



Dakota County

Board of Commissioners

Agenda

Tuesday, January 3, 2023

9:00 AM

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

View Live Broadcast

<https://www.co.dakota.mn.us/Government/BoardMeetings/Pages/default.aspx>

If you wish to speak to an agenda item or an item not on the agenda, please notify the Clerk to the Board via email at CountyAdmin@co.dakota.mn.us

Emails must be received by 7:30am on the day of the meeting.

Instructions on how to participate will be sent to anyone interested.

- 1. Call To Order And Roll Call**
- 2. Pledge Of Allegiance With Dakota County Sheriff's Honor Guard**
- 3. Administration Of Oath Of Office To County Elected Officials**
- 4. Election Of 2023 Officers**
 - 4.1 Election Of 2023 County Board Chair**
 - 4.2 Election Of 2023 County Board Vice-Chair**
- 5. Audience**

Anyone wishing to address the County Board on an item not on the agenda, or an item on the consent agenda may notify the Clerk to the Board and instructions will be given to participate during the meeting. Comments can be sent to CountyAdmin@co.dakota.mn.us
Verbal Comments are limited to five minutes.

- 6. Agenda**
 - 6.1 Approval of Agenda (Additions/Corrections/Deletions)**

CONSENT AGENDA

- 7. County Administration - Approval of Minutes**
 - 7.1 Approval of Minutes of Meeting Held on December 13, 2022**

8. Items Recommended By Board Committee*

- 8.1** *Employee Relations* - Authorization To Amend Contract With McDowell Agency, Inc. For Employee Background Check Services

9. County Board/County Administration

- 9.1** *Office Of The County Manager* - Official County Newspaper And Public Notices
- 9.2** *Office Of The County Manager* - Adoption Of 2023 County Board Operating Rules And Guidelines
- 9.3** *Office Of The County Manager* - Ratification Of Appointment Of Chairs Of Committees Of The Whole For 2023
- 9.4** *Office Of The County Manager* - Appointment Of County Board Members To Boards/Committees For 2023
- 9.5** *Office Of The County Manager* - Designation Of 2023 Official Voting Delegates For Association Of Minnesota Counties
- 9.6** *Office Of The County Manager* - Designation Of Local Officials For Campaign Finance And Public Disclosure Board Reporting Requirement
- 9.7** *Office Of The County Manager* - Approval Of Increase To Citizen Advisory Committee Per Diems And Approval Of Per Diems For Two Department Appointment Committees
- 9.8** *Office Of The County Manager* - Appointments To Metropolitan Emergency Services Board Radio Technical Operations Committee And 911 Technical Operations Committee
- 9.9** *Office Of The County Manager* - Appointment To Extension Committee
- 9.10** *Office Of The County Manager* - Appointments To Library Advisory Committee
- 9.11** *Office Of The County Manager* - Appointment To Personnel Board Of Appeals
- 9.12** *Office Of The County Manager* - Appointments To Planning Commission
- 9.13** *Office Of The County Manager* - Appointments To Public Art Citizen Advisory Committee
- 9.14** *Office Of The County Manager* - Appointments To Special Board Of Appeals And Equalization

10. Enterprise Finance and Information Services

- 10.1** *Finance* - Report On Invoices Paid In November 2022
- 10.2** *Information Technology* - Authorization To Purchase SplashBI Database Software For Oracle Cloud Enterprise Resource Planning And Human Capital Management
- 10.3** *Office Of Risk Management* - Authorization To Execute Contract With Arthur J. Gallagher For Insurance Brokerage Services
- 10.4** *Office Of Risk Management* - Authorization To Execute Contract With Minnesota Department Of Public Safety For 2022 Urban Area Security Initiative Homeland Security Grant And Amend Office of Risk Management 2023 Budget

11. Physical Development

- 11.1** *Transportation* - Authorization To Award And Execute Contract With McNamara Contracting And Amend 2023 Transportation CIP Budget For CP 9-56 On CSAH 9 In City Of Lakeville
- 11.2** *Transportation* - Authorization To Amend Transportation Capital Improvement Program Budget For County Project 88-24, County State Aid Highway 88 Reconstruction From Trunk Highway 56 To Finch Court In Randolph Township
- 11.3** *Transportation* - Authorization To Execute Third Amendment With Kimley-Horn And Associates, Inc. On CP 26-54 (CSAH 26) And 63-27 (Argenta Trail) In Cities Of Inver Grove Heights And Eagan
- 11.4** *Transportation* - Approval Of Final Plats Recommended By Plat Commission
- 11.5** *Parks, Facilities, and Fleet Management* - Authorization To Purchase Fleet Vehicles And Equipment
- 11.6** *Environmental Resources* - Certification Of Property Assessed Clean Energy Charges For Energy Improvements On Property In City Of Rosemount And Rescind Resolution No. 22-496
- 11.7** *Environmental Resources* - Certification Of Property Assessed Clean Energy Charges For Energy Improvements On Properties In Cities Of South St. Paul And Burnsville And Rescind Resolution No. 22-560

12. Public Services and Revenue

- 12.1** *Public Services and Revenue Administration* - Approval Of Application For Exempt Permit For Ducks Unlimited To Hold Raffle

REGULAR AGENDA**13. County Board/County Administration**

13.1 *Office Of The County Manager* - Adoption Of 2023 Legislative Platform

13.2 *Office Of The County Manager* - Adoption Of Resolution Of Support For Efforts Of Community Supervision Work Group

14. Closed Executive Session

14.1 *Office Of The County Manager* - Closed Executive Session: Legal Strategy For Acquisition Of Property In Randolph Township For County Project 88-24

15. Interagency Announcements/Reports

Association of Minnesota Counties (AMC)
Dakota Broadband Board
Metropolitan Emergency Services Board
Minnesota Inter-County Association (MICA)
Metropolitan Mosquito Control District Commission
National Association of Counties (NACo)
Vermillion River Watershed Joint Powers Board
Workforce Development Board
Others

16. County Manager's Report**17. Information**

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

18. Adjournment

18.1 Adjournment

* Designates items discussed in Board Committee(s)

For more information, call 651-438-4417

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Board of Commissioners

Request for Board Action

Item Number: DC-1735

Agenda #: 4.1

Meeting Date: 1/3/2023

Election Of 2023 County Board Chair



Board of Commissioners

Request for Board Action

Item Number: DC-1736

Agenda #: 4.2

Meeting Date: 1/3/2023

Election Of 2023 County Board Vice-Chair



Board of Commissioners

Request for Board Action

Item Number: DC-1748

Agenda #: 6.1

Meeting Date: 1/3/2023

Approval of Agenda (Additions/Corrections/Deletions)



Board of Commissioners

Request for Board Action

Item Number: DC-1749

Agenda #: 7.1

Meeting Date: 1/3/2023

Approval of Minutes of Meeting Held on December 13, 2022



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

Department	FTE's	Total Budget	Non-Levy Revenue	County Property Tax
NON-DEPARTMENTAL(COUNTYWIDE)	2.00	10,169,524	37,735,253	(27,565,729)
OFFICE OF THE COUNTY MANAGER	8.00	1,525,681	149,612	1,376,069
COUNTY BOARD	7.00	947,991	6,200	941,791
COUNTY COMMUNICATIONS	8.00	1,137,619	117,000	1,020,619
BUDGET OFFICE	6.90	800,118	-	800,118
EMPLOYEE RELATIONS	20.45	3,346,392	115,099	3,231,293
Total Administration	50.35	7,757,801	387,911	7,369,890
COMMUNITY SERVICES ADMIN	16.00	2,134,363	4,425	2,129,938
SOCIAL SERVICES	456.35	77,388,185	42,583,325	34,804,860
EMPLOYMENT & ECONOMIC ASST	283.00	37,935,172	28,036,210	9,898,962
PUBLIC HEALTH	121.77	14,682,780	9,404,100	5,278,680
VETERANS SERVICES	7.00	861,803	22,500	839,303
COMMUNITY CORRECTIONS	177.92	22,918,993	7,801,695	15,117,298
EXTENSION	-	364,049	10,700	353,349
Total Community Services	1,062.04	156,285,345	87,862,955	68,422,390
PUBLIC SERVICE & REVENUE ADMIN	4.00	826,280	478,707	347,573
ASSESSING SERVICES	40.00	4,371,087	5,761	4,365,326
PROPERTY TAXATION AND RECORDS	33.30	4,052,248	3,951,344	100,904
SERVICE & LICENSE CENTERS	31.00	2,486,075	1,898,261	587,814
HISTORICAL SOCIETY	-	107,185	-	107,185
COUNTY FAIR	-	191,117	-	191,117
LIBRARY	124.14	14,825,216	880,000	13,945,216
ELECTIONS	7.00	1,793,337	992,000	801,337
Total Public Services & Revenue	239.44	28,652,545	8,206,073	20,446,472
SHERIFF	192.25	26,622,304	4,305,563	22,316,741
COUNTY ATTORNEY	97.00	9,052,854	895,381	8,157,473
MEDICAL EXAMINER	-	1,836,616	118,885	1,717,731
DISTRICT COURT	-	469,561	24,000	445,561
EFIS ADMIN	3.00	708,832	110,856	597,976

OFFICE OF RISK MANAGEMENT	7.00	3,559,856	1,114,769	2,445,087
INFORMATION TECHNOLOGY	70.10	13,341,043	634,416	12,706,627
OFFICE OF PERFORMANCE & ANALYSIS	8.00	896,832	25,000	871,832
CRIMINAL JUSTICE NETWORK	-	-	-	-
FINANCE	28.00	3,470,592	262,268	3,208,324
GIS ENTERPRISE	-	82,595	82,595	-
Total Operations, Management and Budget	116.10	22,059,750	2,229,904	19,829,846
FLEET MANAGEMENT	14.00	2,977,558	769,062	2,208,496
CEP - FLEET MANAGEMENT		2,260,500	936,500	1,324,000
FACILITIES MANAGEMENT	54.00	12,737,183	743,006	11,994,177
PHYSICAL DEVELOPMENT ADMIN	26.60	2,675,626	(302,531)	2,978,157
TRANSPORTATION DEPARTMENT	99.00	9,251,560	8,082,610	1,168,950
PARKS AND OPEN SPACE	22.00	2,629,702	1,719,196	910,506
SOIL & WATER	-	431,302	100,000	331,302
ENVIRONMENTAL RESOURCES SURVEY	36.00	9,598,985	9,598,985	-
	-	-	-	-
BYLLESBY DAM	2.00	680,808	680,808	-
COUNTY LEGACY	-	75,256	75,256	-
Total Physical Development	253.60	43,318,480	22,402,892	20,915,588
Total Operations	2,012.78	306,224,780	164,168,817	142,055,963
Total Operations (less General Fund Transfer to Debt)		277,576,152	139,155,644	138,420,508
CIP-COUNTY BUILDING		28,249,958	24,911,553	3,338,405
CIP-TRANSPORTATION/TRANS. SALES&USE TAX		84,580,847	82,805,256	1,775,591
CIP-PARKS		17,496,895	17,305,548	191,347
CIP-ENVIRONMENTAL RESOURCES		1,461,395	1,461,395	-
CIP-BYLLESBY DAM		-	-	-
CIP-DATA NETWORKS		-	-	-
Total CIP		131,789,095	126,483,752	5,305,343
Grand Total	2,012.78	438,013,875	290,652,569	147,361,306

Total Transfers between funds not included in department budgets: \$35,765,021

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



Board of Commissioners

Request for Board Action

Item Number: DC-1641

Agenda #: 8.1

Meeting Date: 1/3/2023

DEPARTMENT: Employee Relations

FILE TYPE: Consent Action

TITLE

Authorization To Amend Contract With McDowell Agency, Inc. For Employee Background Check Services

RESOLUTION

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

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

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

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

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

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



Board of Commissioners

Request for Board Action

Item Number: DC-1734

Agenda #: 9.1

Meeting Date: 1/3/2023

DEPARTMENT: Office of the County Manager

FILE TYPE: Consent Information

TITLE

Official County Newspaper And Public Notices

PURPOSE/ACTION REQUESTED

Update on the official County newspaper and printing of legal notices through the year 2023.

SUMMARY

The Dakota County Board of Commissioners are required by Minn. Stat. § 375.12 to advertise for bids for County legal printing and award of bid at the first board meeting of the year. Minn. Stat. § 331A.06 authorizes the County to award the printing contract for a term up to three years.

Bids were received for the printing of County legal notices for 2021 through 2023 on November 18, 2020. The bids were based upon the formula used in bid specifications recommended by Minnesota Newspaper Association's Legal Counsel to determine the lowest cost per lower case alphabet or cost per column inch. Each bidding newspaper must indicate that they meet the requirements for a legal newspaper found in Minn. Stat. § 331A.02. One bid was received from Dakota County Tribune.

The Dakota County Tribune was awarded the contract as the official newspaper for three years, 2021 through 2023, for printing of County legal notices per its bid of \$8.45 cost per column inch. Dakota County Tribune was also awarded the contract for three years to print the notice and published list of real estate remaining delinquent on the first Monday of January each year and as the First Publication of the County's Financial Statement. Dakota County Tribune was awarded a contract for three years to publish the Second Publication of the County's Financial Statement.

2022 average weekly print circulation was 4,785. Dakota County notices are posted on the Sun Thisweek website. www.sunthisweek.com <<http://www.sunthisweek.com>> received roughly 27,000 visitors per week in 2022.

Publication of the County's financial statements and County Commissioner compensation must also be published in a second publication. The second insertion and second statements will be published by Dakota County Tribune's related publication, Sun Thisweek.

Since these contracts continue until December 31, 2023, there is no change in the County's official newspaper or the second newspaper for first publication of the County's financial statement.

Beginning in 2019, the County Board authorized the publication solicitations of transportation projects on the County website, pursuant to Minn. Stat. § 331A.12.

RECOMMENDATION

None. Information only.

EXPLANATION OF FISCAL/FTE IMPACTS

- ☒ None ☐ Current budget ☐ Other
☐ Amendment Requested ☐ New FTE(s) requested

RESOLUTION

Information only, no action requested.

PREVIOUS BOARD ACTION

21-018; 1/5/21

17-020; 1/3/17

ATTACHMENTS

Attachment: None.

BOARD GOALS

- ☐ A Great Place to Live ☐ A Healthy Environment
☐ A Successful Place for Business and Jobs ☒ Excellence in Public Service

PUBLIC ENGAGEMENT LEVEL

- ☐ Inform and Listen ☐ Discuss ☐ Involve ☒ N/A

CONTACT

Department Head: Matt Smith

Author: Jeni Reynolds



Board of Commissioners

Request for Board Action

Item Number: DC-1746

Agenda #: 9.2

Meeting Date: 1/3/2023

DEPARTMENT: Office of the County Manager

FILE TYPE: Consent Action

TITLE

Adoption Of 2023 County Board Operating Rules And Guidelines

PURPOSE/ACTION REQUESTED

Adopt the 2023 County Board Operating Rules and Guidelines.

SUMMARY

The County Board annually adopts its Operating Rules and Guidelines. The County Board reviewed the current Operating Rules on December 13, 2022, during the Governance Workshop.

Staff recommends that the County Board adopt the 2023 County Board Operating Rules and Guidelines that reflects the changes discussed during the workshop. The recommended changes are in the sections listed below and reflected in the Attachment:

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

The Operating Rules and Guidelines may be amended by the County Board at any time.

RECOMMENDATION

Staff recommends adoption of the 2023 County Board Operating Rules and Guidelines.

EXPLANATION OF FISCAL/FTE IMPACTS

- | | | |
|----------------------------------------------|-----------------------------------------------|--------------------------------|
| <input checked="" type="checkbox"/> None | <input type="checkbox"/> Current budget | <input type="checkbox"/> Other |
| <input type="checkbox"/> Amendment Requested | <input type="checkbox"/> New FTE(s) requested | |

RESOLUTION

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

WHEREAS, the Board of Commissioners discussed the following amendments:

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

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

Workshop on December 13, 2022; and

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

PREVIOUS BOARD ACTION

22-005; 1/4/22

ATTACHMENTS

Attachment: DRAFT Board Operating Rules and Guidelines 2023

BOARD GOALS

- | | |
|-------------------------------------------------------------------|------------------------------------------------------------------|
| <input type="checkbox"/> A Great Place to Live | <input type="checkbox"/> A Healthy Environment |
| <input type="checkbox"/> A Successful Place for Business and Jobs | <input checked="" type="checkbox"/> Excellence in Public Service |

PUBLIC ENGAGEMENT LEVEL

- | | | | |
|--------------------------------------------|----------------------------------|----------------------------------|-----------------------------------------|
| <input type="checkbox"/> Inform and Listen | <input type="checkbox"/> Discuss | <input type="checkbox"/> Involve | <input checked="" type="checkbox"/> N/A |
|--------------------------------------------|----------------------------------|----------------------------------|-----------------------------------------|

CONTACT

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Author: Jeni Reynolds

Dakota County Board of Commissioners

Operating Rules and Guidelines

2023



The mission of Dakota County is efficient, effective, responsive government.

Dakota County Board of Commissioners
2023~~2~~

District 1 Mike Slavik

District 2 [Joe Atkins](#)~~Kathleen A. Gaylord~~

District 3 Laurie Halverson

District 4 [William Droste](#)~~Joe Atkins~~

District 5 Liz Workman

District 6 Mary Liz Holberg

District 7 Mary Hamann-Roland

County Manager, Matt Smith

Office of the County Board
Dakota County Administration Center
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Hastings, MN 55033
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Operating Rules and Guidelines

Table of Contents

Contents

I. Overview.....	2	V. Conduct of Debate	9
A. Purpose.....	2	A. Principles.....	9
B. Statement of Principles	2	B. Parliamentary	9
C. Effective Date	2	C. Role of the Chair.....	9
II. Amendments to the Operating Rules.....	2	D. Suspension of the Rules	9
III. County Board Organization	3	E. Main Motion	10
A. Membership.....	3	F. Second Required	10
B. Commissioner Districts.....	3	G. Amended Motion	10
C. Terms of Office	3	H. Division of the Question	10
D. Vacancy	3	I. Withdrawal of Motion.....	10
E. Officers.....	3	J. Discussion Procedures	10
F. Compensation	4	K. Adoption	10
G. General Expense Allowance.....	4	L. Procedural Motion	10
H. Additional Accountable Commissioner		M. Voting	11
Expenses.....	4	VI. Types of Board Action.....	11
I. In-State Conference Expenses	4	A. Resolution	11
J. Out-of-State Travel Expenses.....	5	B. Ordinance.....	11
K. County Board Budget.....	5	C. General Consensus.....	11
L. Indemnification	6	D. Policy Development	11
IV. County Board Meetings.....	6	E. Notice of Resolution	12
A. Open Meeting Law.....	6	VII. County Board Agenda.....	12
B. Statutory Meeting	6	A. Preparation and Distribution.....	12
C. Regular Meetings.....	6	B. Order of Business.....	12
D. Closed Meetings	6	C. Consent Agenda.....	13
E. Special Meetings.....	6	D. Regular Agenda	13
F. Work Sessions	6	E. Official Records	13
G. Emergency Meetings	7	VIII. County Board Committees	13
H. Recessed Meetings.....	7	A. Committees of the Whole.....	13
I. Meetings Conducted by Interactive		B. Special Committees.....	15
Technology	7	C. Rules of Operation	15
J. Meetings Conducted by Telephone or Other		IX. Code of Ethics	16
Electronic Means.....	7	X. Members of the Public	16
K. Notice to Commissioners.....	7	A. Public Communication.....	16
L. Public Hearings	7	B. Audience Participation at Board Meetings	17
M. Audience/Citizen Requests	8	C. Responding to Correspondence/	
N. Broadcasting	8	Inquiries/Complaints from Members of the	
O. Board Committees	8	Public	18
P. Quorum	8	XI. Staff.....	19
Q. Role of Presiding Officer.....	9	A. County Manager.....	19
R. Addressing the Chair	9	B. Role of Staff.....	19
S. County Manager	9		
		Addendum – Guidelines for Requested Resolutions	
		and Proclamations	

I. Overview

A. Purpose

The Dakota County Board of Commissioners is the body charged by law with the management of the affairs of Dakota County. The County Board operates as a deliberative and legislative assembly, meeting to discuss and determine the direction and policies of the County within the confines of state and federal law. The County Board acts on behalf of, and is held accountable by, the citizens of Dakota County.

The County Board functions within the statutory framework of Minnesota law. General duties, powers and responsibilities are found in Minnesota Statutes, especially but not exclusively Chapters 370, 373, 375 and 383D. Minnesota Statutes supersede all bylaws, rules and policies established by the Board.

The Operating Rules of the Dakota County Board of Commissioners are intended to facilitate the transaction of business by the County Board and its committees. The following principles shall guide the County Board in its interpretation and application of the Rules.

B. Statement of Principles

The Operating Rules intend to strike a procedural balance that considers all principles and enunciates a specific process by which those principles interact and work. The rules are representative of the organization's values and mission.

Dakota County has implemented a comprehensive statement of organizational values, or principles. The Board's principles form the framework through which the operating rules and actions of the Board are constructed and evaluated. The seven essential principles include the following:

1. **Governing Dakota County.** Elected officials empower a strong, professionally managed work force to accomplish the goals and mission of Dakota County.
2. **Customer Commitment.** Our objective is to serve those who use our products and services in the most efficient and

effective way possible.

3. **Commitment to Staff.** Dakota County government is committed to providing a positive and healthy work environment. We are committed to preparing and educating our workforce to provide quality services.
4. **Expectations of Each Other.** We expect honesty, integrity, and a commitment to the values of our organization, without regard for position or title.
5. **Managing County Government.** Our goal is to create an organizational culture which fosters creativity and a willingness to take reasonable risks, with an acceptance of responsibility, accountability and authority.
6. **Measuring Government Performance.** Dakota County government will provide fiscally prudent, risk sensitive, cost-effective solutions to the challenges we are asked to face while fostering a continuous improvement organizational culture.
7. **Communicating Government.** We want the County Board and Dakota County to be recognized as an organization with a high standard of excellence, recognized for its leadership.

C. Effective Date

These rules shall become effective upon passage by the County Board.

II. Amendments to the Operating Rules

Any member of the County Board may initiate action to amend the Operating Rules. Amendments to the Operating Rules may also be initiated by the County Manager.

During the statutory meeting, the County Board shall review, amend if necessary, and adopt the Operating Rules for the year.

At any time throughout the year, the County Board may amend (or suspend)

the Operating Rules by an affirmative vote of the members. Changes shall be effective immediately upon passage.

The statute references included in the text are current as of the adoption of the Operating Rules. Any changes in statute or law affecting the rules are effective immediately and will be reflected in the next draft of the rules.

III. County Board Organization

A. Membership

The County Board of Commissioners consists of seven (7) members elected from single-member districts apportioned on the basis of population as provided by law.

B. Commissioner Districts

The boundaries of commissioner districts, including the procedures to follow in the event that a redistricting is needed, are established pursuant to Minn. Stat. § 375.025.

C. Terms of Office

The term of each Board member is four years, except as otherwise established pursuant to Minn. Stat. § 375.03.

D. Vacancy

A vacancy in the office of County Board is filled at a special election not less than 30 or more than 60 days after the vacancy occurs. The special primary or special election may be held on the same day as a regular primary or regular election, but the special election shall be held not less than 14 days after the special primary. The person elected at the special election shall take office immediately after receipt of the certificate of election and upon filing the bond and taking the oath of office and shall serve the remainder of the unexpired term.

If the vacancy occurs less than 60 days before the general election preceding the end of the term, the vacancy shall be filled by

the person elected at the general election for the ensuing term. That person shall take office immediately after receiving the certificate of election, filing the bond and taking the oath of office (Minn. Stat. § 375.01).

E. Officers

Prior to the statutory meeting each year, but following the general election, the County Board shall hold a governance workshop to designate the Chair and Vice-Chair for the next calendar year.

The County Board, at its statutory meeting (first Tuesday after the first Monday of each year), elects from its members a Chair and a Vice-Chair. The Chair presides at the County Board meetings, decides on questions of order, subject to vote of the County Board, and signs all documents requiring signature on the Board's behalf. The Chair's signature, attested to by the Clerk to the County Board, is binding as the signature of the County Board.

The County Board elects from its membership a vice-chair at the same time and place and in the same manner as provided for the election of the chair. The vice-chair performs the duties of the chair when the chair is unable to perform those duties.

If the Chair and Vice-Chair are absent from any meeting, the members present shall choose one of their members as temporary Chair, and all documents requiring the signature of the County Board shall be signed by a majority of it and attested to by the Clerk to the Board (Minn. Stat. § 375.13).

The Chair-designee will solicit input from the County Board members prior to the statutory meeting regarding interest in serving on standing committees and other County Board-member appointed committees, organizations and boards. At the statutory meeting (and if applicable during the year), the Chair of the County Board shall have the authority to recommend committee chairs, appointment of members of the County Board to standing committees and other County Board-member appointed

committees, organizations and groups, subject to approval by the County Board.

F. Compensation

County Board members receive as compensation for services an annual salary as set by resolution of the County Board. The salary must be established prior to the end of the preceding year and is effective January 1 of the New Year. The resolution shall contain a statement of the new salary as defined on an annual basis and must be published in the official County newspaper and one other newspaper of the County (Minn. Stat. § 375.055).

In determining the annual salary of the members, the County Board shall follow the guidelines as prescribed in the Unclassified Employees Compensation Plan. The County Board may, from time to time, review and amend the Unclassified Employees Compensation Plan.

Prior to the effective date of a new salary, each County Board member shall have the option to decline any salary increase in writing in a form prescribed by the County Board.

G. General Expense Allowance

Each member of the County Board is allowed an annual sum as determined by the County Board as and for a general expense allowance account (Minn. Stat. § 383D.05). Typical discretionary expenditures paid from this account include the purchase of mobile devices and data plans, postage, books, subscriptions and personal auto mileage for business related purposes. Unreimbursed registration fees and travel costs related to conferences, and similar meetings within Minnesota are not paid from this account. Expenses that may be paid by the general expense allowance funds are generally those that the Board Member deems to be necessary in order to fulfill the duties of office.

In accordance with law, the County Board by resolution determines the annual

general expense allowance account level. Prior to December 31 of any year, each Board Member may make an irrevocable election as to whether general expense allowance account for the following year shall be treated as an unaccountable or accountable plan. Failure to make an election is deemed election of an unaccountable plan. If the general expense allowance for a commissioner is designated as an unaccountable plan, that commissioner will receive the general expense allowance in twelve equal monthly payments.

H. Additional Accountable Commissioner Expenses

The County Board will designate an annual sum for an Additional Accountable Commissioner Expenses account for the entire County Board. This account is available to reimburse business related expenses incurred by any Commissioner if (1) the Commissioner has designated his/her general expense allowance as an accountable plan, and (2) the Commissioner has incurred expenses in Minnesota (except conferences) that exceed the amount of his/her General Expense Allowance account. When a Commissioner meets both qualifications, all qualifying expense reimbursement requests submitted within 60 days of the date incurred will be non-taxable accountable plan payments and will be paid from the Additional Accountable Commissioner Expenses account.

I. In-State Conference Expenses

The County Board will designate an annual sum for unreimbursed In-State Conference Expenses account for the entire County Board. This account is available to reimburse Commissioner expenses related to attending conferences and similar meetings within Minnesota as well as any virtual conference or similar meetings. Such expenses include conference attendance fees, travel to/from the conference, and overnight stays (if the

conference is outside of the seven county Twin Cities metro area). A Commissioner may obtain reimbursements of in-state conference expenses from this account regardless of whether the Commissioner has elected to designate his/her General Expense Allowance as an accountable or unaccountable plan. This account is an accountable plan only with no option for unaccountable plan election. All expense reimbursement requests submitted within 60 days of the date incurred will be non-taxable accountable plan payments.

If the requests from all Commissioners for reimbursement of in-state conference expenses exceeds the budget account for such expenses, the County Board will determine whether a budget amendment is needed to increase the available funds for In-State Conference Expenses.

J. Out-of-State Travel Expenses

Each Member of the County Board is allowed an annual sum as determined by the County Board in the County Board budget for unreimbursed Out-of-State Travel Expenses (Minn. Stat. § 471.661). This account is available to reimburse Commissioner expenses for meetings, conferences and other trips or travel outside Minnesota related to carrying out the business of Dakota County. A Commissioner may obtain reimbursements of out-of-state travel expenses from this account regardless of whether the Commissioner has elected to designate their General Expense Allowance as an accountable or unaccountable plan. This account is an accountable plan only with no option for unaccountable plan election. All expense reimbursement requests submitted within 60 days of the date incurred will be non-taxable accountable plan payments.

When a Commissioner is appointed by a national organization to serve on a national committee during the current year, the one-time sum of \$5,000 will be added to a budget line item for County Board national committee travel. The funds placed in this account are pooled and

available to pay national committee travel expenses incurred by any Commissioner serving on a National committee.

The unspent balance of the national committee travel account at the end of the calendar year is carried over to that account for the following year.

The County Board policy on Commissioner out-of-state travel is that each Commissioner may attend out-of-state conferences and meetings related to carrying out the business of Dakota County of their own choice and may incur costs for such travel up to that Commissioner's Out-of-State Travel Expenses account balance. The policy on national committee travel is the Commissioners serving as a member of a national committee may attend committee meetings and incur travel costs for such travel up to the balance in the national committee travel account. If a Commissioner wishes to attend an out-of-state conference or meeting after exhausting his/her account balance for that calendar year, or a Commissioner wishes to attend a national committee meeting after the national committee travel account is exhausted, the Board Chair has authority to approve administratively the transfer of funds from another Countywide account (such as BIP) to cover the overage. The transfer of funds will be disclosed to all Commissioners through the monthly budget update report.

K. County Board Budget

The County Board is allocated an annual budget which includes salary and benefits. The Clerk to the Board prepares monthly reports on County Board budget expenditures. The County Board may, on an annual basis, have access to Budget Incentive Funds. The County Board authorizes, by majority vote, expenditure of County Board Budget Incentive Program (BIP) funds. The County Board Chair and County Manager may authorize expenditure of BIP funds for commissioner expenses with subsequent ratification by the County Board required.

L. Indemnification

Dakota County Board members are protected by the defense and indemnification provisions of the Dakota County Employee Indemnification Plan, as most recently amended on May 21, 2013, by Resolution No. 13-250.

IV. County Board Meetings

A. Open Meeting Law

All meetings of the Dakota County Board of Commissioners, Board Committees of the Whole, and Special Board Committees are subject to the Open Meeting Law (Minn. Stat. Ch. 13D).

