount Demolition Landfill, and the SKB Rich Valley Demolition Landfill from January 1, 2023, through December 31, 2027, in lieu of the surcharge fee provided for by Minn. Stat. § 115A.919.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute the Host Fee Agreement between Dakota County and BSLI, as presented to the Physical Development Committee of the Whole on November 29, 2022, for waste disposed of in the Burnsville Sanitary Landfill during the period from January 1, 2023, through December 31, 2027, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute the Host Fee Agreement between Dakota County and BSLI, as presented to the Physical Development Committee of the Whole on November 29, 2022, for waste disposed of in the Burnsville Dem/Con Landfill during the period from January 1, 2023, through December 31, 2027, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute the Host Fee Agreement between Dakota County and BFI, as presented to the Physical Development Committee of the Whole on November 29, 2022, for waste disposed of in the Pine Bend Sanitary Landfill during the period from January 1, 2023, through December 31, 2027, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute the Host Fee Agreement between Dakota County and Frattalone, as presented to the Physical Development Committee of the Whole on November 29, 2022, for waste disposed of in the Dawnway Demolition Landfill during the period from January 1, 2023, through December 31, 2027, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute the Host Fee Agreement between Dakota County and SKB, as presented to the Physical Development Committee of the Whole on November 29, 2022, for waste disposed of in the SKB Rosemount Industrial Waste, The SKB Rosemount Demolition Landfill, and the SKB Rich Valley Demolition Landfill during the period from January 1, 2023, through December 31, 2027, subject to approval by the County Attorney's Office as to form.

Ayes: 7

8. County Attorney

8.1 Resolution No: 22-537

Authorization To Execute Agreements To Provide Legal Services To Community Development Agency, Dakota County Drug Task Force, And Metropolitan Library Service Agency

Motion: Liz Workman

Second: Joe Atkins

WHEREAS, the Dakota County Attorney's Office is currently providing legal services to the Community Development Agency (CDA), Dakota County Drug Task Force (DCDTF), and Metropolitan Library Service Agency (MELSA) pursuant to legal services agreements; and

WHEREAS, those agreements have or will expire by December 31, 2022; and

WHEREAS, CDA, DCDTF and MELSA staff wish to continue receiving legal advice and services from the County Attorney's Office, and the County Attorney's Office is not required to, but is willing to provide legal services as requested on terms agreeable to the County and the requesting entity; and

WHEREAS, the proposed legal services agreements with the CDA, DCDTF, and MELSA will extend through the end of 2024; and

WHEREAS, pursuant to the agreements, the County Attorney's Office will provide services to the CDA, DCDTF (except for the first 60 hours, see below) and MELSA at an hourly rate of \$216.00 in 2023 for attorney time and \$48.00 for paralegal time; and in 2024, at an hourly rate of \$222.00 for attorney time and \$49.00 for paralegal time; and

WHEREAS, the Dakota County Finance Department determined that the hourly rate includes direct and indirect administrative costs for a mid-level senior attorney in the County Attorney's Office; and

WHEREAS, the Dakota County Attorney's Office will continue to provide DCDTF 60 hours of legal service (inclusive of both attorney and paralegal time) at no cost to the DCDTF for each year of the contract term and after the first 60 hours have been exhausted, work will be billed at the applicable rate for each year of the contract term.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Dakota County Attorney to execute the agreements, substantially as presented and subject to approval by the County Attorney's Office as to form, with the Dakota Community Development Agency, Metropolitan Library Service Agency and Dakota County Drug Task Force to provide legal services through the end of 2024 with either party having the power to terminate the agreement without cause by providing written notice to the other party.

Ayes: 7

9. County Board/County Administration

9.1 Resolution No: 22-538

Authorization To Execute Contract Amendment With Stinson LLP For State Governmental Relations Services

Motion: Liz Workman

Second: Joe Atkins

WHEREAS, effective January 1, 2019, the County of Dakota ("County") and Stinson LLP ("Contractor") entered into a Contract for the provision of state governmental relations services pursuant to County Board Resolution No. 18-635; and

WHEREAS, the Contract expires on December 31, 2022; and

WHEREAS, the original Contract had a not to exceed amount of \$169,047.60 for 24 months; and

WHEREAS, the parties desire to amend the Contract to extend the terms of the Contract to December 31, 2024, with the total not to exceed amount of the Contract increased to \$351,485.10 to cover \$88,750.00 in 2023 and \$93,187.50 in 2024; and

WHEREAS, the Contract requires all amendments to be reduced to writing and signed by both parties' authorized representative.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the County Manager to execute an amendment of the contract with Stinson LLP for the provision of governmental relations services under the amended terms and conditions for the time period between January 1, 2023 - December 31, 2024 with a total contract cost not to exceed \$351,485.10 to cover \$88,749.99 in 2023 and \$93,187.49 in 2024, subject to approval as to form by the County Attorney's Office.

Ayes: 7

9.2 Resolution No: 22-539

Authorization To Execute Contract With Downs Government Affairs, LLC, For Federal Governmental Relations Services

Motion: Liz Workman

Second: Joe Atkins

WHEREAS, effective January 1, 2020, the County of Dakota ("County") and Downs Government Affairs, LLC ("Contractor") entered into a Contract for the provision of state governmental relations services pursuant to County Board Resolution No. 19-881 (December 17, 2019); and

WHEREAS, the Contract expires on December 31, 2022; and

WHEREAS, the parties desire to enter into a new Contract through December 31, 2024, with the total not to exceed amount of the Contract set as \$90,000.00 to cover \$45,000 in 2023 and \$45,000 in 2024.

NOW THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the County Manager to execute a contract with Downs Government Affairs, LLC for the provision of federal governmental relations services for the time period between January 1, 2023 - December 31, 2024 with a total contract cost not to exceed \$90,000.00, to cover \$45,000.00 in 2023 and \$45,000.00 in 2024, subject to approval as to form by the County Attorney's Office.

Ayes: 7

9.3

Resolution No: 22-540

Summary Of Conclusions Of Closed Executive Session To Evaluate Performance Of County Manager

Motion: Liz Workman

Second: Joe Atkins

WHEREAS, pursuant to Minn. Stat. § 13D.05, subd. 3(a), the County Board held a closed executive session on November 29, 2022, to evaluate the performance of the County Manager; and

WHEREAS, Minn. Stat. § 13D.05, Subd. 3(a) requires that the County Board summarize its conclusions regarding the evaluations; and

WHEREAS, 50 percent of the Manager's rating was based on the four Priority elements (Internal, Stakeholder, Financial, and Learning and Growth Perspectives); and

WHEREAS, the remaining 50 percent of the rating was based upon ten established Manager core competences, including Strategic Agility; Communicating Vision & Purpose; Analytical Thinking & Planning; Decision Making; Listening-Communications Skills; Handling Conflict & Difficult Situations; Organizational Expertise; Working with Others & Teams; Honesty & Integrity; and Impact on Results.

NOW, THEREFORE, BE IT RESOLVED, That based upon a review of the County Manager's performance with respect to the Balanced Scorecard elements and core competencies, the Manager's performance is rated at the

level of Exceeds Performance Standards.

Ayes: 7

9.4 Resolution No: 22-541

Approval Of Revisions To Policy 3200 Pay Practices, 3340 Travel On County Business, And 3360 Corrective Intervention

Motion: Liz Workman

Second: Joe Atkins

WHEREAS, the Employee Relations Department periodically reviews and recommends revisions to policies to maintain and enhance the effective and responsive provision of human resource services in the County; and

WHEREAS, the following substantive revisions are recommended for each Policy:

Policy 3200 Pay Practices

- Added Multilingual Pay
- Added Juneteenth as an observed Holiday
- Added current shift differential rate of \$1.20

Policy 3340 Travel on County Business

- Revised process for calculating per diem rate of first and last days of travel

Policy 3360 Corrective Intervention

- Added definitions

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby adopts the proposed revisions to Policy 3200 Pay Practices, 3340 Travel On County Business, and 3360 Corrective Intervention.

