

STATE OF MINNESOTA)
COUNTY OF DAKOTA)
OFFICE OF COUNTY BOARD)

The Dakota County Board of Commissioners convened at 9:01 a.m. on Tuesday, March 22, 2011. The meeting was called to order by Vice Chair Nancy Schouweiler who welcomed everyone and opened the meeting with the Pledge of Allegiance. Roll was called with the following members present:

- Commissioner Kathleen A. Gaylord, District 2
- Commissioner Thomas A. Egan, District 3
- Commissioner Nancy Schouweiler, District 4
- Commissioner Liz Workman, District 5
- Commissioner Paul J. Krause, District 6
- Commissioner Willis E. Branning, District 7

Also in attendance were: Brandt Richardson, County Administrator; James Backstrom, County Attorney; Karen Schaffer, First Assistant County Attorney; and Kelly Olson, Senior Administrative Coordinator to the Board.

Vice Chair Schouweiler asked if there was anyone in the audience who wished to address the County Board on an item not scheduled on the agenda or on any item on the consent agenda. The following appeared:

Joseph Mousel, Burnsville

11-123

Approval Of Agenda

Motion: Comm. Egan

Second: Comm. Branning

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the agenda for the County Board meeting on March 22, 2011, with the following revision:

- Added Item 14.2 – Appointment To Solid Waste Management Advisory Committee – District 5.

ayes 6

nays none

absent 1 Comm. Harris

The consent agenda was then approved as follows:

Motion: Comm. Gaylord

Second: Comm. Workman

11-124

Approval Of Minutes

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the minutes of the regular County Board meeting, held March 1, 2011, as presented and entered in Commissioners' Record 2011.

11-125

Proclamation Of Crime Victims' Rights Week In Dakota County, April 10 - 16, 2011

WHEREAS, justice is not served until all crime victims and those hurt by crime are provided support and assistance in the aftermath of victimization; and

WHEREAS, National Crime Victims' Rights Week provides an opportunity for Dakota County to reflect on the progress made and remaining challenges to ensure that victims' needs are identified and addressed; and

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WHEREAS, Dakota County remains committed to working with victim services programs, criminal and juvenile justice officials, and concerned citizens throughout the County to observe April 10 to April 16, 2011, as National Crime Victims' Rights Week, to recognize the needs and rights of crime victims and survivors.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby proclaims April 10 to April 16, 2011, as Crime Victims' Rights Week and honors crime victims and those who serve them during that week and throughout the year.

11-126**Authorization To Amend 2011 Public Health Budget To Reallocate Public Health Emergency Preparedness Grant Funds**

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

WHEREAS, the State of Minnesota, acting through the Minnesota Department of Health, allocated Public Health Emergency Preparedness (PHEP) grant funding to each Community Health Board; and

WHEREAS, the Dakota County Board of Commissioners adopted the 2011 Public Health budget which included approval to purchase video conferencing equipment with the PHEP grant in the amount of \$13,807; and

WHEREAS, staff recommend video conferencing equipment be purchased for the Public Health Department Operations Center in the amount of \$23,058; and

WHEREAS, staff recommends that the Public Health budget be amended to transfer \$9,251 of PHEP grant funds from the Public Health operations budget to the Public Health Capital Equipment Program (CEP) budget.

NOW, THEREFORE, BE IT RESOLVED, That the 2011 Public Health budget is hereby amended as follows:

EXPENSE

Public Health CEP Budget	\$9,251
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TOTAL EXPENSE	\$9,251
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REVENUE

Public Health Operations Budget	(\$9,251)
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TOTAL REVENUE	(\$9,251)
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11-127**Authorization To Submit Need Determination Application To Increase On-Site License Capacity Of Midwest Special Services, Inc.**

WHEREAS, Minn. Stat. 252.28 and Minn. Rule Part 9525.0036 require that before a license can be issued to expand the capacity of a program providing Day Training and Habilitation services for persons with developmental disabilities, the need for such an expansion must be determined by the Commissioner of the Department of Human Services; and

WHEREAS, this need is partially based upon the recommendation of the County Board of Commissioners in the County in which the program is located; and

WHEREAS, Midwest Special Services, Inc. seeks approval of a Need Determination Application by the Dakota County Board of Commissioners to increase its license capacity from 50 beds to 60 beds at its Apple Valley site, and from 40 beds to 50 beds at its Eagan site; and

WHEREAS, staff has reviewed the Need Determination Application submitted by Midwest Special Services, Inc., and supports the request to increase its on-site license capacity.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to submit a Need Determination Application to the Commissioner of the Minnesota Department of Human Services for Midwest Special Services, Inc., to increase the license capacity at the site located at 14779 Energy Way in Apple Valley from 50 beds to 60 beds, and to increase the license capacity at the site located at 3265 Northwood Circle, Suite 180, in Eagan from 40 beds to 50 beds.

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11-128**Authorization To Submit Grant Application To Minnesota Housing For Family Homelessness Prevention And Assistance Program**

WHEREAS, the Family Homelessness Prevention and Assistance Program (FHPAP) was established by the 1993 Minnesota Legislature 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, and counties may sub-grant some or all funds to other entities; and

WHEREAS, Dakota County initially operated this program in conjunction with Scott and Carver Counties, and beginning with the 1997-1999 biennium, Dakota County became the sole grantee for FHPAP funds administered for Dakota County residents; and

WHEREAS, in Dakota County, the Dakota County Affordable Housing Coalition (AHC) acts as the FHPAP Advisory Committee and, for the grant application due on April 11, 2011, a sub-committee has been established by the AHC to help inform project direction and priorities; and

WHEREAS, staff recommends submitting a grant application to Minnesota Housing for FHPAP funds in the amount of \$341,000 for the period of July 1, 2011, through June 30, 2013.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes submission of a FHPAP grant application to Minnesota Housing in the amount of \$341,000 for the period of July 1, 2011, through June 30, 2013; and

BE IT FURTHER RESOLVED, That, if awarded, the Dakota County Board of Commissioners hereby authorizes the Community Services Director to execute a grant agreement with Minnesota Housing, in the amount of the grant awarded, for the period of July 1, 2011 through June 30, 2013, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That, if awarded, the 2011 Social Services budget is hereby amended as follows:

EXPENSE	
Social Services Budget	\$341,000
TOTAL EXPENSE	\$341,000
REVENUE	
FHPAP Grant Funding	\$341,000
TOTAL REVENUE	\$341,000

11-129**Authorization To Execute Joint Powers Agreements For City And County Collaboration Involving Medication Dispensing To Mission Critical Personnel In Public Health Emergency**

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

WHEREAS, emergencies may occur in the future which will require the Dakota County Public Health Department to collaborate with cities to accomplish rapid prophylaxis of emergency response personnel; and

WHEREAS, staff recommends entering into Joint Powers Agreements with cities for the purpose of improving the emergency response system in Dakota County.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to execute Joint Powers Agreements for closed points of dispensing with the cities of Apple Valley, Burnsville, Eagan, Farmington, Hastings, Inver Grove Heights, Lakeville, Mendota Heights, Rosemount, South St. Paul, and West Saint Paul, effective upon the date of execution through December 31, 2015, substantially as presented to the Community Services Committee of the Whole on March 15, 2011, subject to approval by the County Attorney's Office as to form.