B. Statutory Meeting

The County Board meets at the Boardroom of the Administration Center for the transaction of business on the first Tuesday after the first Monday in January. The County Board transacts organizational business during this meeting, including:

1. Administration of the Oath of Office (if required)
2. Election of Officers
3. Appointment of Board Committee Chairs.
4. Appointments to Serve on Inter-Agency Boards
5. Appointments to Serve on In-County Boards
6. Appointments to Serve as Liaisons
7. Appointment of Citizens to Serve on Advisory Committees

C. Regular Meetings

The County Board by resolution shall adopt, and from time to time may amend, a schedule of regular County Board and committee meetings for the year. The schedule shall include the location, date and time of the meetings.

Unless otherwise stated, all regular meetings of the County Board will be convened in the Boardroom of the Administration Center in Hastings,

Minnesota.

If the County Board Chair determines that there is no significant business for the County Board or County Board Committee to attend to at a scheduled meeting of the County Board or a County Board Committee, the County Board Chair or Committee Chair may cancel the meeting by providing five days' prior notice of the cancellation to each Commissioner.

D. Closed Meetings

The County Board may by resolution close a meeting if permitted or required by Minnesota Statutes Chapter 13D, provided that before closing the meeting the County Board shall state on the record the specific grounds permitting the meeting to be closed and describing the subject to be discussed during the closed meeting.

E. Special Meetings

Special meetings may be called by the County Board Chair or by three members of the County Board by providing a writing describing the purpose of the meeting filed with the Clerk to the County Board who shall then provide written notice to all the members of the time and place of meeting. A special meeting shall be preceded by at least three days' notice, including a posting of the meeting notice and either (1) mailed or physical or electronically delivered notice to persons who have requested such notice, or (2) publication of the notice in the official newspaper (Minn. Stat. § 13D.04). The notice shall include the date, time, place and purpose of the special meeting.

F. Work Sessions

The County Board may schedule work sessions, retreats, forums or similar gatherings at such times and concerning such subjects as may be established by resolution of the Board. A schedule of such meetings shall be maintained in the County Administration office. Such gatherings shall be noticed as for a regular or special meeting.

A joint meeting with the Dakota County Board and any other political subdivision may be held within the

boundaries of either subdivision and will be specified in the meeting notice.

In conjunction with legislators and city and township officials, a policy forum may be held to discuss policy issues of interest to residents and elected officials in Dakota County. Such policy forums are not a regular or special meeting of the County Board, but rather are Countywide governmental discussions to facilitate exchanges of information of relevance to Dakota County and its local governments. While not a regular or special of the County Board and therefore not subject to meeting notice requirements in Section IV C and E, at least three days' prior notice of such policy forums will be provided by (1) posting notice of the forum on the Dakota County website and (2) mailed or physical or electronically delivered notice to persons who have requested such notice.

G. Emergency Meetings

The County Board Chair or Vice Chair is hereby authorized to schedule an emergency meeting in circumstances that require immediate consideration by the County Board. Upon the convening of an emergency meeting, the County Board may determine that an emergency meeting is not required and may adjourn the meeting without conducting any business. A good faith effort will be made to provide notice to each news medium that has filed a request for such notice. Posted or published notice is not required. The notice shall include the date, time, place and purpose of the emergency meeting.

H. Recessed Meetings

Recessed meetings may be held at any specific time, date and place which the County Board may schedule without additional notice, if the time, date and place are established during the meeting which is to be recessed.

I. Meetings Conducted by Interactive Technology

The County Board may conduct a meeting by interactive technology to the extent permitted by Minn. Stat. § 13D.02.

J. Meetings Conducted by Telephone or Other Electronic Means

The County Board may conduct a meeting by telephone or other electronic means when the chair of the County Board or the County Attorney or the County Manager has determined that an in-person meeting or a meeting conducted by interactive television is not practical or prudent because of a health pandemic or an emergency declaration pursuant to Minn. Stat. Ch. 12 Emergency Management, provided that the other conditions of Minn. Stat. § 13D.021 are met.

K. Notice to Commissioners

The Clerk to the County Board shall provide ten days' notice of all regular and three days' notice of special County Board meetings to each commissioner. A meeting may not be held upon less than the prescribed notice to the commissioners unless each commissioner has consented to less than the prescribed notice.

L. Public Hearings

From time to time, the County Board conducts formal public hearings. In addition to those required by law, the County Board may hold public hearings on matters of business when it decides that such hearings are in the best interest of the general public or issues under consideration. The order of business for public hearings generally follows this procedure:

1. Presiding officer opens the hearing and states the purpose.
2. Brief description of issue by County staff or other appropriate persons.
3. Presentation, if applicable, by affected or interested persons.
4. Open discussion by members of the general public.
5. Discussion by the County Board.
6. Public hearing closed by resolution.
7. Decision of the County Board.

At any time during the process, the County Board may address any questions as deemed appropriate.

The County Board may alter the public hearing procedure as needed to assure that

the hearings are conducted in an orderly, fair and expeditious manner, including establishing reasonable time limits of five to ten minutes for speakers individually or on each side of the issue before the Board.

Rules adopted for public hearing procedures are intended to promote an orderly discussion, to give every person an opportunity to be heard and to ensure that no individual is embarrassed by exercising the right to free speech.

All comments by proponents, opponents, or members of the public shall be made at the microphones and individuals making comments shall first give their name and address. This is required for an official record of the public hearing. All members of the public interested in addressing the County Board are requested to register on forms available upon entering the hearing room.

M. Audience/Citizen Requests

The County Board prefers all business matters initiated by citizens coming before them to first be reviewed by staff and scheduled for discussion on the appropriate Committee agenda.

If an individual seeks to appear before the County Board, he/she should notify County Administration of his/her intention and the issue to be presented. Staff will confer with the individual, address the issue and, if necessary, schedule the issue accordingly on the appropriate Committee agenda. When a citizen requests a scheduled appearance at a Committee meeting to discuss an item of business, staff will contact the Committee Chair for a decision on placement and duration of the subject matter on the Committee agenda. No citizen requests will be placed on an agenda for a time certain. No citizen requests will be placed as agenda items on the County Board agenda, unless directed by the County Board Chair.

For an individual who appears at a County Board or Committee meeting unaware of Board operating procedure, an audience section is included on the meeting agenda. Maximum length of time for an item to be presented in this section is five minutes. In general, before taking action,

the County Board will direct the item to the appropriate Committee or staff for further review and recommendation.

N. Broadcasting

The public is invited and encouraged to attend and participate in County Board meetings. The regular meetings of the County Board held in the Administration Center are recorded for distribution to the cable television companies serving the communities of Dakota County. The schedule of the distribution and broadcast dates varies per company and is maintained in the County Administration office. Streaming of the County Board meetings can be viewed live on Dakota County's website.

O. Board Committees

For the purpose of assisting the Board in carrying on its business, committees shall be formed and shall be composed of members as determined by resolution of the Board.

Minutes of the committee meetings shall be kept and shall become official upon approval of the committee. All actions of the committees are considered recommendations to the County Board. For information and further details on the Committees, see Section VIII of these Rules.

P. Quorum

A quorum is necessary for the transaction of business. A majority of the members of the Board constitutes a quorum and no business shall be transacted unless approved by a majority (four votes) of the whole County Board (Minn. Stat. § 375.07). Less than a majority of members may convene a meeting, but no business may be transacted.

Any County Board member who, for any reason, anticipates or plans an absence at any regular or special meeting is encouraged to contact the County Board Chair or the County Manager to indicate his or her planned absence.

Q. Role of Presiding Officer

The presiding officer of the meeting is the Chair. In the absence of the Chair, the presiding officer will be the Vice-Chair. The duties and powers of the presiding officer include the following:

1. Preside at all meetings of the County Board.
2. Preserve order and decide questions raised by members subject to appeal to the Board.
3. To vote all questions regularly moved and to announce the result.
4. Review and comment on the draft agenda for each regular and special meeting of the Board.
5. Serve as representative of the Board in execution of contracts, orders, resolutions, determinations and minutes of the Board and certification of tax rolls.

The Chair of the Board may make a motion and has the same voting rights and responsibilities as other members.

R. Addressing the Chair

Formal protocol is used when speaking to the County Board. The County Board Chair is addressed as “Mr./Madam Chair.” Members of the County Board are addressed as “Commissioner (last name).”

Any member of the County Board or members of the public may speak on any matter before the County Board when recognized by the Chair and within established procedures as outlined in the rules.

S. County Manager

The County Manager or designee shall attend all meetings of the County Board. The County Manager represents the staff at the meetings. The County Manager may participate in the discussion or recommend a resolution or action to the County Board. A member of the Board may call on the County Manager to participate in the discussion or provide a verbal recommendation on any subject pending before the Board.

The County Manager or designee shall prepare a written agenda for all regular and special meetings of the County Board. The County Manager or designee also: 1) makes regular entries of all Board resolutions and decisions upon all questions; 2) records the vote of each member on any question submitted to the Board; 3) preserves and files all business acted upon by the Board; 4) certifies, under seal of the county, copies of any and all resolutions or decisions of the Board; and 5) performs such further duties as designated by the Board.

V. Conduct of Debate

A. Principles

The Rules of Parliamentary Practice embodied in Robert’s Rules of Order shall govern the Board in all cases applicable, except as modified by the rules herein and applicable Minnesota Statutes.

B. Parliamentarian

The Rules of Order governing County Board meetings shall be referred to the County Board Chair for interpretation and enforcement. The County Board Chair may consult with Board members and/or the County Attorney in interpreting and deciding upon rules and questions of order.

C. Role of the Chair

The Chair shall preside over the debate, ensuring equality and fairness in discussion. If necessary, the Chair may restate or ask the Clerk to the Board to restate the motion, who made the motion, and who seconded the motion, or to announce the result of the vote.

D. Suspension of the Rules

Any member of the Board may move for a suspension of the rules at any time during the debate; and, if in order and duly seconded, the Board will vote on the request.

If there is general consensus, the Board may suspend the rules without the formality

of a motion. Such action may occur at any time.

E. Main Motion

The main motion in the form of a resolution shall be considered by the Board. A member may make only one main motion at a time. The Board member(s) may present an initial motion on the resolution and subsequently debate the question; or the Board member(s) may call upon staff for additional information prior to introduction of the motion. The introduction of a main, or substantive motion, is out of order while another main motion is pending. While the question is under debate, no other motion shall be received or entertained except for procedural motions permitted in the rules.

F. Second Required

All motions before the Board shall be seconded prior to consideration by the Board. The second may occur after brief informal discussion. Subsequent to the second of the motion, formal debate may ensue between the members of the Board prior to the formal vote being called.

G. Amended Motion

Any motion may be amended at any time before it is adopted. The amended motion shall have precedence over an existing motion and may be discussed prior to being voted upon. If the amended motion fails, the main motion may proceed for consideration. If the amended motion passes, the amended motion becomes the main motion and may proceed for consideration. Once an amended motion is voted upon, a second amended motion may be entertained.

H. Division of the Question

Upon the request of any Board member, a resolution in debate may be divided and separated into more than one action provided the Chair rules that the resolution will allow such a division. Each of the resulting resolutions must be complete to allow independent

consideration and action.

I. Withdrawal of Motion

After a motion has been stated by the Chair, it is deemed to be in the possession of the Board but may be withdrawn by the member introducing the motion at any time before a vote. The Chair must accept or reject the withdrawal request. This motion cannot be debated or amended. If the motion is withdrawn, the effect is the same as if it had never been made.

J. Discussion Procedures

The following operating rules shall guide debate:

1. Any Commissioner desiring to speak shall address the Chair, and not proceed until being recognized. When two or more members address the Chair at the same time, the Chair shall designate the order of speaking.
2. Upon recognition of the Chair, the Board member making the motion has precedence to address the Board first, with the option of explaining the reasons why the motion is made. Subsequently the floor is open to any member of the Board. There is no time limit for comments from individual Board members.
3. A member, once recognized, shall not be interrupted when speaking, unless it is to call that member to order. No member shall interrupt another in debate without his/her consent. To obtain such consent, he/she shall first address the Chair.

K. Adoption

A motion or resolution shall be adopted if approved by a majority of the whole Board (Minn. Stat. § 375.07).

L. Procedural Motion

In addition to the substantive motions, the following procedural motions shall be in order. This is a partial list of those motions from Robert's Rules that are most

often used. It is not intended to be a complete list.

These motions shall be considered in the following order of precedence as taken from Robert's Rules of Order:

1. Motion to Adjourn
2. Motion to Recess
3. Motion to Suspend the Rules
4. Motion for Division of the Question
5. Motion to Defer Consideration (Motion to Lay on the Table)
6. Call of the Previous Question
7. Motion to Postpone to Certain Time or Day
8. Motion to Refer to Committee
9. Motion to Amend
10. Motion to Reconsider

M. Voting

It is the duty of every member to vote. With the exception of procedural motions noted below, voting shall be done by roll call vote and recorded as a "yes" or "no" or "abstain" vote by the Clerk of the Board and duly noted in the minutes. The roll call shall be called by the Clerk, in a predetermined order based on the seating of the members and rotating with each resolution voted upon. When the Chair ascertains that there is consensus among Commissioners, and a roll call vote is not otherwise required, the Chair may propose the Board proceed on that basis or on a voice vote and the Board may so proceed. Examples of appropriate situations include approval of the agenda, closing a public hearing, adjournment, and the like. These procedural motions and accompanying votes will be recorded in the minutes, and resolution numbers will be assigned.

VI. Types of Board Action

A. Resolution

The County Board takes formal action by resolution (Minn. Stat. § 373.02) or ordinance (Minn. Stat. § 375.51) only, both of which are initiated through a motion. A motion may be introduced by any member of the County Board.

The main motion in the form of a resolution is the means by which a member may present a substantive proposal to the County Board for consideration and action. Since it is the basic motion for the transaction of business, only one subject may be considered at a time and the main motion may be proposed only when no other motion is before the County Board. (See Section IV).

B. Ordinance

The County Board may take formal action by ordinance (Minn. Stat. § 375.51). An ordinance is a legislative act prescribing general, uniform, and permanent rules of conduct relating to the affairs of the County. County Board action shall be taken by ordinance when required by law, or to prescribe permanent rules of conduct which continue in force until repealed, or where such conduct is enforced by penalty.

C. General Consensus

The County Board provides informal direction by consensus. Informal direction is most often used to provide staff with preliminary Board perspective on a matter which will require future formal action by resolution or ordinance. Informal direction is also used to provide additional insight into formal actions previously taken. Informal direction standing alone does not establish Board policy or authorize action.

D. Policy Development

Authority for the development of policies in Dakota County is granted to the County Board through Minn. Stat. Ch. 373 (Counties, Powers, Duties, and Privileges), Minn. Stat. Ch. 375 (County Boards), and Minn. Stat. Ch. 383D (Dakota County) and in other statutes. With the powers granted within these statutes, the County Board may delegate certain authority, as appropriate, through Board resolutions. These delegations of authority may be rescinded at any time by

the Board.

The Board applies the following criteria during the policy development process to ensure Board decisions are effective and sustainable:

1. Explicit: Policies should be in written form.
2. Current: Policies should be up to date.
3. Literal: Policies mean what they say.
4. Centrally available: Policies are kept together in one place.
5. Brief: Avoid unnecessary language.
6. Encompassing: Policies should revise the largest policy issue before dealing with smaller issues.

E. Notice of Resolution

Any member of the Board may introduce a resolution for consideration and action pursuant to general rules and operating procedure. A copy is provided to other Board members and the County Manager with as much advance notice as reasonable and practical.

The introduction of resolutions and ordinances during the Board meeting occurs by motion and second as more fully set forth in Section IV. Resolutions not included on the printed Board Agenda are referred to the appropriate Board Committee, unless they are included within one of the following categories, whereupon they may be considered by the Board without referral:

1. Resolutions of commendation
2. Resolutions recommended for immediate approval by the County Manager
3. Resolutions which no member objects to being considered
4. Resolutions on a matter of an urgent nature, or if some consequence or crisis will result due to inaction at the meeting.

The County Board may at any time refer an item or resolution to the appropriate Committee for further review and deliberation.

VII. County Board Agenda

A. Preparation and

Distribution

The County Manager shall cause preparation of the agenda and supporting material for each regular and special meeting. Members of the Board may request an item to be placed on the agenda by informing the County Manager. Prior to finalizing the agenda, the County Manager shall seek review from the Chair of the proposed agenda and schedule of business.

The Board agenda packet, including the meeting agenda and supporting material, shall be received by each member of the Board no later than the Friday preceding the regular Tuesday meeting.

Copies of the agenda and supporting material are made available to the County staff, public and media as appropriate. A distribution list is maintained in the County Administration Office. Members of the public who are interested in following issues considered by the Board may register their name and address with County Administration to be placed on the agenda distribution list.

If possible and if time allows, Board members are encouraged to identify and request future agenda topics within the agenda section entitled "Future Agenda Items." Early identification of future agenda items informs the Board that a particular subject will be discussed and provides staff an opportunity to conduct any research, study and background sufficient to support the Board discussion.

B. Order of Business

The Order of Business for each regular meeting of the County Board shall be as follows:

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Audience (Citizen Comment)
5. Approval of Agenda
6. Public Hearing (if necessary)
7. Presentation (if necessary)
8. Consent Agenda
9. Regular Agenda
10. Inter-Agency
Announcements/Reports

11. County Manager's Report
12. Information
13. Adjournment

The Order of Business may be changed as needed to accomplish objectives and priorities of the meeting. The Order of Business may be changed at the recommendation of the Chair, any member of the Board or the County Manager subject to County Board consensus.

C. Consent Agenda

The Consent Agenda consists of routine agenda items, which are not likely to require additional debate and discussion. Items which are approved in a Board committee appear on the County Board Consent Agenda under a section titled "Items Recommended By Board Committees." Other routine agenda items including, but not limited to, plat approvals, tax abatements (penalty and interest claims), minor budget amendments, personnel actions, tax forfeiture actions, and miscellaneous contract renewals will follow on the Consent Agenda.

The Consent Agenda is considered as one item of business. The Board may approve all items on the consent agenda by adopting one motion. In the minutes of the meeting, the items passed in the Consent Agenda shall be recorded individually and by separate Resolution numbers.

Prior to approval of the Consent Agenda, any member can remove an item on the Consent Agenda for further discussion and/or for the purposes of separate consideration. The Chair shall determine the location on the agenda for the item of business which will subsequently be considered. A member need not remove an item on the Consent Agenda for the sole purpose of voting "no." During the roll call vote for the Consent Agenda, a member can record a "no" vote on a particular item by referencing the item's number on the agenda.

D. Regular Agenda

The Regular Agenda consists of items which are likely to require additional discussion and review. Items of business

within the Regular Agenda are considered individually and in the order of business as approved by the Board at the meeting.

E. Official Records

The County Manager or designee shall cause preparation of the official minutes of each meeting. Board meeting minutes shall be kept in accordance with all provisions of statute in order to provide an accurate record of County Board actions. The record is not intended to be a verbatim transcript of all discussion and debate; the record is primarily a compilation of official actions.

The minutes of the County Board meeting shall be prepared and submitted for approval at the next succeeding County Board meeting. A summary of the Official proceedings of County Board meetings shall be published in the official County newspaper (Minn. Stat. § 375.12). The Official Board Proceedings are also distributed to staff and interested parties.

The official public record of County Board meetings is available in the County Administration Office.

The resolutions are numbered consecutively, preceded by the last two digits of the calendar year.

Audiotape or videotape recordings of the County Board meetings shall be made and retained for a period of one year after formal approval of written minutes unless otherwise prescribed by statute. Anyone interested in listening to the audiotapes or videotapes should contact the County Administration Office.

VIII. County Board Committees

A. Committees of the Whole

Committees of the Whole are established to promote the efficient and effective conduct of business by the County Board. The general purpose and function of the Committee system is to facilitate the review, analysis and discussion on major issues of County business prior to formal Board action.

Standing

Committees of the Whole allow full preparation and discussion of issues by all members of the Board prior to a formal Board meeting.

Standing Committees of the Whole ensure all members are knowledgeable about the issues and full Board is to make a decision as a collective source of authority. Unified policies are most effectively developed when the Board takes action as a whole.

Standing Committees of the Whole shall include all seven members of the County Board. Other Committees of the County Board, such as, but not limited to, subcommittees and ad-hoc committees may be established from time to time at the discretion and approval of the Board. The membership and structure of committees is subject to change at the discretion and approval of the Board.

General Duties: The Committee of the Whole meeting schedules are established annually by the County Board.

Each standing Committee studies and may make recommendations on issues raised by the Committee, issues assigned to the Committee by the County Board, or issues raised by staff and directed to the appropriate Committee through the Division Director and/or the County Manager. Each standing Committee shall report to the Board upon such matters referred to the Committee by the Board, except such matters as are expressly referred to the Committee for study or information only.

No action taken by a standing Committee is binding to the Board. All actions of the standing Committees are advisory and considered recommendations to the County Board. A recommendation of a Committee is presented to the County Board in the form of a resolution.

Appointments: The Chair of the County Board recommends the Chair of each of the Committees of the Whole at the statutory meeting of the Board. The Chair of each of the Committees of the Whole must be approved by the Board.

There are three standing Committees of the Whole:

1. General Government and Policy Committee of the Whole.

The General Government and Policy Committee of the Whole meets to review matters of business concerning policy, budget, and the administrative functions of the County, the Public Services and Revenue Division, Courts, County Sheriff and County Attorney. Specific areas include finance, administration and planning, and proposed recommendations regarding the conduct of County business.

Issues concerning, but not limited to, Financial Services, Communications, Information Technology, Employee Relations, Risk Management, Elected Offices, Library Services, as well as overall County administration and policy directions, are considered by this Committee.

2. Community Services Committee of the Whole.

The Community Services Committee of the Whole meets to review matters of business from the Community Services Division. Policy decisions considered by this Committee concern the delivery of human service needs within the County, coordination with federal and state funded programs, and prioritizing County resources to provide the maximum service to citizens. The Community Services Committee addresses areas which plan and implement programs to assist eligible individuals in achieving economic and social self-sufficiency, to protect individuals from harm, and to promote public health and safety.

Issues concerning, but not limited to, Social Services, Community Corrections, Employment and Economic Assistance, Veterans Services, Public Health, and Extension are considered by this Committee.

3. Physical Development Committee of the Whole.

The Physical Development Committee of the Whole meets to review matters of business from the Physical Development Division.

Policy decisions involving development,

regulation, preservation, and management of the land, water, parks system, and roads and highways within the County are the primary focus of the Committee.

Issues concerning, but not limited to, Capital Facilities, Property Management, Planning, Growth Management, Physical Infrastructure, Environmental Management, Highways, Parks, Survey and Land Information, Soil and Water Conservation, and the Community Development Agency are considered by the Committee.

B. Special Committees

The Board may establish a special Committee as deemed necessary. A special Committee shall advise the Board as directed and may report recommendations to the Board for appropriate action. Unless expressly stated in the creation of the special Committee, it shall automatically dissolve when its work is accepted by the Board. These special Committees are subject to the Open Meeting Law (*see* Section IV, Part A).

C. Rules of Operation

Rules of procedure for standing Committees are governed by Robert's Rules of Order and those Operating Rules established by the County Board.

The Committee Chair presides at the Committee meetings. If the Committee Chair is absent, the County Board Chair performs the duties of the Committee Chair. In the event the County Board Chair is absent, the County Board Vice-Chair performs the duties of the Committee Chair. The County Manager or designee, in cooperation with the Division Director, prepares the agenda and supporting material for each meeting. Any member of the Committee may request an item to be placed on the agenda by informing the County Manager or Division staff. Prior to finalizing the agenda for distribution, the Division Director seeks review from the Committee Chair on the proposed agenda and schedule of business.

The Committee Chair has the option to use either voice vote or roll call vote in proceedings, subject to the consensus of the Committee.

Each Committee keeps minutes of its meetings and makes the meetings and meeting notices available to the public, pursuant to requirements of Minnesota law. Official copies of all Committee agendas and minutes are retained in the County Administration Office.

The order of business for each regular meeting of the Committees is subject to Committee business and priorities. In general the agenda may include the following:

1. Call to Order and Roll Call
2. Audience
3. Approval of Agenda
4. Introduction of New Employees
5. Consent Agenda
6. Regular Agenda
7. Staff Update/Reports
8. Other Business
9. Adjournment

The Committees generally meet at least, but are not limited to, once a month to consider and act on matters of business. A meeting may be postponed or canceled at the direction of the Committee Chair with consensus from the Committee. Additional meetings may be scheduled if the need arises. Meeting procedures must comply with the Minnesota Open Meeting Law.

A Committee recommendation requires approval by a majority (four votes) of the entire Committee. Items of business that do not pass out of Committee do not routinely proceed to the County Board. However, a Committee may place an item by motion or consensus direction—without resolution—on a County Board agenda. An individual Committee member may also request an item be placed on the County Board agenda.

All items of business, with the exception of information items, which pass out of Committee will proceed to the County Board. Unless the Committee directs otherwise, all items which proceed to the County Board for action shall be placed on the Consent Agenda.

Items approved in a Committee

appear on the County Board Consent Agenda in a special section labeled as such. The resolutions for these items are included in the County Board agenda packet and are referenced by titles on the agenda. No individual Requests for Board Action are included for these items unless requested by a member at the Committee meeting. The Clerk to the Board retains all Committee agenda packets on file for reference.

In the event an item is unanimously approved when a Board member is absent, the absent member will receive copies of that Committee item in the County Board agenda packet. When an absent member decides to pull one of these items from the County Board Consent Agenda, if possible, the member will notify County Administration on the Monday prior to the County Board meeting so copies of that item can be reproduced for all Board members to review when the item comes up for discussion.

When an item of business is continued, tabled or postponed by a Committee of the Whole for further Committee consideration and action, this decision does not require County Board approval. Staff is directed to take the necessary action as identified by the Committee and place the item back on the Committee agenda as directed.

IX. Code of Ethics

Effective County Government is premised upon public respect and confidence in the integrity and principles of the elected Board members. The County Board has formally adopted the National Association of Counties (NACo) "Code of Ethics for County Officials" as a guideline in the administration of official business in Dakota County (Resolution No. 91-741; November 5, 1991). The County Board has also adopted a Code of Conduct governing County officials who are engaged in the awarding and administration of federal funds (Resolution No. 91-661; September 24, 1991).

It is the belief of the County Board that the trust bestowed upon them as elected officials is of utmost importance in the

relationship between themselves and the public. With this belief, the following statements serve to augment the NACo Code of Ethics and further emphasize the priority and commitment the County Board has placed on ethical standards.

In the execution of their official duties, all County Board Members shall strive to:

- Observe the highest moral and ethical standards.
- Maintain and respect the confidentiality of private and confidential information.
- Avoid discrimination against any person on the basis of race, color, sex, religion, creed, national origin, age, disability, sexual orientation, marital status, place of residence, or status with regard to public assistance.
- Comply with the ethical obligations imposed by law, including Minn. Stat. §§ 10A.07, 10A.071, 382.18, 471.87-471.895, including, where appropriate, disclosing conflicts of interest, abstaining from decision-making, eliminating conflicts of interest, and declining gifts.
- Work to create a positive environment in public meetings where all individuals may feel comfortable in their roles as observers or participants.
- Allow citizens, staff, or colleagues sufficient opportunity to present their views. Be tolerant, respectful and attentive. Avoid comments, body language or distracting activity that conveys a message of disrespect for the presentations from citizens, staff or colleagues.

X. Members of the Public

A. Public Communication

Individual Outreach: The County Board believes members of the public have the right to be informed of the Board's process and decisions and should have the opportunity to present their views to the Board. Meetings are open to the public. Board/Committee agendas are mailed or electronically distributed to interested persons at their request. The County

Board encourages the residents of Dakota County to participate in all aspects of the Board's business, including citizen committees, commissions and advisory groups.

Information/News Media Outreach:

Dakota County regularly produces and makes available for broadcast on cable access channels programming about specific issues of interest. County information is distributed through announcements to local news media and in articles provided by staff to local news publications.

County Board Meeting Outreach:

Broadcasts of County Board meetings can be viewed on four cable television channels and recordings are available through the Dakota County website or upon request. Streaming of the County Board meetings can be viewed live on Dakota County's website. The County Board agenda packets are also available through the County Libraries. The County Board may occasionally hold evening meetings to expand opportunities to increase public participation.

Public Hearings: The County Board is interested in securing optimal public input on matters of business. In addition to hearings required by law, public hearings and open forums may be conducted at the discretion of the Board.

B. Audience Participation at Board Meetings

It is the intention of these rules to support the interest of the general public in following Board business during their meetings.

Audience Comments: Included within every County Board meeting agenda is an audience section where the Board has designated an opportunity for members of the public to appear and speak on any issue or topic related to County Board business.

To the extent possible, interested persons shall notify the Clerk to the County Board of their intent to speak at the meeting and the issue to be discussed. The Clerk will notify the Chair. In an effort to encourage efficiency and early resolution of issues, the County Board recommends that

members of the public first contact staff to try to resolve matters before coming formally to the County Board meeting. In addition, the County Board recommends that new items of business or concerns be first considered by the appropriate Committee.

Anyone interested in appearing before the County Board should sign the "Request to Address the Dakota County Board" sheet at the entrance to the room. ~~Questions directed to the Board may not be answered immediately; however, whenever possible, all appropriate questions will be the Board and/or responded to in a timely and effective manner by County staff.~~

It is the intention of the Board, by adoption of these rules, to ensure that its affairs are conducted in an open, orderly, and efficient manner, that persons desiring to address the Board on matters pertaining to the agenda or germane to County business are afforded an opportunity to speak, that persons in attendance may observe and hear the proceedings without distraction, and that the Board is able to transact County business with minimal disruption. When participating at a Board meeting:

- A person desiring to speak may only speak if acknowledged by the Board Chair and if they are being respectful and civil.
- All remarks shall be addressed to the County Board as a whole, not to any specific member(s) or to any person who is not a member of the County Board.
- Comments are limited to a period of five (5) minutes. The Chair reserves the right to announce a shorter duration for comment prior to the opening the comment period it necessary to assure completion of County business at the meeting. Additional time may be granted at the discretion of the Chair.
- Copies of written materials must be provided to the County Board members, the County Manager, the County Attorney, and any media present at the meeting. Handouts provided to the County Board members become government data and are thereafter under classifications

designated in the Minnesota Government Data Practices Act and/or other privacy laws.