Ayes: 7

9.5 Resolution No: 22-542

Authorization To Provide One-Time Retention Incentives To Non-Temporary, Non-Union County Staff

Motion: Liz Workman

Second: Joe Atkins

WHEREAS, over the past year Dakota County, like other local employers, has faced significant turnover and attraction challenges; and

WHEREAS, the County's overall turnover rate for 2022 is anticipated to be between 14 percent and 15 percent; the highest rate in over a decade; and

WHEREAS, the County is on pace to fill approximately 400 positions in 2022, an approximate 25 percent increase over the previous year; and

WHEREAS, the County has faced challenges filling positions due to historically

low unemployment locally and a shortage of available labor; and

WHEREAS, to recognize the important contributions of the County's staff and incentivize those currently with the County to remain with Dakota County, Employee Relations recommends a one-time retention payment of \$500 be paid on the first payroll following July 1, 2023 to all non-temporary, non-union employees, excluding those in management roles in pay grades 112 and above and elected officials, employed with the County as of January 1, 2023 who remain employed with the County through July 1, 2023; and

WHEREAS, Employee Relations recommends that a one-time retention payment of \$500 also be paid on the first payroll following January 1, 2024 to all non-temporary, non-union employees, excluding those in management roles in pay grades 112 and above and elected officials, employed with the County as of January 1, 2023 who remain employed with the County through January 1, 2024; and

WHEREAS, the amounts will be adjusted on a pro rata basis for employees working less than a 1.0 FTE; and

WHEREAS, similar provisions have been bargained and ratified for union employees in each 2023-2024 Dakota County collective bargaining agreements to date; and

WHEREAS, Employee Relations requests authority to provide any staff, excluding those in management roles in pay grades 112 and above, hired after January 1, 2023 and who remain employed by the County for at least 12 months a one-time payment of up to \$500.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes a one-time retention payment of \$500.00 be paid on the first payroll following July 1, 2023 to all non-temporary, non-union employees, excluding those in management roles in pay grades 112 and above and elected officials, employed with the County as of January 1, 2023 who remain employed with the County through July 1, 2023 and a one-time retention payment of \$500 be paid on the first payroll following July 1, 2023 to all non-temporary, non-union employees, excluding those in management roles in pay grades 112 and above and elected officials, employed with the County as of January 1, 2023 who remain employed with the County through July 1, 2023; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes Employee Relations to provide any staff, excluding those in management roles in pay grades 112 and above, hired after January 1, 2023 and who remain employed by the County for at least 12 months a one-time payment of up to \$500 to add with attraction and retention of newly hired staff; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the appropriate County officials to execute the one-time retention payments in accordance with the terms and conditions submitted to the Dakota County Board of Commissioners dated December 13, 2022.

Ayes: 7

9.6 Resolution No: 22-543

Establishment Of 2023 Elected Officials' And County Manager's Compensation

Motion: Liz Workman

Second: Joe Atkins

WHEREAS, the County Board will adopt the proposed the 2023 Unclassified Employee Merit Compensation Policy and Plan provisions; and

WHEREAS, the County established a process within that Plan by which Elected Officials' and the County Manager's compensation is determined and it is necessary that proper compensation be established for all Elected Officials and the County Manager, pursuant to relevant provisions of the proposed 2023 Unclassified Employee Merit Compensation Policy and Plan; and

WHEREAS, the County is required to administer salaries in compliance with statute, setting the maximum compensation permitted by law and if the compensation payable to an appointed County official or employee, if paid, would exceed the political subdivision compensation limit, established by Minn. Stat. 43A.17, subd. 9, compensation in excess of such limit shall not be paid, unless the limit is raised or repealed; and

WHEREAS, it is the policy of Dakota County to provide equitable compensation and financial incentives.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby establishes in the context of and consistent with the proposed 2023 Unclassified Employees Merit Compensation Policy and Plan and Local Government Salary Cap provisions, Elected Officials' and County Manager's 2023 compensation as follows: County Commissioner, \$93,328; County Manager, \$217,703; County Attorney, \$206,397; County Sheriff, \$180,751; however, 2023 payable compensation per current policy or statute limitations shall be:

COUNTY COMMISSIONER	*\$93,328
COUNTY MANAGER	\$217,703
COUNTY ATTORNEY	\$206,397
COUNTY SHERIFF	\$180,751

* Prior to 4:30 p.m. on December 23, 2022, a County Commissioner may file with the Employee Relations Director an election to decline their 2023 salary increase. For any Commissioner filing such a declination, the 2023 compensation level shall be *\$88,463 + \$1,735 lump sum ; and

BE IT FURTHER RESOLVED, That if the compensation payable to an appointed county official or employee, if paid, would exceed the political subdivision compensation limit established at Minn. Stat. § 43A.17, subd. 9, compensation in excess of such limit shall not be paid, unless the limit is raised or repealed; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners, in accordance with Minn. Stat. 383D.05, hereby establishes a Commissioner car/expense allowance for 2023 in the amount of \$5,675 per year per Commissioner.

Ayes: 7

9.7 Resolution No: 22-544
Authorization To Execute 2023-2024 Labor Agreement With AFSCME Local 306 Unit

Motion: Liz Workman

Second: Joe Atkins

WHEREAS, the County's negotiating team has reached tentative agreement with AFSCME Local 306 unit representing 588 employees in the Employment and Economic Assistance and Social Services departments; and

WHEREAS, the final form of the Agreement will be reviewed by the County's contracted labor counsel at Madden Galanter Hansen, LLP prior to execution; and

WHEREAS, the Agreement includes the following substantive economic and other substantive revisions:

1. Term: Two-year Agreement, January 1, 2023 - December 31, 2024
2. 2023 Salary Ranges: 2022 salary ranges increased by 2.5 percent
3. 2024 Salary Ranges: 2023 salary ranges increased by 2.5 percent
4. 2023 General Increase: 3.25%
5. 2024 General Increase: 3.25%
6. 2023-2024 Merit Matrix (in addition to General Increase)

Salary Range	Exceptional Performance	Greatly Exceeds	Exceeds Standards	Meets Standards	Below Standards
Q4	4.25% base	4.25% base	3.25% base	2.25% base	0%
Q3	4.25% base	4.25% base	3.25% base	2.25% base	0%
Q2	4.25% base	4.25% base	3.25% base	2.25% base	0%
Q1	4.25% base	4.25% base	3.25% base	2.25% base	0%

7. June 19 (Juneteenth) added as a paid holiday

8. One-time retention payments of \$500 (up to \$1,000 total) to be paid in July 2023 and January 2024
; and

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the appropriate County officials to execute the Labor Agreement with the AFSCME Local 306 unit in Employment and Economic Assistance and Social Services departments for the period of January 1, 2023 - December 31, 2024, in accordance with the terms and conditions of the Agreement and those contract modifications submitted to the Dakota County Board of Commissioners dated December 13, 2022, and subject to approval by the County's contracted labor counsel as to form.

Ayes: 7

9.8 Resolution No: 22-545
Authorization To Execute 2023-2024 Labor Agreement With AFSCME Local 450 Unit

Motion: Liz Workman

Second: Joe Atkins

WHEREAS, the County's negotiating team has reached tentative agreement with AFSCME Local 450 unit representing 163 employees in the Community Corrections department; and

WHEREAS, the final form of the Agreement will be reviewed by the County's contracted labor counsel at Madden Galanter Hansen, LLP prior to execution; and

WHEREAS, the Agreement includes the following substantive economic and other substantive revisions:

1. Term: Two-year Agreement, January 1, 2023 - December 31, 2024
2. 2023 Salary Ranges: 2022 salary ranges increased by 2.5 percent
3. 2024 Salary Ranges: 2023 salary ranges increased by 2.5 percent
4. 2023 General Increase: 3.25%
5. 2024 General Increase: 3.25%
6. 2023-2024 Merit Matrix (in addition to General Increase)

Salary Range	Exceptional Performance	Greatly Exceeds	Exceeds Standards	Meets Standards	Below Standards
Q4	4.25% base	4.25% base	3.25% base	2.25% base	0%
Q3	4.25% base	4.25% base	3.25% base	2.25% base	0%
Q2	4.25% base	4.25% base	3.25% base	2.25% base	0%
Q1	4.25% base	4.25% base	3.25% base	2.25% base	0%

7. June 19 (Juneteenth) added as a paid holiday
 8. One-time retention payments of \$500 (up to \$1,000 total) to be paid in July 2023 and January 2024
- ; and

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the appropriate County officials to execute the Labor Agreement with the AFSCME Local 450 unit in Community Corrections for the period of January 1, 2023 - December 31, 2024, in accordance with the terms and conditions of the Agreement and those contract modifications submitted to the Dakota County Board of Commissioners dated December 13, 2022, and subject to approval by the County's contracted labor counsel as to form.

Ayes: 7

9.9 Resolution No: 22-546
 Authorization To Execute 2023-2024 Labor Agreement With AFSCME Local 693 Unit

Motion: Liz Workman

Second: Joe Atkins

WHEREAS, the County's negotiating team has reached tentative agreement with AFSCME Local 693 unit representing 145 employees in the County Library department; and

WHEREAS, the final form of the Agreement will be reviewed by the County's contracted labor counsel at Madden Galanter Hansen, LLP prior to execution; and

WHEREAS, the Agreement includes the following substantive economic and other substantive revisions:

1. Term: Two-year Agreement, January 1, 2023 - December 31, 2024
2. 2023 Salary Ranges: 2022 salary ranges increased by 2.5 percent
3. 2024 Salary Ranges: 2023 salary ranges increased by 2.5 percent
4. 2023 General Increase: 3.25%
5. 2024 General Increase: 3.25%
6. 2023-2024 Merit Matrix (in addition to General Increase)

Salary Range	Exceptional Performance	Greatly Exceeds	Exceeds Standards	Meets Standards	Below Standards
Q4	4.25% base	4.25% base	3.25% base	2.25% base	0%
Q3	4.25% base	4.25% base	3.25% base	2.25% base	0%
Q2	4.25% base	4.25% base	3.25% base	2.25% base	0%

Q1	4.25% base	4.25% base	3.25% base	2.25% base	0%
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7. June 19 (Juneteenth) added as a paid holiday

8. One-time retention payments of \$500 (up to \$1,000 total) to be paid in July 2023 and January 2024

; and

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the appropriate County officials to execute the Labor Agreement with the AFSCME Local 693 unit in County Library department for the period of January 1, 2023 - December 31, 2024, in accordance with the terms and conditions of the Agreement and those contract modifications submitted to the Dakota County Board of Commissioners dated December 13, 2022, and subject to approval by the County's contracted labor counsel as to form.