11-130**Approval Of Physical Development Division Citizen Advisory Committee Work Plans For 2011**

WHEREAS, County Policy No.1015 provides direction regarding citizen advisory committees and states that certain citizen advisory committees, including the Parks and Recreation Advisory Committee (PARAC), the Planning Commission (PLANC), and the Farmland and Natural Areas Program Advisory Committee (FNAPAC), are required to consult annually with the County Board to seek concurrence regarding topics on which they will advise the Board; and

WHEREAS, the work plans for PARAC, PLANC, and FNAPAC are partially developed based on the 2011 Strategic Board Priorities.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the 2011 work plans for PARAC, PLANC, and FNAPAC, as presented to the Physical Development Committee of the Whole on March 15, 2011.

11-131**Authorization To Execute Joint Powers Agreements With Independent School Districts 191 And 199 To Implement Enhanced Recycling Program**

WHEREAS, by Resolution No. 04-528 (November 14, 2004), the County Board approved the 2005-2024 Regional/Dakota County Solid Waste Master Plan (Master Plan); and

WHEREAS, one of the directives in the Master Plan is to increase waste abatement activities in communities located in the County; and

WHEREAS, one of the identified barriers for schools to increase their recycling rates is the lack of basic recycling infrastructure such as recycling bins; and

WHEREAS, the County's Enhanced School Recycling Program (Program) has demonstrated an over 40% increase in recycling in the schools in which this Program has been implemented; and

WHEREAS, the Environmental Management Department 2011 budget provides for funding to implement the Program in Dakota County schools for the 2011 – 2012 school year; and

WHEREAS, letters were sent to seven public school districts in Dakota County (excluding 2009 and 2010 participants) to determine the level of interest and level of support that a District and schools could provide; and

WHEREAS, Independent School Districts 191 (Burnsville/Eagan) and 199 (Inver Grove Heights) best meet the Program criteria as proposed for a Joint Powers Agreement, including having an existing recycling program, school leadership capacity, and existing youth groups to help implement the project.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute separate Joint Powers Agreements with Independent School District 191 and 199 for an enhanced recycling program, as substantially presented to the Physical Development Committee of the Whole on March 15, 2011, subject to approval by the County Attorney's Office as to form.

11-132**Authorization To Execute Joint Powers Agreement With Minnesota Department Of Natural Resources For Elevation Data And Authorization To Execute Cost Share Joint Powers Agreement With Dakota County Cities**

WHEREAS, the Minnesota Department of Natural Resources is managing a project to collect digital elevation data in Dakota County; and

WHEREAS, the County desires to partner with the Minnesota Department of Natural Resources to improve the accuracy and resolution of the elevation data; and

WHEREAS, the estimated cost to secure this improved data is \$50,000 in 2011; and

WHEREAS, local cities in Dakota County have verbally agreed to secure funding of \$21,500 in 2011 to reimburse the County for a portion of the cost of the data; and

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WHEREAS, \$5,000 will be allocated from the 2011 Transportation Department budget; and

WHEREAS, \$1,000 will be allocated from the 2011 Parks Department budget; and

WHEREAS, \$1,000 will be allocated from the 2011 Water Resources Department budget; and

WHEREAS, \$21,500 will be allocated from the County's portion of the GIS Enterprise Fund.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a joint powers agreement with the Minnesota Department of Natural Resources for the purchase of improvements to digital elevation data in an amount not to exceed \$50,000, as presented to the Physical Development Committee of the Whole on March 15, 2011; subject to the approval of 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 separate joint powers agreements with participating Dakota County cities to share in the cost of the County's purchase of improvement to digital data from the Minnesota Department of Natural Resources as presented to the Physical Development Committee of the Whole on March 15, 2011; subject to the approval of the County Attorney's Office as to form.

11-133

Authorization To Submit Grant Applications For FY 2012 Parks And Trails Legacy Grant Program

WHEREAS, the 2008 constitutional amendment dedicated a 3/8th percent increased in State sales and use tax to natural resources and clean water, arts and cultural heritage, and parks and trails; and

WHEREAS, State and regional parks and trails receive 14.25% of the new funds, which totaled approximately \$65 million for 2010-2011; and

WHEREAS, approximately \$9 million of these funds were dedicated to a Department of Natural Resources Parks and Trails Legacy Grant Program for 2010-2011; and

WHEREAS, on March 16, 2010 (Resolution No. 10-144), the County Board authorized the submission of five Parks and Trails Grant Program legacy grant applications, from which Dakota County was successful in receiving two grants totaling \$211,000; and

WHEREAS, the Department of Natural Resources Parks is soliciting applications for the FY 2012 Parks and Trails Legacy Grant Program; and

WHEREAS, staff recommends that the County Board approve the submittal of three grants:

\$250,000 for the Lebanon Hills Regional Park connector trail from the Visitor Center to Jensen Lake Picnic area.

\$250,000 for 1.6 miles of the Mississippi River Regional Trail within the eastern portion of Spring Lake Park Reserve.

\$150,000 for 800' of the Big Rivers Regional Trail from the north parking lot to Lilydale Regional Park.

; and

WHEREAS, staff met with staff from the City of Apple Valley who intend to submit a grant application for up to \$250,000 for a one-mile segment of the North Creek Regional Trail-Greenway along Johnny Cake Ridge Road; and

WHEREAS, using the "Greenway Collaborative" approach, the City would be responsible for the design and construction of the project, with Dakota County assuming one-half (\$31,250) of the 25% local funding requirement; and

WHEREAS, if the City's requested grant is successful, specific cost-share terms and responsibilities would be established through a joint powers agreement that would be considered for authorization by the County Board; and

WHEREAS, if any of the County grant requests are awarded by the Minnesota Department of Natural Resources, the County Board will be asked at a future meeting to review the local fund match and consider authorization to execute the grant agreements.

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NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Parks and Open Space Department to submit the following grant applications to the Minnesota Department of Natural Resources for Parks and Trails Legacy Grant funding:

\$250,000 for the Lebanon Hills Regional Park connector trail from the Visitor Center to Jensen Lake Picnic area.

\$250,000 for 1.6 miles of the Mississippi River Regional Trail within the eastern portion of Spring Lake Park Reserve.

\$150,000 for 800' of the Big Rivers Regional Trail from the north parking lot to Lilydale Regional Park.

; and

BE IT FURTHER RESOLVED, That if any grants are awarded they will be presented to the County Board for authorization of local cost share and authorization to execute the grant agreements; and

BE IT FURTHER RESOLVED, That if the City of Apple Valley requested grant is successful, specific cost-share terms and responsibilities would be established via a joint powers agreement that would be considered for authorization by the County Board at a future meeting.