- If there are a number of individuals present to speak on the same topic, all persons must sign in and designate a spokesperson or two.
- Board members will listen to comments but will not engage in discussion, nor answer specific questions, during the Public Comments section of the agenda. Board members will listen to learn and understand, not to argue debate or discuss during the public comments portion. Board members or County staff may ask questions in order to gain a thorough understanding of concerns, suggestions, or requests. If follow-up to a person's comments or questions is requested ~~or required by~~ the Board Chair, ~~will direct~~ the County Manager or ~~County Attorney designee will to~~ do so during or after the meeting ~~or after they have~~ they have had time to gather the facts, follow up on any legal issues if necessary and review the matter thoroughly.
- Disruptive and/or disrespectful behavior will not be allowed. Examples of such behavior include arguments, obscenity, profanity, insults or attacks against a person in his or her personal capacity, physical violence or threat thereof, repetitious references, or such other comments or conduct that disrupts, disturbs, or otherwise impedes the orderly conduct of any Board meeting. The Chair will address such a speaker, give them a warning and/or use appropriate means to remove such a person from the meeting up to and including the use of law enforcement.

Distribution of Agenda: Members of the public who are interested in following issues considered by the County Board may register their name and address with the Clerk to the County Board to be placed on the agenda distribution list. The agendas are distributed the Friday before the regularly scheduled County Board and Committee

meetings.

C. Responding to Correspondence/Inquiries/Complaints from Members of the Public

County Board members and staff are committed to customer service and will endeavor to provide timely and efficient response and communication to the residents of Dakota County.

Written/Electronic Correspondence:

Upon receipt of a written or electronic inquiry, request for information, or complaint about County business which has been sent to a Board member, upon notification and direction from County Manager or designee, staff will confer with the member to determine the appropriate course of action. The inquiry will be handled as directed with the County Manager or designee advising the Board member upon completion.

Pursuant to the Dakota County Records Retention Schedule official records in the form of correspondence generated and received by individual commissioners or on behalf of the entire board concerning County business should be retained for six years. Copies of such correspondence should be provided to the Clerk to the Board for retention.

Telephone: Incoming telephone calls requesting a specific Board member are forwarded to the Board Member per his/her instructions. Administration staff will periodically review with Board members the preferred method of handling telephone inquiries. Every effort will be made to maintain open lines of communication between the Board members and their constituents.

Telephone calls requesting information about specific areas of County business are forwarded to the appropriate department. Customer service is of primary importance to the County Board and staff and an appropriate method of tracking the information requests and responses will be utilized.

XI. Staff

A. County Manager

The County Board adopted a modified County Manager form of government on August 12, 2014.

The position of County Manager is established pursuant to Minn. Laws 2014, Ch. 167, codified at Minn. Stat. § 383D.76. The County Manager is the administrative head of the County and has all the powers and shall perform all the duties of an administrative or executive nature vested in the County Board and as delegated by the County Board. The County Board has approved a job description which outlines in detail the duties and responsibilities of the County Manager. The County Manager is the single point of delegation and is held accountable for the Board's expectations of organizational performance. The County Manager undergoes a semi-annual performance review and is evaluated by the County Board annually.

In general, the County Manager supervises the divisions and departments which function under the jurisdiction of the Dakota County Board. The County Manager coordinates the various activities of the County, unifies the management of its affairs, and makes recommendations to the Board regarding the structure of County departments and functions, including reporting relationships, physical facilities and locations. The County Manager is accountable for hiring, training, advising, motivating, and appraising the performance of subordinates. The County Manager recommends the annual budget and long-range capital expenditure programs to the Board for approval.

The County Manager recommends to the Board proposed policies concerning the non-administrative and non-executive affairs of the County. The County Manager will keep the Board informed, make recommendations, and comment upon legislative initiatives which affect the

County and, as directed by the Board, will represent the County in its relations with other governments. The County Manager recommends short-and long-term goals to the Board, and periodically measures organizational and individual accomplishments against goals, objectives, and timetables.

B. Role of Staff

The County Manager, with the support of staff, in a timely and responsible manner, answers inquiries and requests regarding issues and concerns brought by Board members or the citizens of Dakota County. In certain instances Board members may want assistance or County staff involvement in evaluating policy and/or programmatic changes. Board members who wish to initiate policy or program change are encouraged to first present such requests to the appropriate Committee for discussion and possible direction to the County Manager and staff. The County Board, not individual members, has authority over the County Manager. The County Manager answers to the Board as a whole.

Functions which are deemed routine such as interpretation of policy and procedure, general constituent business, and/or research which require minimal time may be directed, by the Board or individual member, to the County Manager or designee for action.

ADDENDUM

Guidelines for Requested Resolutions and Proclamations

The Dakota County Board is a nonpartisan body that does not advocate for positions or policies that do not have a direct, unambiguous and explicit relationship to the County's policies, programs, services, or budgets. This policy provides the County Board and Administration with guidelines in responding to requests for Resolutions and Proclamations. It outlines, in general, the reasons for Board Proclamations and Resolutions:

Ceremonial Proclamations and Resolutions are documents signed by the Board Chair and issued for: public awareness, arts and cultural celebrations and special honors.

Resolutions — Resolutions for the County Board to take affirmative action on an item of County business such as:

- Approval of Board minutes, County policies, procedures, and guidelines
- Approval of the annual budget, budget amendments, capital improvement plans, to establish funds, to make large purchases
- Approval to advertise for bids and proposals, to enter into contracts and agreements
- Approval of interim or ad hoc committees to analyze issues
- Approval of appointments of some employees and appointments to various boards and committees
- Approval of comprehensive plan and other plans, ordinance and ordinance amendments, permits, licenses, findings of facts, and other regulatory issues
- Approval of employment policies and union agreements
- Approval of commissioner's salaries, approval of official newspaper, approval of official website, and other annual requirements
- Establishing or dissolution of Joint Powers Agreements
- Enacting a State of Emergency
- Other actions required by State or Federal law or policy

Statements to Influence State and Federal Policy:

- Resolutions about State policy that are directly and explicitly related to the County policies, budget, programs and services. For example, issues of importance raised by the Association of Minnesota Counties and the Minnesota Inter-County Association, and funding of local projects and initiatives.
- Resolutions about Federal policy that are directly and explicitly related to the County policy, budget, programs and services. For example, issues of importance raised by the National Association of Counties and funding of local projects and initiatives.

Proclamations and Resolutions will not be issued for:

Issues in which the County Board is not required by Federal law or policy, State law or policy, or local law or policy to act upon unless identified above. For example: expressing an opinion on matters of political or ideological controversy; expressing an opinion on issues generally identified and known as supported by one political party and/or opposed by a political party; expressing an opinion or position on topics that have no direct, unambiguous and explicit relationship to the County's policies, programs, services, or budgets; events or organizations with no explicit and

unambiguous relationship to the County's policies, programs, services, or budgets; campaigns or events contrary or not directly related to County policies.

Administration of the Guidelines:

Requests for County Board action on a Resolution or Proclamation will be processed by the County Manager, or its designee, upon consultation with the County Board Chair. The County Manager, or its designee, will apply the guidelines and provide a reply to the requestor. This policy/guideline, or the administration of this policy/guideline, does not exclude anyone from bringing their issues and/or opinions to the County Board, as a person can either contact a County Commissioner directly and/or present their issue to the Board during the Public Comment Period portion of a Board meeting Agenda.



Board of Commissioners

Request for Board Action

Item Number: DC-1737

Agenda #: 9.3

Meeting Date: 1/3/2023

DEPARTMENT: Office of the County Manager

FILE TYPE: Consent Action

TITLE

Ratification Of Appointment Of Chairs Of Committees Of The Whole For 2023

PURPOSE/ACTION REQUESTED

- Ratify County Board Chair's recommendation for appointment of County Board members to serve as chairs for Board Committees of the Whole.
- Endorse County Board Chair's recommendation for a County Board member to serve as Chair and Vice-Chair of the Dakota County Regional Railroad Authority.

SUMMARY

The Dakota County Board of Commissioners Operating Rules and Guidelines states the appointments of the Chairs of the Committees of the Whole shall be recommended by the County Board Chair with ratification by the full Board at the organizational meeting each year.

The 2022 Chairs were as follows:

General Government and Policy (GGP) Committee of the Whole	Holberg
Community Services Committee of the Whole	Halverson
Physical Development Committee of the Whole	Workman
Regional Railroad Authority	Hamann-Roland
Regional Railroad Authority Vice-Chair	Atkins

RECOMMENDATION

The County Board Chair makes recommendations for 2023 Chairs of the Committees of the Whole and the Regional Railroad Authority.

EXPLANATION OF FISCAL/FTE IMPACTS

- ☒ None ☐ Current budget ☐ Other
☐ Amendment Requested ☐ New FTE(s) requested

RESOLUTION

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

for the Committees of the Whole for 2023:

General Government and Policy Committee of the Whole Chair Atkins

Community Services Committee of the Whole Chair Halverson

Physical Development Committee of the Whole Chair Holberg

; and

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

Regional Railroad Authority Chair Hamann-Roland

Regional Railroad Vice-Chair Atkins

PREVIOUS BOARD ACTION

None.

ATTACHMENTS

Attachment: None.

BOARD GOALS

- | | |
|-------------------------------------------------------------------|------------------------------------------------------------------|
| <input type="checkbox"/> A Great Place to Live | <input type="checkbox"/> A Healthy Environment |
| <input type="checkbox"/> A Successful Place for Business and Jobs | <input checked="" type="checkbox"/> Excellence in Public Service |

PUBLIC ENGAGEMENT LEVEL

- | | | | |
|--------------------------------------------|----------------------------------|----------------------------------|-----------------------------------------|
| <input type="checkbox"/> Inform and Listen | <input type="checkbox"/> Discuss | <input type="checkbox"/> Involve | <input checked="" type="checkbox"/> N/A |
|--------------------------------------------|----------------------------------|----------------------------------|-----------------------------------------|

CONTACT

Department Head: Matt Smith

Author: Jeni Reynolds



Board of Commissioners

Request for Board Action

Item Number: DC-1747

Agenda #: 9.4

Meeting Date: 1/3/2023

DEPARTMENT: Office of the County Manager

FILE TYPE: Consent Action

TITLE

Appointment Of County Board Members To Boards/Committees For 2023

PURPOSE/ACTION REQUESTED

- Appoint County Board members to interagency boards/committees/commissions
- Appoint County Board members as liaison commissioner to the Dakota-Scott Workforce Development Board
- Appoint County Board members to in-County boards/committees

SUMMARY

County Board members are appointed annually to various interagency boards, as well as in-County boards/committees. A County Board member is also appointed annually as liaison commissioner to the Dakota-Scott Workforce Development Board.

The attachment lists the annual commissioner appointments. Please note:

County Board members also serve on other interagency groups for which they individually applied or were appointed by other entities, such as the National Association of Counties. These are not included in the annual appointments.

District 2, 4, 5 and 6 appointments to the Dakota County Community Development Agency is listed in a separate clause in the proposed resolution.

RECOMMENDATION

The Chair recommends appointments for 2023.

EXPLANATION OF FISCAL/FTE IMPACTS

- ☒ None ☐ Current budget ☐ Other
☐ Amendment Requested ☐ New FTE(s) requested

RESOLUTION

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

Board Committees of the Whole -

General Government and Policy Committee:

All Commissioners
Atkins (Chair)

Community Services Committee:

All Commissioners
Halverson (Chair)

Physical Development Committee:

All Commissioners
Holberg (Chair)

Metropolitan Inter-Agency Appointments -

Association of MN Counties:

Board of Directors Member - Atkins, Workman (Alternate)
District X - Atkins, Workman (Alternate)
General Government Policy Committee - Hamann-Roland
Environment & Natural Resources Policy Committee - Workman and Atkins
Health & Human Services Policy Committee - Halverson
Public Safety Policy Committee - Droste
Transportation & Infrastructure Policy Committee - Holberg

Cannon River One Watershed One Plan:

Slavik, Hamann-Roland (Alternate)

Dakota Communications Center Board of Directors:

Slavik
Holberg (Alternate)

Dakota Broadband Board:

Workman
Atkins (Alternate)

Facility Operations Advisory Committee for Thompson Park Centers:

Atkins
Halverson

Greater MSP (appointed by Dakota County Community Development Agency)

Greater Metropolitan Workforce Council:

Hamann-Roland

I-35W Solutions Alliance Board:

Workman (Chair)
Holberg (Alternate)

Metropolitan Emergency Services Board (MESB):

Atkins

Hamann-Roland
Droste (Alternate)

MESB Executive Committee:

Atkins
Hamann-Roland (Alternate)

Metropolitan Library Service Agency Board (MELSA):

Halverson

Metropolitan Mosquito Control District (MMCD):

Workman
Hamann-Roland
Halverson

MMCD Executive Committee:

Workman

Minnesota Inter-County Association Board (MICA):

Halverson
Droste

Regional Solid Waste Hauler Licensing Board:

Workman

State Community Health Services Advisory Committee:

Atkins

Suburban County Work Group on Regional Issues:

Workman
Holberg
Atkins

Transportation Advisory Board-Metropolitan Council:

Holberg
Droste (Alternate)

Vermillion River Watershed Joint Powers Board:

Slavik
Holberg
Hamann-Roland (Alternate)

In-County Appointments -

Dakota County Board/Court Policy Committee:

Holberg
Atkins

Dakota County Law Library Board:

Holberg

Dakota County Legislative Advisory Workgroup (LAW) Lead:
Atkins

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

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

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

; and

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

District 4, William Droste
District 5, Liz Workman
District 6, Mary Liz Holberg
; and

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

District 2, Joe Atkins

PREVIOUS BOARD ACTION
None.

ATTACHMENTS
Attachment: DRAFT Appointments List

BOARD GOALS

<input type="checkbox"/> A Great Place to Live	<input type="checkbox"/> A Healthy Environment
<input type="checkbox"/> A Successful Place for Business and Jobs	<input checked="" type="checkbox"/> Excellence in Public Service

PUBLIC ENGAGEMENT LEVEL

Item Number: DC-1747

Agenda #: 9.4

Meeting Date: 1/3/2023

☐ Inform and Listen

☐ Discuss

☐ Involve

☒ N/A

CONTACT

Department Head: Matt Smith

Author: Jeni Reynolds



Office of the County Board
Office of the County Manager, Administration Center □ **1590 Highway 55** □
Hastings MN 55033
651.438.4418

Dakota County Board of Commissioners

Workman, Chair Atkins, Vice-Chair

District 1	Mike Slavik
District 2	Joe Atkins
District 3	Laurie Halverson
District 4	William Droste
District 5	Liz Workman
District 6	Mary Liz Holberg
District 7	Mary Hamann-Roland

2023 Appointments

Board Committees of the Whole

(GGP) General Government and Policy Committee	All Commissioners Atkins (Chair)
(CS) Community Services Committee	All Commissioners Halverson (Chair)
(PD) Physical Development Committee	All Commissioners Holberg (Chair)

Metropolitan Inter-Agency Appointments

(AMC) Association of MN Counties Board of Directors Member	Atkins Workman (Alternate)
District X	Atkins Workman (Alternate)
General Government Policy Committee	Hamann-Roland
Environment & Natural Resources Policy Committee	Workman and Atkins
Health and Human Services Policy Committee	Halverson
Public Safety Policy Committee	Droste
Transportation and Infrastructure Policy Committee	Holberg
(1W1P) Cannon River One Watershed One Plan	Slavik Hamann-Roland (Alternate)

Dakota 911 Board of Directors	Slavik Holberg (Alternate)
(DC-DBB) Dakota County Broadband Board	Workman Atkins (Alternate)
(DC-FOATP) Facility Operations Advisory Committee for Thompson Park Centers	Atkins Halverson
Greater MSP (Appointed by CDA Board)	
Greater Metropolitan Workforce Council	Hamann-Roland
(I-35W) I-35W Solutions Alliance Board – 2 nd Th/mo.	Workman (Chair) Holberg (Alternate)
(MESB) Metropolitan Emergency Services Board	Atkins Hamann-Roland Droste (Alternate)
MESB Executive Committee	Atkins Hamann-Roland (Alternate)
(MELSA) Metropolitan Library Service Agency Board	Halverson
(MMCD) Metropolitan Mosquito Control District	Workman Hamann-Roland Halverson
MMCD Executive Committee	Workman
(MICA) Minnesota Inter-County Association Board	Halverson Droste
Regional Solid Waste Hauler Licensing Board	Workman
(SCHSAC) State Community Health Services Advisory Committee	Atkins
(SCWGRI) Suburban County Work Group on Regional Issues	Workman Holberg Atkins
(MC-TAB) Transportation Advisory Board–Metropolitan Council	Holberg Droste (Alternate)
(VRW-JP) Vermillion River Watershed Joint Powers Board	Slavik Holberg Hamann-Roland (Alternate)

In-County Appointments

(DC-CCP) Dakota County Board/Court Policy Committee

Holberg
Atkins

(DC-CDA) Dakota County Community Development Agency Board

- New appointment/reappointments for 2023

Atkins
Droste
Workman
Holberg

(DC-LLC) Dakota County Law Library Board

Holberg

(DC-LAW) Dakota County Legislative Advisory Workgroup Lead

Dakota County Legislative Advisory Workgroup Liaison(s)

Atkins
Slavik
Halverson

(DC-RRA) Dakota County Regional Railroad Authority

All Commissioners
Hamann-Roland (Chair)
Atkins (Vice-Chair)
Halverson (Secretary)

Liaison Commissioner Appointments

(DS-WDB) Dakota-Scott Workforce Development Board

Hamann-Roland



Board of Commissioners

Request for Board Action

Item Number: DC-1744

Agenda #: 9.5

Meeting Date: 1/3/2023

DEPARTMENT: Office of the County Manager

FILE TYPE: Consent Action

TITLE

Designation Of 2023 Official Voting Delegates For Association Of Minnesota Counties

PURPOSE/ACTION REQUESTED

Designate Association of Minnesota Counties (AMC) official voting delegates for Dakota County.

SUMMARY

AMC delegates cast ballots at the annual AMC conference and may participate in AMC policy committees (Environmental/Natural Resources, General Government, Health and Human Services, Public Safety, and Transportation).

RECOMMENDATION

Staff recommends designating the voting delegates as listed in the resolution.

EXPLANATION OF FISCAL/FTE IMPACTS

- ☒ None ☐ Current budget ☐ Other
☐ Amendment Requested ☐ New FTE(s) requested

RESOLUTION

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

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

PREVIOUS BOARD ACTION

None.

ATTACHMENTS

Attachment: None.

BOARD GOALS

- | | |
|-------------------------------------------------------------------|------------------------------------------------------------------|
| <input type="checkbox"/> A Great Place to Live | <input type="checkbox"/> A Healthy Environment |
| <input type="checkbox"/> A Successful Place for Business and Jobs | <input checked="" type="checkbox"/> Excellence in Public Service |

PUBLIC ENGAGEMENT LEVEL

- | | | | |
|--------------------------------------------|----------------------------------|----------------------------------|-----------------------------------------|
| <input type="checkbox"/> Inform and Listen | <input type="checkbox"/> Discuss | <input type="checkbox"/> Involve | <input checked="" type="checkbox"/> N/A |
|--------------------------------------------|----------------------------------|----------------------------------|-----------------------------------------|

CONTACT

Department Head: Matt Smith

Author: Jeni Reynolds



Board of Commissioners

Request for Board Action

Item Number: DC-1745

Agenda #: 9.6

Meeting Date: 1/3/2023

DEPARTMENT: Office of the County Manager

FILE TYPE: Consent Action

TITLE

Designation Of Local Officials For Campaign Finance And Public Disclosure Board Reporting Requirement

PURPOSE/ACTION REQUESTED

Designate positions to be identified as local officials, pursuant to Minn. Stat. § 10A.01, subd. 22.

SUMMARY

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

“Local official” means a person who holds elective office in a political subdivision or who is appointed to or employed in a public position in a political subdivision in which the person has the authority to make, to recommend, or to vote on as a member of the governing body, major decisions regarding the expenditure or investment of public money.

The MGU must provide a list to the Campaign Finance and Public Disclosure Board (formerly Ethical Practices Board) of the full-time and part-time positions meeting this definition annually.

Based on the criteria in Minn. Stat. § 10A.01, subd. 22 as referenced above, the County Manager recommends that the following positions in Dakota County be identified as local officials in 2023, pursuant to Minn. Stat. § 10A.01, subd. 22:

Adult Services Director, Social Services
Assessing Services Director/County Assessor
Assistant County Engineer
Budget Manager
Capital Projects Management Manager
Chief Deputy County Attorney
Chief Deputy Sheriff
Chief Information Officer
Children and Family Services Director,
Social Services
Communications Director
Community Corrections Director
Community Services Director

Environmental Resources Director
Facilities Management Director
Financial Services Deputy Director
Financial Services Director
First Assistant County Attorney
Fleet Management Manager
Library Director
Parks Director
Parks, Facilities and Fleet Director
Physical Development Deputy Director
Physical Development Director
Property Taxation and Records Director
Public Health Director

Community Services Administration Director
Construction Engineer
County Attorney
County Commissioner
County Manager
County Sheriff
Deputy County Manager
Employee Relations Director
Employment and Economic Assistance Director
Enterprise Finance and Information Services
Deputy Director
Enterprise Finance and Information Services Director

Public Services and Revenue Deputy Director
Public Services and Revenue Director
Service and License Centers Director
Transportation Director/County Engineer
Veterans Services Director

RECOMMENDATION

The County Manager recommends adoption of the proposed resolution.

EXPLANATION OF FISCAL/FTE IMPACTS

☒ None ☐ Current budget ☐ Other
☐ Amendment Requested ☐ New FTE(s) requested

RESOLUTION

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

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

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby designates the following Dakota County positions as local officials in 2023, as defined in Minn. Stat. § 10A.01, subd. 22, for the purpose of reporting to the Campaign Finance and Public Disclosure Board:

Adult Services Director, Social Services
Assessing Services Director/County Assessor
Assistant County Engineer
Budget Manager
Capital Projects Management Manager
Chief Deputy County Attorney
Chief Deputy Sheriff
Chief Information Officer
Children and Family Services Director, Social Services
Communications Director
Community Corrections Director
Community Services Director
Community Services Administration Director
Construction Engineer
County Attorney
County Commissioner

County Manager
County Sheriff
Deputy County Manager
Employee Relations Director
Employment and Economic Assistance Director
Enterprise Finance and Information Services Deputy Director
Enterprise Finance and Information Services Director
Environmental Resources Director
Facilities Management Director
Financial Services Deputy Director
Financial Services Director
First Assistant County Attorney
Fleet Management Manager
Library Director
Parks Director
Parks, Facilities and Fleet Director
Physical Development Deputy Director
Physical Development Director
Property Taxation and Records Director
Public Health Director
Public Services and Revenue Deputy Director
Public Services and Revenue Director
Service and License Centers Director
Transportation Director/County Engineer
Veterans Services Director

PREVIOUS BOARD ACTION

None.

ATTACHMENTS

Attachment: None.

BOARD GOALS

- | | |
|-------------------------------------------------------------------|------------------------------------------------------------------|
| <input type="checkbox"/> A Great Place to Live | <input type="checkbox"/> A Healthy Environment |
| <input type="checkbox"/> A Successful Place for Business and Jobs | <input checked="" type="checkbox"/> Excellence in Public Service |

PUBLIC ENGAGEMENT LEVEL

- | | | | |
|--------------------------------------------|----------------------------------|----------------------------------|-----------------------------------------|
| <input type="checkbox"/> Inform and Listen | <input type="checkbox"/> Discuss | <input type="checkbox"/> Involve | <input checked="" type="checkbox"/> N/A |
|--------------------------------------------|----------------------------------|----------------------------------|-----------------------------------------|

CONTACT

Department Head: Matt Smith
Author: Jessica Johnson



Board of Commissioners

Request for Board Action

Item Number: DC-1769

Agenda #: 9.7

Meeting Date: 1/3/2023

DEPARTMENT: Office of the County Manager

FILE TYPE: Consent Action

TITLE

Approval Of Increase To Citizen Advisory Committee Per Diems And Approval Of Per Diems For Two Department Appointment Committees

PURPOSE/ACTION REQUESTED

Approve the increase of Citizen Advisory Committee per diems and approve per diems for two Department Appointed Committees.

SUMMARY

A Citizen Advisory Committee serves a statutory, policy, or operational purpose to support county government. Dakota County Board Policies 1015 (Citizen Advisory Committee Membership) and 1550 (Voluntary-Advisory Committee Reimbursement) set the current per diem rate for Board Appointees at \$35 for attendance at regular and special meetings of committees. As discussed with the Board at the December 13, 2022, Governance Workshop, to better align with standard rates for advisory committees serving our neighboring counties, staff suggests increasing this rate to \$50 for all Board Appointed Committees beginning in 2023. Per diems are not available for County staff or contractors, committee appointees who are representing a governmental unit, or members acting as a liaison from another advisory committee.

Staff will return to the Board with revisions to Policy 1015 to combine other policies related to citizen advisory committees (Policies 1550 and 1014 Open Appointments), which will note the increased per diem rate and also include the allowance of per diems for Department Appointed Advisory Committees as approved by the Board along with other non-substantive updates and reorganization of the policies related to citizen advisory committees.

Staff is requesting, at this time, the approval of per diems (at the \$50 rate) for the following Department Appointment Committees:

- Workforce and Staffing Shortage Workgroup: a Board commissioned workgroup to discuss and identify potential solutions to the provider and staffing shortage impacting service delivery and creating significant challenges for people with disabilities and their families. The current timeline for this workgroup is November 2022 through late spring or early summer 2023. The current membership includes County Commissioners, individuals with disabilities/self-advocates, family members and guardians, individuals from organizations supporting people with disabilities, State agencies, and Dakota County staff.
- Pathways to Prosperity and Well-Being (P2PW) Advisory Council: solicits family perspective

on known barriers, illuminates barriers invisible to the system but experienced by families, and considers new solutions and approaches. Families are asked to share their expertise and engage with staff for continuous improvement in county services. This is an ongoing advisory council that meets once a month.

RECOMMENDATION

Staff recommends increasing the Citizen Advisory Committee per diem rate to \$50, beginning in 2023, and allowing for per diems for Department Appointed Advisory Committees as approved by the Board.

EXPLANATION OF FISCAL/FTE IMPACTS

Sufficient funding is available within County departmental budgets to cover these increases.

- | | | |
|----------------------------------------------|----------------------------------------------------|-----------------------------------------------|
| <input type="checkbox"/> None | <input checked="" type="checkbox"/> Current budget | <input type="checkbox"/> Other |
| <input type="checkbox"/> Amendment Requested | | <input type="checkbox"/> New FTE(s) requested |

RESOLUTION

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

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

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

WHEREAS, staff is requesting the approval of per diems (at the \$50 rate) for the Workforce and Staffing Shortage Workgroup, and the Pathways to Prosperity and Well-Being Advisory Council.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby increases the Citizen Advisory Committee per diem rate to \$50; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners approves a per diem for the Workforce and Staffing Shortage Workgroup; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners approves a per diem for the Pathways to Prosperity and Well-Being Advisory Council.

PREVIOUS BOARD ACTION

None.

ATTACHMENTS

Attachment: Policy 1015 Citizen Advisory Committee Membership

BOARD GOALS

- | | |
|------------------------------------------------|------------------------------------------------|
| <input type="checkbox"/> A Great Place to Live | <input type="checkbox"/> A Healthy Environment |
|------------------------------------------------|------------------------------------------------|

☐ A Successful Place for Business and Jobs☒ Excellence in Public Service**PUBLIC ENGAGEMENT LEVEL**☐ Inform and Listen☐ Discuss☐ Involve☒ N/A**CONTACT**

Department Head: Matt Smith

Author: Jessica Johnson

DAKOTA COUNTY

POLICIES AND PROCEDURES MANUAL

Attachment: Policy 1015

Policy 1015 Citizen Advisory Committee Membership

Original Publication Date: 09/23/1997

Revision Date(s): 09/23/1997; 11/18/1997; 01/06/1998; 12/23/2003; 11/15/2005; 11/14/2006; 01/09/2007;
02/23/2010; 11/16/2010; 01/10/2012; 01/08/2013; 01/07/2013; 11/25/14; 12/13/2016; 10/31/2017;
11/28/2017

Last Reviewed: 11/28/2017

Department: County Administration

Board/Administrative: Board

Related Policies: Policy 1014 Open Appointments; Policy 1550 Volunteer/Advisory Committee
Reimbursement

POLICY STATEMENT

Dakota County citizen advisory committees (committees) serve a statutory, policy, or operational purpose. These committees support County government for a variety of purposes:

1. To seek advice from members of the public in the decision-making processes of the County Board.
2. To meet requirements of state law.
3. To ask residents to help define community standards and norms.
4. To provide technical expertise in certain areas.
5. To serve as advocates for the County.
6. To provide an independent sounding board for issues, ideas, and policy matters.
7. To reflect the diverse interests of County clientele and residents.

Some committees have specific staff assigned and designated to support its function. The function and reporting relationship to the County Board vary from committee to committee.

DEFINITIONS

Citizen advisory committee: any board or committee to which the County Board regularly appoints members of the public.

SOURCE

Authority for this policy is through the Dakota County Board of Commissioners:

Resolution No. 97-602 as adopted on September 23, 1997
Resolution No. 97-710 as adopted on November 18, 1997
Resolution No. 98-17 as adopted on January 6, 1998
Resolution No. 03-644 as adopted on December 23, 2003

Resolution No. 05-560 as adopted on November 15, 2005
Resolution No. 06-465 as adopted on November 14, 2006
Resolution No. 07-19 as adopted on January 9, 2007
Resolution No. 10-102 as adopted on February 23, 2010
Resolution No. 10-571 as adopted on November 16, 2010
Resolution No. 12-006 as adopted on January 10, 2012
Resolution No. 13-009 as adopted on January 8, 2013
Resolution No. 14-005 as adopted on January 7, 2014
Resolution No. 14-598 as adopted on November 25, 2014
Resolution No. 16-614 as adopted on December 13, 2016

GENERAL

Roles and Relationships

Citizen advisory committees either advise the County Board or may report directly to the County Board. The County Board provides direction regarding the Citizen Advisory Committee work. Communications between the County Board and the committees are routed through the County Manager or, when a committee has a County staff person assigned to it, the department staff liaison. Periodic committee reports may be scheduled on the appropriate County Board Committee agendas.

County Manager

The County Manager coordinates all staff activities for citizen advisory committees. When applicable, the County Manager is represented at all committee meetings by a staff liaison who is assigned by and responsible to the County Manager, through the appropriate Division Director. The County Manager maintains committee membership records and coordinates appointment procedures.