Ayes: 7

9.10 Resolution No: 22-547

Authorization To Execute 2023-2024 Labor Agreement With Law Enforcement Labor Services Licensed Supervisors Unit

Motion: Liz Workman

Second: Joe Atkins

WHEREAS, the County's negotiating team has reached tentative agreement with Law Enforcement Labor Services Licensed Supervisors unit representing 17 licensed supervisors in the Sheriff's Office; and

WHEREAS, the final form of the Agreement will be reviewed by the County's contracted labor counsel at Madden Galanter Hansen, LLP prior to execution; and

WHEREAS, the Agreement includes the following substantive economic and other substantive revisions:

1. Term: Two-year Agreement, January 1, 2023 - December 31, 2024
2. 2023 Salary Ranges: 2022 salary ranges increased by 2.5 percent
3. 2024 Salary Ranges: 2023 salary ranges increased by 2.5 percent
4. 2023 General Increase: 3.25%
5. 2024 General Increase: 3.25%
6. 2023-2024 Merit Matrix (in addition to General Increase)

Salary Range	Exceptional Performance	Greatly Exceeds	Exceeds Standards	Meets Standards	Below Standards
Q4	4.25% base	4.25% base	3.25% base	2.25% base	0%
Q3	4.25% base	4.25% base	3.25% base	2.25% base	0%

Q2	4.25% base	4.25% base	3.25% base	2.25% base	0%
Q1	4.25% base	4.25% base	3.25% base	2.25% base	0%

7. June 19 (Juneteenth) added as a paid holiday

8. One-time retention payments of \$500 (up to \$1,000 total) to be paid in July 2023 and January 2024

; and

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the appropriate County officials to execute the Labor Agreement with the Law Enforcement Labor Services Licensed Supervisors unit in the Sheriff's office for the period of January 1, 2023 - December 31, 2024, in accordance with the terms and conditions of the Agreement and those contract modifications submitted to the Dakota County Board of Commissioners dated December 13, 2022, and subject to approval by the County's contracted labor counsel as to form.

Ayes: 7

9.11 Resolution No: 22-548

Authorization To Execute 2023-2024 Labor Agreement With Human Services Supervisors Association Unit

Motion: Liz Workman

Second: Joe Atkins

WHEREAS, the County's negotiating team has reached tentative agreement with Human Services Supervisors Association unit representing 88 employees in the Community Services Division; and

WHEREAS, the final form of the Agreement will be reviewed by the County's contracted labor counsel at Madden Galanter Hansen, LLP prior to execution; and

WHEREAS, the Agreement includes the following substantive economic and other substantive revisions:

1. Term: Two-year Agreement, January 1, 2023 - December 31, 2024
2. 2023 Salary Ranges: 2022 salary ranges increased by 2.5 percent
3. 2024 Salary Ranges: 2023 salary ranges increased by 2.5 percent
4. 2023 General Increase: 3.25%
5. 2024 General Increase: 3.25%
6. 2023-2024 Merit Matrix (in addition to General Increase)

Salary Range	Exceptional Performance	Greatly Exceeds	Exceeds Standards	Meets Standards	Below Standards
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Q4	4.25% base	4.25% base	3.25% base	2.25% base	0%
Q3	4.25% base	4.25% base	3.25% base	2.25% base	0%
Q2	4.25% base	4.25% base	3.25% base	2.25% base	0%
Q1	4.25% base	4.25% base	3.25% base	2.25% base	0%

7. June 19 (Juneteenth) added as a paid holiday

8. One-time retention payments of \$500 (up to \$1,000 total) to be paid in July 2023 and January 2024

; and

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the appropriate County officials to execute the Labor Agreement with the Human Services Supervisors Association unit in the Community Services Division for the period of January 1, 2023 - December 31, 2024, in accordance with the terms and conditions of the Agreement and those contract modifications submitted to the Dakota County Board of Commissioners dated December 13, 2022, and subject to approval by the County's contracted labor counsel as to form.

Ayes: 7

10. Community Services

10.1 Resolution No: 22-549

Authorization To Accept Additional Funds For Regional Behavioral Health Crisis And Recovery Center Project And Execute Grant Agreement With State Of Minnesota

Motion: Liz Workman

Second: Joe Atkins

WHEREAS, on May 17, 2021, the Minnesota Department of Human Services (DHS), through its Behavioral Health Division, issued a Request for Proposals (RFP) from qualified responders, which includes counties, to design, construct or rehabilitate, furnish and equip facilities for regional behavioral health crisis centers to provide mental health and/or substance use disorder services; and

WHEREAS, the term of any resulting contract is anticipated to be from October 22, 2020 to December 31, 2024; and

WHEREAS, by Resolution No. 21-387 (July 20, 2021), the Dakota County Board of Commissioners authorized the Community Services Director to submit, in partnership with Guild, a proposal to DHS in an amount up to \$5,000,000 in response to the RFP for a grantee to design, construct or rehabilitate, furnish and equip facilities for regional behavioral health crisis centers whose purpose is to provide mental health and/or substance use disorder with projects to be completed by December 31, 2024; and

WHEREAS, on August 4, 2021, Community Services submitted a completed proposal to DHS; and

WHEREAS, on November 10, 2021, DHS communicated it completed its review of applications selecting Dakota County as a successful applicant, with \$3,459,928 available for possible State bond funding of this project contingent on Dakota County agreeing that the grant amount is sufficient to complement the total funding of construction of the facility, and assurance that completion of required zoning and public ownership processes can be completed by December 31, 2024; and

WHEREAS, Dakota County seeks to maximize State funding and other contributions for construction, building and service costs; and

WHEREAS, by Resolution No. 22-095 (March 8, 2022), Dakota County Board of Commissioners authorized the Community Services Director to proceed, in partnership with Guild, to accept funds and comply with requirements of the Minnesota constitution regarding proper use of State bonding proceeds of DHS for an amount up to \$3,459,928 to design, construct or rehabilitate, furnish and equip facilities for regional behavioral health crisis centers whose purpose is to provide mental health and/or substance use disorder services with project completion by December 31, 2024; authorized the County to request additional funding from the Minnesota Legislature and other sources for the balance of the design, construction and furnishing costs for the project; agreed to leverage American Rescue Plan or other County funds to fill any funding gaps between State bonding funds, additional State appropriations, other funding sources and total costs for the balance of the design, construction and furnishing costs for the project; and requested staff provide regular updates on the project and prepare Request for Board Action for additional funding or costs necessary to facilitate deliverables; and

WHEREAS, the County Board of Commissioners has authorized continued progress on the project through Resolutions No. 22-254 (June 21, 2022) and Resolution No. 22-306 (July 19, 2022); and

WHEREAS, DHS communicated to Dakota County that additional funding may be available for Dakota County's project; and

WHEREAS, pending the City of West St. Paul's action on the conditional use permit application, staff will return to the County Board for schematic design approval in spring 2023, anticipating design to be complete in late summer 2023, followed by bidding and the start of construction in late fall with estimated project completion by the end of 2024, to coincide with the end date of the timelines for State grant funding by dates established in the grant agreement.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the County Manager or designee to proceed, in partnership with Guild, to accept funds and comply with requirements of the Minnesota constitution, including executing the grant agreement with the State of Minnesota approved by the County Attorney's Office as to form, regarding proper use of the State of Minnesota bonding proceeds through the Minnesota

Department of Human Services for an amount up to \$5,000,000 to design, construct or rehabilitate, furnish and equip facilities for regional behavioral health crisis centers whose purpose is to provide mental health and/or co-occurring substance use disorder services with project completion by December 31, 2024 or other dates established in the grant agreement.

Ayes: 7

11. Enterprise Finance and Information Services

11.1 Report On Invoices Paid In October 2022

Information only; no action requested.

**11.2 Resolution No: 22-550
Establishment Of 2022 Fund Balance Commitments**

Motion: Liz Workman

Second: Joe Atkins

WHEREAS, the Governmental Accounting Standards Board has adopted Statement 54, a standard for reporting governmental fund balances; and

WHEREAS, the County's Fund Balance Policy No. 2003 states that the Board of Commissioners may impose certain constraints on spending that shall be determined by the close of the fiscal year; and

WHEREAS, Dakota County desires to commit a portion of its fund balance for future funding; and

WHEREAS, the Environmental Legacy Fund (ELF) was established to support environmental activities for the purpose of protection, preservation or enhancement of the environment; and

WHEREAS, by reporting the ELF revenue and expenditures with the Environmental Management Fund will meet the qualifications of a special revenue fund and allow the County to report the ELF activity in the Annual Comprehensive Financial Report (ACFR).