11-134

Authorization To Execute 2011 Lease Agreements For Agricultural Use Of County Property

WHEREAS, properties acquired by the County as additions to regional parks and a proposed resource recovery facility, included land being used for agricultural purposes, and it was determined that the agricultural use could be continued on an interim basis, until such time as resources were available to change the land use; and

WHEREAS, the County developed an agricultural exit strategy to gradually reduce the amount of leased agricultural land by restoring the land to native vegetation; and

WHEREAS, the amount of County-owned agricultural land has been reduced to 213.7 acres and the rate of restoration has been temporarily decreased to zero due to budget constraints; and

WHEREAS, agricultural land remains available for interim use as leased cropland and pastureland, makes future restoration more effective and less costly, and provides limited revenue to the County; and

WHEREAS, staff has negotiated new agricultural lease rates of specified land within Lake Byllesby Regional Park, Spring Lake Park Reserve, the new regional park in Empire Township (former Butler Trust property), and former resource recovery facility site in Empire Township in accordance with Minnesota Statute Section 373.01.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute agricultural lease agreements with the following individuals for use of specified County land at the rates and durations described, subject to approval by the County Attorney's Office as to form:

Alfred and Gordon Bauer, (A & G Ranch), for a lease on no more than 13.7 and 10.3 acres or 24.0 acres of cropland within Spring Lake Park Reserve at a rate of \$103 per acre for a total amount of \$2,472.00 from April 1, 2011, through December 31, 2011.

Doug Felton, for a lease on no more than 24.0 acres of cropland in Lake Byllesby Regional Park at a rate of \$83 per acre for a total amount of \$1,992.00 from April 1, 2011, through December 31, 2011.

Terrence Flower, for a lease on no more than 25.8 acres of pastureland in Spring Lake Park Reserve at a rate of \$48 per acre for a total amount of \$1,238.40 from April 1, 2011, through December 31, 2011.

Darryl Buecksler, for a lease on no more than 104.2 acres of cropland in two areas of the new regional park in Empire Township at a rate of \$134 per acre for a total of \$13,962.80 from April 1, 2011, through December 31, 2011.

Glen Haefs, for a lease on no more than 35.7 acres of cropland in Empire Township at a rate of \$103 per acre for a total of \$3,677.10 from April 1, 2011, through December 31, 2011.

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11-135**Authorization To Execute Agreement With South Shore Development, Inc. And City Of Apple Valley For Future County Right Of Way Along County State Aid Highways 31 And 46**

WHEREAS, to provide a safe and efficient transportation system, Dakota County will enter into an agreement with South Shore Development, Inc. and the City of Apple Valley to preserve and protect right of way along County State Aid Highway (CSAH) 31 and CSAH 46; and

WHEREAS, an agreement is necessary to clarify the rights and responsibilities of the County, of the City, of the developer (South Shore Development, Inc.), and of future fee owners along CSAH 31 and CSAH 46; and

WHEREAS, Dakota County, the City of Lakeville, and the City of Apple Valley have completed the Dakota County CSAH 31 Corridor Transportation Study, which recommends "reserving or protecting an appropriate right of way footprint for a compact urban interchange [of] a minimum of 250 feet of right of way for ¼ mile in each direction from the intersection of CSAH 31 and CSAH 46."; and

WHEREAS, Cobblestone Lake Commercial 3rd Addition in the northeast quadrant of CSAH 31 and 46 has received final plat approval from the City and the County; and

WHEREAS, Outlots M and O, Cobblestone Lake Commercial 3rd Addition, are contiguous to either Dakota County CSAH 31 (Pilot Knob Road) or CSAH 46 (160th Street); and

WHEREAS, the Cobblestone Lake Commercial 3rd Addition plat dedicates 100 feet from the agreed-upon centerlines of CSAH 31 and CSAH 46; and

WHEREAS, the City and County wish to institute measures which will reserve or protect an additional 25 feet east of and adjacent to the 100 foot right of way dedicated for CSAH 31 and north of the 100 foot right of way dedicated for CSAH 46; and

WHEREAS, the City and County also wish to reserve or protect sight triangles at the CSAH 31 and CSAH 46 intersection, measuring an additional 25 feet by 25 feet in all four intersection quadrants; all such areas to reserve or protect are referred to herein as the "Reserve Areas"; and

WHEREAS, the proposed agreement stipulates that the only allowable uses within the Reserve Areas include landscaping, signing, irrigation, stormwater infiltration areas, monuments, pathways and lighting; other uses, such as permanent structures and parking, shall not be permitted; and

WHEREAS, the agreement also stipulates that the County and City will pay fair market value for land needed for highway right of way in the Reserve Area, but shall not be responsible for any additional costs or claims at the time of acquisition, including claims for severance damages or removal or relocation of any facilities constructed within the reserve area; and

WHEREAS, it is the intention of the County to purchase the Reserve Areas from the future fee owners when the right of way is needed for roadway purposes in a manner consistent with County right of way acquisition policies in existence at that time; and

WHEREAS, the County Engineer recommends entering into an agreement with the City of Apple Valley and South Shore Development, Inc. for preservation and future acquisition of right of way.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute an agreement with the City of Apple Valley and South Shore Development, Inc. for right of way preservation, subject to approval by the County Attorney's Office as to form.

11-136**Authorization To Release Master Plan Concept Alternatives For Public Comment For Regional Park In Empire Township**

WHEREAS, Dakota County acquired its newest park in 2008, a 456-acre regional park in Empire Township and adjacent to the 2,840-acre Vermillion Highlands modified Wildlife Management Area (MWMA); and

WHEREAS, on June 22, 2010 (Resolution No. 10-344), the County Board authorized execution of a contract with Sanders, Wacker, Bergly, Inc. (consultant) to prepare a development master plan for the regional park and further refine collaborative recreation on the MWMA; and

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WHEREAS, the development master plan will establish the vision for the new park; identify development, restoration, interagency collaboration and operational needs; and develop a cost estimate and phasing approach for park development; and

WHEREAS, the development master plan is required by the Metropolitan Council and will allow Dakota County to be eligible for future operations and maintenance, capital improvement, and park and trail legacy funding; and

WHEREAS, three draft concept alternatives have been prepared with the following individual themes: 1) Strength through Collaboration, 2) Community Commons, and 3) Northwest Gathering; and

WHEREAS, the draft concept alternatives are guided by the Dakota County Park System Plan and based on comprehensive stakeholder input that included comments from the: Department of Natural Resources (DNR), the University of Minnesota (U of M), Empire Township, Vermillion Highlands Operating and Steering Committees, an interagency Technical Advisory Group, eight focus group meetings, and a public online survey; and

WHEREAS, the draft concepts alternatives all include an outdoor gathering and large events area; year-round trails for hiking, biking, and skiing; a segment of regional trail; an off-leash dog area with hunting and agility training; disc golf course; small to large picnicking areas; an education center with staff offices, indoor and outdoor classrooms; unique cabin camping facilities; a visitor center that could include a café or restaurant; public art; interpretive facilities; wildlife viewing blinds; shared maintenance facilities, and equipment rental; and

WHEREAS, the three alternative draft concepts differ in road alignments and access, circulation, regional trail alignments, primary development locations, recreation facilities, and partnership opportunities; and

WHEREAS, release of the draft concept alternatives for a 30-day public comment period from March 22 to April 21, would provide the opportunity for additional review by the DNR, U of M, and Empire Township, as well as online comments and a public open house.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the release of the three draft concept alternatives for a 30-day public comment period from March 22 to April 21; and

BE IT FURTHER RESOLVED, That the public comments, preferred concept plan, cost estimate, and phased approach for park development shall be brought back to the County Board for consideration at a future meeting.