Staff Liaison

With the exception of the Extension Committee and Dakota-Scott Workforce Development Board, a County staff person is assigned to each citizen advisory committee. The staff liaison serves as the County Manager's representative to the citizen advisory committee. The principal role of the staff liaison is to provide technical support and to facilitate the flow of information between the committee, the County Manager, and the County Board. Other general staff responsibilities include:

- Orient and educate new committee members.
- Assist in developing meeting agendas.
- Prepare and maintain official minutes of meetings and other records.
- Distribute committee meeting notices and agendas.
- Ensure the committee's work complements County mission and goals.
- Coordinate and provide information on County Board agenda items or actions that are of interest to the committee.
- Provide information on committee activities to the County Board.
- Research and provide background information and analysis on issues under consideration by the committee, including policy recommendations.
- Provide administrative assistance such as preparing committee correspondence and reports.
- Provide public notice of regular and special meetings as required by policy and law.

- Support committee in the maintenance of by-laws in accordance with this policy.

While the staff liaison is assigned to assist the committee in many ways, the committee's authority is limited and does not include directing staff for such tasks as project work, reports, or budgetary decisions; however, tasks may be undertaken on a mutually agreed basis provided the tasks are within the mission of the committee and are not contrary to County Board direction or policy. If consensus cannot be achieved on the need for a particular project or task the committee desires, this is then communicated to the Division Director or County Manager, who may direct the staff to undertake the task.

Committee Chair

Designation of a committee chair varies by committee. In some cases, the County Board appoints the committee chair; in others, the committee elects its chair.

Pursuant to Board policy, the following committee chair is appointed by the County Board: Special Board of Appeal and Equalization.

Pursuant to internal by-laws, the following committee chairs are selected by their respective bodies: Library Advisory Committee, Planning Commission, Personnel Board of Appeals, Zoning Board of Adjustment, Dakota-Scott Workforce Development Board, Extension Committee, Public Art Citizen Advisory Committee, and Solid Waste Management Advisory Committee.

Committee chair responsibilities include:

- Lead meetings in an orderly fashion.
- Plan meeting agendas in cooperation with the staff liaison.
- Encourage participation by all members at meetings.
- Serve as a primary contact to the County Board and staff liaison.

Ex-Officio Members

Ex-officio members of any committee are non-voting members.

Youth Members

Youth members are current high school students (including homeschooled students) living in Dakota County that are a Sophomore, Junior, or Senior at the time of their appointment to a citizen advisory committee. Youth members have the same rights and responsibilities as the adult members of advisory committees.

By-Laws

Each citizen advisory committee shall have the responsibility to prepare and adopt by-laws prescribing the rules by which the committee will conduct its business. All by-laws shall be consistent with Policy No. 1015 and any applicable laws and regulations. All by-laws shall include an article prohibiting a member from participating in committee business where the member has a conflict of interest.

By-laws of the Public Art Citizen Advisory Committee, Solid Waste Management Advisory Committee, and Special Board of Appeal and Equalization shall be reviewed by the County Attorney and approved by the County Board.

County Board Statement of Expectations

The Dakota County Board of Commissioners believes a citizen advisory committee will work most productively when its members are committed and knowledgeable, and work together as a team.

The County Board expects its citizen advisory committee appointees to:

- Attend new member orientation.
- Make a serious commitment to regularly attend and actively participate in the committee's work, including substantive participation in committee meetings and discussions.
- Notify the staff liaison, in advance, if unable to attend meeting.
- Understand the roles and relationships of the committee, staff liaison, County staff, and County Board.
- Become familiar with the County's and committee's role and mission.
- Volunteer for and willingly accept assignments and complete them thoroughly and on time.
- Stay informed about committee matters, prepare themselves well for meetings, and review and comment on minutes and reports.
- Get to know other committee members and build a working relationship that contributes to consensus.
- Conduct themselves in a professional manner.
- Show respect for and tolerance of differing views and opinions.
- Reflect the perspectives of the County's diverse constituency in committee discussions and decision-making processes, where appropriate.
- Comply with the County's policy prohibiting sexual and general harassment. This policy prohibits unwelcome verbal, nonverbal, visual, or physical conduct relating to an individual's race, color, creed, religion, national origin, sex, age, marital status, sexual orientation, status with regard to public assistance, or status as disabled which interferes with an individual's employment or volunteer service or which creates an intimidating, hostile, or offensive environment.
- Refrain from accepting gifts from individuals or organizations that do business with Dakota County in accordance with gift ban laws.

COMMITTEE IDENTIFICATION/ESTABLISHMENT

The following citizen advisory committees are hereby continued and reconstituted as follows, with the membership appointed by the county board unless otherwise noted:

- ***Dakota-Scott Workforce Development Board***, established by the county board, consisting of 27 Dakota County and Scott County members serving staggered two-year terms; 15 members represent private business and the following represent the public sector:

- Two representing organized labor
- Three representing educational agencies, including at least one representative from a local adult basic education program approved under section 124D.52
- Two or more representing community based organizations
- One or more representing economic development agencies
- One representing public vocational rehabilitation agencies
- One representing public employment service agencies

- One representing public assistance agencies

- **Extension Committee**, established by the county board, consisting of nine members. There are seven adult members, one from each commissioner district, serving staggered two-year terms, with a limit of three consecutive terms. There are also two at-large youth members, serving one-year terms with an option for a one-year extension. Youth members are limited to two one-year terms.

- **Library Advisory Committee**, established by the county board, consisting of nine members. There are seven adult members, one from each commissioner district, serving staggered two-year terms, with a limit of three consecutive terms. There are also two at-large youth members, serving one-year terms with an option for a one-year extension. Youth members are limited to two one-year terms.

- **Personnel Board of Appeals**, established by the county board, consisting of four at-large members serving staggered three-year terms, with a limit of two consecutive terms.

- **Planning Commission**, established by County ordinance, consisting of 14 members, two from each commissioner district, serving one-year terms.

- **Public Art Citizen Advisory Committee**, established by the county board, consisting of 11 members. There are nine adult members, one from each commissioner district and two at-large, serving staggered two-year terms, with a limit of three consecutive terms. There are also two at-large youth members, serving one-year terms with an option for a one-year extension. Youth members are limited to two one-year terms.

- **Special Board of Appeal and Equalization**, established by the county board, consisting of seven members, one from each commissioner district, serving staggered two-year terms; at least one member is an appraiser, realtor or other person familiar with property valuation; treasurer/auditor is a non-voting member.

- **Zoning Board of Adjustment**, established by county ordinance, consisting of 3 at-large members and 1 alternate, including at least 1 member from the Planning Commission, serving two-year terms.

If a district-specific position remains vacant for 60 days, the Board may make the appointment on an at-large basis.

Notification

A copy of this policy is made available to all citizen advisory committee appointees.

Per Diem/Reimbursement

See Policy 1550 Volunteer/Advisory Committee Reimbursement.

County Board appointees to the following committees, who are not representing a governmental unit, receive \$35 per diem (but no additional expense reimbursement) for attendance at regular and special meetings of the committee:

Dakota-Scott Workforce Development Board
Extension Committee

Library Advisory Committee
Public Art Citizen Advisory Committee
Planning Commission
Zoning Board of Adjustment

For those committees listed above, at the start of each appointee's term, the committee staff liaison distributes to the appointee a Statement of Representation. Each appointee signs a Statement of Representation confirming or waiving individual eligibility for per diem compensation. These forms will be used to determine per diem eligibility. The committee staff liaison retains these forms for the length of the appointee's term.

Citizen advisory committee members who serve informally as liaisons from one advisory committee to another are not eligible to receive per diem for attendance at regular or special meetings of any committee to which they were not appointed by the County Board.

County Board appointees to the Personnel Board of Appeals receive \$35 per diem plus expense reimbursement for attendance at meetings of the Personnel Board of Appeals.

County Board appointees to the Special Board of Appeal and Equalization receive \$175 per day or \$87.50 per half-day plus mileage reimbursement for attendance at meetings of the Special Board of Appeal and Equalization.

Applicants who wish to decline the per diem must do so at the time of application.

Appointment of County Employees

No paid employee of Dakota County is eligible to be appointed as a member of any citizen advisory committee unless otherwise specified by law.

Eligibility

No paid employee of Dakota County is eligible to be appointed as a member of any citizen advisory committee unless otherwise specified by law. Persons currently under contract with or employed by a contractor of Dakota County, in the discretion of the County Board, may be excluded from appointment.

Persons currently on probation for a felony offense and persons with a felony or gross misdemeanor conviction for the following offenses may, in the discretion of the County Board, be excluded from appointment: homicide/murder, crimes against the person, sex crimes, crimes against the family, crimes against public safety and health, public misconduct or nuisance, or first-, second- or third-degree driving while impaired.

Terms

For the purpose of calculating the number of terms served by an appointee:

1. If an individual is appointed between January and June their first term will be considered to have begun on January 1 of that calendar year.
2. If an individual is appointed between July and December their first term will be considered to have begun on January 1 of the following calendar year.

Resignations

Written or verbal resignations from citizen advisory committee members are forwarded to the County Manager. When a letter of resignation is received from a citizen advisory committee member, acceptance of the resignation is placed on the County Board consent agenda. When the resignation is accepted, the County Board authorizes the process of filling the vacancy. Mid-term resignations are filled in accordance with the Open Appointments Policy.

Attendance Reports

Semi-annual attendance reports are submitted by the appropriate departments to County Administration for each committee where members receive per diems. The County Manager transmits the attendance reports to the County Board.

Removal of Members

The County Manager notifies an appointee if he/she is removed from a citizen advisory committee. A copy of this notification is also sent to the respective commissioner and committee staff liaison. The position is then vacant and to be filled in accordance with the Open Appointments Policy. A member who has been automatically removed from a citizen advisory committee may apply for reappointment.

I. Automatic Removal

A. Automatic removal of an appointee to the following citizen advisory committees occurs when an appointee is absent for three consecutive Regular or Special meetings, or 50% of the meetings, during any consecutive 12-month period:

- Extension Committee
- Planning Commission
- Public Art Citizen Advisory Committee

B. Automatic removal of appointees to the following citizen advisory committees occurs when an appointee fails to maintain a principal residence within the county commissioner district from which he/she was appointed:

- Extension Committee (all members)
- Planning Commission (all members)
- Public Art Citizen Advisory Committee (all district-specific members)
- Special Board of Appeal and Equalization (all members)

C. Automatic removal of appointees to the following citizen advisory committee occurs when an appointee fails to maintain a principal residence within the county:

- Personnel Board of Appeals

II. Removal for Cause

A. The County Board, by resolution, may remove its appointee to one of the following citizen advisory committees where the appointee has engaged in conduct detrimental to the accomplishment of the citizen advisory committee's mission or engages in conduct which is contrary to the County Board statement of expectations:

- Extension Committee
- Personnel Board of Appeals
- Planning Commission
- Public Art Citizen Advisory Committee
- Special Board of Appeal and Equalization
- Library Advisory Committee

B. The County Board, by resolution, may remove its appointee to one of the following citizen advisory committees where the appointee has engaged in conduct which meets the statutory or ordinance basis for removal:

- Zoning Board of Adjustment

Public Meeting Requirements

The following citizen advisory committees, and any of their subcommittees, are subject to all requirements of the Minnesota Open Meeting Law, Minn. Stat. Ch. 13D:

- Dakota-Scott Workforce Development Board
- Library Advisory Committee
- Planning Commission
- Special Board of Appeal and Equalization
- Zoning Board of Adjustment

The committee staff liaison insures compliance with the Open Meeting Law for the committees, and any of their subcommittees, listed above.

Meetings of the following citizen advisory committees, and any of their subcommittees, although not subject to the Minnesota Open Meeting Law, will be open to the public:

- Extension Committee
- Public Art Citizen Advisory Committee

The committee staff liaison provides reasonable public notice for meetings of the committees listed above.

Annual Work Plans

Committees consult, through staff liaison or committee chair, at least annually with the County Board Committees of the Whole to seek direction regarding the topics on which they will advise the County Board (annual work plan), including the schedule and method of communication with the Board.

The Personnel Board of Appeals, Special Board of Appeal and Equalization, and Zoning Board of Adjustment are exempt from this requirement.

Staff contact: Jeni Reynolds Ext: 4417 Email: Jennifer.Reynolds@co.dakota.mn.us

Board Resolution or Manager Signature: Res. 17-608 11/28/2017



Board of Commissioners

Request for Board Action

Item Number: DC-1719

Agenda #: 9.8

Meeting Date: 1/3/2023

DEPARTMENT: Office of the County Manager

FILE TYPE: Consent Action

TITLE

Appointments To Metropolitan Emergency Services Board Radio Technical Operations Committee And 911 Technical Operations Committee

PURPOSE/ACTION REQUESTED

Appoint one member and one alternate (optional) to both the Metropolitan Emergency Services Board (MESB) Radio Technical Operations Committee and the MESB 911 Technical Operations Committee.

SUMMARY

By Resolution No. 22-011 (January 4, 2022), the County Board made the 2022 appointments to the Radio Technical Operations Committee and 911 Technical Operations Committees of the MESB. The 2022 representatives were as follows:

Radio Technical Operations Committee

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

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

911 Technical Operations Committee

Member: Cheryl Pritzlaff, Operations Manager, Dakota Communications Center (DCC)

Alternate: Tom Folie, Executive Director, Dakota Communications Center (DCC)

The MESB bylaws provide for each county to appoint one representative to the Radio Technical Operations Committee with the option of one alternate. The MESB bylaws also provide for each county to appoint one representative to the 911 Technical Operations Committee with the option of one alternate.

RECOMMENDATION

Input was received from the Dakota County Sheriff's Office, Office of Risk Management, and the Dakota911 Executive Director to recommend the following appointments for 2023:

Radio Technical Operations Committee

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

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

911 Technical Operations Committee

Member: Brent Anderson, Operations Manager, Dakota911

Alternate: Tom Folie, Executive Director, Dakota911 or successor

EXPLANATION OF FISCAL/FTE IMPACTS

- ☒ None ☐ Current budget ☐ Other
☐ Amendment Requested ☐ New FTE(s) requested

RESOLUTION

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

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

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

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

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

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

; and

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

Representative: Brent Anderson, Operations Manager, Dakota911

Alternate: Tom Folie, Executive Director, Dakota911 or successor

PREVIOUS BOARD ACTION

22-011; 1/4/22

ATTACHMENTS

Attachment: None.

BOARD GOALS

- ☒ A Great Place to Live ☐ A Healthy Environment
☐ A Successful Place for Business and Jobs ☐ Excellence in Public Service

PUBLIC ENGAGEMENT LEVEL

- ☐ Inform and Listen ☐ Discuss ☐ Involve ☒ N/A

CONTACT

Department Head: Matt Smith

Author: B.J. Battig



Board of Commissioners

Request for Board Action

Item Number: DC-1742

Agenda #: 9.9

Meeting Date: 1/3/2023

DEPARTMENT: Office of the County Manager

FILE TYPE: Consent Action

TITLE

Appointment To Extension Committee

PURPOSE/ACTION REQUESTED

Reappoint individual to expired term. Six terms are expiring, four terms are currently vacant.

SUMMARY

The Extension Committee, in partnership with the University of Minnesota, assists in approving programs, establishing budget, and selecting and evaluating professional staff to improve the quality of life and enhance the economy and the environment through education, applied research, and the resources of the University.

Membership: 9 members; 1 citizen/district and 2 At-large Youth

Meetings: Bi-monthly

Location: Dakota County Extension and Conservation Center, Farmington

Term: 2 years, 1 4-H calendar year for At-large Youth

Term Limit: 2 consecutive terms

The 2022 membership as appointed by the County Board is as follows:

District	First	Last	Expiration	Term
1	VACANT		12/31/22	0
2	Cynthia	Gehrig	12/31/23	1
3	Alison	Johnson	12/31/23	2
4	James	Ehrmann	12/31/22	1
5	Amber	Cameron	12/31/22	5
6	VACANT		12/31/22	0
7	Mary Beth	Kufrin	12/31/23	1
At-large Youth	VACANT		8/31/22	0
At-large Youth	VACANT		8/31/22	0

RECOMMENDATION

Staff recommends individuals be appointed/reappointed to any expiring or vacant terms. Any application(s) or interest for reappointment were distributed to the Board for review. Appointments to vacant terms can be filled at any time throughout the year.

EXPLANATION OF FISCAL/FTE IMPACTS

- | | | |
|----------------------------------------------|-----------------------------------------------|--------------------------------|
| <input checked="" type="checkbox"/> None | <input type="checkbox"/> Current budget | <input type="checkbox"/> Other |
| <input type="checkbox"/> Amendment Requested | <input type="checkbox"/> New FTE(s) requested | |

RESOLUTION

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

District 5, Amber Cameron

PREVIOUS BOARD ACTION

None.

ATTACHMENTS

Attachment: Application(s) (distributed to Board only)

BOARD GOALS

- | | |
|-------------------------------------------------------------------|------------------------------------------------------------------|
| <input type="checkbox"/> A Great Place to Live | <input type="checkbox"/> A Healthy Environment |
| <input type="checkbox"/> A Successful Place for Business and Jobs | <input checked="" type="checkbox"/> Excellence in Public Service |

PUBLIC ENGAGEMENT LEVEL

- | | | | |
|--------------------------------------------|----------------------------------|----------------------------------|-----------------------------------------|
| <input type="checkbox"/> Inform and Listen | <input type="checkbox"/> Discuss | <input type="checkbox"/> Involve | <input checked="" type="checkbox"/> N/A |
|--------------------------------------------|----------------------------------|----------------------------------|-----------------------------------------|

CONTACT

Department Head: Matt Smith

Author: Jeni Reynolds



Board of Commissioners

Request for Board Action

Item Number: DC-1743

Agenda #: 9.10

Meeting Date: 1/3/2023

DEPARTMENT: Office of the County Manager

FILE TYPE: Consent Action

TITLE

Appointments To Library Advisory Committee

PURPOSE/ACTION REQUESTED

Appoint individuals to expired/vacant terms. Six terms are expiring.

SUMMARY

Library Advisory Committee has the following responsibilities: review and make decisions on disputed material; advise the Library Director on responsibilities in the development of public programming for library services; develop recommended annual work plans for the Committee; review and make recommendations on long-range plans for the Library; accept gifts of up to \$500 for public library purposes; and make recommendations governing library operations.

Membership: 9 members; 1 citizen/district and 2 At-large Youth

Meetings: Bi-Monthly (6 times a year)

Location: Various library locations

Term: 2 years; At-large Youth 1 year

Term Limit: Three consecutive terms

The 2022 membership appointed by the County Board is as follows:

District	First	Last	Expiration	Term
1	MaryJanice	Alongi	12/31/23	1
2	Kevin	Hendricks	12/31/22	2
3	Robin	Cerio	12/31/23	1
4	Katherine	Shroyer	12/31/22	1
5	Rien	Harms	12/31/22	3
6	Lynette	Cargill	12/31/22	1
7	Patricia	Schoenecker	12/31/23	1
At-large Youth	Allison	Champ	12/31/22	1
At-large Youth	Peter	Mendez	12/31/22	1

RECOMMENDATION

Staff recommends individuals be appointed/reappointed to any expiring or vacant terms. Any application(s) or interest for reappointment were distributed to the Board for review. Appointments to vacant terms can be filled at any time throughout the year.

EXPLANATION OF FISCAL/FTE IMPACTS

- ☒ None ☐ Current budget ☐ Other
☐ Amendment Requested ☐ New FTE(s) requested

RESOLUTION

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

District 2, Kevin Hendricks

District 5, Rien Harms

District 6, Lynette Cargill

; and

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

At-large Youth, Peter Mendez

PREVIOUS BOARD ACTION

None.

ATTACHMENTS

Attachment: Application(s) (distributed to Board only)

BOARD GOALS

- ☐ A Great Place to Live ☐ A Healthy Environment
☐ A Successful Place for Business and Jobs ☒ Excellence in Public Service

PUBLIC ENGAGEMENT LEVEL

- ☐ Inform and Listen ☐ Discuss ☐ Involve ☒ N/A

CONTACT

Department Head: Matt Smith

Author: Jeni Reynolds



Board of Commissioners

Request for Board Action

Item Number: DC-1738

Agenda #: 9.11

Meeting Date: 1/3/2023

DEPARTMENT: Office of the County Manager

FILE TYPE: Consent Action

TITLE

Appointment To Personnel Board Of Appeals

PURPOSE/ACTION REQUESTED

Appoint individual to expired term.

SUMMARY

The Personnel Board of Appeals provides the County Board with an impartial and knowledgeable analysis of facts concerning appeals filed by employees or applicants.

Membership: 4 members; all members are At-large

Meetings: Full-day hearings as needed

Location: Administration Center, Hastings

Term: 3 years

Term Limit: Two three-year terms

Policy 3420 specifies that membership requires residency in Dakota County and ten years of managerial experience in an organization comparable in size to the County or five or more years of professional experience in labor relations or civil law. In order to obtain balance in members' views and backgrounds, the following should be considered in the appointment process:

- Public Sector Background
- Private Sector Background
- Legal Background
- Personnel/Industrial Relations Background
- Large Organization Background
- Organized Labor Background
- PBA Diversity

The current 2022 membership appointed by the County Board is as follows:

District	First	LastName	Expiration	Term
At-large	Randall	Kins	12/31/22	1
At-large	Roger	Czaia	12/31/23	3
At-large	William	Cound	12/31/24	1
At-large	Daniel	Wells	12/31/23	1

RECOMMENDATION

Staff recommends individual be appointed/reappointed to any expiring term. Any application(s) or interest for reappointment were distributed to the Board for review. Appointments to vacant terms can be filled at any time throughout the year.

EXPLANATION OF FISCAL/FTE IMPACTS

- ☒ None ☐ Current budget ☐ Other
☐ Amendment Requested ☐ New FTE(s) requested

RESOLUTION

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

At-large, Randall Kins

PREVIOUS BOARD ACTION

None.

ATTACHMENTS

Attachment: Application(s) (distributed to Board only)

BOARD GOALS

- ☐ A Great Place to Live ☐ A Healthy Environment
☐ A Successful Place for Business and Jobs ☒ Excellence in Public Service

PUBLIC ENGAGEMENT LEVEL

- ☐ Inform and Listen ☐ Discuss ☐ Involve ☒ N/A

CONTACT

Department Head: Matt Smith

Author: Jeni Reynolds



Board of Commissioners

Request for Board Action

Item Number: DC-1732

Agenda #: 9.12

Meeting Date: 1/3/2023

DEPARTMENT: Office of the County Manager

FILE TYPE: Consent Action

TITLE

Appointments To Planning Commission

PURPOSE/ACTION REQUESTED

Appoint/reappoint individuals to expiring terms on the Planning Commission. All terms are expiring.

SUMMARY

The Planning Commission reviews plans and proposals and makes policy recommendations to the County Board in the following areas; transportation, transit, parks, trails and greenways, land conservation, water resources, and environmental management. The Planning Commission may review capital projects or be asked by the County Board to address emerging issues that impact the physical or natural infrastructure of Dakota County. In addition, the Planning Commission considers conditional use permits in the shoreland and floodplain areas of Dakota County.

Membership: 14 members; 2 citizens/district

Meetings: Monthly or as necessary

Location: Western Service Center, Apple Valley

Term: 1 year

Term Limit: None

The 2022 membership as appointed by the County Board is as follows:

District	First	Last	Expiration	Term
1	Dennis	Peine	1/3/23	2
1	Jerry	Rich	1/3/23	4
2	John	Ross	1/3/23	1
2	Lori	Hansen	1/3/23	9
3	Jill	Smith	1/3/23	10
3	Greg	Oxley	1/3/23	9
4	Amy	Hunting	1/3/23	7
4	Barry	Graham	1/3/23	10
5	Anna	Boroff	1/3/23	1
5	VACANT		1/3/23	0
6	Nate	Reitz	1/3/23	20
6	James	Guttmann	1/3/23	6
7	Anthony	Nelson	1/3/23	15
7	Donald	Post	1/3/23	5

RECOMMENDATION

Staff recommends individuals be appointed/reappointed to any expiring or vacant terms. Any application(s) or interest for reappointment were distributed to the Board for review. Appointments to vacant terms can be filled at any time throughout the year.

EXPLANATION OF FISCAL/FTE IMPACTS

- ☒ None ☐ Current budget ☐ Other
☐ Amendment Requested ☐ New FTE(s) requested

RESOLUTION

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

District 1, Dennis Peine
District 1, Jerry Rich
District 2, Lori Hansen
District 2, Amy Hunting
District 3, Jill Smith
District 4, Barry Graham
District 6, Nate Reitz
District 6, James Guttman
District 7, Anthony Nelson
District 7, Kelly Kausel

PREVIOUS BOARD ACTION

None.

ATTACHMENTS

Attachment: Application(s) (distributed to Board only)

BOARD GOALS

- ☐ A Great Place to Live ☐ A Healthy Environment
☐ A Successful Place for Business and Jobs ☒ Excellence in Public Service

PUBLIC ENGAGEMENT LEVEL

- ☐ Inform and Listen ☐ Discuss ☐ Involve ☒ N/A

CONTACT

Department Head: Matt Smith
Author: Jeni Reynolds



Board of Commissioners

Request for Board Action

Item Number: DC-1733

Agenda #: 9.13

Meeting Date: 1/3/2023

DEPARTMENT: Office of the County Manager

FILE TYPE: Consent Action

TITLE

Appointments To Public Art Citizen Advisory Committee

PURPOSE/ACTION REQUESTED

Appoint/reappoint individuals to expired and vacant terms. Six terms are expiring, two terms are currently vacant.

SUMMARY

The Public Art Citizen Advisory Committee was established to recommend to the County Board art to be placed in County public buildings, within criteria and a process approved by the County Board.

Membership: 11 members; 1 representative/district, 2 At-large representatives,
plus 2 At-large Youth

Meetings: Monthly

Location: Western Service Center, Apple Valley

Term: 2 years; At-large Youth 1 year

Term Limit: 3 consecutive terms

The 2022 membership appointed by the County Board is as follows:

District	First	Last Name	Expiration	Term
1	VACANT		12/31/23	0
2	VACANT		12/31/23	0
3	Helen	Leslie	12/31/22	1
4	Cheryl	O'Donnell	12/31/22	3
5	Colin	Turner	12/31/22	2
6	Robert	Erickson	12/31/23	1
7	JuliAnne	Jonker	12/31/22	1
At-large	Allen	Tsai	12/31/23	1
At-large	Michael	Todaro	12/31/23	1
At-large Youth	Kelly	Hjulberg	12/31/22	1
At-large Youth	Savanna	Jensen	12/31/22	1

RECOMMENDATION

Staff recommends individuals be appointed/reappointed to any expiring or vacant terms. Any application(s) or interest for reappointment were distributed to the Board for review. Appointments to vacant terms can be filled at any time throughout the year.

EXPLANATION OF FISCAL/FTE IMPACTS

- ☒ None ☐ Current budget ☐ Other
☐ Amendment Requested ☐ New FTE(s) requested

RESOLUTION

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

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

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

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

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

At-large Youth, Savanna Jensen

PREVIOUS BOARD ACTION

None.

ATTACHMENTS

Attachment: Application(s) (distributed to Board only)

BOARD GOALS

- ☐ A Great Place to Live ☐ A Healthy Environment
☐ A Successful Place for Business and Jobs ☒ Excellence in Public Service

PUBLIC ENGAGEMENT LEVEL

- ☐ Inform and Listen ☐ Discuss ☐ Involve ☒ N/A

CONTACT

Department Head: Matt Smith
Author: Jeni Reynolds



Board of Commissioners

Request for Board Action

Item Number: DC-1739

Agenda #: 9.14

Meeting Date: 1/3/2023

DEPARTMENT: Office of the County Manager

FILE TYPE: Consent Action

TITLE

Appointments To Special Board Of Appeals And Equalization

PURPOSE/ACTION REQUESTED

Appoint/reappoint individuals to vacant and expired terms. Four terms are expiring, one term is currently vacant.

SUMMARY

This Board hears appeals from property owners regarding property valuation or classification which will be the basis for real estate taxes and may change any valuation or classification which in its opinion is incorrect.

Membership: 7 members; 1 citizen/district

Meetings: Typically meets on an annual basis, usually the first week in June

Term: 2 years

Term Limit: None

Prior Board action requires that at least one member must be a real estate appraiser, realtor, or other person familiar with property valuation in the county. Additionally, legislation passed in 2008 requires that there be at least one member at each meeting who has attended an appeals and equalization course provided or approved by the Minnesota Department of Revenue within the last four years.

The 2022 membership appointed by the County Board is as follows:

District	First	Last Name	Expiration	Term
1	John	Moes	12/31/23	1
2	VACANT		12/31/22	0
3	Sally	Lorberbaum	12/31/22	7
4	Leonard	Gerten	12/31/22	1
5	Christopher	Baddeley	12/31/23	2
6	Patricia	Zuzek	12/31/23	3
7	Chris	Ellickson	12/31/22	1

RECOMMENDATION

Staff recommends individuals be appointed/reappointed to any expiring or vacant terms. Any application(s) or interest for reappointment were distributed to the Board for review. Appointments to vacant terms can be filled at any time throughout the year.

EXPLANATION OF FISCAL/FTE IMPACTS

- ☒ None ☐ Current budget ☐ Other
☐ Amendment Requested ☐ New FTE(s) requested

RESOLUTION

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

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

PREVIOUS BOARD ACTION

None.

ATTACHMENTS

Attachment: Application(s) (distributed to Board only)

BOARD GOALS

- ☐ A Great Place to Live ☐ A Healthy Environment
☐ A Successful Place for Business and Jobs ☒ Excellence in Public Service

PUBLIC ENGAGEMENT LEVEL

- ☐ Inform and Listen ☐ Discuss ☐ Involve ☒ N/A

CONTACT

Department Head: Matt Smith
Author: Jeni Reynolds



Board of Commissioners

Request for Board Action

Item Number: DC-1718

Agenda #: 10.1

Meeting Date: 1/3/2023

DEPARTMENT: Finance

FILE TYPE: Consent Information

TITLE

Report On Invoices Paid In November 2022

PURPOSE/ACTION REQUESTED

Receive a report on invoices paid during November 2022.

SUMMARY

Minn. Stat. § 375.18 requires that all claims paid must be presented to the County Board for informational purposes.

A copy of the November 2022 Paid Invoice Report, excluding payroll and Community Services client and provider payments, is on file with the Clerk to the Board.

Payments for the month ending November 30, 2022, total \$225,531,356.

The following is a summary of the major payments for the month.