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners, in accordance with and pursuant to Policy 2003 Fund Balance, hereby commits the entire fund balance of the Environmental Legacy Fund as of December 31, 2022; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby classifies the Environmental Legacy Fund activity be reported with the Environmental Management Fund.

Ayes: 7

**11.3 Resolution No: 22-551
Authorization To Execute Contracts For Investment Portfolio Management**

Motion: Liz Workman

Second: Joe Atkins

WHEREAS, Dakota County's objective is to provide for the prudent management of public funds on behalf of its citizens according to the County's investment policy; and

WHEREAS, Dakota County issued a request for proposal to select external investment portfolio management firms to manage a portion of the County's investment portfolio; and

WHEREAS, staff recommends entering a contract with PFMAM, RBC, and PMA for investment portfolio management services.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board hereby authorizes the Enterprise Finance and Information Systems (EFIS) Director to execute individual contracts with PFMAM, RBC, and PMA for investment management services estimated at \$475,000 for three years, subject to approval as to form by the County Attorney's Office; and

BE IT FURTHER RESOLVED, That the Dakota County Board hereby authorizes the Enterprise Finance and Information Systems (EFIS) Director to extend individual contracts with PFMAM, RBC, and PMA for three one-year extensions.

Ayes: 7

11.4 Resolution No: 22-552

Authorization To Execute Joint Powers Agreement Between Dakota County And Community Development Agency For Employee Benefit Participation, Employee Relations Services And Information Technology Services

Motion: Liz Workman

Second: Joe Atkins

WHEREAS, the current agreement to provide Employee Relations services and IT services to the CDA expires on December 31, 2022; and

WHEREAS, the CDA wishes to continue receiving certain Employee Relations services and IT services from Dakota County upon request; and

WHEREAS, Dakota County is willing to provide Employee Relations services and IT services when resources are available and as agreed to by the County and the CDA.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the County Manager to execute a joint powers agreement between Dakota County and the Dakota County Community Development Agency for the years 2023 and 2024 to provide Employee Relations and Information Technology services as requested and agreed to by both parties, consistent with available resources in the Dakota County, substantially as presented, and subject to approval by the County Attorney's Office as to form.

Ayes: 7

11.5 Resolution No: 22-553

Authorization To Execute Contract Amendment With SFM Risk Solutions, Inc.
For Administration Of Workers' Compensation Claims

Motion: Liz Workman

Second: Joe Atkins

WHEREAS, Dakota County purchases services for the administration of workers' compensation claims; and

WHEREAS, by Resolution No. 17-606 (November 28, 2017), the Dakota County Board of Commissioners authorized the execution of a five-year contract with SFM Risk Solutions, Inc. (SFM) that will expire on December 31, 2022; and

WHEREAS, the staff from the Office of Risk Management evaluated available services through a review of the marketplace for third party administration (TPA) services; and

WHEREAS, the results of the review showed that SFM continues to be cost competitive for workers' compensation claim TPA services; and

WHEREAS, the Office of Risk Management staff have been satisfied with the TPA services for Dakota County's self-insured workers' compensation claims; and

WHEREAS, the Risk and Homeland Security Manager recommends the amendment of the current contract for one additional year with SFM for administration of workers' compensation claims.

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 amendment with SFM Risk Solutions, Inc. for \$41,619 for the term of January 1, 2023 through December 31, 2023 increasing the total contract amount to \$231,875.

Ayes: 7

12. Physical Development

12.1 Resolution No: 22-554

Approval Of Final Plats Recommended By Plat Commission

Motion: Liz Workman

Second: Joe Atkins

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:

ORCHARD PLACE 4TH ADDITION
CEDAR HILLS 5TH ADDITION

Apple Valley
Lakeville

Ayes: 7

12.2 Resolution No: 22-555

Authorization For Second Amendment Of Contract With KLJ Engineering, Inc. To Provide Additional Design For County Project 88-20 And 88-24 On CSAH 88 In Randolph Township

Motion: Liz Workman

Second: Joe Atkins

WHEREAS, to provide a safe and efficient transportation system, Dakota County is proceeding with County Project (CP) 88-20 and 88-24; and

WHEREAS, CP 88-20 and 88-24 is the preliminary and final design engineering and public engagement process required to reconstruct County State Aid Highway (CSAH) 88 in Randolph Township between Trunk Highway 56 and the East Dakota line; and

WHEREAS, the County is the lead agency for the Project with construction scheduled for summer 2023 and 2024; and

WHEREAS, by Resolution No. 19-887 (December 17, 2019), the County executed a contract with KLJ Engineering for preliminary and final design engineering consulting services; and

WHEREAS, by Resolution No. 20-629 (December 15, 2020), the County executed a contract amendment with KLJ Engineering for preliminary and final design engineering consulting services; and

WHEREAS, KLJ Engineering has successfully completed the submitted the scope of services of many of the necessary deliverables needed for this project; and

WHEREAS, County staff recognizes and recommends that the proposed additional tasks are necessary in order to successfully complete the project; and

WHEREAS, staff negotiated an amount of \$122,065 with KLJ Engineering to complete the work; and

WHEREAS, the amended 2022 Transportation Capital Improvement Program Budget includes sufficient funding for CP 88-20 and 88-24.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute an amendment to the contract with KLJ Engineering to perform additional services necessary to deliver County Project 88-20 and 88-24 in an amount not to exceed \$122,065, resulting in a total amended contract not to exceed \$1,173,832.66, subject to approval by the County Attorney's Office as to form.

Ayes: 7

12.3 Resolution No: 22-556

Authorization To Amend Transportation Capital Improvement Program Budget For County Project 8-21, Wentworth Avenue (CSAH 8) Reconstruction From Delaware Avenue (CSAH 63) To Humboldt Avenue In City Of West St. Paul

Motion: Liz Workman

Second: Joe Atkins

WHEREAS, Dakota County and the City of West St. Paul are partnered on County Project (CP) 8-21 to reconstruct County State Aid Highway (CSAH) 8 in West St. Paul; and

WHEREAS, the construction contract was awarded to S.M. Hentges & Sons, Inc., in the amount of \$5,388,701, and the final contract amount was \$5,368,667; and

WHEREAS, a legal dispute resulted in additional project costs totaling \$120,000; and

WHEREAS, one parcel remains to be acquired at an additional remaining cost of \$40,000; and

WHEREAS, a budget amendment is requested to account for the remaining legal and right of way acquisition costs; and

WHEREAS, staff recommends amending the 2022 Transportation Capital Improvement Program Adopted Budget for CP 8-21 to account for additional legal costs and right of way acquisition costs.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby amends the 2022 Transportation Capital Improvement Program Adopted budget as follows:

Expense	
County Project 8-21	<u>\$160,000</u>
Total Expense	\$160,000

Revenue

City of West St. Paul \$ 40,000

Transportation Fund Balance \$120,000**Total Revenue \$160,000**

Ayes: 7

12.4 Resolution No: 22-557

Authorization To Execute Agreement With Progressive Rail Incorporated For Railroad Crossing Improvements On CP 88-23 For Reconstruction Of CSAH 88 From CR 94 To TH 56 In City Of Randolph

Motion: Liz Workman

Second: Joe Atkins

WHEREAS, Dakota County (County) and the City of Randolph (City) are partnering on County Project (CP) 88-23; and

WHEREAS, the purpose of the project is to improve safety and operations; and

WHEREAS, to address the purpose of the project, the County is proposing to reconstruct County State Aid Highway (CSAH) 88 from County Road 94 to Trunk Highway 56 to include a three-lane highway and add turn lanes and sidewalks; and

WHEREAS, the City is the lead agency for CP 88-23 with construction scheduled to begin in summer 2023; and

WHEREAS, improvements to the existing railroad crossing are necessary to accommodate the reconstruction of CSAH 88; and

WHEREAS, the proposed improvements include new stop arms and a warning device system to accommodate the proposed three-lane section of CSAH 88; and

WHEREAS, Progressive Railroad Incorporated will complete the work prior to and in conjunction with the construction of CP 88-23; and

WHEREAS, the costs for the railroad crossing work, estimated at \$277,075, is the responsibility of the County for CP 88-23; and

WHEREAS, the 2022 Transportation Capital Improvement Program Adopted Budget includes sufficient funding for the railroad crossing costs; and

WHEREAS, staff recommends execution of an agreement with Progressive Rail Incorporated to reconstruct the crossing on CSAH 88.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute an agreement with Progressive Rail Incorporated for the final design, materials,

and construction of the CSAH 88 railroad crossing associated with CP 88-23, in the amount of the actual costs currently estimated at \$277,075, subject to approval by the County Attorney's Office as to form.