11-137

Preliminary Approval Of 2011 Farmland Projects, Authorization To Accept Donation Of Agricultural Conservation Easement And Authorization To Submit 2011 Farm And Ranch Lands Protection Program Funding Application To United States Natural Resources Conservation Service

WHEREAS, Dakota County staff worked with the Minnesota Department of Agriculture to develop a State farmland protection plan in 2003; and

WHEREAS, Dakota County has submitted applications to the Farm and Ranch Lands Protection Program (FRPP) of the United States Department of Agriculture Natural Resources Conservation Service (NRCS) from 2003 through 2010, for matching funds to the Farmland and Natural Areas Program (FNAP); and

WHEREAS, per an informational item on July 27, 2010, the Dakota County Board of Commissioners authorized an unofficial 2010 FNAP application round for farmland protection projects, which is being referred to as the 2011 application round to set it apart from the projects being considered as part of the 2010 FRPP application; and

WHEREAS, Dakota County received 19 farmland applications by the August 30, 2010, deadline; and

WHEREAS, the NRCS issued a 2011 FRPP Request for Proposals on March 4, 2011, to provide matching funds to eligible entities for protecting farmland by acquiring permanent agricultural conservation easements; and

WHEREAS, an estimated \$1.1 million of 2011 FRPP funding will be allocated to the State of Minnesota; and

WHEREAS, the federal FRPP funds can be used to provide up to a 50 percent match to acquire permanent, agricultural conservation easements; and

WHEREAS, the anticipated 2011 FRPP funding application deadline is April 1, 2011; and

WHEREAS, the Farmland and Natural Areas Program Advisory Committee (AC) reviewed the 2011 farmland projects at its January 20, 2011, and February 17, 2011, meetings, and ranked the projects as follows:

Rank	Landowner	Estimated Acres	Township	Average Score
1	George and Evelyn Heinrich	147	Greenvale	276
2	James and Judith Wollmering	85	Marshan	131
3	Der Thao	60	Greenvale	126
4	Vernon and Rebecca Volkert	122	Waterford	123
5	Adelmann Family Partnership	77	Greenvale	114
6	Merlyn Schonning`	191	Eureka	111
7	William and Mary Otte	108	Waterford	107
8	Richard Ozment and Marilyn Seehusen	139	Castle Rock	106
9	Nicholas and Lori Stein	102	Hampton	106
10	John and Bernard Rowan	307	Greenvale	99
11	Dean and Sara Taylor	63	Sciota	95
12	RTKC, Inc.	47	Sciota	92
13	Marian Frandrup & Arthur Frandrup Estate 2	107	Hampton	90
14	Kenneth and Kathleen Betzold 2	144	Castle Rock	81
15	Raymond and Lorinda Harstad	77	Castle Rock	80
16	James and Barbara Gilomen	76	Greenvale	75
17	Lawrence and Roxanne Valek	52	Greenvale	74
18	Jon and Deborah Juenke	100	Castle Rock	72
19	Kenneth and Kathleen Betzold 1	134	Castle Rock	66

; and

WHEREAS, the AC recommended that the top ranked Heinrich project be approved for acquisition, since the landowner is willing to donate the entire easement at no cost to Dakota County; and

WHEREAS, the AC recommended that eleven additional projects ranked 2-7 and 9-13, be preliminarily approved by the Dakota County Board of Commissioners, and that staff be authorized to appraise and negotiate to acquire agricultural conservation easements on these properties; and

WHEREAS, the AC recommended that fourteen projects, ranked 2 through 15, be included in a 2011 FRPP application, which provides reserve projects if estimated easement cost s are too high or recommended projects are withdrawn from consideration during negotiations; and

WHEREAS, staff is recommending that the eighth ranked, Ozment/Seehusen project also be included in the list of projects approved for appraisals and negotiations, due to special considerations; and

WHEREAS, the FRPP requires a list of Board-approved easement acquisition projects to qualify for funding; and

WHEREAS, County staff will contact the landowners of the 14 highest ranked 2011 projects to determine if they want to move forward, and as appropriate, be included in the 2011 FRPP application.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the following projects for appraisals and negotiations:

Rank	Landowner	Township
2	James and Judith Wollmering	Marshan
3	Der Thao	Greenvale
4	Vernon and Rebecca Volkert	Waterford
5	Adelmann Family Partnership	Greenvale
6	Merlyn Schonning	Eureka

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7	William and Mary Otte	Waterford
8	Richard Ozment and Marilyn Seehusen	Castle Rock
9	Nicholas and Lori Stein	Hampton
10	John and Bernard Rowan	Greenvale
11	Dean and Sara Taylor	Sciota
12	RTKC, Inc.	Sciota
13	Marian Frandrup & Arthur Frandrup Estate 2	Hampton

; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby accepts the top ranked George and Evelyn Heinrich easement donation; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a purchase agreement for a permanent agricultural conservation easement on the George and Evelyn Heinrich property, 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 County Board Chair to sign the permanent agricultural conservation easement on the George and Evelyn Heinrich property, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the following projects will be included in a 2011 Farm and Ranch Lands Protection Program funding request:

<u>Landowner</u>	<u>Township</u>
James and Judith Wollmering	Marshan
Der Thao	Greenvale
Vernon and Rebecca Volkert	Waterford
Adelmann Family Partnership	Greenvale
Merlyn Schonning	Eureka
William and Mary Otte	Waterford
Richard Ozment and Marilyn Seehusen	Castle Rock
Nicholas and Lori Stein	Hampton
John and Bernard Rowan	Greenvale
Dean and Sara Taylor	Sciota
RTKC, Inc.	Sciota
Marian Frandrup & Arthur Frandrup Estate 2	Hampton
Kenneth and Kathleen Betzold 2	Castle Rock
Raymond and Lorinda Harstad	Castle Rock

; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners authorizes the Physical Development Director to submit a 2011 Farm and Ranch Lands Protection Program funding request for up to \$1.4 million to the Natural Resources Conservation Service; and

BE IT FURTHER RESOLVED, That acquisition expenditures for any of the farmland easement projects, other than the George and Evelyn Heinrich easement, must be approved by the Dakota County Board of Commissioners at a future date; and

BE IT FURTHER RESOLVED, That the 2011 Farmland and Natural Areas Program budget is hereby amended as follows:

Expense	
Closing and other costs associated with the donation of permanent agricultural easement on the George and Evelyn Heinrich property	\$2,500
Total Expense	\$2,500