Major Categories	Amount	Explanation
Benefit deductions from employee payroll	\$1,958,229	Retirement accounts, PERA, health & dental
Payments to other governments	\$202,274,895	Pass through payments - taxes, fees
Materials & supplies	\$105,296	Highway, Parks, Buildings material/supplies
Overall support of departments	\$2,066,004	Insurance, maintenance agreements, office equip
Services to citizens & clients	\$3,188,821	Major client services contract
All other expenses	\$5,063,219	BIP, CEP, and misc.
Capital projects	\$10,874,892	Highway & building construction
	\$225,531,356	

RECOMMENDATION

Information only; no action requested.

EXPLANATION OF FISCAL/FTE IMPACTS

- ☒ None ☐ Current budget ☐ Other
☐ Amendment Requested ☐ New FTE(s) requested

RESOLUTION

Information only; no action requested.

PREVIOUS BOARD ACTION

None.

ATTACHMENTS

Attachment: None.

BOARD GOALS

- | | |
|-------------------------------------------------------------------|------------------------------------------------------------------|
| <input type="checkbox"/> A Great Place to Live | <input type="checkbox"/> A Healthy Environment |
| <input type="checkbox"/> A Successful Place for Business and Jobs | <input checked="" type="checkbox"/> Excellence in Public Service |

PUBLIC ENGAGEMENT LEVEL

- | | | | |
|--------------------------------------------|----------------------------------|----------------------------------|-----------------------------------------|
| <input type="checkbox"/> Inform and Listen | <input type="checkbox"/> Discuss | <input type="checkbox"/> Involve | <input checked="" type="checkbox"/> N/A |
|--------------------------------------------|----------------------------------|----------------------------------|-----------------------------------------|

CONTACT

Department Head: Peter Skwira

Author: Jan Larson



Board of Commissioners

Request for Board Action

Item Number: DC-1771

Agenda #: 10.2

Meeting Date: 1/3/2023

DEPARTMENT: Information Technology

FILE TYPE: Consent Action

TITLE

Authorization To Purchase SplashBI Database Software For Oracle Cloud Enterprise Resource Planning And Human Capital Management

PURPOSE/ACTION REQUESTED

Authorize the Information Technology (IT) Chief Information Officer (CIO) to purchase SplashBI Enterprise Business Reporting and Analytics software.

SUMMARY

The County's implementation of a new Enterprise Resource Planning (ERP) solution, Oracle Cloud ERP and Human Capital Management (HCM), creates new data needs for reporting and interfaces. With the data residing in the Cloud, IT staff do not have access to retrieve data directly from the database tables that hold the data for the new ERP system. Data from the new ERP system is needed in the County Data Warehouse to meet business reporting requirements and for use in the many interfaces between other business systems and the ERP system for daily transaction processing. Furthermore, Finance, Budget, Employee Relations, and Payroll staff have significant reporting needs as we go live with the new system.

SplashBI offers software that will allow for the replication of Oracle Cloud ERP data that IT staff can access directly to meet business needs of County departments. In addition, they offer a robust set of pre-written reports that staff can leverage as is, or extend to meet their needs with no assistance from IT. The software also provides added data views over and above what is delivered with our new ERP solution allowing for more logical creation of reports against an otherwise massive, very complex database behind the new system.

By Resolution No. 21-499 (October 19, 2021), Dakota County IT purchased software from SplashBI Enterprise Business Reporting and Analytics in 2021 to allow IT development staff to transition interfaces from the current ERP solution, OneSolution, to the new ERP system which will go live in January of 2023. The software purchased included the capability to replicate the database behind the new ERP solution and allow Dakota County IT developers to directly access the database necessary to re-point the various interfaces needed for our financial transaction processing.

A new one-year contract with SplashBI Enterprise Business Reporting and Analytics including data replication and a connection to real time data, pre-developed data views, and pre-developed reports across all of the modules we use within the new ERP solution, and support as we develop new reports, will cost \$98,800 from January 3, 2023 through January 2, 2024.

RECOMMENDATION

Staff recommends that the Board authorize the IT CIO to purchase the SplashBI Enterprise Business Reporting & Analytics software for support of the new Oracle Cloud ERP/HCM system.

EXPLANATION OF FISCAL/FTE IMPACTS

The \$98,800 for the SplashBI Enterprise Business Reporting and Analytics contract are included in the previously approved ERP contingency budget.

- | | | |
|----------------------------------------------|----------------------------------------------------|-----------------------------------------------|
| <input type="checkbox"/> None | <input checked="" type="checkbox"/> Current budget | <input type="checkbox"/> Other |
| <input type="checkbox"/> Amendment Requested | | <input type="checkbox"/> New FTE(s) requested |

RESOLUTION

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

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

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

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

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

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

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

PREVIOUS BOARD ACTION

21-499; 10/19/21

ATTACHMENTS

Attachment: None.

BOARD GOALS

- | | |
|-------------------------------------------------------------------|------------------------------------------------------------------|
| <input type="checkbox"/> A Great Place to Live | <input type="checkbox"/> A Healthy Environment |
| <input type="checkbox"/> A Successful Place for Business and Jobs | <input checked="" type="checkbox"/> Excellence in Public Service |

PUBLIC ENGAGEMENT LEVEL

- | | | | |
|--------------------------------------------|----------------------------------|----------------------------------|-----------------------------------------|
| <input type="checkbox"/> Inform and Listen | <input type="checkbox"/> Discuss | <input type="checkbox"/> Involve | <input checked="" type="checkbox"/> N/A |
|--------------------------------------------|----------------------------------|----------------------------------|-----------------------------------------|

CONTACT

Department Head: Dan Cater

Author: Dan Cater



Board of Commissioners

Request for Board Action

Item Number: DC-1720

Agenda #: 10.3

Meeting Date: 1/3/2023

DEPARTMENT: Office Of Risk Management

FILE TYPE: Consent Action

TITLE

Authorization To Execute Contract With Arthur J. Gallagher For Insurance Brokerage Services

PURPOSE/ACTION REQUESTED

Authorize the execution of a contract with Arthur J. Gallagher for Insurance Brokerage Services.

SUMMARY

Dakota County Risk Management has addressed coverage needs through programs of conventional insurance placement and self-insuring. Dakota County is self-insured for general and professional liability claims, worker's compensation and claims arising under federal law. Insurance coverage is currently in place for auto, property, cyber security and crime (including employee fidelity exposures). The Dakota County Liability/Loss Reserve Fund provides funding for claim payments and insurance premiums.

Since 2015, Dakota County has employed the services of North Risk Partners (NRP) to broker the county's insurance policy needs and provide risk management consultation. The County's risk profile has continued to change with increases in cyber security risks and new risks such as the operation of the Lake Byllesby Dam. Risk Management concluded a direct test of the marketplace was needed given the time that had passed since the last request for proposal and a more challenging insurance marketplace.

Risk Management completed a survey of similarly sized self-insured entities to identify vendors to solicit for broker services. Four brokers that support public entity insurance placement were encouraged to send proposals: North Risk Partners, Arthur J. Gallagher & Co. (Gallagher), Willis Towers Watson (WTW), and Brown and Brown. All responders were asked to submit proposals for a 5-year term. Brown and Brown's total cost was \$325,000 and the estimated cost for Alliant, who responded to the web posting of RFP, was \$304,619. Based on the total costs as compared to the other responders they were excluded from further evaluation. Interviews and reference checks were conducted with the remaining three brokers. The contract costs for the remaining candidates were as follows: NRP (\$165,073), WTW (\$169,114) and Gallagher (\$209,000).

Interviews were conducted with the remaining candidates that included meeting the team of employees at each agency. Reference checks were also conducted with current customers. Gallagher was identified as the best broker to support the long-range needs of the county. They provide a local team for brokerage services and access to a national team of experts that support public entities. They also provide several value-added services as part of their proposal that includes safety training and consulting, enterprise risk management, cyber security, and fleet safety.

Dakota County also has first-hand experience in working with Gallagher as our broker for special events in Parks and in exploring coverage options for the Byllesby Dam. This direct experience has demonstrated responsive and effective customer service. Gallagher serves other public entity clients in Minnesota including both Ramsey and Anoka County. They place insurance for more than 5,400 public entity clients nationwide.

RECOMMENDATION

Based on the results of the request for proposal process, staff recommends executing a contract with Gallagher for the term of January 1, 2023 through December 31, 2027 in the total amount of \$209,000.

EXPLANATION OF FISCAL/FTE IMPACTS

Costs for brokerage services are incorporated into the budgeted premium charges for insurance. The contract includes a 90-day termination clause that can be invoked by either party.

- | | | |
|----------------------------------------------|----------------------------------------------------|-----------------------------------------------|
| <input type="checkbox"/> None | <input checked="" type="checkbox"/> Current budget | <input type="checkbox"/> Other |
| <input type="checkbox"/> Amendment Requested | | <input type="checkbox"/> New FTE(s) requested |

RESOLUTION

WHEREAS, Dakota County purchases insurance brokerage services; and

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

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

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

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

PREVIOUS BOARD ACTION

None.

ATTACHMENTS

Attachment: None.

BOARD GOALS

- | | |
|-------------------------------------------------------------------|-------------------------------------------------------|
| <input checked="" type="checkbox"/> A Great Place to Live | <input type="checkbox"/> A Healthy Environment |
| <input type="checkbox"/> A Successful Place for Business and Jobs | <input type="checkbox"/> Excellence in Public Service |

PUBLIC ENGAGEMENT LEVEL

☐ Inform and Listen

☐ Discuss

☐ Involve

☒ N/A

CONTACT

Department Head: B.J. Battig

Author: B.J. Battig



Board of Commissioners

Request for Board Action

Item Number: DC-1721

Agenda #: 10.4

Meeting Date: 1/3/2023

DEPARTMENT: Office Of Risk Management

FILE TYPE: Consent Action

TITLE

Authorization To Execute Contract With Minnesota Department Of Public Safety For 2022 Urban Area Security Initiative Homeland Security Grant And Amend Office of Risk Management 2023 Budget

PURPOSE/ACTION REQUESTED

Authorize the execution of a contract with the Minnesota Department of Public Safety for \$409,500 in 2022 Urban Area Security Initiative Homeland Security Grant funding and amend Office of Risk Management 2023 budget.

SUMMARY

The Minnesota Department of Public Safety has awarded \$409,500 of Homeland Security Grant funding to Dakota County under the Urban Area Security Initiative (UASI) of the Federal Department of Homeland Security (DHS). The period of the grant is from January 1, 2023 to June 30, 2024.

The spending plan for this grant includes items identified by Dakota County for internal preparedness efforts and the Dakota County Domestic Preparedness Committee for improving Countywide emergency response. The grant includes \$195,500 for equipment, \$118,000 for homeland security planning activities, \$26,000 for exercises, \$25,000 for organization and \$45,000 for training.

The primary projects in the equipment category are to continue to fund 800 MHz radio (\$74,500), maintaining emergency operations center (EOC) equipment and software (\$37,000) and equipment to support first responders and the Dakota County Special Operations Team (SOT) (\$80,000). The SOT (36 people) is comprised of members from the County and all 11 cities with members from fire, law enforcement, and emergency medical services agencies. The team has responded to incidents involving hazardous materials, technical rescues and collapsed structures at locations throughout the County.

The primary project in the planning category is the funding of contracted homeland security planners for assisting in the implementation of homeland security initiatives. The grant planning activities will include updating the Countywide Emergency Operation Plan, implementation of the All Hazard Mitigation Plan and planning for improved cyber security. It will also include providing support for cyber security exercises for County Departments.

Funding for exercises is targeted towards multijurisdictional exercises regarding terrorism and natural disaster scenarios. A Countywide Exercise Design Team is coordinating exercise planning and facilitating the drills needed to enhance first responder skills. One of the exercises will be the

coordination of communications between the County and City EOC's during an emergency response. A grant category called "organization" includes \$25,000 for the participation of the Sheriff's Office in the Minnesota Fusion Center where participants work collaboratively to gather, analyze and share information to improve the ability to fight crime and terrorism. Training funds will be used to offset costs for multi-jurisdictional training, including SOT training activities.

RECOMMENDATION

Staff recommends that the Dakota County Board of Commissioners authorize the execution of the contract with the Minnesota Department of Public Safety for \$409,500 in 2022 UASI Homeland Security Grant and amend the 2023 Office of Risk Management budget to support homeland security activities during the grant period.

EXPLANATION OF FISCAL/FTE IMPACTS

A budget amendment is recommended in the amount of \$409,500. The expenses are allocated between Capital Equipment Program in the amount of \$195,500 and the operations budget in the amount of \$214,000. There is a \$0 net County cost as a result of this action. All remaining funds, at the end of 2023, will be carried over to the 2024 budget.

- | | | |
|---------------------------------------------------------|-----------------------------------------|-----------------------------------------------|
| <input type="checkbox"/> None | <input type="checkbox"/> Current budget | <input type="checkbox"/> Other |
| <input checked="" type="checkbox"/> Amendment Requested | | <input type="checkbox"/> New FTE(s) requested |

RESOLUTION

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

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

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

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the County Board Chair to execute a contract with the Minnesota Department of Public Safety, Division of Homeland Security and Emergency Management, for the 2022 Urban Area Security Initiative (UASI) Homeland Security Grant in the amount of \$409,500 for the period of January 1, 2023 through June 30, 2024, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby amends the Office of Risk Management 2023 budget as follows:

Expense

2022 UASI Homeland Security Grant CEP	\$195,500
2022 UASI Homeland Security Grant Operational	<u>\$214,000</u>

Total Expense	\$409,500
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Revenue

2022 UASI Homeland Security Grant	<u>\$409,500</u>
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Total Revenue	\$409,500
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PREVIOUS BOARD ACTION

None.

ATTACHMENTS

Attachment: None.

BOARD GOALS☒ A Great Place to Live☐ A Healthy Environment☐ A Successful Place for Business and Jobs☐ Excellence in Public Service**PUBLIC ENGAGEMENT LEVEL**☐ Inform and Listen☐ Discuss☐ Involve☒ N/A**CONTACT**

Department Head: B.J. Battig

Author: B.J. Battig



Board of Commissioners

Request for Board Action

Item Number: DC-1520

Agenda #: 11.1

Meeting Date: 1/3/2023

DEPARTMENT: Transportation

FILE TYPE: Consent Action

TITLE

Authorization To Award And Execute Contract With McNamara Contracting And Amend 2023 Transportation CIP Budget For CP 9-56 On CSAH 9 In City Of Lakeville

PURPOSE/ACTION REQUESTED

- Award bid and authorize a contract with McNamara Contracting for County Project (CP) 9-56 in the City of Lakeville (City).
- Amend the 2023 Transportation Capital Improvement Program (CIP) Budget.

SUMMARY

To provide a safe and efficient transportation system, Dakota County is proceeding with CP 9-56. County Project 9-56 is the construction of a new alignment of County State Aid Highway (CSAH) 9 (179th Street) from Hayes Avenue to CSAH 23 (Cedar Avenue) in the City of Lakeville (Attachment: Project Location). The segment of existing Dodd Boulevard between Hayes Avenue and CSAH 31 (Pilot Knob Road) will be reconstructed separately in 2024 as part of the jurisdictional transfer to the City.

Construction is planned to start in the spring 2023 and be substantially complete by November 2023. CP 9-56 was initially bid in May, 2022 and the bids were ultimately rejected with a plan to re-bid to allow for more flexible construction phasing and competitive bids.

Construction bids were received and tabulated on December 6, 2022. Eight bidders submitted bids as follows:

<u>Bidder</u>	<u>Bid Amount</u>
McNamara Contracting	\$11,207,634.63
Eureka Construction, Inc.	\$11,634,920.41
Park Construction Company	\$11,981,260.74
Ryan Contracting Co.	\$12,460,737.75
S.M. Hentges & Sons, Inc.	\$12,636,123.65
Meyer Contracting, Inc.	\$13,204,457.25
Max Steininger, Inc.	\$13,232,465.05
Northwest Asphalt	\$14,789,847.38

The lowest responsive and responsible bid for CP 9-56 is \$11,207,634.63 from McNamara Contracting Inc., which is 3.45 percent under the engineer's estimate of \$11,608,521.70. The previous low bid from May 2022 was \$11,669,790.53. Rebidding the project has resulted in a cost

savings of \$492,125.90 to both the City and County.

Staff and the Minnesota Department of Transportation (MNDOT) have reviewed the bids and determined that the bid was competitive at the time of bidding. In accordance with Minnesota Department of Transportation Standard Specifications for Construction, the contractor will be eligible for up to \$100,000 incentive for actual pavement quality based on density and smoothness specifications. The incentive will be split in accordance with County policy for the respective roadway segment.

The total remaining project budget is \$6,324,088 for CP 9-56 (Attachment: Financial Summary). The estimated total construction cost, including construction administration, signal materials, temporary storm sewer construction, pavement incentives, testing, and potential contract changes, is \$13,050,441. The project cost has increased from the original budget due to added project scope and cost escalations. An amendment of \$6,726,353 is requested to award the project.

The major amendment increases include:

- \$1,881,000 for 179th Street segment roadway (aggregates and paving) and storm sewer (55% County, 45% City) due to construction price escalation and additional project scope.
- \$1,805,000 for additional improvements along Cedar Ave, including new signal, roadway, storm sewer, and concrete items (85% County, 15% City). Cedar Ave changes were added to correct the intersection alignment and profile and to include milling and overlay.
- \$1,150,354 for City sanitary sewer and water main replacement work on CP 9-56 (100% City cost).
- \$817,000 Construction administration costs 55% County, 45% City).

Additional project costs are due to the need for three construction stages and cost escalation. Overall, the project cost is estimated to be split 60% County and 40% City.

RECOMMENDATION

Staff recommends awarding the bid to and authorizing execution of a contract with McNamara Contracting and amending the 2023 Transportation CIP budget. A budget amendment of \$6,726,353 is requested to use \$4,035,812 of Transportation fund balance and to increase the City share to \$2,690,541 for CP 9-56.

EXPLANATION OF FISCAL/FTE IMPACTS

The approved budget for CP 9-56 is \$9,820,000 for project design, right of way acquisition, and construction. A budget amendment is requested in the amount of \$6,723,353 which brings the total project budget to \$16,546,353. Staff propose using \$4,035,812 from Transportation fund balance for the County's share and increasing the city share by \$2,690,541.

- | | | |
|---------------------------------------------------------|-----------------------------------------|-----------------------------------------------|
| <input type="checkbox"/> None | <input type="checkbox"/> Current budget | <input type="checkbox"/> Other |
| <input checked="" type="checkbox"/> Amendment Requested | | <input type="checkbox"/> New FTE(s) requested |

RESOLUTION

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

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

2023; and

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

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

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

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

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

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

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

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

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

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

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

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

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

Total Revenue**\$6,726,353****PREVIOUS BOARD ACTION**

22-241; 6/7/22

22-310; 7/19/22

ATTACHMENTS

Attachment: Location Map

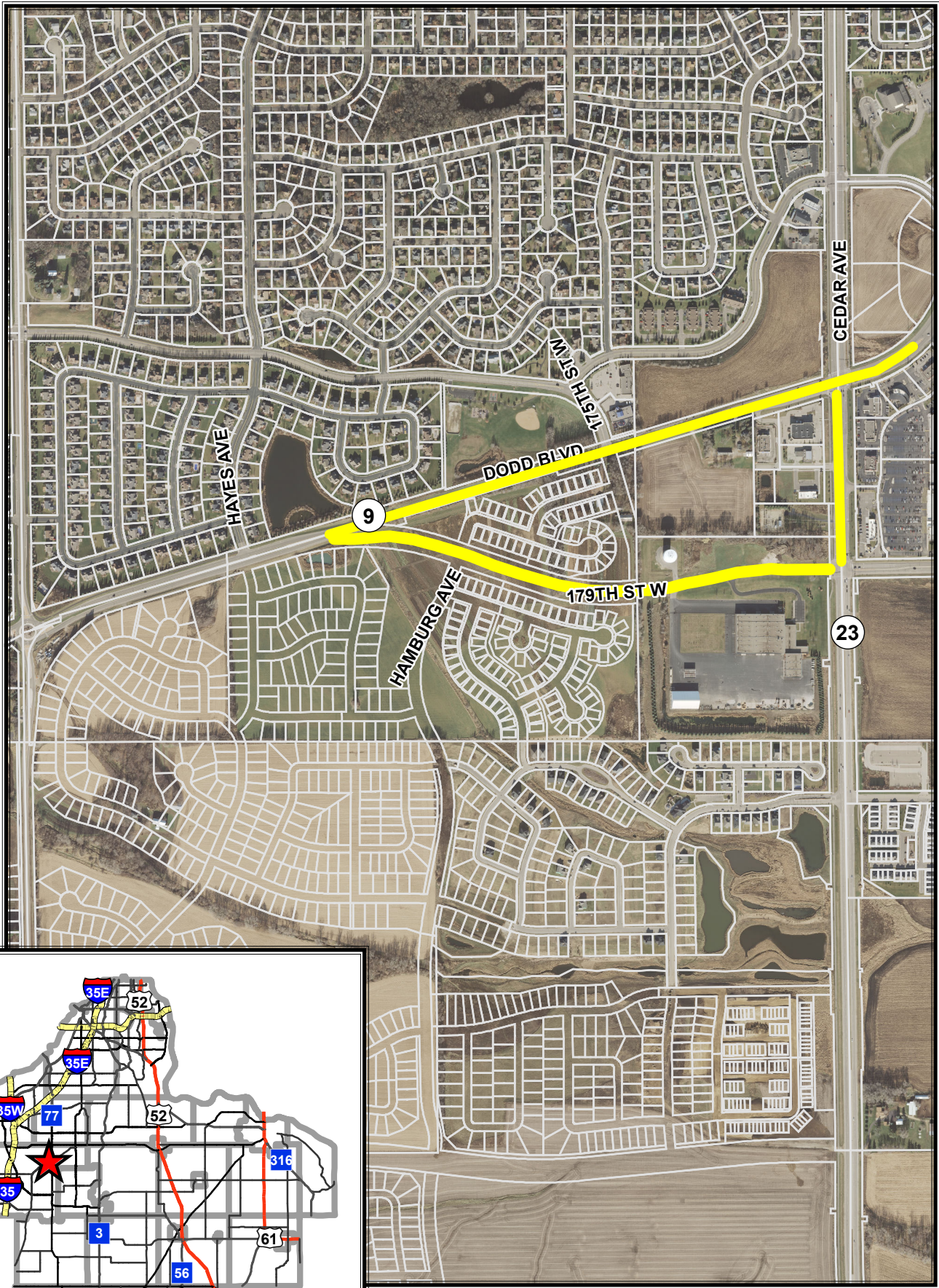
Attachment: Financial Summary

BOARD GOALS☒ A Great Place to Live☐ A Healthy Environment☐ A Successful Place for Business and Jobs☐ Excellence in Public Service**PUBLIC ENGAGEMENT LEVEL**☐ Inform and Listen☒ Discuss☐ Involve☐ N/A**CONTACT**

Department Head: Erin Laberee

Author: Matthew Parent

Prepared by Dakota County Physical Development Division



County Project 9-56

Project 9-56

Year	Expense Budget			Funding Sources Budget						
	Budget	Proposed RBA	Revised Budget	Current County's Share	Proposed RBA	Revised County's Share	Current Non-County Funding	Proposed RBA	Revised Non-County Funding	Total Revised Project Funding
Prior to 2023	9,820,000	-	9,820,000	5,650,000	-	5,650,000	4,170,000	-	4,170,000	9,820,000
2023 Budget	-	6,726,353	6,726,353	4,035,812	-	4,035,812	2,690,541	-	2,690,541	6,726,353
2024 Plan	-		-	-	-	-	-	-	-	-
2025 Plan	-		-	-	-	-	-	-	-	-
2026 Plan	-		-	-	-	-	-	-	-	-
2027 Plan	-		-	-	-	-	-	-	-	-
Current CIP Total	-	6,726,353	6,726,353	4,035,812	-	4,035,812	6,860,541	-	2,690,541	6,726,353
Costs Beyond Current CIP	-		-	-		-	-		-	-
Total	9,820,000	6,726,353	16,546,353	9,685,812	-	9,685,812	6,860,541	-	6,860,541	16,546,353



Board of Commissioners

Request for Board Action

Item Number: DC-1553

Agenda #: 11.2

Meeting Date: 1/3/2023

DEPARTMENT: Transportation

FILE TYPE: Consent Action

TITLE

Authorization To Amend Transportation Capital Improvement Program Budget For County Project 88-24, County State Aid Highway 88 Reconstruction From Trunk Highway 56 To Finch Court In Randolph Township

PURPOSE/ACTION REQUESTED

Authorize to amend 2023 Transportation Capital Improvement Program (CIP) Budget for County Project (CP) 88-24 in Randolph Township.

SUMMARY

To provide a safe and efficient transportation system, Dakota County is proceeding with CP 88-24 to reconstruct County State Aid Highway (CSAH) 88 in Randolph Township from Trunk Highway (TH) 56 to Finch Court (see Attachment: Project Location). The reconstruction of CSAH 88 between the East Dakota County Line and Finch Court is the first phase, CP 88-20, with construction scheduled to begin in the summer of 2023.

The purpose of CP 88-24 is to address pavement quality, safety, and operational issues. The existing road has minimal paved shoulders, no turn lanes, and multiple curves with advisory speeds below the posted speed limit. In addition, CSAH 88 currently intersects Highway 56 at a skew near a railroad crossing, which has led to several crashes. County Project 88-24 will also explore the feasibility of a trail along existing and reconstructed CSAH 88 to connect the Dakota County Park on both ends of the project, utilizing the right of way needed for the road reconstruction. This project, when complete, will be consistent with County and CSAH standards for this type of County facility.

The budget for right-of-way was established in 2019 for CP 88-20 and in 2021 the project was split into two phases with CP 88-24 representing the second phase. County Project 88-20 utilized the full right of way budget to procure the easements required to construct the first phase in 2023. A right of way budget needs to be established for CP 88-24 to acquire the necessary easements and to execute a total acquisition required for the project. Appraisals have been completed for all necessary parcels on CP 88-24, which has informed the right-of-way budget estimate of \$4,500,000. This estimated right-of-way amount was established based on appraisal amounts and experience negotiating settlements with parcels that have irrigation impacts as well as the relocation acquisition process. Staff proposes to utilize Transportation Fund Balance to amend the Transportation Capital Improvement Program Budget by adding funding for right-of-way acquisitions to the CP 88-24 budget.

RECOMMENDATION

Staff recommends to authorize amending the 2023 Transportation Capital Improvement Program Budget for CP 88-24 to account for right of way acquisitions.

EXPLANATION OF FISCAL/FTE IMPACTS

The project budget was originally established with CP 88-20 in 2019. In 2021, the project was separated into two phases with CP 88-24 representing the second phase for construction in 2024. County Project 88-24 has a total adopted budget of \$8,288,387 and to account for right of way acquisitions, a budget amendment of \$4,500,000 is requested (see Attachment: Financial Summary). The requested budget amendment would transfer funds from the Transportation Fund Balance.

☐ None ☐ Current budget ☐ Other
☒ Amendment Requested ☐ New FTE(s) requested

RESOLUTION

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

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

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

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

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

WHEREAS, the County utilized public engagement for this project, including a public open house on October 8, 2020, at Lake Byllesby Park and December 16, 2021, at United Methodist Church and presentations at the Randolph Township Meetings on September 15, 2020, May 24, 2022, and June 14, 2022; and

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

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

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

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

Office as to form; and

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

Expense

CP 88-24 ROW Expense \$4,500,000

Total Expense **\$4,500,000**

Revenue

Transportation Fund Balance \$4,500,000

Total Revenue **\$4,500,000**

PREVIOUS BOARD ACTION

18-423; 8/14/18

19-887; 12/17/19

20-629; 12/15/20

22-428; 10/4/22

22-498; 10/15/22

ATTACHMENTS

Attachment: Project Location

Attachment: Financial Summary

BOARD GOALS

☐ A Great Place to Live

☐ A Healthy Environment

☐ A Successful Place for Business and Jobs

☒ Excellence in Public Service

PUBLIC ENGAGEMENT LEVEL

☐ Inform and Listen

☒ Discuss

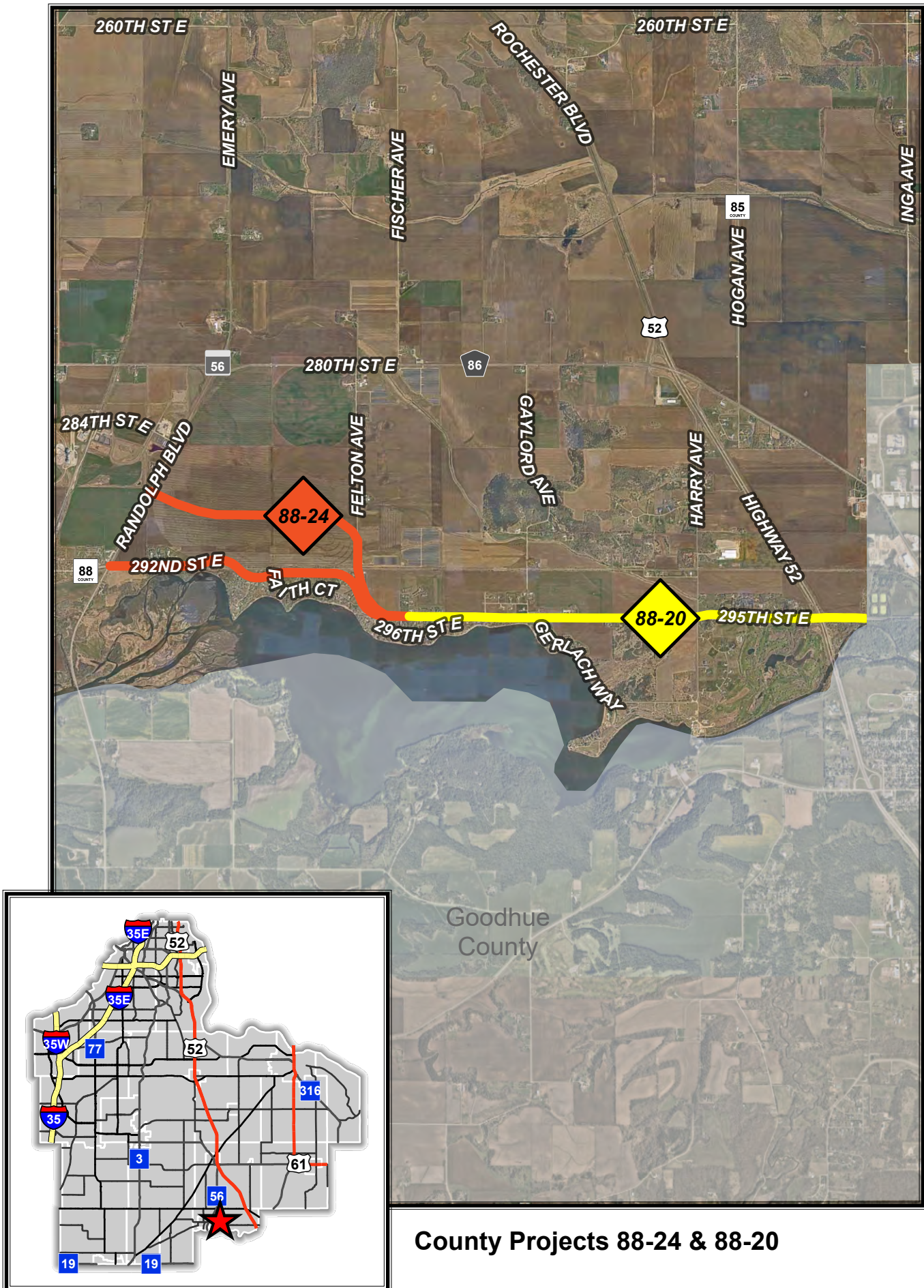
☐ Involve

☐ N/A

CONTACT

Department Head: Erin Laberee

Author: Matthew Parent



Project 88-24

Year	Expense Budget			Funding Sources Budget						
	Budget	Proposed RBA	Revised Budget	Current County's Share	Proposed RBA	Revised County's Share	Current Non-County Funding	Proposed RBA	Revised Non-County Funding	Total Revised Project Funding
Prior to 2022	-	-	-	-	-	-	-	-	-	-
2023 Budget	-	4,500,000	-	-	4,500,000	4,500,000	-	-	-	4,500,000
2024 Plan	-		-	-	-	-	-	-	-	-
2025 Plan	-		-	-	-	-	-	-	-	-
2026 Plan	-		-	-	-	-	-	-	-	-
2027 Plan	-		-	-	-	-	-	-	-	-
Current CIP Total	-	4,500,000	-	-	4,500,000	4,500,000	-	-	-	4,500,000
Costs Beyond Current CIP	-		-	-		-	-		-	-
Total	-	4,500,000	-	-	4,500,000	4,500,000	-	-	-	4,500,000



Board of Commissioners

Request for Board Action

Item Number: DC-1610

Agenda #: 11.3

Meeting Date: 1/3/2023

DEPARTMENT: Transportation

FILE TYPE: Consent Action

TITLE

Authorization To Execute Third Amendment With Kimley-Horn And Associates, Inc. On CP 26-54 (CSAH 26) And 63-27 (Argenta Trail) In Cities Of Inver Grove Heights And Eagan

PURPOSE/ACTION REQUESTED

Authorize execution of third contract amendment with Kimley-Horn and Associates, Inc., for final design engineering and construction administration services on County Projects (CP) 26-54 and 63-27 in the City of Inver Grove Heights and the City of Eagan (Cities).