Ayes: 7

12.5 Resolution No: 22-558

Authorization To Award And Execute Contract With Granite Ledge Electrical Contractors, Inc. For Construction Of County Project 38-58 Advanced Traffic Management System Along County State Aid Highway 38 In Cities Of Apple Valley And Burnsville

Motion: Liz Workman

Second: Joe Atkins

WHEREAS, to provide a safe and efficient transportation system, Dakota County (County) is partnering with the Minnesota Department of Transportation (MnDOT), City of Apple Valley and City of Burnsville (Cities) on County Project (CP) 38-58; and

WHEREAS, CP 38-58 is an Advanced Traffic Management System (ATMS) project along County State Aid Highway (CSAH) 38 (McAndrews Road) from CSAH 5 to CSAH 31 (Pilot Knob Road) in the Cities; and

WHEREAS, the County is the lead agency for CP 38-58 with construction anticipated to begin Spring 2023; and

WHEREAS, the 2021 Transportation Capital Improvement Program (CIP) adopted budget contains \$2,100,000 for CP 38-58; and

WHEREAS, the project was advertised, and five bids were received and tabulated on Tuesday, November 1, 2022; and

WHEREAS, the bid from Granite Ledge Electrical Contractors, Inc. in the amount of \$1,163,614.78 was the lowest responsible bid received; and

WHEREAS, CP 38-58 is a federal aid project, and MnDOT approval is necessary; and

WHEREAS, MnDOT has determined the variance between the low bid and the engineer's estimate acceptable; and

WHEREAS, staff recommends awarding the bid to Granite Ledge Electrical Contractors, Inc; and

WHEREAS, MnDOT concurs with awarding the bid.

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 Granite Ledge Electrical Contractors, Inc. for County Project (CP) 38-58, in the amount of \$1,163,614.78

based on their low bid, subject to approval by the County Attorney's Office as to form.

Ayes: 7

12.6 Resolution No: 22-559

Authorization To Execute Agreement With Minnesota Department Of Agriculture For Monitoring Wells On County-Owned Property And Delegation Of Authority For Future Agreements

Motion: Liz Workman

Second: Joe Atkins

WHEREAS, the Minnesota Department of Agriculture (MDA) is responsible for implementing the Groundwater Protection rule (Minnesota Rules 1573) to minimize sources of nitrate pollution to the state's groundwater and protect drinking water sources; and

WHEREAS, Part 2 of the rule requires the MDA to respond to drinking water supply management areas (DWSMAs) with elevated nitrate and take action to reduce nitrate in groundwater before a public well exceeds the health standard of 10 milligrams per liter (mg/L); and

WHEREAS, the Hastings DWSMA has been designated as a mitigation level 2 DWSMA because nitrate in the public water supply wells has exceeded 8.0 mg/L at least once during the last 10 years; and

WHEREAS, the MDA is required to take action within the Hastings DWSMA to reduce nitrate in the groundwater, which includes developing a local groundwater monitoring well network to monitor nitrate in the shallow groundwater and work with local farmers to adopt practices that can reduce nitrate levels; and

WHEREAS, installation of the shallow groundwater monitoring well network within the Hastings DWSMA is an important part of the implementation of the Groundwater Protection rule to determine if actions on the land are effectively reducing nitrate in the groundwater; and

WHEREAS, the monitoring network is also beneficial to Dakota County since it supports strategies identified in the recently adopted Dakota County Agricultural Chemical Reduction Effort (ACRE) Plan; and

WHEREAS, the MDA identified two monitoring well locations on Dakota County-owned property; and

WHEREAS, the agreement grants permission to the MDA to install the monitoring wells, take water samples and water levels, and conduct maintenance as needed; and

WHEREAS, the MDA will be responsible for all associated costs of the well installation, monitoring, and sealing once no longer in use and will provide the

County sampling results, which will assist with the implementation of ACRE.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Environmental Resources Director to execute an agreement with the Minnesota Department of Agriculture for the installation of two monitoring wells on County-owned property; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Environmental Resources Director to execute future necessary agreements with the Minnesota Department of Agriculture for the installation of monitoring wells on County-owned property for the purpose of implementing the Groundwater Protection rule where there is no associated cost to the County.

Ayes: 7

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

Motion: Liz Workman

Second: Joe Atkins

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.

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: 20 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: 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 assessments plus interest on the properties identified herein and record this assessment against the properties with the Dakota County Recorder.

Ayes: 7

- 12.8** Resolution No: 22-561
Authorization To Award Bid And Execute Contract With Kraft Mechanical, LLC.
To Provide General Contractor Services For Law Enforcement Center Water
Heater Replacements Project And Authorization To Amend 2022 Buildings
Capital Improvement Program

Motion: Liz Workman

Second: Joe Atkins

WHEREAS, the 2022 Building Capital Improvement Program (CIP) Adopted Budget authorized the Law Enforcement Center (LEC) Water Heater Replacements project; and

WHEREAS, bid documents and specifications were prepared by Wold Architects and Engineers and advertised on October 28, 2022; and

WHEREAS, three competitive bids were received on November 22, 2022; and

WHEREAS, Kraft Mechanical, LLC. has submitted a bid of \$277,000 for Base Bid A; and

WHEREAS, staff and Wold Architects and Engineers reviewed the qualifications of the bidder and recommend award to Kraft Mechanical, LLC. as the lowest responsive and responsible bidder, in an amount not to exceed \$277,000, for the LEC Water Heater Replacements project; and

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

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Parks, Facilities, and Fleet Management Director to execute a contract with Kraft Mechanical, LLC., 2415 Ventura Drive, Suite 100, Woodbury MN 55125 in an amount not to exceed \$277,000, for the Law Enforcement Center Water Heater Replacements project, subject to approval by the County Attorney's office as to form; and

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

Expense

Prior Project Savings (B70092)	(\$200,000)
Law Enforcement Center Water Heater Replacements Project (B20040)	<u>\$200,000</u>
Total Expense	\$0

Revenue

Prior Project Savings (B70092)	(\$200,000)
Law Enforcement Center Water Heater Replacements Project (B20040)	<u>\$200,000</u>
Total Revenue	\$0

Ayes: 7

12.9 Resolution No: 22-562

Authorization To Execute Contract Amendment With SRF Consulting Group, Inc., For North Creek Greenway In Cities Of Lakeville And Farmington

Motion: Liz Workman

Second: Joe Atkins

WHEREAS, to provide a safe and efficient transportation system, Dakota County is proceeding with the North Creek Greenway in Lakeville and Farmington, Parks project P00146; and

WHEREAS, Parks project P00146 is the final design and construction of the North Creek Greenway from 173rd Street East in Lakeville and 189th Street East in Farmington; and

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

WHEREAS, by Resolution No. 21-523 (November 2, 2021), the County Board authorized a contract with SRF Consulting Services, Inc. (SRF) not to exceed \$260,350.25 for final design of the North Creek Greenway; and

WHEREAS, additional funding in the amount of \$515,619.36 is needed for SRF to complete the out-of-scope final design, right-of-way, and construction services work; and

WHEREAS, the 2022 Parks Capital Improvement Program has sufficient funds for the contract amendment; and

WHEREAS, County staff recommends amending SRF's contract in an amount not to exceed \$775,696.61.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a contract amendment with SRF Consulting Services, Inc., in the amount not to exceed \$775,969.61 for design and construction services for the North Creek Greenway in Lakeville and Farmington, subject to approval by the County Attorney's Office as to form.

Ayes: 7

12.10 Resolution No: 22-563

Award Of Bid And Authorization To Execute Contract With Tech Logic Corporation For Automated Materials Handling System At South St. Paul Library

Motion: Liz Workman

Second: Joe Atkins

WHEREAS, the South St. Paul Library project is under construction now and was included in the 2022-2026 Building Capital Improvement Program (CIP) Adopted Budget; and

WHEREAS, bid document and specifications were prepared by County staff and BKV Group; and

WHEREAS, two competitive bids were received on November 8, 2022; and

WHEREAS, Tech Logic Corporation has submitted the only responsive bid of \$216,773.80; and

WHEREAS, staff has reviewed the qualifications of the bidder and recommends award to Tech Logic Corporation as the lowest responsive and responsible bidder in an amount not to exceed \$216,773.80 for the Automated Materials Handling equipment at the South St. Paul Library project; and

WHEREAS, sufficient funds are available within the Adopted 2022 Building CIP Budget for this project as amended by Resolution No. 22-383 (September 6, 2022).

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Parks, Facilities, and Fleet Management Director to execute a contract for the Automated Materials Handling equipment at the South St. Paul Library project to Tech Logic Corporation, 835 Hale

Avenue North, Oakdale, MN 55128, in an amount not to exceed \$216,773.80, subject to approval by the County Attorney's office as to form.