Revenue	
FNAP Fund Balance	\$2,500
Total Revenue	\$2,500

11-138**Authorize County Attorney To Execute Agreement With West For Electronic Legal Research Resources**

WHEREAS, in 2010, the County Attorney's Office issued a Request for Proposals to evaluate the current pricing and features of electronic legal research resource providers; and

WHEREAS, ongoing access to electronic legal research resources is essential for County Attorney's Office staff to efficiently manage cases and provide legal advice to the County Board and County departments; and

WHEREAS, LexisNexis and West, a Thomson Reuters business, submitted proposals meeting the needs of the County Attorney's Office for electronic legal research resources; and

WHEREAS, West is willing to execute a new three year agreement with the County Attorney's Office for its WestLawNext product with a 50% discount to the cost of all hard copy books purchased by the County Attorney's Office from West; and

WHEREAS, West is willing to sell the product for a set annual fee over the three-year term of the agreement with no annual increase in cost.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners authorizes the County Attorney to execute an agreement with West, a Thomson Reuters business, for a term of three years for the WestLawNext electronic legal research resources at an annual cost of \$30,895.20.

11-139**Schedule Strategic Visioning Retreat**

WHEREAS, Staff recommends that a retreat be held with the Board of Commissioners and senior staff for the purpose of strategic visioning.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby schedules a Board and senior staff Retreat for April 26, 2011, from 1:00 p.m. - 5:30 p.m. at the Schaar's Bluff Gathering Center, Spring Lake Park Reserve, 8395 127th Street East, Hastings, Minnesota.

11-140**Acceptance Of Resignation From Member Of Planning Commission**

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby accepts the resignation received from Steve Chavez, At Large representative on the Planning Commission, and authorizes staff to begin the process to fill this vacancy.

11-141**Appointment Of County Veterans Services Officer**

WHEREAS, Minn. Stat. § 197.60 requires County Boards to appoint a County Veterans Service Officer to a four-year term; and

WHEREAS, Michael Labovitch previously served as Dakota County Veterans Services Officer until his retirement on March 1, 2011; and

WHEREAS, upon completion of a recruitment process, staff recommend the appointment of Lisa M. Thomas to the position of Dakota County Veterans Service Officer from April 4, 2011 to April 3, 2015; and

WHEREAS, Minn. Stat. § 197.60 requires that the first 12 months of this initial appointment shall be a probationary period.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby appoints Lisa M. Thomas as Dakota County Veterans Services Officer for the period of April 4, 2011 to April 3, 2015; and

BE IT FURTHER RESOLVED, That the first 12 months of this initial appointment shall be a probationary period.

11-142

Authorization To Purchase Property And Crime Insurance

WHEREAS, Dakota County purchases commercial insurance for Commercial Property and Crime coverage; and

WHEREAS, current policies on Commercial Property and Crime will expire on April 1, 2011; and

WHEREAS, the Operations Management Director and Risk Manager evaluated the insurance marketplace and recommend renewal of the Commercial Property policy with Affiliated FM Insurance Companies; and

WHEREAS, the Operations Management Director and Risk Manager also evaluated the insurance marketplace and recommend placement of the Crime policy with Zurich Insurance Company.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Operations Management Director to purchase the following insurance, to be paid at current rates from the Operations Management Property Insurance budget:

Property Insurance, including Builders Risk, Boiler & Machinery, EDP, Valuable Papers, Extra Expense and Inland Marine

April 1, 2011–April 1, 2012	Premium	\$132,036	Affiliated FM Insurance
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Money & Securities/Crime

April 1, 2011–April 1, 2012	Premium	\$33,062	Zurich Insurance Company
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11-143

Authorization To Execute Lease Agreement With Edward And Marie Peterson To Rent Single Family Home Within Spring Lake Park Reserve

WHEREAS, in 2008 Dakota County acquired approximately 29 acres of land and a single family home, known as the Wicker property, for the furtherance of the Spring Lake Park Reserve master plan; and

WHEREAS, a preliminary feasibility study was completed to evaluate alternate uses of the home if the property was acquired, including the interim rental of the home; and

WHEREAS, the Parks and Open Space Department determined that the appropriate interim use of the home is for rental income; and

WHEREAS, the Parks and Open Space Department and Facilities Management staff retained a residential property management firm, Executive Realty, to market the home for rent and provide residential property management services; and

WHEREAS, an application to rent the home has been received from Edward and Marie Peterson; and

WHEREAS, Executive Realty is recommending that the Wicker property be leased at the rate of \$2,300 per month for a 24 month period commencing May 1, 2011; and

WHEREAS, Minn. Stat. § 373.01, subd. 1(b) exempts from the bid process a “lease of a residence acquired for the furtherance of an approved capital improvement project.”

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Operations Management Director to execute a residential lease agreement with Edward and Marie Peterson, for use of property located at 13580 Fischer Avenue, Hastings, Minnesota in Spring Lake Park Reserve, for the period of May 1, 2011 through April 31, 2013, at the rate of \$2,300 per month, plus utilities, 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 Operations Management Director to execute a two (2) year renewal of the residential lease agreement with Edward and Marie Peterson, for use of property located at 13580 Fischer Avenue, Hastings, Minnesota in Spring Lake Park Reserve, for the period of May 1, 2013 through April 31, 2015, at the rate of \$2,415 per month, plus utilities, subject to approval by the County Attorney’s Office as to form.

11-144**Approval Of Amendment To Community Development Block Grant Program**

WHEREAS, each year, the Dakota County Board of Commissioners approves the annual Community Development Block Grant (CDBG) Program Action Plan along with the Activity Statement that outlines the activities and allocation of funds; and

WHEREAS, three types of substantial amendments to the CDBG Program are permissible by the US Housing and Urban Development Department (HUD): creation of a new activity or cancellation of an activity; increase or decrease of an activity budget by \$75,000 at one time; and change to the location and/or national objective of an activity; and

WHEREAS, Dakota County CDBG-recipients have been strongly encouraged by the CDA to identify old CDBG funds originally obligated towards currently inactive activities, and redistribute to activities that will be completed within the next 12 months; and

WHEREAS, the City of Farmington has requested one substantial amendment; and

WHEREAS, the substantial amendment is for the cancellation of the commercial rehabilitation activity with a remaining balance of \$18,669.00, and reallocation of funds to the housing rehabilitation activity, with a current balance of \$0 (originally \$36,500) to a new budget of \$18,669.00; and

WHEREAS, public notice of the substantial amendment was placed in the Dakota County Tribune on February 3, 2011, in accordance with the approved Citizen Participation Plan process; and

WHEREAS, no public comments were received on the proposed substantial amendment.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the substantial amendment of the 2004 CDBG Action Plan to cancel the Farmington Commercial Rehabilitation activity with a remaining budget of \$18,669.00, and reallocate the \$18,669.00 to the Farmington Housing Rehabilitation activity.