SUMMARY

To provide a safe and efficient transportation system, the County and the Cities are proceeding with CP 26-54 and 63-27. The purpose and need for the project is to improve safety, multi-modal mobility, and traffic operations on County State Aid Highway (CSAH) 26 (Lone Oak Road/70th Street West) and CSAH 63 (Argenta Trail) and provide additional capacity on CSAH 26 (see Attachment: Project Location).

On August 3rd, 2021, Dakota County awarded the bid and executed a contract with S.M. Hentges & Sons Inc. for \$24,776,465.25. The construction contract is to furnish all materials and all necessary tools and equipment and perform all the necessary work and labor for the full completion of CP 26-54 and 63-27, with substantial completion on October 31, 2023. Since the construction contract was awarded, the scope and complexity of the professional services contract with Kimley-Horn and Associates, Inc., has evolved to include items, not in the original scope.

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

By Resolution No. 20-527 (October 20, 2020), the Dakota County Board of Commissioners authorized the execution of the first contract amendment with Kimley-Horn and Associates, Inc. for a new contract amount of \$2,003,895. The contract amendment was for unforeseen revisions to public engagement format and agency involvement that were more extensive than anticipated with more deliverables relating to the virtual open house format. In addition the alignment of CSAH 63 (east/west) was modified from the original RFP assumptions, further geotechnical study was required due to the discovery of petroleum odors and unsuitable buried topsoil and additional work tasks were required based on changes in federal noise analysis, biological assessment needs, and adding an environmental site assessment response action contingency plan.

By Resolution No. 21-372 (July 20, 2021), the Dakota County Board of Commissioners authorized execution of a second contract amendment with Kimley-Horn and Associates, Inc., for a new contract amount of \$2,311,085. The contract amendment included construction observation and administration services, a utility relocations corridor plan set, construction coordination assistance for required private utility relocations, and plan revisions for modifications to several of the intersections during construction due to several new development sites that are occurring along the corridor in the amount of \$2,311,085 to complete the project design and construction.

The current contract amendment request, in the amount of \$58,375 for a new contract amount of \$2,369,460 includes plan revision work necessary to accommodate additional new development intersection design revisions along CSAH 26 and additional construction services due to changes in project phasing and private utility relocations. A detailed fee breakdown of the additional services is provided in Attachment: Fee Breakdown of Additional Services.

A contract amendment is requested with Kimley-Horn and Associates, Inc., in the amount of \$58,375, for a new contract amount not to exceed \$2,369,460. Staff reviewed the original amendment request and negotiated a final scope of services for the unforeseen work required for the project. The net amount includes credit for work not performed in the original contract. The consultant services cost represents 9.6 percent of the \$24.8 million construction costs, a typical percentage for this type of project.

RECOMMENDATION

Staff recommends authorizing a contract amendment with Kimley-Horn and Associates, Inc., for additional services on CP 26-54 and 63-27.

EXPLANATION OF FISCAL/FTE IMPACTS

The 2023 Transportation Capital Improvement Program (CIP) includes a total budget of \$44,867,674 for CP 26-54 and 63-27 (see Attachment: Financial Summary). Sufficient funds are available for the proposed amendment with Kimley-Horn and Associates, Inc.

☐ None ☒ Current budget ☐ Other
☐ Amendment Requested ☐ New FTE(s) requested

RESOLUTION

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

PREVIOUS BOARD ACTION

19-496; 4/23/19

20-527; 10/20/20

21-372; 7/20/21

ATTACHMENTS

Attachment: Project Location

Attachment: Fee Breakdown of Additional Services

Attachment: Funding Summary

BOARD GOALS

☒ A Great Place to Live

☐ A Successful Place for Business and Jobs

☐ A Healthy Environment

☐ Excellence in Public Service

PUBLIC ENGAGEMENT LEVEL

☐ Inform and Listen

☒ Discuss

☐ Involve

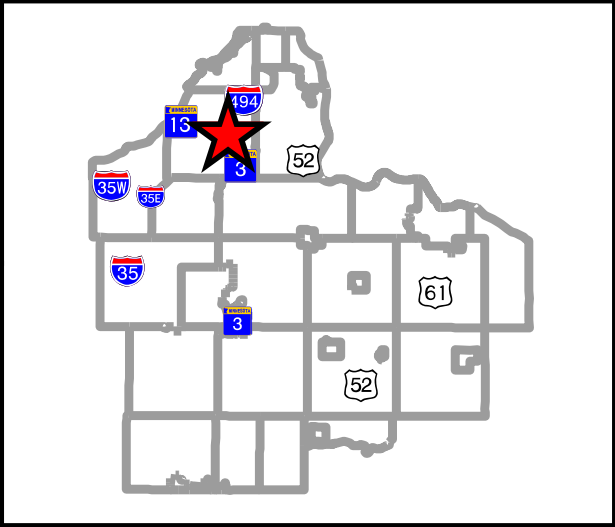
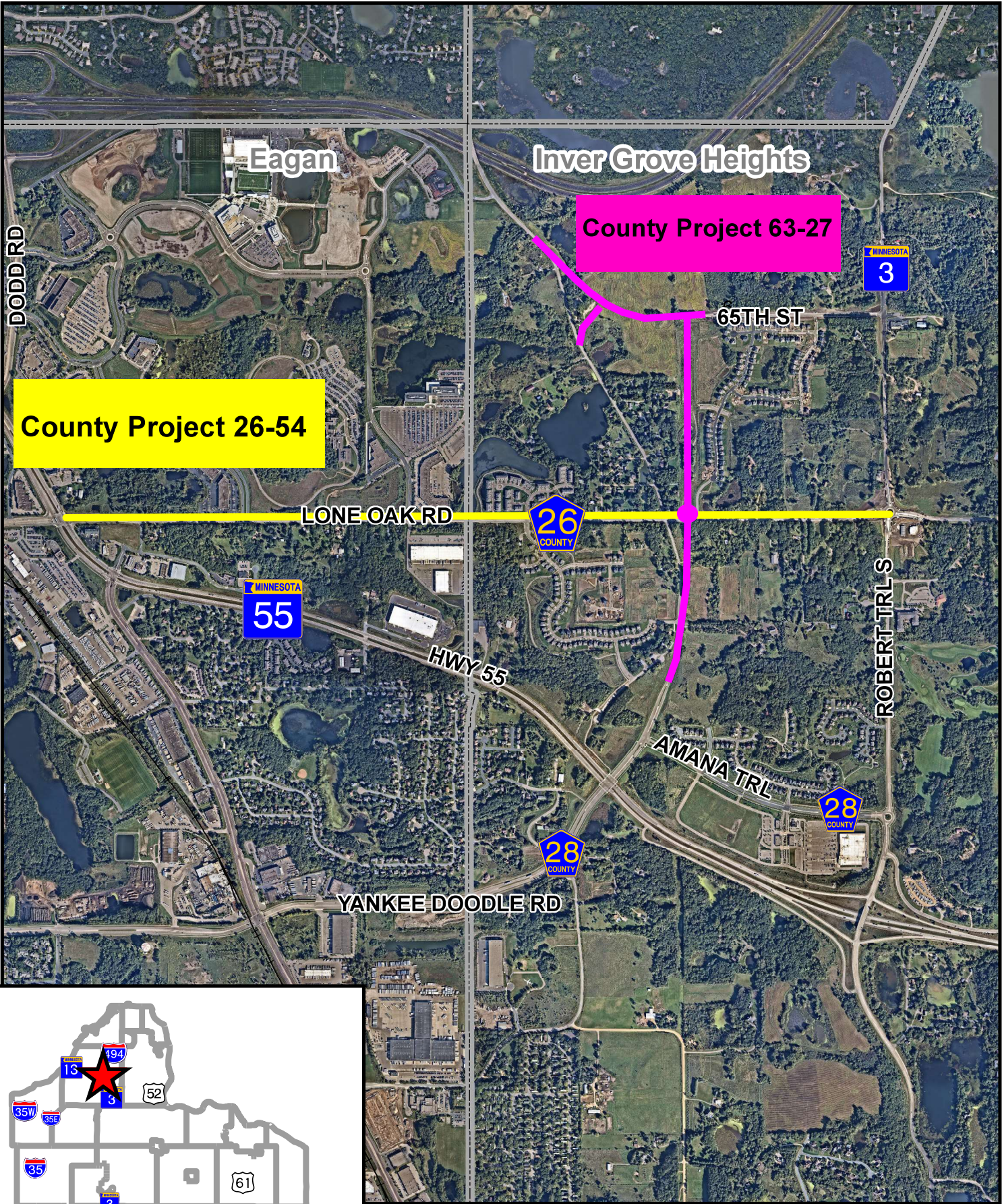
☐ N/A

CONTACT

Department Head: Erin Laberee

Author: John Sass

Prepared by the Dakota County Transportation Department



County Project 26-54

Based on the additional work necessary on the project, the following is a summary of the additional services required to complete the project as discussed with Dakota County. The scope of work below includes plan revision work necessary to accommodate new development along CSAH 26 and additional construction phase services due to changes in project phasing and private utility relocations. A detailed fee breakdown of the following additional services is provided on **Exhibit B**. The work items are organized based on the task headings in our contract dated May 14, 2019.

Task 17 – Additional Tasks

17.1 – Construction Supplemental Assistance

As a result of changes to utility relocation plans during the 2022 and upcoming 2023 construction seasons, significant additional construction coordination time has been necessary to support Dakota County construction staff in development of new interim construction phasing for the 2022/2023 winter season. These coordination efforts have included three (3) in-person meetings with County construction staff and the contractor, phone and email correspondence with County staff and Contractor, more regular attendance at weekly construction meetings, and development of a concept phasing plan for the revised project phasing.

Through the 2022 construction season, we have prepared seven additional (7) plan revisions due to adjacent developments and other project changes that have been necessary. The plan revisions include revisions to outlet control structures, signing changes, drain tile modifications, mid-block crossing changes at CSAH 63, Paradise Lane watermain, and storm sewer at the East end of the project. Amendment Number 2 only include scope to prepare a plan revision for the Peltier development south of CSAH 26 and east of CSAH 63. Additional effort was required to prepare these plan revisions.

In addition to the specific, known development driven plan revisions necessary as detailed in 17.7 and 17.8 below, we have assumed up to one (1) additional plan revision will be necessary during the 2023 construction season. We have assumed the plan revision will be consistent with the non-development related plan revisions prepared to date and is included in this scope of work at the request of Dakota County.

17.7 – Paradise Lane Plan Revision

A proposed development in the northeast corner of Ames Crossing and CSAH 26 is planned for construction and requires a revision to the Paradise Lane access location on the north side of CSAH 26. We will prepare a plan revision to shift the entrance 12.5-feet west to accommodate the proposed development. The following plan sheets will be revised as a part of the plan revision:

- Construction Plan
- Sanitary Sewer and Watermain Plan and Profiles
- Signing and Striping Plans

We will also prepare a summary of quantity changes as a result of the entrance shift for County construction staff use in discussions with the Contractor. We have assumed we will address up to one (1) round of comments from Dakota County on the plan revision prior to issuing to the Contractor. We have assumed Dakota County construction staff will coordinate the plan revision with the Contractor.

17.8 – Holiday Lane Development Plan Revision

A proposed development north of CSAH 26 across from Holiday Lane proposes to construct a new public roadway at the intersection of CSAH 26 and Holiday Lane and connect utilities to the County roadway. The addition of a northern intersection leg will require the addition of an EB left

turn lane and WB right turn lane to be added to CSAH 26. Modifications to the proposed storm sewer and watermain improvements will be necessary to accommodate the new public street. The following plan sheets will be revised as a part of the plan revision:

- Construction Plan
- Storm Sewer Plan and Profile
- Turf Establishment and Erosion Control Plan
- Sanitary Sewer and Watermain Plan and Profile
- Intersection Detail Plan
- Signing and Striping Plans
- Cross Sections

We will also prepare a summary of quantity changes as a result of the entrance shift for County construction staff use in discussions with the Contractor.

We have assumed we will address up to one (1) round of comments from Dakota County on the plan revision prior to issuing to the Contractor. We have assumed Dakota County construction staff will coordinate the plan revision with the Contractor.

For the Additional Services set forth above, Client shall pay Consultant the following additional compensation:

Task 17 – Additional Tasks	\$ 55,275
Reimbursable Expenses	\$ 3,100
Total Estimated Fees and Expenses	\$ 58,375

Kimley-Horn will not exceed the total amount shown above without authorization from the Client. Our total estimated not-to-exceed cost for the scope of services included as a part of this Amendment is, therefore, **\$58,375** including all labor and reimbursable expenses.

EXHIBIT B													
DAKOTA COUNTY PROJECT 26-54 AND 63-27													
KIMLEY-HORN AMENDMENT NO. 3 - DETAILED FEE ESTIMATE													
		Project Manager	Task Lead	Staff Engineer, Planner, or Construction Observer	Graduate Engineer or Planner	CAD/Graphics Designer	Admin	Sub-Consultant (Survey)	Sub-Consultant (Right-of-Way)	Sub-Consultant (Geotech and Environmental)	Total Hours	Expenses	Estimated Fees
TASK 17 ADDITIONAL TASKS													
17.1	Construction Supplemental Assistance	4	48	32	40	60					184		\$28,360
17.7	Paradise Lane Plan Revision	1	4	8	12	16					41		\$6,065
17.8	Holiday Lane Plan Revision	2	12	16	32	60					122		\$17,750
	Subtotal	7	64	56	84	136	0	0	0	0	347	\$ 3,100	\$55,275
TOTAL ESTIMATED PROJECT COST (FEES AND EXPENSES)													\$58,375

Projects 26-54 & 63-27

Year	Expense Budget			Funding Sources Budget						
	Budget	Proposed RBA	Revised Budget	Current County's Share	Proposed RBA	Revised County's Share	Current Non-County Funding	Proposed RBA	Revised Non-County Funding	Total Revised Project Funding
Prior to 2022	44,867,674	-	44,867,674	23,685,744	-	23,685,744	21,181,930	-	21,181,930	44,867,674
2022 Budget	-	-	-	-	-	-	-	-	-	-
2023 Plan	-	-	-	-	-	-	-	-	-	-
2024 Plan	-	-	-	-	-	-	-	-	-	-
2025 Plan	-	-	-	-	-	-	-	-	-	-
2026 Plan	-	-	-	-	-	-	-	-	-	-
Current CIP Total	-	-	-	-	-	-	-	-	-	-
Costs Beyond Current CIP	-	-	-	-	-	-	-	-	-	-
Total	44,867,674	-	44,867,674	23,685,744	-	23,685,744	21,181,930	-	21,181,930	44,867,674



Board of Commissioners

Request for Board Action

Item Number: DC-1676

Agenda #: 11.4

Meeting Date: 1/3/2023

DEPARTMENT: Transportation

FILE TYPE: Consent Action

TITLE

Approval Of Final Plats Recommended By Plat Commission

PURPOSE/ACTION REQUESTED

Approve final plats contiguous to County Roads as recommended by the Plat Commission.

SUMMARY

To provide for the orderly development of property in Dakota County, new subdivisions adjoining County highways are reviewed under the Dakota County Contiguous Plat Ordinance No. 108. The Ordinance requires new subdivisions adjoining County highways to comply with the County's access spacing and right of way guidelines so that existing and future highway corridors are preserved to accommodate existing and forecasted traffic volumes safely and efficiently.

The Plat Commission examines plats prior to the time they are submitted for County Board approval. The Plat Commission has reviewed and recommends approval of the final plats by the County Board. The final plat approval by the County Board is subject to the conditions established by the Plat Commission review (Attachments: Meeting Notes and Location Maps).

RECOMMENDATION

Staff recommends approval of the final plats by the County Board as recommended by the Plat Commission.

EXPLANATION OF FISCAL/FTE IMPACTS

- ☒ None ☐ Current budget ☐ Other
☐ Amendment Requested ☐ New FTE(s) requested

RESOLUTION

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

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

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

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

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

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

ROSEWOOD COMMONS SECOND ADDTION
VOYAGEUR FARMS 2ND ADDITION
DEER CREEK

Rosemount
Lakeville
Empire

PREVIOUS BOARD ACTION

None.

ATTACHMENTS

Attachment: Meeting Notes

Attachment: Location Maps

BOARD GOALS

☒ A Great Place to Live

☐ A Successful Place for Business and Jobs

☐ A Healthy Environment

☐ Excellence in Public Service

PUBLIC ENGAGEMENT LEVEL

☐ Inform and Listen

☐ Discuss

☐ Involve

☒ N/A

CONTACT

Department Head: Erin Laberee

Author: Todd Tollefson

DAKOTA COUNTY PLAT COMMISSION
MEETING SUMMARY
December 7, 2022

The Plat Commission meeting began at 1:30 p.m. via Zoom. Members present included: Kurt Chatfield, Scott Peters, Jake Chapek, Tom Bowlin, Todd Tollefson.

- 1.) **Plat Name:** **ROSEWOOD COMMONS SECOND ADDITION**
PID: **420200078060**
City: **Rosemount**
County Road: CSAH 42
Current ADT (2017): 14,900
Projected ADT (2040): 23,000
Current Type: 4-lane, divided
Proposed Type: 6-lane
ROW Guideline: 100 ft ½ ROW
Spacing Guideline: ½ mile full access
Posted Speed Limit: 55 mph
Proposed Use: Residential
Status: Preliminary
Location: SE ¼, Sec 29-115-19
In attendance (12/07/22): Anthony Nemcek (city)

REVIEW 12/07/22:

The proposed plat is a replat of a recent plat. The right-of-way needs for a future 6-lane roadway along CSAH 42 are 100 feet of half right of way. The plat includes dedication of 100 feet of half right of way to meet the future needs. Restricted access is shown on the plat per the plat of ROSEWOOD ESTATES.

RECOMMENDATION 12/07/22:

The Plat Commission has approved the preliminary and final plat and will recommend approval to the County Board of Commissioners.

- 2.) **Plat Name:** **VOYAGEUR FARMS 2ND ADDITION**
PID: **220150026031**
City: **Lakeville**
County Road: CSAH 23 (Cedar Ave.) / Future CR 185th Street
Current ADT (2017): 20,300 / N/A
Projected ADT (2040): 39,000 / N/A
Current Type: 4-lane, divided / N/A
Proposed Type: 6-lane / N/A
R/W Guideline: 100 ft ½ R/W / N/A
Spacing Guideline: ½ mile full / N/A
Posted Speed Limit: 55 mph / N/A
Proposed Use: Residential
Status: Preliminary
Location: NW ¼; Sec 15-114-20
In attendance (12/07/22): Alex Jordan (city)

REVIEW 12/07/22:

The proposed plat is a replat of a VOYAGEUR FARMS. The right-of-way needs for a future 6-lane roadway along CSAH 23 are 100 feet of half right of way, which has been met. Restricted access is shown on the plat per document no. 3565154. This plat will include the construction of 185th Street to Glamis Lane. A JPA for construction of 185th Street will be needed with the County and City.

RECOMMENDATION 12/07/22:

The Plat Commission has approved the preliminary and final plat and will recommend approval to the County Board of Commissioners.

3.)	Plat Name:	DEER CREEK
	PID:	220150026031
	City:	City of Empire
	County Road:	Future County Road (Biscayne Ave.)
	Current ADT (2017):	tbd
	Projected ADT (2040):	tbd
	Current Type:	4-lane divided
	Proposed Type:	4-lane divided
	R/W Guideline:	75 ft ½ R/W
	Spacing Guideline:	tbd
	Posted Speed Limit:	tbd
	Proposed Use:	Residential
	Status:	Preliminary
	Location:	SE ¼; Sec 20-114-19
	In attendance (12/07/22):	Jane Kansier (Bolten & Menk); John Branderson (developer)

REVIEW 12/07/22:

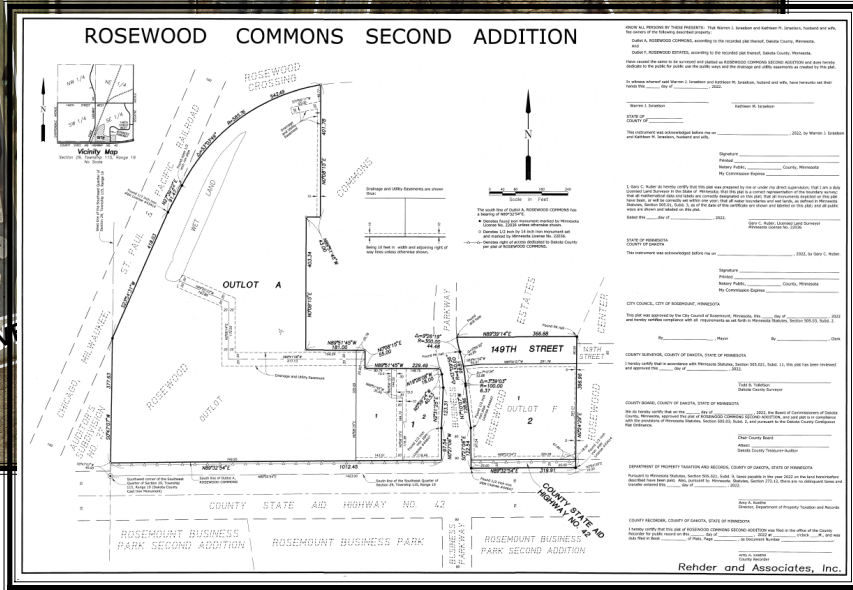
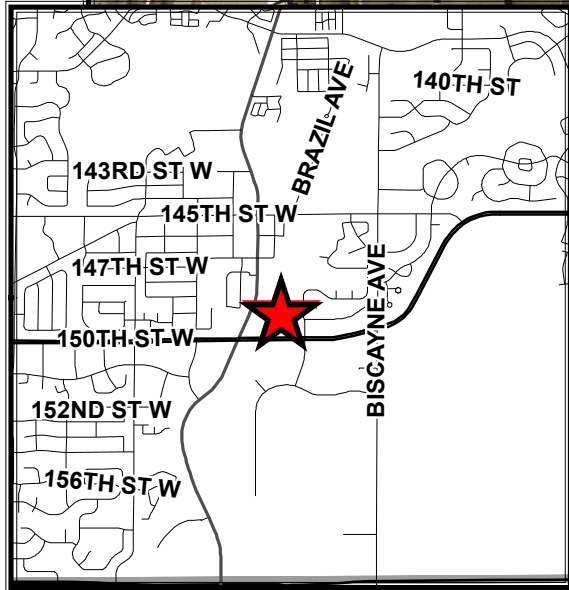
The proposed site includes a residential development along Future County Road (Biscayne Avenue). The right-of-way needs for a future 4-lane roadway along Future CR (Biscayne Ave) are 75 feet of half right of way. The plat includes dedication of 75 feet of half right of way to meet the future needs. Access guidelines along Future CR (Biscayne) are ¼ mile full access and 1/8-mile restricted access. Access to the site will be from 197th Street West. Restricted access should be shown along all of Future CR (Biscayne Ave). A quit claim deed to Dakota County for restricted access is required with recording of the plat mylars. As noted, development in the area should plan for a future north-south collector road.

RECOMMENDATION 12/07/22:

The Plat Commission has approved the preliminary and final plat and will recommend approval to the County Board of Commissioners.

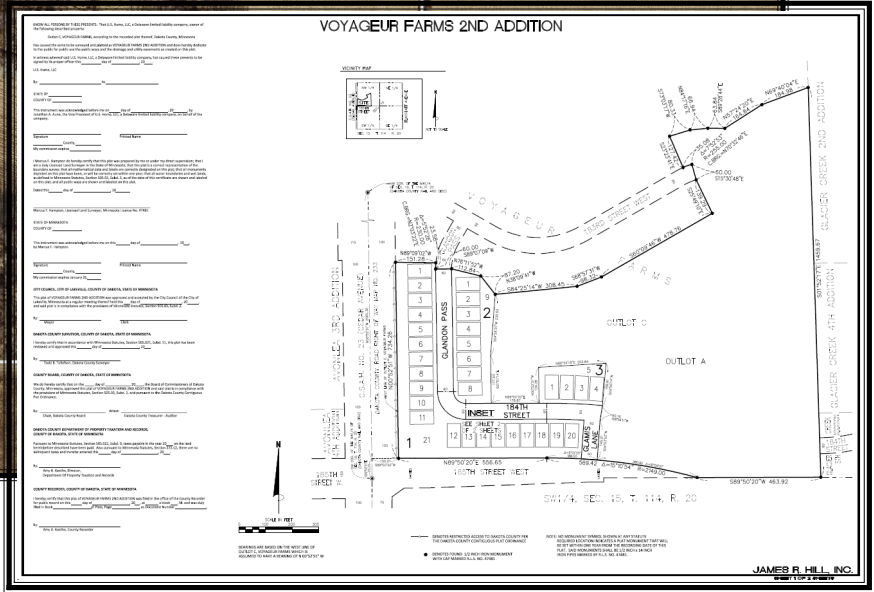
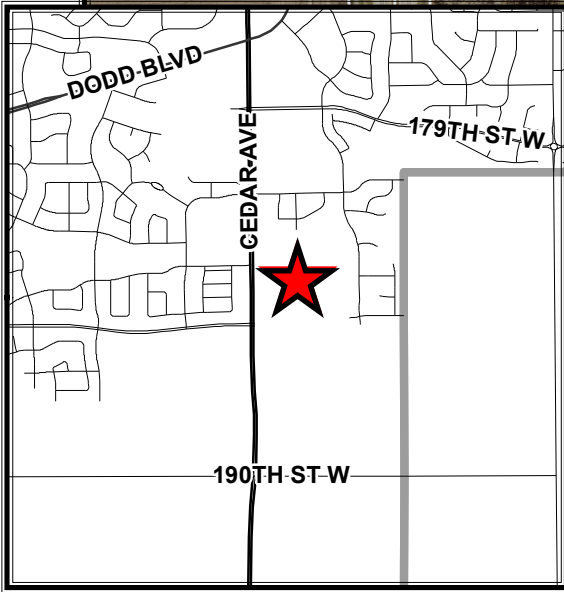
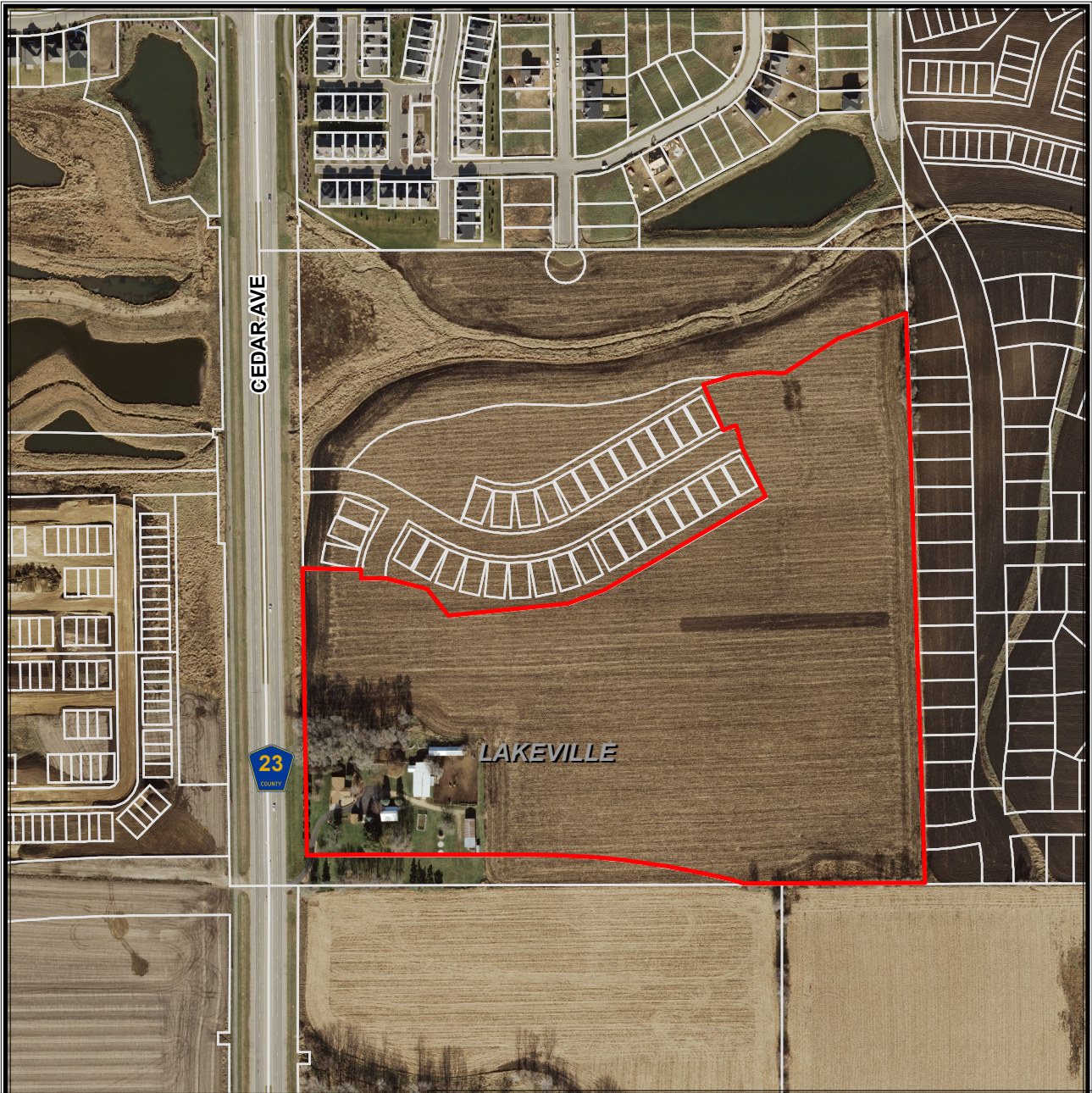
ROSEWOOD COMMONS SECOND ADDITION