Ayes: 7

12.11 Resolution No: 22-564

Authorization To Execute Lease Agreement Amendment With State Of Minnesota Department Of Administration On Behalf Of Minnesota Department Of Employment And Economic Development For Office Space At Northern Service Center

Motion: Liz Workman

Second: Joe Atkins

WHEREAS, the Dakota County Board of Commissioners must approve all leases and license agreements; and

WHEREAS, the State of Minnesota Department of Employment and Economic Development (DEED) uses space in the Northern Service Center to provide Workforce Center and related services; and

WHEREAS, DEED has used space in the Northern Service Center since 2002; and

WHEREAS, DEED desires to continue to use approximately 1,398 square feet of space in the Northern Service Center through December 31, 2023; and

WHEREAS, should DEED and the County agree to extension terms, the lease will automatically renew for 2024 and 2025; and

WHEREAS, staff from Facilities Management, the County Attorney's Office, and DEED have agreed to lease terms for the space use in accordance with the attached agreement; and

WHEREAS, the 2023 lease rates are \$23.12 per square foot annually, an increase of one and one-half percent over the 2022 rates; and

WHEREAS, each subsequent extension has a compounding one and one-half percent rate increase over the prior year; and

WHEREAS, rates are consistent with comparable County space; and

WHEREAS, the lease rates cover costs associated with the cleaning, maintenance, phones/telecommunications, and utilities within the space.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Parks, Facilities, and Fleet Management Director to execute a Lease Agreement with the State of Minnesota Department of Employment and Economic Development for approximately 1,398 square feet of rentable office space located at the Northern Service Center in West St. Paul, Minnesota, substantially as presented, for the period from January 1, 2023,

through December 31, 2023, including two possible one-year extensions, subject to approval of the County Attorney's Office as to form.

Ayes: 7

12.12 Resolution No: 22-565

Authorization To Execute License Agreement With Avivo For Office Space At Northern Service Center

Motion: Liz Workman

Second: Joe Atkins

WHEREAS, the Dakota County Board of Commissioners must approve all leases and license agreements; and

WHEREAS, two private non-profit agencies (Avivo and HIRED) and the State of Minnesota Department of Employment and Economic Development use space in the Northern Service Center to provide Workforce Center and related services; and

WHEREAS, Avivo has used space in the Northern Service Center since 2007; and

WHEREAS, Avivo desires to use space and execute a license agreement to do so; and

WHEREAS, staff from Facilities Management, the County Attorney's Office, and Avivo have agreed to license terms for the space use in accordance with the attached agreement; and

WHEREAS, the 2023 license rates are \$23.12 per square foot annually with a one-and-one-half percent increase each year over the prior year, consistent with comparable County space; and

WHEREAS, the license rates cover costs associated with the cleaning, maintenance, phones/telecommunications, and utilities within the space.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Parks, Facilities, and Fleet Management Director to execute a License Agreement with Avivo for approximately 3,159 rentable square feet of office space located at the Northern Service Center in West St. Paul, Minnesota, substantially as presented, for the period from January 1, 2023 through December 31, 2025, with the option of two one-year extensions, subject to approval of the County Attorney's Office as to form.

Ayes: 7

12.13 Resolution No: 22-566

Authorization To Execute Contract With Quality Locksmith, Inc. For Door And Key Repair, Maintenance, And Installation Services

Motion: Liz Workman

Second: Joe Atkins

WHEREAS, staff contracts for qualified locksmith services for a variety of door and key repair, maintenance, and installation services; and

WHEREAS, staff estimates that there will be approximately 400 hours of these services, \$60,000 of materials, and up to 104 trip charges necessary on an annual basis based upon a review of the past eleven years of expenses; and

WHEREAS, pursuant to advertisement, one qualified bid for door and key repair, maintenance, and installation services for Dakota County facilities was received on October 6, 2022; and

WHEREAS, Quality Locksmith, Inc. submitted the lowest responsive and responsible bid at the following rates: labor charges of \$118.00 per hour (days), \$168.00 per hour (evenings), and \$168.00 per hour (weekends and holidays), an \$118.00 truck/trip charge, and a 30 percent markup on parts and materials; and

WHEREAS, these rates are approximately 30 percent higher than the previous contract; and

WHEREAS, the previous rates had not changed since 2017; and

WHEREAS, Quality Locksmith, Inc. has performed satisfactory services for the County since 2012; and

WHEREAS, sufficient funds for door and key repair, maintenance, and installation services are included in the 2023 Facilities Management Adopted Budget.

NOW, THEREFORE BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Parks, Facilities, and Fleet Management Director to execute a contract with Quality Locksmith, Inc. for door and key repair, maintenance, and installation services at various Dakota County buildings, for the period of January 1, 2023, through December 31, 2023, at an hourly labor rate of \$118.00 per hour (days), \$168.00 per hour (evenings), and \$168.00 per hour (weekends and holidays), an \$118.00 truck/trip charge, and a 30 percent markup on parts and materials, subject to available funding and approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Parks, Facilities, and Fleet Management Director to execute up to two contract amendments with Quality Locksmith, Inc. for door and key repair, maintenance, and installation services at various Dakota County buildings for 2024 and 2025 at an hourly labor rate of 118.00 per hour (days), \$168.00 per hour (evenings), and \$168.00 per hour (weekends and holidays), an \$118.00 truck/trip charge, and a 30 percent markup on parts and materials, subject to satisfactory work performance and available funding and approval by the County Attorney's Office as to form.

Ayes: 7

12.14 Resolution No: 22-567

Authorization To Accept Donation Of Easement From Flint Hills Resources Pine Bend LLC For Phase One Of Veterans Memorial Greenway In Cities Of Eagan And Inver Grove Heights

Motion: Liz Workman

Second: Joe Atkins

WHEREAS, to provide a safe and efficient transportation system, Dakota County is proceeding with the Veterans Memorial Greenway County Project (P00147); and

WHEREAS, the Veterans Memorial Greenway project is for preliminary and final engineering, railroad coordination, and public engagement services in the cities of Inver Grove Heights and Eagan; and

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

WHEREAS, the County utilized public engagement for this project, including public open houses, project websites, and project mailings; and

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

WHEREAS, the acquisition of the following four parcels as identified in Dakota County Road Right of Way Map No. 501 by the County is necessary to move forward with the Project:

Parcel 1

Property Owner: Flint Hills Resources Pine Bend LLC Appraised Value: \$152,700

Parcel 2

Property Owner: Flint Hills Resources Pine Bend LLC Appraised Value: \$62,400

Parcel 3

Property Owner: Flint Hills Resources Pine Bend LLC Appraised Value: \$48,300

Parcel 4

Property Owner: Flint Hills Resources Pine Bend LLC Appraised Value: \$18,600

; and

WHEREAS; appraisals have been completed for four parcels by Patchin Messner Valuation Counselors for a total appraised value of \$282,000.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the appraised value for the acquisition of the identified property interest from the four parcels for the Veterans Memorial Greenway and authorizes County staff, in its discretion, to share the appraisal data with the respective landowners, including all or portions of the completed parcels; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners approves acceptance of the donation of the land associated with the four parcels for the Veterans Memorial Greenway at the approved appraised value; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners authorizes the County Attorney's Office to negotiate on the properties identified; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners accepts the donation of right of way identified from Flint Hills Resources Pine Bend LLC.

Ayes: 7

13. Public Safety

13.1 Resolution No: 22-568

Authorization To Appoint Dan Bianconi As Chief Deputy Sheriff

Motion: Liz Workman

Second: Joe Atkins

WHEREAS, at the November 8, 2022, general election, Joseph Leko was elected to the post of Dakota County Sheriff effective January 1, 2023; and

WHEREAS, after Joseph Leko assumes the position of Sheriff, a vacancy will be created in the Chief Deputy Sheriff position; and

WHEREAS, Minn. Stat. § 387.145 provides for the Sheriff of any county to appoint a Chief Deputy or First Assistant with the approval of the County Board.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners authorizes Sheriff Leko, upon assuming the office of Dakota County Sheriff, to appoint Dan Bianconi as Chief Deputy Sheriff for the Dakota County Sheriff's Office.

Ayes: 7

13.2 Resolution No: 22-569

Authorization To Amend Joint Powers Agreement With Dakota County Drug Task Force

Motion: Liz Workman

Second: Joe Atkins

WHEREAS, since 2000, the Dakota County Sheriff's Office has been a member

of the multijurisdictional Dakota County Drug Task Force which coordinates efforts toward the investigation and prosecution of drug and gang crimes; and

WHEREAS, the Dakota County Drug Task Force is formed under a joint powers agreement (JPA) between Dakota County Sheriff's Office and the Cities of Apple Valley, Burnsville, Eagan, Farmington, Hastings, Lakeville, Mendota Heights, Rosemount, Savage, South Saint Paul, and West St. Paul; and

WHEREAS, the member agencies wish to continue their partnership and amend the current JPA which expires December 31, 2023; and

WHEREAS, the Drug Task Force Administrative Board recommends changes to the current JPA to expand the scope of duties of the of the Drug Task Force beyond investigation and prosecution of drug offenses and gang activity to now include investigation and support of violent crimes that occur within member agency jurisdictions; and

WHEREAS, to amend the current JPA to include partial salary reimbursement for the Drug Task Force Commander when drug task force funds are available; and

WHEREAS, member agencies wish to extend the term of the amended JPA through December 31, 2027.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Dakota County Sheriff to enter into an amended joint powers agreement (JPA) with the Cities of Apple Valley, Burnsville, Eagan, Farmington, Hastings, Lakeville, Mendota Heights, Rosemount, Savage, South Saint Paul, and West St. Paul to continue partnership as a member of the Dakota County Drug Task Force for the purpose of investigation, apprehension and prosecution of drug, gang and violent offenders in Dakota County; and

BE IT FUTHER RESOLVED That the Dakota County Board of Commissioners hereby authorizes an amendment of the JPA to include partial salary reimbursement for the Drug Task Force Commander and extend the joint powers agreement through December 31, 2027, subject to approval by the Dakota County Attorney's Office as to form.