11-145**Ratification Of Solid Waste Management Coordinating Board Special Project And Amendment Of 2011 Environmental Management Department Budget**

WHEREAS, Dakota County is a member of the Solid Waste Management Coordinating Board (SWMCB); and

WHEREAS, the Minnesota Pollution Control Agency (MPCA) has determined it will make a second disbursement of Metropolitan Landfill Abatement Account (MLAA) funds in the amount of \$898,073.43 directly to SWMCB-member counties through the statutorily-defined Local Recycling Development Grant (LRDG) program; and

WHEREAS, Dakota County's allocation of MLAA funds, based on the number of households, is \$137,008.98; and

WHEREAS, it is recommended that Dakota County accept the MLAA funds from the MPCA to support the County's waste management programs in accordance with the LRDG grant requirements through an amendment to the 2011 Environmental Management Department budget; and

WHEREAS, the SWMCB Joint Powers Agreement allows the SWMCB to undertake special projects that benefit all, or a subset of, the member counties; and

WHEREAS, special projects must be approved by the SWMCB and ratified by the Board of Commissioners of each county that will be assessed for the special project; and

WHEREAS, on February 23, 2011, the SWMCB adopted an amendment to the 2011 SWMCB Regional work plan to include a new special project to address new State Policy Plan-related requirements, including the development of a Regional Solid Waste Master Plan, analyzing Regional data, and providing for Regional waste education; and

March 22, 2011

WHEREAS, to implement the new special project, the SWMCB adopted a funding recommendation for SWMCB-member counties to contribute a total of \$762,000 to the SWMCB, with member-county allocations determined by the number of households; and

WHEREAS, Dakota County's contribution for this special project, proportional to its number of households, is \$116,250.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby ratifies the Solid Waste Management Coordinating Board's (SWMCB) special project to implement the amended 2011 Regional SWMCB work plan at a cost to Dakota County of \$116,250; and

BE IT FURTHER RESOLVED, That this \$116,250, provided to the SWMCB for this special project, shall be from currently budgeted 2011 Environmental Management Department funds; and

BE IT FURTHER RESOLVED, That \$137,008.98 of Local Recycling Development Grant (LRDG) funds received from the Minnesota Pollution Control Agency shall be placed into the 2011 Environmental Management Department budget to be used for the County's current waste management program efforts; and

BE IT FURTHER RESOLVED, That the 2011 Environmental Management Department budget is hereby amended as follows:

Revenue	
Fund Balance	\$116,250.00
Expense	
SWMCB Special Project	\$116,250.00

; and

BE IT FURTHER RESOLVED, That the 2011 Environmental Management Department budget is hereby amended as follows:

Revenue	
LRDG	\$137,008.98
Expense	
County Waste Programs	\$137,008.98

11-146

Approval Of Solid Waste Management Advisory Committee By-Laws

WHEREAS, the Minnesota Pollution Control Agency (MPCA) has revised the Metropolitan Solid Waste Policy Plan (Policy Plan), which establishes a 20-year vision with goals, policies, and objectives for managing the metropolitan area's solid and hazardous waste; and

WHEREAS, in accordance with Minn. Stat. § 473.803 the County is required to revise its current 2004-2030 Dakota County Solid Waste Master Plan (Master Plan) to identify actions Dakota County will undertake toward implementing the incremental objectives of the Policy Plan; and

WHEREAS, Minn. Stat. § 473.803 requires Dakota County to convene a Solid Waste Management Advisory Committee (SWMAC) to aid in revising the Master Plan; and

WHEREAS, through a public notice of recruitment, the County Board has made appointments to the SWMAC; and

WHEREAS, the SWMAC supports staff efforts to address the 2011 Dakota County Board's Strategic Priority to further the use of waste as a resource by revising the Master Plan, to address updated goals and strategies in the State's revised Policy Plan (Res. No. 10-659); and

WHEREAS, the Dakota County Citizen Advisory Membership Policy (Policy No. 1015) requires certain citizen advisory committees, such as the SWMAC, to prepare and adopt by-laws for review by the Dakota County Attorney's Office and to be approved by the Dakota County Board of Commissioners; and

March 22, 2011

WHEREAS, the SWMAC has prepared and adopted by-laws prescribing the rules by which the SWMAC will conduct its business; and

WHEREAS, the Dakota County Attorney's Office has reviewed the SWMAC by-laws.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the Solid Waste Management Advisory Committee by-laws, as presented to the Dakota County Board of Commissioners on March 22, 2011.

11-147**Authorization To Execute Agreement With State Of Minnesota For Institution Community Work Crew**

WHEREAS, Dakota County seeks to improve the natural resources and facilities within the Dakota County Parks and Open Space System; and

WHEREAS, the restoration and management of degraded natural resources and maintenance of park facilities is labor intensive; and

WHEREAS, the Minnesota Department of Corrections offers to public agencies for a fee, a 10-person Institution Community Work Crew (ICWC) Program that puts minimum-security prison inmates to work in the community under the supervision of a state employee crew leader; and

WHEREAS, the intent of the ICWC Program is to provide vocational training for offenders while accomplishing priority labor intensive public projects; and

WHEREAS, for the ICWC Program, the State of Minnesota provides transportation, general supervision, training, and basic tools at its expense; and

WHEREAS, Dakota County has successfully used the ICWC Program and finds this program to be effective and efficient in the accomplishment of labor intensive natural resource management and other work; and

WHEREAS, the use of one 10-person ICWC for a two-year term from May 1, 2011, through April 30, 2013, at a cost of \$82,511 for the first year and \$82,511 for the second year, for a combined cost of \$165,022, would provide increased labor capacity to perform natural resource restoration/management and other labor-intensive projects; and

WHEREAS, the 2011 Dakota County Parks and Open Space Capital Improvement (CIP) Program includes funding for natural resource management projects in the amount of \$125,000, and the 2012 CIP in the amount of \$125,000.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a contract with the State of Minnesota for the provision of one 10-person full-time Institution Community Work Crew, in an amount not to exceed \$165,022, for the period of May 1, 2011, through April 30, 2013, subject to approval by the County Attorney's Office as to form.

11-148**Authorization To Execute Contract Amendment With Toltz, King, Duvall, Anderson And Associates, Inc. For Engineering Services For Mississippi River Regional Trail**

WHEREAS, by Resolution No. 99-526 (September 21, 1999), the Dakota County Board of Commissioners adopted the Draft Mississippi River Regional Trail (MRRT) Development Plan; and

WHEREAS, by Resolution No. 08-617 (December 16, 2008), the County Board authorized a contract with Toltz, King, Duvall, Anderson, And Associates, Inc. (TKDA), in the amount of \$53,900, for engineering services of the MRRT central segment; and

WHEREAS, by Resolution No. 09-367 (July 21, 2009), the County Board amended the contract in the amount of \$8,300, for a new contract total of \$62,200, for additional engineering services necessary to develop and evaluate alignment alternatives; and

WHEREAS, staff administratively amended the contract to extend the term of the contract from December 31, 2009 to August 31, 2010, to allow additional public process; and

March 22, 2011

WHEREAS, on June 22, 2010 (Resolution 10-344) the County Board authorized the third contract amendment with TKDA, in the amount of \$29,000 to evaluate the feasibility of the new Park Lake alignment for a contract total of \$91,200, and to extend the term of the contract to March 31, 2011; and