Prepared by Dakota County Physical Development Division



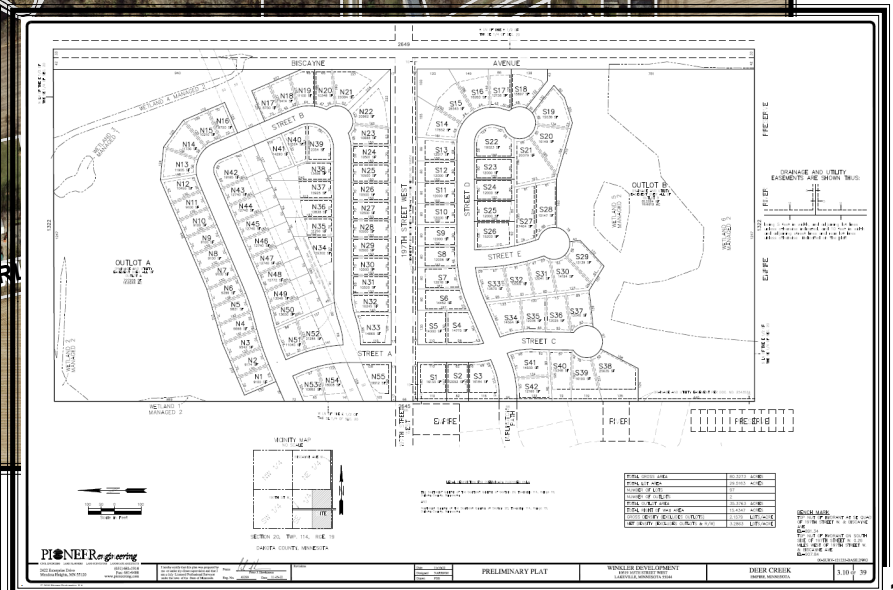
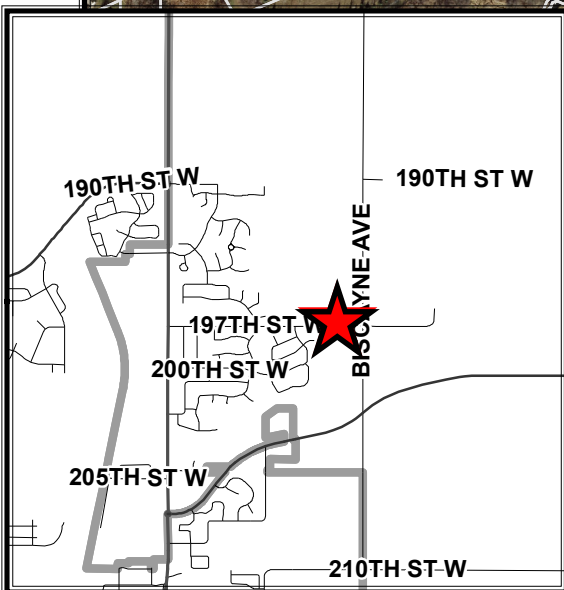
VOYAGEUR FARMS 2ND ADDITION

Prepared by Dakota County Physical Development Division



DEER CREEK

Prepared by Dakota County Physical Development Division





Board of Commissioners

Request for Board Action

Item Number: DC-1660

Agenda #: 11.5

Meeting Date: 1/3/2023

DEPARTMENT: Parks, Facilities, and Fleet Management

FILE TYPE: Consent Action

TITLE

Authorization To Purchase Fleet Vehicles And Equipment

PURPOSE/ACTION REQUESTED

Authorize the purchase of vehicles and equipment

- Eight police utility hybrids assigned to the Sheriff's fleet
- Five sedans assigned to the Sheriff's fleet and Park's fleet
- Two sport utility vehicles assigned to the Sheriff's fleet
- Nine pickups assigned to Transportation fleet, Parks fleet, and Facilities fleet
- Eight vans assigned to the Sheriff's fleet, Facilities fleet and Library fleet
- Two tractors assigned to the Transportation fleet
- Two skid steer loaders assigned to the Transportation fleet
- One off-road utility assigned to the Parks fleet

SUMMARY

The Dakota County fleet consists of many equipment classifications, as far ranging as chainsaws, sedans, trucks, and construction equipment. In order to meet public expectations and deliver services, replacement of fleet equipment is programmed in the Fleet Capital Equipment Program (CEP) budget. Outdated equipment is replaced in accordance with the Fleet CEP Points Replacement Criteria see (Attachment: Points Replacement Criteria).

The 2023 Fleet Adopted CEP includes the replacement of seven police utility hybrids, five sedans, two sport utility vehicles, five pickups, six vans, two tractors, and two skid steer loaders. These recommended replacements meet the approved replacement criteria of 23 or higher under the Fleet CEP Points Replacement Criteria and therefore are recommended for replacement. All these units being replaced will be sold at auction or traded in, with the proceeds used to offset the purchase price and setup costs of the new replacement units.

The 2023 Fleet Adopted CEP also includes the addition of four pickups, two vans, one police utility hybrid, and one off-road utility. These units are needed to maintain the current level of service or for specific approved programs in the Sheriff's fleet, Facilities fleet, Park's fleet, Library fleet, and Transportation fleet.

Dakota County holds cooperative purchasing agreements with the State of Minnesota (State) and Sourcwell. Purchasing through these contracts allows Dakota County to take advantage of the time spent by the State and Sourcwell to perform the competitive bidding process, reducing duplication

of activities and resulting in cost savings. The County Procurement Manager has reviewed these contracts and determined this contract pricing is the most cost-effective option for purchasing vehicles and equipment.

As per previous board action, staff is requesting advanced authority for the Parks, Facilities, and Fleet Management Director to purchase these additions and replacement units from cooperative purchasing contracts to shorten purchasing timelines that continue to change due to supply chain issues. Provided sufficient funds are available in the approved budget, these units are part of the approved 2023 Fleet CEP, and purchase orders are issued and approved through approved County Policies.

RECOMMENDATION

Staff requests authorization to purchase eight police utility hybrids, five sedans, two sport utility vehicles, nine pickups, eight vans, two tractors, two skid steer loaders, and one off-road utility as per approved 2023 Fleet CEP budget, provided sufficient funds are available and following approved County Policies see (Attachment: Recommended Fleet Replacements).

EXPLANATION OF FISCAL/FTE IMPACTS

The 2023 Fleet CEP adopted budget includes \$2,085,500 to purchase these eight police utility hybrids, five sedans, two sport utility vehicles, nine pickups, eight vans, two tractors, two skid steer loaders, and one off-road utility.

☐ None ☒ Current budget ☐ Other
☐ Amendment Requested ☐ New FTE(s) requested

RESOLUTION

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

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

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

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

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

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

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

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

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

PREVIOUS BOARD ACTION

22-447; 10/18/22

ATTACHMENTS

Attachment: Points Replacement Criteria

Attachment: Recommended Fleet Replacements

BOARD GOALS

- | | |
|-------------------------------------------------------------------|------------------------------------------------------------------|
| <input type="checkbox"/> A Great Place to Live | <input type="checkbox"/> A Healthy Environment |
| <input type="checkbox"/> A Successful Place for Business and Jobs | <input checked="" type="checkbox"/> Excellence in Public Service |

PUBLIC ENGAGEMENT LEVEL

- | | | | |
|--------------------------------------------|----------------------------------|----------------------------------|-----------------------------------------|
| <input type="checkbox"/> Inform and Listen | <input type="checkbox"/> Discuss | <input type="checkbox"/> Involve | <input checked="" type="checkbox"/> N/A |
|--------------------------------------------|----------------------------------|----------------------------------|-----------------------------------------|

CONTACT

Department Head: Taud Hoopingarner

Author: Kevin Schlangen

Attachment - Fleet CEP Points Replacement Criteria

Factor	Points	
Age	One point for each year of chronological age, based on in-service date.	
Miles/Hours	On Road Vehicles and Equipment one point for each 10,000 miles or one point for each 20,000 miles with 7 liter or larger size diesel engines Off Road Equipment one point for each 1000 hours of use on over 150 horsepower diesel engines or one point for each 200 hours of use on under 150 horsepower diesel engines	
Type of Service	1, 3 or 5 points are assigned based on the type of service that vehicle receives. For instance, a police patrol car would be given a 5 because it is in severe duty service. In contrast, an administrative sedan would be given a 1	
Reliability	1 to 5 points are assigned based on the frequency that a unit was in for repairs last year. A 5 would be assigned to a unit that is in the shop three or more times per month on average, while a 1 would be assigned to a unit in the shop an average of once every three months or less.	
Maintenance & Repair Costs	1 to 5 points are assigned based on total M&R costs (not including repair of accident damage). A 5 is assigned to a unit with life to date M&R costs equal to or greater than the vehicle's original purchase price, while a 1 is given to a unit with life to date M&R costs equal to 20% or less of its original purchase cost.	
Condition	This category takes into consideration body condition, rust, interior condition, accident history, anticipated repairs, etc. A scale of 0 to 5 points is used with 5 being poor condition.	
Energy Efficiency	0 to a maximum of 6 points are assigned based on energy efficiency categories. Points from each category are added together to get total points. <ul style="list-style-type: none">• 1 for utilization or sharing across Fleet groups• 1 for right sizing of replacement unit• 1 for flex fuel unleaded compatible or bio diesel fuel compatible engines• 1 for hybrid or alternative fuel engine• 1 for alternative power unit or anti idle technology	
Point Ranges		
Under 18 points	Condition I	Excellent
18 to 22 points	Condition II	Good
23 to 27 points	Condition III	Qualifies for replacement
28 points and above	Condition IV	Needs immediate consideration

As an example of the application of the above points system, a five year old police patrol sedan has 90,000 miles, is in poor condition, has poor reliability, has repair costs equal to 70% of its purchase price and the replacement police sedan will be E85 compatible. Points would be assigned as follows:

- Age = 5 points
- Mileage = 9 points
- Type of service (severe) = 5 points
- Reliability = 5 points
- M&R costs = 3 points
- Condition = 5 points
- Energy Efficiency = 1 points
- Total = 33 points

Attachment Recommended Fleet Replacements

Unit Number	Assigned Fleet	Description of Current Unit	County wide Fleet Active number of this class	Trade in value or Estimated auction or trade in value	Fleet CEP Replacement Criteria Points	Type of vehicle or equipment to replace with	Maximum Replacement Unit Approved Pricing
					Current Miles or Hours		
256	Transportation Maintenance	2015 John Deere 5115M tractor with side and rear flail mowers	19	\$45,000 Trade in	37 points	Tractor with side and rear flail mowers	\$125,000 Sales tax exempt
					3500 hours		
1313	Sheriff Drug Task Force	2013 Ford Explorer SUV	39	\$7,000 Auction	32 points	Ford PI Utility hybrid with police systems	\$48,000 Sales tax included
					113,366 miles		
1712	Sheriff Parks Lakes and Trails	2017 Ford Fusion sedan hybrid	32	\$5,000 Auction	32 points	Sedan or SUV hybrid with police systems	\$36,000 Sales tax exempt
					158,685 miles		
272	Transportation Maintenance	2013 Bobcat A770 tire skid steer loader	8	\$30,000 Trade in	32 Points	Skid steer loader tire type	\$72,000 Sales tax exempt
					1,920 hours		

Unit Number	Assigned Fleet	Description of Current Unit	County wide Fleet Active number of this class	Trade in value or Estimated auction or trade in value	Fleet CEP Replacement Criteria Points	Type of vehicle or equipment to replace with	Maximum Replacement Unit Approved Pricing
					Current Miles or Hours		
257	Transportation Maintenance	2015 John Deere 5115M tractor with side and rear flail mowers	19	\$45,000 Trade in	32 Points	Tractor with side and rear flail mowers	\$125,000 Sales tax exempt
					2,803 hours		
1810	Sheriff Patrol	2018 Ford PI Utility hybrid	39	\$5,000 Auction	31 Points	Ford PI Utility hybrid with police systems	\$52,000 Sales tax exempt
					99,313 miles		
1402	Sheriff Transport	2014 Dodge Grand Caravan minivan	26	\$5,000 Auction	31 Points	Minivan with police systems and partitions	\$43,000 Sales tax included
					120,505 miles		
271	Transportation Maintenance	2013 Bobcat T590 track skid steer leader	8	\$25,000 Trade in	25 Points	Skid steer loader track type	\$62,000 Sales tax exempt
					1,708 hours		

Unit Number	Assigned Fleet	Description of Current Unit	County wide Fleet Active number of this class	Trade in value or Estimated auction or trade in value	Fleet CEP Replacement Criteria Points	Type of vehicle or equipment to replace with	Maximum Replacement Unit Approved Pricing
					Current Miles or Hours		
1401	Sheriff Transport	2014 Dodge Grand Caravan minivan	26	\$5,000 Auction	30 Points	Minivan with police systems and partitions	\$43,000 Sales tax included
					133,749 miles		
1804	Sheriff Patrol	2018 Ford PI sedan	6	\$5,000 Auction	30 Points	Ford PI Utility hybrid with police systems	\$52,000 Sales tax exempt
					86,875 miles		
1801	Sheriff Patrol	2018 Ford PI sedan	6	\$5,000 Auction	30 Points	Ford PI Utility hybrid with police systems	\$52,000 Sales tax exempt
					98,512 miles		
42	Transportation Maintenance	2016 GMC 2500HD ¾ ton pickup	79	\$6,000 Auction	29 Points	Four-wheel drive pickup	\$50,000 Sales tax included
					152,248 miles		

Unit Number	Assigned Fleet	Description of Current Unit	County wide Fleet Active number of this class	Trade in value or Estimated auction or trade in value	Fleet CEP Replacement Criteria Points	Type of vehicle or equipment to replace with	Maximum Replacement Unit Approved Pricing
					Current Miles or Hours		
1715	Sheriff Transport	2017 Dodge Grand Caravan minivan	26	\$5,000 Auction	29 Points	Minivan with police systems and partitions	\$43,000 Sales tax included
					136,495 miles		
548	Parks Maintenance	2013 Ford F250 ¾ ton pickup	79	\$6,000 Auction	29 Points	Four-wheel drive pickup with plow and liftgate	\$50,000 Sales tax included
					101,345 miles		
953	Parks Visitors Center	2012 Chevrolet Volt plug in hybrid sedan	32	\$5,000 Auction	29 points	Battery electric SUV or pickup	\$51,000 Sales tax included
					56,020 miles		
1807	Sheriff Parks Lakes and Trails	2018 Ford Fusion sedan hybrid	32	\$5,000 Auction	28 points	Sedan or SUV hybrid with police systems	\$36,000 Sales tax exempt
					137,729 miles		

Unit Number	Assigned Fleet	Description of Current Unit	County wide Fleet Active number of this class	Trade in value or Estimated auction or trade in value	Fleet CEP Replacement Criteria Points	Type of vehicle or equipment to replace with	Maximum Replacement Unit Approved Pricing
					Current Miles or Hours		
1612	Sheriff Transport	2016 Dodge Grand Caravan minivan	26	\$5,000 Auction	29 Points	Minivan with police systems and partitions	\$43,000 Sales tax included
					131,130 miles		
546	Parks Maintenance	2013 Ford F250 ¾ ton pickup	79	\$6,000 Auction	28 Points	Four-wheel drive pickup with plow and liftgate	\$50,000 Sales tax included
					91,596 miles		
FRD07	Facilities Management	2010 Ford Transit Connect minivan	26	\$5,000 Auction	28 Points	Minivan	\$38,000 Sales tax included
					63,360 miles		
1711	Sheriff Parks Lakes and Trails	2017 Ford Fusion sedan hybrid	32	\$5,000 Auction	28 points	Sedan or SUV hybrid with police systems	\$36,000 Sales tax exempt
					119,779 miles		

Unit Number	Assigned Fleet	Description of Current Unit	County wide Fleet Active number of this class	Trade in value or Estimated auction or trade in value	Fleet CEP Replacement Criteria Points	Type of vehicle or equipment to replace with	Maximum Replacement Unit Approved Pricing
					Current Miles or Hours		
1314	Sheriff Emergency Services	2013 Ford Explorer SUV	39	\$7,000 Auction	27 points	Ford PI Utility hybrid with police systems	\$48,000 Sales tax included
					92,305 miles		
1706	Sheriff Patrol	2017 Ford PI sedan	6	\$5,000 Auction	27 Points	Ford PI Utility hybrid with police systems	\$52,000 Sales tax exempt
					74,031 miles		
500	Parks Visitors Center	2012 Chevrolet Volt plug in hybrid sedan	32	\$5,000 Auction	27 points	Battery electric SUV or pickup	\$60,000 Sales tax included
					49,700 miles		
1703	Sheriff Patrol	2017 Ford PI sedan	6	\$5,000 Auction	27 Points	Ford PI Utility hybrid with police systems	\$52,000 Sales tax exempt
					65,319 miles		

Unit Number	Assigned Fleet	Description of Current Unit	County wide Fleet Active number of this class	Trade in value or Estimated auction or trade in value	Fleet CEP Replacement Criteria Points	Type of vehicle or equipment to replace with	Maximum Replacement Unit Approved Pricing
					Current Miles or Hours		
FRD08	Facilities Management	2011 Ford F250 ¾ ton pickup	79	\$6,000 Auction	26 Points	Four-wheel drive pickup with plow and liftgate	\$50,000 Sales tax included
					59,403 miles		
FRD10	Facilities Management	2011 Ford Transit Connect minivan	26	\$5,000 Auction	26 Points	Minivan	\$38,000 Sales tax included
					54,495 miles		
1809	Sheriff Patrol	2018 Ford PI sedan	6	\$5,000 Auction	26 Points	Ford PI Utility hybrid with police systems	\$52,000 Sales tax exempt
					67,516 miles		
FRD09	Facilities Management	2011 Ford F250 ¾ ton pickup	79	\$6,000 Auction	26 Points	Four-wheel drive pickup with plow and liftgate	\$50,000 Sales tax included
					13,289 miles		

Unit Number	Assigned Fleet	Description of Current Unit	County wide Fleet Active number of this class	Trade in value or Estimated auction or trade in value	Fleet CEP Replacement Criteria Points	Type of vehicle or equipment to replace with	Maximum Replacement Unit Approved Pricing
					Current Miles or Hours		
1803	Sheriff Patrol	2018 Ford PI sedan	6	\$5,000 Auction	25 Points	Ford PI Utility hybrid with police systems	\$52,000 Sales tax exempt
					59,152 miles		
Addition	Sheriff Patrol	n/a	39	n/a	n/a	Ford PI Utility hybrid with police systems	\$78,000 Sales tax exempt
					n/a		
Addition	Library	n/a	21	n/a	n/a	Ford eTransit full size battery electric van	\$69,500 Sales tax included
					n/a		
Addition	Facilities Management	n/a	21	n/a	n/a	Ford eTransit full size battery electric van	\$65,000 Sales tax included
					n/a		

Unit Number	Assigned Fleet	Description of Current Unit	County wide Fleet Active number of this class	Trade in value or Estimated auction or trade in value	Fleet CEP Replacement Criteria Points	Type of vehicle or equipment to replace with	Maximum Replacement Unit Approved Pricing
					Current Miles or Hours		
Addition	Parks Maintenance	n/a	79	n/a	n/a	Four-wheel drive pickup ½ ton	\$60,000 Sales tax included
					n/a		
Addition	Parks Maintenance	n/a	22	n/a	n/a	Off-road utility with plow, broom, snow blower and sander	\$115,000 Sales tax exempt
					n/a		
Addition	Parks Maintenance	n/a	79	n/a	n/a	Four-wheel drive pickup ¾ ton with plow and liftgate	\$50,000 Sales tax included
					n/a		
Addition	Parks Maintenance	n/a	79	n/a	n/a	Four-wheel drive pickup ¾ ton with plow and liftgate	\$50,000 Sales tax included
					n/a		

Unit Number	Assigned Fleet	Description of Current Unit	County wide Fleet Active number of this class	Trade in value or Estimated auction or trade in value	Fleet CEP Replacement Criteria Points	Type of vehicle or equipment to replace with	Maximum Replacement Unit Approved Pricing
					Current Miles or Hours		
Addition	Transportation Maintenance	n/a	79	n/a	n/a	Four-wheel drive pickup compact size	\$37,000 Sales tax included
					n/a		
Explanation of Fiscal Impact (included in approved 2023 Fleet CEP budget) – Total Cost of Recommended Purchases							\$2,085,500



Board of Commissioners

Request for Board Action

Item Number: DC-1768

Agenda #: 11.6

Meeting Date: 1/3/2023

DEPARTMENT: Environmental Resources

FILE TYPE: Consent Action

TITLE

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

PURPOSE/ACTION REQUESTED

Certify Property Assessed Clean Energy (PACE) charges for an energy improvement project on the Coventry Properties of Rosemount, LLC, property in the City of Rosemount, and rescind Resolution No. 22-496 (November 15, 2022).

SUMMARY

By Resolution No. 17-144 (March 21, 2017), the Dakota County Board of Commissioners approved a joint powers agreement (JPA) with the Port Authority of the City of Saint Paul (Port Authority) for the implementation of the PACE program within Dakota County. Through the JPA, the Port Authority is responsible for implementing and administering the PACE program in Dakota County and providing financing for energy improvements to eligible applicants. The County provides for the impositions of special assessments pursuant to Minn. Stat. § 216C.435 and 216C.436 and Chapter 429 as needed in connection with that program. To facilitate and encourage the financing of energy improvements on the property so benefitted, the Port Authority has approved the application of and has requested PACE special assessments on the following property in Dakota County:

Property Owner:	Coventry Properties of Rosemount, LLC
Parcel Number:	34-64852-010-60
Assessment:	\$2,500,000.00
Interest Rate:	7.70%
Finance Period:	20 years
Accrual Date:	1/1/2023

After the imposition of 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). 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.

The special assessment shall be certified to the County Treasurer-Auditor and entered into the tax lists for the following year. The annual installment and interest shall be collected at the same time and in the same manner as real property taxes. The special assessment, with accruing interest, is a lien upon the benefitted property until paid.

RECOMMENDATION

Staff recommends authorizing the Dakota County Treasurer-Auditor to extend the proposed special assessment plus accruing interest on the properties set forth and listed above.

EXPLANATION OF FISCAL/FTE IMPACTS

☒ None ☐ Current budget ☐ Other
☐ Amendment Requested ☐ New FTE(s) requested

RESOLUTION

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

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

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

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

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

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

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

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

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

Property Owner:	Coventry Properties of Rosemount, LLC
Parcel Number:	34-64852-010-60
Assessment:	\$2,500,000.00
Interest Rate:	7.70%

Finance Period: 20 years
Accrual Date: 1/1/2023

; and

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

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

PREVIOUS BOARD ACTION

17-144; 3/21/17

22-496: 11/15/22

ATTACHMENTS

None.

BOARD GOALS

☐ A Great Place to Live

☒ A Successful Place for Business and Jobs

☐ A Healthy Environment

☐ Excellence in Public Service

PUBLIC ENGAGEMENT LEVEL

☐ Inform and Listen

☐ Discuss

☐ Involve

☒ N/A

CONTACT

Department Head: Nikki Stewart

Author: Nikki Stewart



Board of Commissioners

Request for Board Action

Item Number: DC-1730

Agenda #: 11.7

Meeting Date: 1/3/2023

DEPARTMENT: Environmental Resources

FILE TYPE: Consent Action

TITLE

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

PURPOSE/ACTION REQUESTED

Certify Property Assessed Clean Energy (PACE) charges for energy improvement projects on the Hardman Properties, LLC, in South St. Paul and on the Rivoli Properties, Inc., of Burnsville and rescind Resolution No. 22-560 (December 13, 2022).

SUMMARY

By Resolution No. 17-144 (March 21, 2017), the Dakota County Board of Commissioners approved a joint powers agreement (JPA) with the Port Authority of the City of Saint Paul (Port Authority) for the implementation of the PACE program within Dakota County. Through the JPA, the Port Authority is responsible for implementing and administering the PACE program in Dakota County and providing financing for energy improvements to eligible applicants. The County provides for the impositions of special assessments pursuant to Minn. Stat. § 216C.435 and 216C.436 and Chapter 429 as needed in connection with that program. To facilitate and encourage the financing of energy improvements on the property so benefitted, the Port Authority has approved the application of and has requested PACE special assessments on the following properties in Dakota County:

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

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

After the imposition of 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). 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.

The special assessment shall be certified to the County Treasurer-Auditor and entered into the tax lists for the following year. The annual installment and interest shall be collected at the same time and in the same manner as real property taxes. The special assessment, with accruing interest, is a lien upon the benefited property until paid.

RECOMMENDATION

Staff recommends authorizing the Dakota County Treasurer-Auditor to extend the proposed special assessments plus accruing interest on the properties set forth and listed above.

EXPLANATION OF FISCAL/FTE IMPACTS

- | | | |
|----------------------------------------------|-----------------------------------------------|--------------------------------|
| <input checked="" type="checkbox"/> None | <input type="checkbox"/> Current budget | <input type="checkbox"/> Other |
| <input type="checkbox"/> Amendment Requested | <input type="checkbox"/> New FTE(s) requested | |

RESOLUTION

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

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

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

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

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

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

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

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

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

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

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

; and

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

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

PREVIOUS BOARD ACTION

17-144; 3/21/17

22-560; 12/13/22

ATTACHMENTS

None.

BOARD GOALS

☐ A Great Place to Live

☒ A Successful Place for Business and Jobs

☐ A Healthy Environment

☐ Excellence in Public Service

PUBLIC ENGAGEMENT LEVEL

☐ Inform and Listen

☐ Discuss

☐ Involve

☒ N/A

CONTACT

Department Head: Nikki Stewart

Author: Nikki Stewart



Board of Commissioners

Request for Board Action

Item Number: DC-1725

Agenda #: 12.1

Meeting Date: 1/3/2023

DEPARTMENT: Public Services and Revenue Administration

FILE TYPE: Consent Action

TITLE

Approval Of Application For Exempt Permit For Ducks Unlimited To Hold Raffle

PURPOSE/ACTION REQUESTED

Approve the application from Ducks Unlimited for an Exempt Permit to hold a raffle at Gopher Hills Golf Course in Douglas Township on January 30, 2023.

SUMMARY

Gambling Licenses are governed by the Minnesota Gambling Control Board. Nonprofit organizations may conduct raffles, bingo and other forms of lawful gambling according to Minnesota Law. Lawful gambling consists of the operation, conduct or sale of bingo, raffles, paddle wheels, tip-boards and pull-tabs. Before approving the permit, the Minnesota Gambling Control Board requires County approval of an application when the gambling premises are located in a township. An application was received from Ducks Unlimited for an Exempt Permit to hold a raffle at Gopher Hills Golf Course in Douglas Township on January 30, 2023. These organizations are exempted from all requirements that apply to licensed gambling but must comply with the requirements set forth in Minn. Stat. §349.166, subd.2(a).

RECOMMENDATION

Staff recommends approval of the application.

EXPLANATION OF FISCAL/FTE IMPACTS

No fee is charges as Ducks Unlimited is a tax-exempt organization.

- | | | |
|----------------------------------------------|-----------------------------------------------|--------------------------------|
| <input checked="" type="checkbox"/> None | <input type="checkbox"/> Current budget | <input type="checkbox"/> Other |
| <input type="checkbox"/> Amendment Requested | <input type="checkbox"/> New FTE(s) requested | |

RESOLUTION

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

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

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

WHEREAS, the Dakota County Board of Commissioners is the local governing body having

jurisdiction over the proposed gambling activity.

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

PREVIOUS BOARD ACTION

None.

ATTACHMENTS

None.

BOARD GOALS

- | | |
|-------------------------------------------------------------------|-------------------------------------------------------|
| <input checked="" type="checkbox"/> A Great Place to Live | <input type="checkbox"/> A Healthy Environment |
| <input type="checkbox"/> A Successful Place for Business and Jobs | <input type="checkbox"/> Excellence in Public Service |

PUBLIC ENGAGEMENT LEVEL

- | | | | |
|--------------------------------------------|----------------------------------|----------------------------------|-----------------------------------------|
| <input type="checkbox"/> Inform and Listen | <input type="checkbox"/> Discuss | <input type="checkbox"/> Involve | <input checked="" type="checkbox"/> N/A |
|--------------------------------------------|----------------------------------|----------------------------------|-----------------------------------------|

CONTACT

Department Head: Teresa Mitchell

Author: Sarah Kidwell



Board of Commissioners

Request for Board Action

Item Number: DC-1722

Agenda #: 13.1

Meeting Date: 1/3/2023

DEPARTMENT: Office of the County Manager

FILE TYPE: Regular Action

TITLE

Adoption Of 2023 Legislative Platform

PURPOSE/ACTION REQUESTED

Adopt the 2023 Legislative Platform.