Ayes: 7

13.3 Resolution No: 22-570

Authorization To Execute Contract With Summit Food Service For Food Service Costs In Dakota County Jail And Juvenile Services Center

Motion: Liz Workman

Second: Joe Atkins

WHEREAS, the Dakota County Sheriff's Office distributed a Request for Proposal (RFP) in 2022 related to food services in the Dakota County Jail and Juvenile Service Center; and

WHEREAS, three vendors responded to the solicitation and proposals were evaluated by staff; and

WHEREAS, Summit Food Service has proven themselves to provide cost-effective services and the Sheriff recommends continuing this association by executing a contract for the period of January 1, 2023 through December 31, 2027; and

WHEREAS, Summit Food Service has agreed to continue providing these services to the Dakota County Jail and Juvenile Services Center for the period of January 1, 2023 through December 31, 2027; and

WHEREAS, Summit Food Service has agreed to the following fee structure for the period of January 1, 2023 through December 31, 2023; and

Jail Meals: Cost per meal for the inmates of the Dakota County Jail will follow the below table:

Ayes: 7

13.4 Resolution No: 22-571

Authorization To Execute Contract With Doug Nelson Consulting To Provide Radiological Emergency Preparedness, Emergency Management, And Homeland Security Planning Services And Rescind Resolution No. 22-504

Motion: Liz Workman

Second: Joe Atkins

WHEREAS, the Minnesota Department of Public Safety, Division of Homeland Security and Emergency Management, has been provided funding from the federal government under the Radiological Emergency Preparedness (REP) and Urban Area Security Initiative (UASI) grant programs to enhance preparedness activities related to natural disasters and terrorism; and

WHEREAS, Dakota County has been awarded the REP and UASI grants by the Minnesota Department of Public Safety, Division of Homeland Security and Emergency Management, for the purpose of improving Dakota County's ability to plan for, respond to, and recover from potential Countywide disasters or emergencies; and

WHEREAS, Dakota County will continue partnerships with the Cities of Inver Grove Heights, Mendota Heights, South St. Paul, West St. Paul, and Farmington through joint powers agreements to provide emergency management planning services and consulting services provided under this contract; and

WHEREAS, Dakota County Sheriff deems it to be in its best interests to continue to contract with Doug Nelson Consulting to assist in the facilitation of REP, emergency management, and homeland security planning activities that

will better prepare Dakota County and its citizenry to prepare for and respond to any potential countywide disasters or emergencies; and

WHEREAS, Resolution No. 22-504 (November 15, 2022), had insufficient funds to cover the contract amount.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Dakota County Sheriff to amend a contract with Doug Nelson Consulting, for radiological emergency preparedness, emergency management, and homeland security planning activities for the period of January 1, 2023, through December 31, 2025, up to a maximum of 1,430 hours annually for the City contracts and additional Dakota County duties at a total amount not to exceed \$348,760.00, plus travel expenses, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That Resolution No. 22-504 is hereby rescinded in its entirety.

Ayes: 7

14. Public Services and Revenue

14.1 Resolution No: 22-572

Acceptance Of Gifts To Dakota County Library

Motion: Liz Workman

Second: Joe Atkins

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

WHEREAS, the Dakota County Board of Commissioners must approve and accept gifts to County libraries with a value greater than \$500; and Friends of Wescott Library donated \$2251.45 to support adult programming, summer outreach events, Homeschool Science Series and writing workshops and; Dakota County Library Foundation donated \$5393.00 to support Summer Discover and Winter Reads; and

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

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

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby accepts from Friends of Wescott Library \$2,251.45 to support adult programming, summer outreach events, Homeschool Science Series and writing workshops and from Dakota County Library Foundation \$5,393 to support Summer Discovery and Winter Reads; and

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

Revenue

Wescott Gifts	\$2,251.45
Foundation Gifts	<u>\$5,393.00</u>
Total Revenue	\$7,644.45

Expense

Wescott Gifts	\$2,251.45
Foundation Gifts	<u>\$5,393.00</u>
Total Expense	\$7,644.45

Ayes: 7

14.2 Resolution No: 22-573

Authorization To Convey Forfeited Lands To State Of Minnesota

Motion: Liz Workman

Second: Joe Atkins

WHEREAS, the Dakota County Board of Commissioners approved conveyance of tax-forfeited land described below to the City of Lakeville on June 29, 1993:

Lot 7, Marrinan Addition, Dakota County, Minnesota, according to the recorded plat thereof

22-47550-00-071

; and

WHEREAS, the Minnesota Department of Revenue executed a conditional use deed on August 27, 1993, to formally vest title in the City of Lakeville and asseverate the imposition of a 30-year use restriction period; and

WHEREAS, the City of Lakeville acknowledged the abandonment of an authorized public use through the adoption of resolution 22-082 on June 21, 2022, and the City of Lakeville signed the Conditional Land Use Review form on February 22, 2022 stating the city is no longer using the land for the intended purpose; and

WHEREAS, the property appraisal reported requested by the City of Lakeville on April 12, 2021 setting the appraisal value of the land at \$2,400; and

WHEREAS, in compliance with Minnesota Statute 282.01, subdivision 1a, paragraph (e), the Dakota County Property Taxation & Records Department requests an official recommendation from the City of Lakeville to transmit PT Form 975 to the Minnesota Department of Revenue for review and approval.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby sanctions the proposed reconveyance action by the City of Lakeville and authorizes the Dakota County Property Taxation & Records Department to submit the completed and endorsed PT Form 975 to the

Minnesota Department of Revenue. Furthermore, the Dakota County Board of Commissioners approves the sale of above-mentioned tax-forfeited land to the City of Lakeville upon completion of all intermediary title transfer actions.

Ayes: 7

REGULAR AGENDA

15. Physical Development

15.1 Resolution No: 22-574

Certification Of Dakota County Portion Of 2023 Vermillion River Watershed Management Tax District Tax Levy

Motion: Mike Slavik

Second: Joe Atkins

Vermillion River Watershed Administrator Mark Zabel briefed this item and responded to questions.

WHEREAS, by Resolution No. 02-347 (June 25, 2002), the Dakota County Board of Commissioners approved a Joint Powers Agreement between Dakota County and Scott County to govern the Vermillion River Watershed; and

WHEREAS, the joint powers agreement establishes a Joint Powers Board consisting of two commissioners from Dakota County and one from Scott County; and

WHEREAS, funding is needed for Dakota County's share of costs associated with managing the Vermillion River Watershed; and

WHEREAS, by Resolution No. 02-296 (June 4, 2002), the Dakota County Board of Commissioners established the Vermillion River Watershed Management Tax District, through Ordinance No. 127, to fund Dakota County's share of costs associated with managing the Vermillion River Watershed; and

WHEREAS, approval and adoption of the Watershed Management Plan, as required by Minn. Stat. Ch. 103B, occurred in June 2016; and

WHEREAS, the joint powers agreement states that the Vermillion River Watershed Joint Powers Board will adopt a budget and recommend a levy for the portion of the Watershed Management Tax District in each county by September 1 of each year; and

WHEREAS, on December 1, 2022, the Vermillion River Watershed Joint Powers Board adopted a proposed budget of \$3,421,830, including the use of 2022 fund balance and grant revenues, and recommended that the levy for the Dakota county portion be \$964,900 and the levy for the Scott County portion be \$35,100; and

WHEREAS, Dakota County must certify a levy on the Watershed Management

Tax District by December 28, 2022, to be effective for taxes payable in 2023; and

WHEREAS, Dakota County certified a proposed levy of \$964,900 for the Vermillion River Watershed Management Tax District on September 6, 2022, to be effective for taxes payable in 2023.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby certifies the Dakota County portion of the Vermillion River Watershed Management Tax District levy in the amount of \$964,900 for taxes payable in 2023.

Ayes: 7

16. County Board/County Administration

16.1 Resolution No: 22-575

Certification Of 2023 Property Tax Levy And Adoption Of Dakota County Budget

Motion: Mary Hamann-Roland

Second: Laurie Halverson

Sr. Financial Analyst Allie Regenscheid briefed this item and responded to questions. The vote passed 5-2. Commissioner Workman and Commissioner Holberg voted no.