WHEREAS, on August 10, 2010 (Resolution No. 10-392), the County Board selected the Park Lake Alignment as the preferred alignment; and

WHEREAS, on August 24, 2010 (Resolution No. 10-435) the County Board authorized the fourth contract amendment with TKDA, in the amount of \$67,700 for final design and construction documents, for a contract total of \$158,900; and

WHEREAS, there is a need for additional engineering services to accommodate demands from the Union Pacific Railroad for trestle overhead protection device and security fencing, to design sheet pile retaining walls, and to accommodate private property owner revision requests; and

WHEREAS, staff has negotiated a not-to-exceed fee of \$46,400 for TKDA to accomplish the required additional tasks; and

WHEREAS, the existing contract with TKDA expires March 31, 2011 and staff proposes to extend the term to August 31, 2011; and

WHEREAS, the 2011 Dakota County Capital Improvement Program budget includes adequate funds for the additional engineering services for the MRRT central segment.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a contract amendment with Toltz, King, Duvall, Anderson, and Associates, Inc. for additional design and engineering of the central segment of the Mississippi River Regional Trail, in an amount not to exceed \$46,400, including reimbursements, for a contract total of \$205,300, and to extend the term of the contract to August 31, 2011, subject to approval by the County Attorney's office as to form.

11-149

Approval Of Acquisition And Authorization To Initiate "Quick Take" Condemnation Of Right Of Way For Mississippi River Regional Trail Central Segment

WHEREAS, Dakota County is proceeding with the construction of a 1.2 mile section of the Mississippi River Regional Trail (MRRT) between the Trunk Highway 52 frontage road and an existing trail along Cahill Avenue in Inver Grove Heights; and

WHEREAS, acquisition of right of way is necessary to move forward with this portion of the MRRT; and

WHEREAS, the total appraised value for the needed right of way is \$52,175 and the Parks and Open Space Department Capital Improvement Program (CIP) budget includes adequate funding for MRRT right of way acquisition in 2011; and

WHEREAS, in the event that timely acquisition by direct negotiation of all required parcels does not appear possible, it is necessary to have the County Board authorize the County Attorney to initiate "quick take" condemnation of the remaining parcels to allow a summer 2011 start date.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves acquisition of right of way for this portion of the MRRT as described on Right of Way Map 362 and authorizes payment from the 2011 Parks and Open Space Department CIP budget as follows:

Parcel.		Opinion of
No.	Owner	Value
5(362)	Walter Krech	\$4,050
6(362)	Scott Cunningham	\$46,000
8(362)	Chris Gill & Tammy Gerard	\$1,500
9(362)	Independent School District 199	\$625
Total Appraised Value for MRRT:		\$52,175

; and

March 22, 2011

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the County Attorney to initiate "quick take" condemnation of the remaining parcels to allow for a summer 2011 start date, in the event that timely acquisition by direct negotiations of all parcels does not appear possible.

11-150**Award Of Bid And Authorization To Execute Contract With Dustcoating, Inc. For Purchase And Application Of Chloride On Dakota County Roads**

WHEREAS, to enhance performance and service life of gravel surfacing on the County's gravel roads, the Transportation Department uses liquid material consisting of Magnesium Chloride on specified projects and residential areas; and

WHEREAS, to secure favorable pricing for the 2011 season, the Transportation Department proposes to purchase liquid material jointly with other political subdivisions that have signed a joint purchasing agreement with Dakota County (Resolution No. 04-140; March 23, 2004); and

WHEREAS, it is estimated that approximately 400,000 gallons will be needed for Dakota County's 2011 summer season and that up to 150,000 gallons will be needed for other political subdivisions for a total of 550,000 gallons; and

WHEREAS, one bid was received and tabulated on March 9, 2011; and

WHEREAS, the bid of Dustcoating, Inc. in the amount of \$397,650 is the lowest responsible bid; and

WHEREAS, the County Engineer recommends awarding the bid to Dustcoating, Inc. at the bid rate of \$.723 per gallon for up to 400,000 total gallons of liquid materials and application for Dakota County and up to 150,000 gallons for other political subdivisions; and

WHEREAS, the approved 2011 Transportation Department budget includes \$315,000 for liquid material; and

WHEREAS, depending on the County's needs, the County may increase or decrease quantities ordered throughout the season, but will not exceed the Transportation Department's budget of \$315,000.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby awards the bid and authorizes the Physical Development Director to execute a contract with Dustcoating, Inc. for liquid material and application for Dakota County in an amount not to exceed \$315,000 subject to approval by the County Attorney's Office as to form.

11-151**Award Of Bid And Authorization To Execute Contract With Solberg Aggregate, Inc. For Supplying Crushed Quarry Rock To Resurface County Roads**

WHEREAS, to repair roadway deterioration and to prolong the life of the roadway, the Transportation Department regularly resurfaces gravel roadways; and

WHEREAS, for the 2011 season, Dakota County is proposing to resurface six segments of roadway, totaling approximately 18.2 miles, with crushed quarry rock as follows:

- County Project (CP) 78-05, 2.5 miles of County Road (CR) 78 in Castle Rock Township
- CP 80-17, 2 miles of CR 80 in Castle Rock Township
- CP 80-18, 1 mile of CR 80 in Castle Rock Township
- CP 83-07, 3.3 miles of CR 83 Hampton Township
- CP 94-03, 5.4 miles of CR 94 in Randolph, Sciota and Waterford Townships
- CP 96-05, 4 miles of CR 96 in Greenvale Township

; and

WHEREAS, it is estimated that 34,580 tons of crushed quarry rock will be required for the resurfacing projects; and

WHEREAS, two bids were received and tabulated on March 9, 2011; and

WHEREAS, the bid of Solberg Aggregate, Inc., in the amount of \$295,279, was the lowest responsible bid received; and

WHEREAS, the County Engineer recommends awarding the bid to Solberg Aggregate, Inc.; and

WHEREAS, the approved 2011 Transportation Department budget includes \$700,000 for gravel highway resurfacing.

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 a contract with Solberg Aggregate Inc. for supplying crushed quarry rock for CPs, 78-05, 80-17, 80-18, 83-07, 94-03 and 96-05 in an amount not to exceed \$295,279, subject to approval by the County Attorney's Office as to form.