SUMMARY

At the December 13, 2022, General Government and Policy Committee of the Whole meeting, staff presented amendments to the 2023 legislative platform. The platform document contains all legislative positions adopted by the County Board.

Staff have revised the platform document following committee discussion. An attachment of the Legislative Platform as last adopted by the County Board is included, with recommended changes marked. Modifications made following the December 13, 2022, General Government and Policy Committee of the Whole meeting are highlighted. The second attachment is a draft version of the Legislative Platform as it would appear if all recommended changes were adopted.

RECOMMENDATION

Staff recommends that the Board adopt the proposed 2023 Legislative Platform.

EXPLANATION OF FISCAL/FTE IMPACTS

There is no direct fiscal impact as the result of adopting the legislative platform. If certain positions are adopted by the state or federal legislatures, the budget for county activities may be affected. In such cases, budget amendments will be recommended for the Board's approval.

- | | | |
|----------------------------------------------|-----------------------------------------|-----------------------------------------------|
| <input type="checkbox"/> None | <input type="checkbox"/> Current budget | <input checked="" type="checkbox"/> Other |
| <input type="checkbox"/> Amendment Requested | | <input type="checkbox"/> New FTE(s) requested |

RESOLUTION

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

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

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

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

PREVIOUS BOARD ACTION

22-006; 1/4/22

21-064; 2/2/21

19-900; 12/17/19

ATTACHMENTS

Attachment: Platform Mark Up and DRAFT Legislative Platform

BOARD GOALS

☐ A Great Place to Live

☐ A Healthy Environment

☐ A Successful Place for Business and Jobs

☒ Excellence in Public Service

PUBLIC ENGAGEMENT LEVEL

☐ Inform and Listen

☐ Discuss

☐ Involve

☒ N/A

CONTACT

Department Head: Matt Smith

Author: Nathan Hanson

Legislative Platform



CAPITAL INVESTMENT

DAKOTA COUNTY SUPPORTS:

- The Minnesota Pollution Control Agency's request for state bonding for the construction of a regional household hazardous waste collection and recycling facility in Dakota County.
- Use of State bonding funds, the State's share of federal American Rescue Plan Act and Investment and Jobs Act funds, and/or funds from the State budget surplus, for priority Dakota County projects:
 - Interstate-35/CSAH 50 Interchange - ~~\$42,000,000~~\$50,000,000
 - CSAH 66/62 Interchange at Trunk Highway (TH) 52 - ~~\$15,000,000~~\$24,000,000
 - County Road 46 Reconstruction - ~~\$11,500,000~~\$34,240,000
 - Veterans Memorial Greenway Highway Crossings - ~~\$10,700,000~~\$13,000,000
 - TH 50 Safety Improvements east of TH 52 - ~~\$10,000,000~~\$28,800,000
 - County State Aid Highway (CSAH) 9/179th Street Reconstruction - ~~\$8,040,000~~\$9,806,000
 - ~~Mississippi River Greenway Pedestrian/Railroad Separation - \$6,500,000~~
 - North Creek Greenway Pedestrian Crossings - ~~\$5,400,000~~\$1,500,000
 - Minnesota River Greenway Pedestrian/Railroad Separation - ~~\$5,000,000~~\$3,950,000
 - ~~South St. Paul Library Construction - \$4,700,000~~
 - Mendota to Lebanon Greenway TH 55 Crossing - ~~\$3,000,000~~\$2,322,500
 - River to River Greenway Dodd Road Crossing - ~~\$2,500,000~~\$1,620,000
 - Behavioral Health Crisis and Recovery Center - ~~\$1,541,000~~\$6,371,000
 - Law Enforcement Center Integrated Health Care Unit Addition Design - \$1,000,000\$7,500,000
 - CSAH 54/68 Mississippi River Trail Extension - \$24,000,000
 - TH 77 Northbound Lane Addition - \$45,000,000
 - Mississippi River Greenway - \$4,000,000
 - Thompson County Park Master Plan Improvements Design - \$3,000,000
 - County Road 32 Extension from County Road 71 to Highway 52 - \$8,000,000
- The Metropolitan Council's request of \$30 million, matched with \$10 million of Metropolitan Council funds, for capital improvements to the Metropolitan Regional Park system.

CORRECTIONS (MERGED WITH PUBLIC SAFETY)

DAKOTA COUNTY SUPPORTS:

- ~~Sustainable funding levels for community supervision of people in the corrections system.~~
- ~~Re-evaluation of the allocation of community supervision funding to ensure equitable funding for all entities providing supervision.~~
- ~~A transparent and equitable funding model for all three delivery systems.~~

ENVIRONMENTAL PROTECTION

DAKOTA COUNTY SUPPORTS:

- Efforts to actively address groundwater contamination due to nitrates.
- Increased SCORE funding to metropolitan counties to offset costly state mandates.
- Adequate state resources for the long-term care of existing landfills, including the return of diverted MLCAT and CLIF funds.
- The authorization of metro-area counties to acquire land for conservation and/or environmental purposes.
- The use of state bonding to support solid waste management projects as a match to the funds counties invest in infrastructure for solid waste management activities mandated by the state.
- The establishment of a state program to assist public and private drinking water well owners with the treatment of contaminated well water that exceeds safe drinking water levels.
- The re-distribution of the collected State Waste Management Tax that is currently distributed to the State General Fund to counties for state-mandated landfill abatement programs.
- ~~The continued use of the Local Recycling Development Grant (LRDG) to support county waste abatement efforts.~~
- Practical State and Federal product stewardship and extended producer responsibility laws with an emphasis on products that pose a public health or safety risk.
- State and federal funding for local water infrastructure improvement projects.
- ~~Efforts to delegate the authority to issue and regulate groundwater appropriations permits to County governments that have a state Delegated Well Program.~~
- Efforts to ensure regional capacity to dispose of large quantities of wood waste as a result of Emerald Ash Borer infestation.
- Coordinated efforts among state agencies to develop updated state rules and guidelines for the standardized implementation and oversight of wastewater, graywater, and combined rainwater/stormwater reuse systems.
- Legislation and/or MPCA actions that provide funding to properly close the Freeway Landfill in accordance with existing State Rules to protect public health and the environment and benefit the local community.
- A comprehensive plan by the legislature, the Minnesota Department of Natural Resources and the Minnesota Board of Animal Health to slow ~~or eliminate~~ the spread of Chronic Wasting Disease.
- Appropriations to cover the cost of required electric vehicle charging stations at County buildings or other locations.
- State and federal funding opportunities that will assist the county in investing in energy efficiency, greenhouse gas reduction, clean energy production and fleet electrification, and set the county on a path to achieving net-zero status.
- The appropriation of necessary funds to counties that have more than one landfill within its borders for the establishment of natural areas and greenways in the nearby communities, funding economic development and county programs that result in waste reduction, reuse and recycling, and for maintaining surrounding county infrastructure.

HEALTH AND HUMAN SERVICES

DAKOTA COUNTY SUPPORTS:

- Use of State ARP funds to develop a flexible benefits financing model and policy waivers in support of the Pathways to Prosperity and Well-being Pilot.
- ~~Use of State ARP funds to augment funding for local initiatives that mitigate pandemic impacts on the most vulnerable in Minnesota.~~
- Ensuring sustainable ongoing funding for mental health crisis response continuum.
- ~~Amending Minn. Stat. § 256.043, subd. 3(d), to remove a provision which would appropriate approximately 50 percent of the state's settlement allocation to county social service agencies via the existing Opiate Epidemic Response Fund distribution mechanism for statutorily prescribed use(s).~~
- Approval of a six- to 12-month pilot program allowing Minnesota counties to complete the Department of Human Services (DHS) Supplemental Nutrition Assistance Program (SNAP) training at the county-level.
- Interventions that address workforce challenges and service delivery impacts including:
 - increased service rates and wages for people providing direct service delivery within the Health and Human Services system;

- incentives, including education, to attract new workers and providers to direct service delivery;
- grants to pilot family and community-based prevention strategies that empower consumer choice and lower burden on county case-loads; and
- multi-year assessment and action by policy makers to address systemic root causes.

- Reimbursement increases for home and community-based workers.
- Investments in modernizing technology solutions for Department of Human Services programs.
- Simplification of Department of Human Services program rules and reporting requirements.
- Investments in local public health, family resource centers, co-located services, and community-based supports.
- The full funding of mental health crisis services.

HOUSING AND ECONOMIC STABILITY

DAKOTA COUNTY SUPPORTS:

- Ensuring the county receives its fair share of ARP and other state housing funding to:
 - Enhance and expand state rental assistance programs.
 - Enhance and expand eviction prevention resources. Enhance and expand dependable streams of funding to support services to help people find and maintain housing.
 - Increase the number of affordable, accessible and available rental units throughout Dakota County.
- Funding to expand the Housing Demonstration program.

JOBS AND ECONOMIC GROWTH

DAKOTA COUNTY SUPPORTS:

- Equitable distribution of Broadband Grant program funds to include unserved and underserved areas in metro-area counties.
- Updates to policies within the Office of Broadband to expand eligible program costs to take advantage of advances in broadband technology.
- Investments to maintain and expand the Dakota County Workforce Mobility Program, creating better job opportunities in critical occupations.

LOCAL GOVERNMENT

DAKOTA COUNTY SUPPORTS:

- ~~Authority to create a service district, by adoption of resolution, for the purpose of levying upon a portion of Dakota County to finance governmental services benefiting a service area within a county.~~
- Maintained or increased appropriations for programs to enhance library services.
- The Minnesota Deputy Registrar Association and the Minnesota Association of County Officers request for a fee increase for license transactions.
- Increasing State funding to a 40% share for Metropolitan Parks O&M for SFY 22 and SFY 23.
- Revising eminent domain statutes to ensure equitable processes for determining landowner compensation and attorney fees.
- Increasing the Park and Trail Legacy funding share to the Metropolitan Regional Park System from 40% to 50% for SFY 22 and SFY 23.
- The amendment of Minn. Stat. § 216G.05 to require that the permitting state agency, rather than county boards, be required to hold a public meeting regarding the construction or operation of a pipeline.
- Efforts to adjust the Homestead Market Value Exclusion formula to support homeowner property tax relief by increasing the market value threshold and including an index to adjust annually with changing residential market values.

DAKOTA COUNTY OPPOSES:

- Measures that would interfere with the ability of local governments to manage their budgets.

NATURAL RESOURCES STEWARDSHIP AND PARKS

DAKOTA COUNTY SUPPORTS:

- The Metropolitan Council's request of \$1,000,000 from the Environmental and Natural Resources Trust Fund to acquire private inholdings within regional parks and greenways.
- Increasing or maintaining the current allocations and funding distribution of Lottery in Lieu funding.

PUBLIC SAFETY & CORRECTIONS

DAKOTA COUNTY SUPPORTS:

- Sustainable funding levels for community supervision of people in the corrections system.
- Re-evaluation of the allocation of community supervision funding to ensure equitable funding for all entities providing supervision.
- A transparent and equitable funding model for all three delivery systems.
- The efforts of the Community Supervision Work Group and urges the Legislature to pass a new funding formula and significant appropriation during the 2023 legislative session.

STATE GOVERNMENT AND ELECTIONS

DAKOTA COUNTY SUPPORTS:

- Elimination of the metropolitan county exclusion to allow mail balloting for all townships and cities with less than 400 registered voters.
- Reformation of the Metropolitan Council governance structure to increase accountability to their regional constituency.
- Legislation granting counties the authority to fill mid-term vacancies in County Sheriff or County Attorney positions either through a special election or by appointing a replacement until the next regular election.

TRANSPORTATION

DAKOTA COUNTY SUPPORTS:

Highways and Bridges

- Maintaining the current distribution of the Motor Vehicle Lease Sales Tax.
- Increasing long-term sustainable funding for highway and bridge purposes.
- Issuance of general obligation bonds for the Local Road Improvement, Local Bridge Replacement Bonding, and Local Road Wetland Replacement programs.
- Issuance of trunk highway bonds contingent upon increased long-term funding.
- The creation of a memorial of Dakota County Deputy Sheriff Luther Klug in the vicinity of Highway 316 and 200th Street E.

Rail

- Efforts to encourage railroads to work with local governments on opportunities to improve safe crossings near and along rail corridors.

- State and local acquisition of rail corridors that are currently under- or un-utilized to improve non-motorized transportation systems.

Transit

- State funding of county highway bus rapid transit subsidies.

Federal

DAKOTA COUNTY SUPPORTS:

- Federal funding to support creation of the Veterans Memorial Greenway.
- Federal funding to support improvement of the Interstate 35/County Road 50 interchange.
- Ensuring federal approval as necessary of human services administrative waivers passed by the Minnesota Legislature in 2021.
- Efforts to encourage railroads to work with local governments on opportunities to improve safe crossings near and along rail corridors.
- Efforts to support state and local acquisition of rail corridors that are currently under- or un-utilized to improve non-motorized transportation systems.
- The amendment of the Medicaid Inmate Exclusion Policy in the Social Security Act, allowing pre-trial detainees to access Medicaid services while awaiting trial and in the month prior to release from incarceration. Doing so will support appropriate supports for mental health and substance use disorder treatment that will increase health and decrease recidivism.

Legislative Platform



CAPITAL INVESTMENT

DAKOTA COUNTY SUPPORTS:

- The Minnesota Pollution Control Agency's request for state bonding for the construction of a regional household hazardous waste collection and recycling facility in Dakota County.
- Use of State bonding funds, the State's share of federal American Rescue Plan Act and Investment and Jobs Act funds, and/or funds from the State budget surplus, for priority Dakota County projects:
 - Interstate-35/CSAH 50 Interchange - \$50,000,000
 - TH 77 Northbound Lane Addition - \$45,000,000
 - County Road 46 Reconstruction - \$34,240,000
 - TH 50 Safety Improvements east of TH 52 - \$28,800,000
 - CSAH 66/62 Interchange at Trunk Highway (TH) 52 - \$24,000,000
 - CSAH 54/68 Mississippi River Trail Extension - \$24,000,000
 - Veterans Memorial Greenway Highway Crossings - \$13,000,000
 - County State Aid Highway (CSAH) 9/179th Street Reconstruction - \$9,806,000
 - County Road 32 Extension from County Road 71 to Highway 52 - \$8,000,000
 - Law Enforcement Center Integrated Health Care Unit - \$7,500,000
 - Behavioral Health Crisis and Recovery Center - \$6,371,000
 - Mississippi River Greenway - \$4,000,000
 - Minnesota River Greenway Pedestrian/Railroad Separation - \$3,950,000
 - Thompson County Park Master Plan Improvements Design - \$3,000,000
 - Mendota to Lebanon Greenway TH 55 Crossing - \$2,322,500
 - River to River Greenway Dodd Road Crossing - \$1,620,000
 - North Creek Greenway Pedestrian Crossings - \$1,500,000
- The Metropolitan Council's request of \$30 million, matched with \$10 million of Metropolitan Council funds, for capital improvements to the Metropolitan Regional Park system.

ENVIRONMENTAL PROTECTION

DAKOTA COUNTY SUPPORTS:

- Efforts to actively address groundwater contamination due to nitrates.
- Increased SCORE funding to metropolitan counties to offset costly state mandates.
- Adequate state resources for the long-term care of existing landfills, including the return of diverted MLCAT and CLIF funds.
- The authorization of metro-area counties to acquire land for conservation and/or environmental purposes.
- The use of state bonding to support solid waste management projects as a match to the funds counties invest in infrastructure for solid waste management activities mandated by the state.

- The establishment of a state program to assist public and private drinking water well owners with the treatment of contaminated well water that exceeds safe drinking water levels.
- The re-distribution of the collected State Waste Management Tax that is currently distributed to the State General Fund to counties for state-mandated landfill abatement programs.
- Practical State and Federal product stewardship and extended producer responsibility laws with an emphasis on products that pose a public health or safety risk.
- State and federal funding for local water infrastructure improvement projects.
- Efforts to ensure regional capacity to dispose of large quantities of wood waste as a result of Emerald Ash Borer infestation.
- Coordinated efforts among state agencies to develop updated state rules and guidelines for the standardized implementation and oversight of wastewater, graywater, and combined rainwater/stormwater reuse systems.
- Legislation and/or MPCA actions that provide funding to properly close the Freeway Landfill in accordance with existing State Rules to protect public health and the environment and benefit the local community.
- A comprehensive plan by the legislature, the Minnesota Department of Natural Resources and the Minnesota Board of Animal Health to slow the spread of Chronic Wasting Disease.
- Appropriations to cover the cost of required electric vehicle charging stations at County buildings or other locations.
- State and federal funding opportunities that will assist the county in investing in energy efficiency, greenhouse gas reduction, clean energy production and fleet electrification, and set the county on a path to achieving net-zero status.
- The appropriation of necessary funds to counties that have more than one landfill within its borders for the establishment of natural areas and greenways in the nearby communities, funding economic development and county programs that result in waste reduction, reuse and recycling, and for maintaining surrounding county infrastructure.

HEALTH AND HUMAN SERVICES

DAKOTA COUNTY SUPPORTS:

- Use of State ARP funds to develop a flexible benefits financing model and policy waivers in support of the Pathways to Prosperity and Well-being Pilot.
- Ensuring sustainable ongoing funding for mental health crisis response continuum.
- Approval of a six- to 12-month pilot program allowing Minnesota counties to complete the Department of Human Services (DHS) Supplemental Nutrition Assistance Program (SNAP) training at the county-level.
- Interventions that address workforce challenges and service delivery impacts including:
 - increased service rates and wages for people providing direct service delivery within the Health and Human Services system;
 - incentives, including education, to attract new workers and providers to direct service delivery;
 - grants to pilot family and community-based prevention strategies that empower consumer choice and lower burden on county case-loads; and
 - multi-year assessment and action by policy makers to address systemic root causes.
- Reimbursement increases for home and community-based workers.
- Investments in modernizing technology solutions for Department of Human Services programs.
- Simplification of Department of Human Services program rules and reporting requirements.
- Investments in local public health, family resource centers, co-located services, and community-based supports.
- The full funding of mental health crisis services.

HOUSING AND ECONOMIC STABILITY

DAKOTA COUNTY SUPPORTS:

- Ensuring the county receives its fair share of ARP and other state housing funding to:
 - Enhance and expand state rental assistance programs.
 - Enhance and expand eviction prevention resources. Enhance and expand dependable streams of funding to support services to help people find and maintain housing.
 - Increase the number of affordable, accessible and available rental units throughout Dakota County.
- Funding to expand the Housing Demonstration program.

JOBS AND ECONOMIC GROWTH

DAKOTA COUNTY SUPPORTS:

- Equitable distribution of Broadband Grant program funds to include unserved and underserved areas in metro-area counties.
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DAKOTA COUNTY SUPPORTS:

- Sustainable funding levels for community supervision of people in the corrections system.
- Re-evaluation of the allocation of community supervision funding to ensure equitable funding for all entities providing supervision.
- A transparent and equitable funding model for all three delivery systems.
- The efforts of the Community Supervision Work Group and urges the Legislature to pass a new funding formula and significant appropriation during the 2023 legislative session.

STATE GOVERNMENT AND ELECTIONS

DAKOTA COUNTY SUPPORTS:

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- State funding of county highway bus rapid transit subsidies.

DAKOTA COUNTY SUPPORTS:

- Federal funding to support creation of the Veterans Memorial Greenway.
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Board of Commissioners

Request for Board Action

Item Number: DC-1724

Agenda #: 13.2

Meeting Date: 1/3/2023

DDEPARTMENT: Office of the County Manager

FILE TYPE: Regular Action

TITLE

Adoption Of Resolution Of Support For Efforts Of Community Supervision Work Group

PURPOSE/ACTION REQUESTED

Adopt a resolution of support of the efforts of the Community Supervision Work Group and urge the legislature to pass a new funding formula and significant appropriation during the 2023 legislative session.

SUMMARY

Dakota County supports changes to the community supervision funding model so that state fund allocations are transparent, needs based, and equitable among county and state supervision providers. Counties need a substantial increase in community supervision funding to achieve this model. Community supervision is a fundamental part of the criminal justice system in Minnesota and funding sufficient to ensure effective services is vital to public safety in all communities across the state community supervision includes services such as probation, supervised release, and intensive supervised release.

Minnesota's counties provide essential community supervision services both as mandated by M.S. Chapter 244.19 and also as delegated by the Department of Corrections under M.S. Chapter 401; When the Legislature decided that community supervision was best delivered through a state-county partnership, it stated a clear intent that the state would provide significant funding to the counties for the operation of local programs. Over the past 20 years, Minnesota has become the state with the lowest level of corrections funding in the nation because the Legislature has not upheld its promise to provide adequate state resources to support community supervision. The Legislature's failure to adequately fund community supervision has increased local property taxes on residents and businesses.

A revised community supervision funding formula is necessary to ensure that all communities in Minnesota have enough state funding to provide a consistent standard for effective, evidence-based community supervision services, regardless of local capacity to pay. The Association of Minnesota Counties assembled the Community Supervision Work Group including county leaders and experts in community supervision from all three supervision delivery systems to study the needs of community supervision departments statewide and develop a single funding formula that is transparent, needs based, and equitable among county and state supervision providers. The Community Supervision Workgroup has taken up its charge to convene stakeholders across the three probation delivery systems to oversee a study to create a unified recommendation for an equitable and adequate funding formula and appropriation.

The percentage of the Community Corrections budget to provide probation supervision covered by the CCA subsidy has decreased from 42% in 2012 to 36% in 2022. If Dakota County was reimbursed by the state at the 42% rate, our CCA subsidy would need to increase by \$834,701. The State of Minnesota does not provide funding for County operated adult or juvenile facilities so the costs to operate the Juvenile Service Center were not included in this analysis. Both branches of the state legislature attempted to increase funding for Community Corrections in 2022 but failed to come to an agreement. The increase for Dakota County would have been \$1.4 million in the Senate version and \$2.9 million in the House version.

The board of directors of the Association of Minnesota Counties that represent the diverse interests of Minnesota's 87 counties voted to support a new funding formula that provides counties with the resources needed to keep communities safe.

RECOMMENDATION

Staff recommends that the Board adopt the proposed resolution.

EXPLANATION OF FISCAL/FTE IMPACTS

There is no direct fiscal impact as the result of adopting the resolution of support. If certain positions are adopted by the State Legislature, the budget for County activities may be affected. In such cases, budget amendments will be recommended for the Board's approval.

- | | | |
|----------------------------------------------|-----------------------------------------|-----------------------------------------------|
| <input type="checkbox"/> None | <input type="checkbox"/> Current budget | <input checked="" type="checkbox"/> Other |
| <input type="checkbox"/> Amendment Requested | | <input type="checkbox"/> New FTE(s) requested |

RESOLUTION

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

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

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

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

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

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

WHEREAS, a revised community supervision funding formula is necessary to ensure that all

communities in Minnesota have enough state funding to provide a consistent standard for effective, evidence-based community supervision services, regardless of local capacity to pay; and

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

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

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

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

PREVIOUS BOARD ACTION

None.

ATTACHMENTS

Attachment: None.

BOARD GOALS

- | | |
|-------------------------------------------------------------------|------------------------------------------------------------------|
| <input type="checkbox"/> A Great Place to Live | <input type="checkbox"/> A Healthy Environment |
| <input type="checkbox"/> A Successful Place for Business and Jobs | <input checked="" type="checkbox"/> Excellence in Public Service |

PUBLIC ENGAGEMENT LEVEL

- | | | | |
|--------------------------------------------|----------------------------------|----------------------------------|-----------------------------------------|
| <input type="checkbox"/> Inform and Listen | <input type="checkbox"/> Discuss | <input type="checkbox"/> Involve | <input checked="" type="checkbox"/> N/A |
|--------------------------------------------|----------------------------------|----------------------------------|-----------------------------------------|

CONTACT

Department Head: Matt Smith

Author: Nathan Hanson



Board of Commissioners

Request for Board Action

Item Number: DC-1770

Agenda #: 14.1

Meeting Date: 1/3/2023

DEPARTMENT: Office of the County Manager

FILE TYPE: Regular Action

TITLE

Closed Executive Session: Legal Strategy For Acquisition Of Property In Randolph Township For County Project 88-24

PURPOSE/ACTION REQUESTED

Hold a closed executive session.

SUMMARY

The Dakota County Attorney has advised that prior to closing a County Board meeting, pursuant to the Open Meeting Law, Minn. Stat. Ch. 13D, the County Board must resolve by majority vote to close the meeting.

RECOMMENDATION

The County Manager has recommended that a closed executive session be held pursuant to attorney-client privilege during the Dakota County Board meeting of January 3, 2023, to discuss the following:

- the legal strategy of accomplishing Dakota County's acquisition of the property rights from Clifford Gergen (Parcel 8 & 9) for County Project 88-24.

EXPLANATION OF FISCAL/FTE IMPACTS

Fiscal impact will be discussed in closed session.

- ☒ None ☐ Current budget ☐ Other
☐ Amendment Requested ☐ New FTE(s) requested

RESOLUTION

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

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

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

WHEREAS, to address the purpose and need for the Project, the County is proposing to reconstruct

CSAH 88 to address pavement quality, safety, and operational issues by improving drainage, modifying access, improving sight angles, and adding turn lanes; and

WHEREAS, the County is the lead agency for the Project (design, right of way, and construction); and

WHEREAS, to construct the recommended improvements, Dakota County must acquire property rights from Clifford Gergen (Parcels 8 & 9) and may need to initiate a "quick take" eminent domain proceeding pursuant to Minn. Stat. §117.042 to allow a spring 2024 start date; and

WHEREAS, the Dakota County Board of Commissioners seeks legal advice from the County Attorney with respect to the strategy of accomplishing the acquisition of the property rights for CP 88-24 the public disclosure of which would benefit the landowners to the detriment of Dakota County's position in this matter; and

WHEREAS, pursuant to Minn. Stat. §13D.05, subd. 3(b), the County Board by resolution may close a meeting as permitted by the attorney-client privilege.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby closes the County Board meeting on January 3, 2023, and recesses to Conference Room 3A, Administration Center, Hastings, Minnesota, to discuss with the County Attorney the legal strategy of accomplishing Dakota County's acquisition of certain property rights from Clifford Gergen (Parcel 8 & 9) for County Project 88-24.

PREVIOUS BOARD ACTION

None.

ATTACHMENTS

Attachment: None.

BOARD GOALS

- | | |
|-------------------------------------------------------------------|------------------------------------------------------------------|
| <input type="checkbox"/> A Great Place to Live | <input type="checkbox"/> A Healthy Environment |
| <input type="checkbox"/> A Successful Place for Business and Jobs | <input checked="" type="checkbox"/> Excellence in Public Service |

PUBLIC ENGAGEMENT LEVEL

- | | | | |
|--------------------------------------------|----------------------------------|----------------------------------|-----------------------------------------|
| <input type="checkbox"/> Inform and Listen | <input type="checkbox"/> Discuss | <input type="checkbox"/> Involve | <input checked="" type="checkbox"/> N/A |
|--------------------------------------------|----------------------------------|----------------------------------|-----------------------------------------|

CONTACT

Department Head: Matt Smith
Author: Jeni Reynolds



Board of Commissioners

Request for Board Action

Item Number: DC-1750

Agenda #: 17.1

Meeting Date: 1/3/2023

Information

See Attachment for future Board meetings and other activities.

January 1, 2023

Sunday

All Day

County Offices Closed - New Year's Day Holiday

January 2, 2023

Monday

All Day

County Offices Closed - New Year's Day Holiday Observed

January 3, 2023

Tuesday

9:00 AM - 9:00 AM

Dakota County Board of Commissioners Meeting -- Administration Center, 1590 Highway 55, Boardroom, Hastings or View Live Broadcast
<https://www.co.dakota.mn.us/Government/BoardMeetings/Pages/default.aspx>

9:30 AM - 9:30 AM

Dakota County Regional Railroad Authority (or following CB) -- Administration Center, 1590 Highway 55, Boardroom, Hastings

10:00 AM - 10:00 AM

Dakota County General Government and Policy Committee Meeting (or following RRA) -- Administration Center, 1590 Highway 55, Conference Room 3A, Hastings

January 10, 2023

Tuesday

3:30 PM - 3:30 PM

Dakota-Scott Workforce Development Board Executive Committee Meeting -- Zoom
(<https://us02web.zoom.us/j/89744523163?pwd=amhmRlF3ZlloREJyVGJ2RnQxbXc4Zz09>)

January 11, 2023

Wednesday

10:00 AM - 10:00 AM

Metropolitan Emergency Services Board Committee Meeting -- Metropolitan Government Center, 2099 University Avenue West, St. Paul

4:00 PM - 4:00 PM

Dakota Broadband Board Meeting -- Apple Valley City Hall, 7100 147th Street West, Regent Room, Apple Valley

4:00 PM - 4:00 PM

Vermillion River Watershed Planning Commission Meeting -- Dakota County Extension & Conservation Center, 4100 220th St. W, Farmington

January 12, 2023

Thursday

7:30 AM - 7:30 AM

I-35W Solutions Alliance Board Meeting -- Richfield City Hall, 6700 Portland Avenue South, Bartholomew Room, Richfield

January 16, 2023

Monday

All Day

County Offices Closed - Martin Luther King, Jr. Day Holiday

January 19, 2023

Thursday

8:00 AM - 8:00 AM

AMC Board of Directors -- Association of MN Counties, 125 Charles Avenue, St. Paul

January 20, 2023

Friday

7:30 AM - 7:30 AM

Dakota-Scott Workforce Development Board Meeting -- Northern Service Center, 1 Mendota Road West, Room 520, West St. Paul

January 24, 2023

Tuesday

9:00 AM - 9:00 AM

Dakota County Board of Commissioners Meeting -- Administration Center, 1590 Highway 55, Boardroom, Hastings or View Live Broadcast
<https://www.co.dakota.mn.us/Government/BoardMeetings/Pages/default.aspx>

9:30 AM - 9:30 AM

Dakota County Regional Railroad Authority (or following CB) -- Administration Center, 1590 Highway 55, Boardroom, Hastings

10:00 AM - 10:00 AM

Planning Workshop (or following RRA) -- Administration Center, 1590 Highway 55, Conference Room 3A, Hastings

3:00 PM - 3:00 PM

Dakota County Community Development Agency Annual Board and Regular Meeting -- Dakota County CDA, 1228 Town Centre Drive, Eagan



Board of Commissioners

Request for Board Action

Item Number: DC-1751

Agenda #: 18.1

Meeting Date: 1/3/2023

Adjournment