WHEREAS, the Dakota County Board of Commissioners has completed the 2023 budget process; and

WHEREAS, the Dakota County Board of Commissioners held budget hearings from November 14 through November 15, 2022; and

WHEREAS, the Dakota County Board of Commissioners has identified the following projects be allocated funding by American Rescue Plan (ARP) Act State and Local Fiscal Recovery Funds (SLFRF) revenue replacement funds:

Law Library Grant

Mental Health Crisis

Expand Crisis Follow Up

Time Limited Financial Assistance Specialists

Mental Health Civil Commitment Screening

Pre-Petition Screens Social Worker

Emergency Shelter

County Attorney Criminal Case Backlog Position

; and

WHEREAS, these projects qualify under the expenditure category of provision of government services pursuant to Interim Rule, 31 CFR Part 35, Subp. A, Section 35.6 (d) Providing Government Services - to the extent of a reduction in the recipient's general revenue; and

WHEREAS, the Dakota County Board of Commissioners has identified the

Mental Health Crisis Continuum Program and Coordinated Response Crisis Follow Up Program be allocated ARP funding; and

WHEREAS, the federal government has identified behavioral health crisis services as a designated use for American Rescue Plan (ARP) Act State and Local Fiscal Recovery Funds (SLFRF) under the reporting category of Mental Health Services.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby adopts the 2023 Dakota County budget as prepared, presented and set forth in the amount as follows:

Total Budget: \$438,013,875

Property Tax Levy: \$147,361,306

See Attachment for Department breakdowns.

Ayes: 5

Nay: 2

16.2 Resolution No: 22-576
Recognition Of County Sheriff Timothy J. Leslie

Motion: Mary Hamann-Roland

Second: Mike Slavik

Chair Kathleen A. Gaylord read the resolution honoring Dakota County Sheriff Tim Leslie and his 12 years of service. Commissioners provided comments of recognition.

WHEREAS, Timothy J. Leslie was appointed as Chief Deputy Sheriff by then Dakota County Sheriff David Bellows and the Dakota County Board of Commissioners on April 5, 2010; and

WHEREAS, Timothy J. Leslie was elected as Dakota County Sheriff on January 1, 2015, and for a second term beginning January 1, 2019; and

WHEREAS, under Dakota County Sheriff Leslie's leadership, the Dakota County Sheriff's Office has provided outstanding services to the residents of Dakota County and to the law enforcement partner agencies of the County, effectively protected the community from crime and mayhem while maintaining the public trust; and

WHEREAS, under Dakota County Sheriff Leslie's leadership, the Dakota County Sheriff's Office was recognized several times for creative governance and leadership in creating the Electronic Crimes Task Force, for the vision and Innovative Jail Programming for inmates of the County jail, and successfully obtaining funding for the building of the Safety Mental Health Alternative Training (SMART) Center, designed to provide a state of the art facility to deliver crisis intervention training for first responders; and

WHEREAS, Dakota County Sheriff Leslie has established numerous innovative programs, including many aimed at preventing crime, improving the efficiency of delivering needed services, and reducing liabilities to the citizens of Dakota County; To include - a drone program, 24 hour nursing in the County jail, a Citizens Advisory Council, supporting a robust inmates motivated to change (IMC) unit in the County jail, outfitting deputies and park rangers with body worn cameras, assigning a deputy to the US Marshall's Fugitive Task Force, establishing a deputy for commercial vehicle enforcement, and for developing a comprehensive wellness program that establishes peer mentors and annual visits with a psychologist for members of the Sheriff's Office; and

WHEREAS, Dakota County Sheriff Leslie has served on numerous federal, state and local boards, councils and committees, including the Minnesota Sheriffs Association Board and as Legislative Chair, as a board member to the Twin Cities Security Partnership, as a member of the Governor's Council on Justice Reinvestment, as President of the Dakota Chiefs of Police Association and as the first ever Executive Sponsor to the Employee Resource Group - The Black Employee Network in Dakota County; and

WHEREAS, Dakota County Sheriff Leslie has received numerous awards and professional recognitions from various national, state and local governmental agencies and public and private organizations for his many contributions to public safety, crime victims, crime prevention efforts and his dedication and commitment to justice, and public safety; and

WHEREAS, the Dakota County Board of Commissioners has accepted the resignation of Dakota County Sheriff Leslie, effective the end of the day on January 1, 2023, and upon his departure he will have dedicated 12 years of service.

NOW, THEREFORE, BE IT RESOLVED, That on behalf of the citizens of Dakota County, the Dakota County Board of Commissioners hereby commends Timothy J. Leslie for his outstanding dedication, exemplary service and long-standing commitment to Dakota County government, public safety and justice while serving as Dakota County Chief Deputy and Dakota County Sheriff from April 5, 2010 to January 1, 2023.

Ayes: 7

16.3 Resolution No: 22-577
Recognition Of Commissioner Kathleen A. Gaylord

Motion: Liz Workman

Second: Joe Atkins

Commissioner Liz Workman read the resolution honoring Commissioner Kathleen A. Gaylord and her 20 years of service. Commissioners provided comments of recognition.

WHEREAS, Commissioner Kathleen A. Gaylord has served as a Dakota County Commissioner for 20 years, including five years as Chair of the County Board and five years as Vice-Chair; and

WHEREAS, Commissioner Gaylord represents residents of District 2, which includes the cities of South St. Paul, West St. Paul, Sunfish Lake and Inver Grove Heights Precincts 1 and 8-10; and

WHEREAS, Commissioner Gaylord led efforts to strengthen the County's financial position and successfully control County property taxes, achieve a AAA bond rating, and pay off County debt; and

WHEREAS, Commissioner Gaylord pushed for changes in regional transit funding, resulting in nearly \$100 million for Dakota County transportation projects with no new taxes and advocated for a new County library in South St. Paul; and

WHEREAS, Commissioner Gaylord represented the County on several committees including Dakota County Community Development Agency, Chair of the Dakota County Law Library Board, Dakota County Regional Railroad

Authority, Chair of the Facility Operations Advisory Committee for Thompson Park Center, Greater MSP Economic Development Partnership Board of Directors and Chair of the Minnesota Inter-County Association and the Metropolitan Council's Transportation Advisory Board; and

WHEREAS, Commissioner Gaylord serves on the National Association of Counties (NACo) Transportation Steering Committee, served as the Vice-Chair of the NACo Finance and Intergovernmental Affairs Steering Committee; and

WHEREAS, Commissioner Gaylord served on the NACo Sustainability Leadership Team and the NACo Large Urban Caucus Steering Committee; and

WHEREAS, Commissioner Gaylord has Chaired numerous Regional Boards: Metropolitan Emergency Services Board, the Metropolitan Mosquito Control Board, the Metropolitan Area Agency on Aging; and

WHEREAS, Commissioner Gaylord serves on the Association of Minnesota Counties (AMC) Board of Directors; and

WHEREAS, Commissioner Gaylord's contributions to Dakota County will extend long beyond her tenure as County Commissioner; and

WHEREAS, Commissioner Gaylord's term of office ends January 1, 2023.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby commends and thanks Kathleen A. Gaylord for her outstanding dedication, exemplary service and long-standing commitment to Dakota County government and the citizens of Dakota County.

Ayes: 7

17. Closed Executive Session

17.1 Resolution No: 22-578

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

Motion: Laurie Halverson

Second: Mary Hamann-Roland

This item did not go into closed session.

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, County Project 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 B9 Polar Waters, LLC identified in Dakota County Right of Way Map No. 471 as Parcels 5, 6, and 7; and

WHEREAS, on December 6, 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 5, 6, and 7; and

WHEREAS, after review of the information contained in the confidential memorandum the County Board determined a closed session discussion with the Dakota 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 Dakota 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 5, 6, and 7 in the amount of \$125,000, inclusive of all attorney fees and costs associated with litigation of these parcels.

Ayes: 7

18. Interagency Announcements/Reports

Interagency announcements and reports were then presented.

19. County Manager's Report

County Manager Matt Smith expressed his thanks to all staff for all the hard work that was accomplished in 2022. He also thanked Commissioner Kathleen A. Gaylord for her 20 years of service as a County Commissioner and Dakota County Sheriff Tim Leslie for his 12 years of service. The County wishes you both well in your retirements.

Matt thanked Sr. Administrative Coordinator to the Board, Jeni Reynolds for the work she has done this year with County Board materials and meetings.

20. Information

20.1 Information

See Attachment for future Board meetings and other activities.

21. Adjournment

21.1 Resolution No: 22-579

Adjournment

Motion: Mary Hamann-Roland

Second: Mike Slavik

On a motion by Commissioner Hamann-Roland, seconded by Commissioner Slavik, the meeting was adjourned at 10:38 a.m.

Ayes: 7

Kathleen A. Gaylord
Chair

ATTEST

Matt Smith
County Manager