11-152

Award Of Bid And Authorization To Execute Contract For Traffic Signal Cabinets With ACT Traffic Solutions, Inc. For TS-2 Type 1 Universal Cabinet Assembly

WHEREAS, to promote safety and efficient operation of the highway system, the Transportation Department purchases signal equipment for new signals and for maintenance of existing systems; and

WHEREAS, the approved 2011 Transportation Department Operating Budget includes funds in the amount of \$67,675 under the Traffic Signal Materials for necessary signal equipment needs throughout 2011; and

WHEREAS, the Transportation Department utilizes TS-2 Type 1 Universal Cabinet Assembly Cabinets for new installations, preventative or urgent maintenance of traffic signal systems; and

WHEREAS, the Transportation Department advertised for bids to purchase TS-2 Type 1 ("P" and "R" Style) Universal Cabinet Assembly Cabinets in order to maintain cost effective equipment that meets County needs; and

WHEREAS, three bids were received and tabulated on March 9, 2011; and

WHEREAS, the County Engineer recommends awarding the bid to the responsible low bidder and executing a contract with ACT Traffic Solutions, Inc. for Universal Cabinet Assembly Cabinets at the bid rate of \$6,260 per unit for TS-2 Type 1 ("P" Style) and \$7,275 per unit for TS-2 Type 1 ("R" Style) cabinet; and

WHEREAS, once awarded, the contract prices shall be available to all public agencies that Dakota County has a Joint Purchasing Agreement with at the same prices, terms and conditions under individual contracts with the supplier; and

WHEREAS, depending on the County's needs, the County may increase or decrease quantities ordered throughout the season.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby awards the traffic signal cabinet bid to ACT Traffic Solutions, Inc. for a not to exceed price of \$6,260 per unit for TS-2 Type 1 ("P" Style), and \$7,275 per unit for TS-2 Type 1 ("R" Style) cabinets plus tax, and a total not to exceed contract amount of \$67,725; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a contract with ACT Traffic Solutions, Inc., subject to approval by the County Attorney's Office as to form.

11-153

Authorization To Execute Joint Powers Agreement With Eureka Township For Enforcement Of Local Ordinances

WHEREAS, Eureka Township has requested that the Dakota County Board of Commissioners enter into a joint powers agreement with the township pursuant to which the Dakota County Sheriff would enforce township ordinances by issuing misdemeanor citations; and

WHEREAS, the Dakota County Board of Commissioners has approved a model joint powers agreement for this purpose; and

WHEREAS, Eureka Township has submitted an inventory of township ordinances proposed to be enforced by the Dakota County Sheriff through the issuance of misdemeanor citations; and

March 22, 2011

WHEREAS, the Dakota County Board of Commissioners is willing to enter into the proposed joint powers agreement; and

WHEREAS, the Dakota County Sheriff has agreed to issue misdemeanor citations for violations of Eureka Township ordinances, if the joint powers agreement is approved by the Dakota County Board of Commissioners.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes its Chair to execute a joint powers agreement with Eureka Township, pursuant to which the Dakota County Sheriff may enforce the following township ordinances through the issuance of misdemeanor citations: Ordinance 3, Chapter 7- Domestic and Non-Domestic Animals; Chapter 2- Roads; Chapter 4- Firearms; Ordinance 5, Chapter 4- Noise and Nuisance; Ordinance 8, Chapter 1- Penalties for a term ending December 31, 2012, substantially in the form presented to the Dakota County Board of Commissioners, subject to approval of the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the Dakota County Sheriff shall report to the County Board regarding the volume of services provided to Eureka Township pursuant to the joint powers agreement, prior to any request for a renewal of the joint powers agreement.

11-154

Approval Of Application For Assemblage Of Large Numbers Of People License For Valek Auction

WHEREAS, an application has been submitted by Valek Auctions to hold an auction on April 2, 2011, at the Dakota County Fairgrounds; and

WHEREAS, the Dakota County Board of Commissioners is the local governing body having jurisdiction over the proposed license, and the application has been reviewed for compliance with County Ordinance No. 112 and has been approved by the Public Services and Revenue Division, Physical Development Division, Public Health Department, Risk Management and Sheriff's Office; and

WHEREAS, Castle Rock Township has been notified of said event and does not intend to consider the matter.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the application for Assemblage of Large Numbers of People license received by Valek Auctions to hold an auction to be held April 2, 2011, at the Dakota County Fairgrounds, and authorizes the County Property Taxation and Records Director to issue the license.

END OF CONSENT AGENDA

ayes 6

nays none

absent 1 Comm. Harris

The following items were on the agenda for informational purposes only: Item 8.1 – Report On 2010 Gifts From Dakota County 4-H Federation and Item 8.4 – Report On Invoices Paid In February 2011.

There were no plats presented for approval.

Library Director Ken Behringer presented Item 13.1 – Acceptance Of Gifts To Dakota County Library.

11-155

Acceptance Of Gift To Dakota County Library From Michael And Lola Hendrickson

Motion: Comm. Egan

Second: Comm. Workman

WHEREAS, the Dakota County Board of Commissioners, by Resolution No. 97-261, delegated to the Dakota County Library Board the authority to accept gifts of personal property of not more than \$500 for public library purposes; and

WHEREAS, Michael and Lola Hendrickson donated \$1,350.00; and

WHEREAS, this donation greatly enriches the capacity of Dakota County Library to offer valuable materials and programs to customers; and

March 22, 2011

WHEREAS, the Dakota County Library Board recommends acceptance of this gift.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby accepts the donation of \$1,350.00 from Michael and Lola Hendrickson and expresses its appreciation for this generous gift.

ayes 6 nays none
absent 1 Comm. Harris

**11-156
Acceptance Of Gift To Dakota County Library From Friends Of Pleasant Hill Library**

Motion: Comm. Egan Second: Comm. Workman

WHEREAS, the Dakota County Board of Commissioners, by Resolution No. 97-261, delegated to the Dakota County Library Board the authority to accept gifts of personal property of not more than \$500 for public library purposes; and

WHEREAS, Friends of the Pleasant Hill Library \$750.00 to the Dakota County Library System for Children's Programming and \$502.56 to the Dakota County Library System for shelves and display bags for Juvenile Books with Discs; and

WHEREAS, this donation greatly enriches the capacity of Dakota County Library to offer valuable materials and programs to customers; and

WHEREAS, the Dakota County Library Board recommends acceptance of these gifts.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby accepts the donation of \$750.00 from Friends of the Pleasant Hill Library and expresses its appreciation for this generous gift; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby accepts the donation of \$502.56 from the Friends of the Pleasant Hill Library and expresses its appreciation for this generous gift.

ayes 6 nays none
absent 1 Comm. Harris

**11-157
Acceptance Of Gift To Dakota County Library From Friends Of Wescott Library**

Motion: Comm. Egan Second: Comm. Workman

WHEREAS, the Dakota County Board of Commissioners, by Resolution No. 97-261, delegated to the Dakota County Library Board the authority to accept gifts of personal property of not more than \$500 for public library purposes; and

WHEREAS, Friends of the Wescott Library gave \$35,500.00 to the Dakota County Library System for the Wescott Café Project; and

WHEREAS, this donation greatly enriches the capacity of Dakota County Library to offer valuable materials and programs to customers; and

WHEREAS, the Dakota County Library Board recommends acceptance of this gift.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby accepts the donation of \$35,500.00 from Friends of the Wescott Library and expresses its appreciation for this generous gift.

ayes 6 nays none
absent 1 Comm. Harris

An appointment was made to the Solid Waste Management Advisory Committee.

11-158

Appointment To Solid Waste Management Advisory Committee - District 5

Motion: Comm. Workman

Second: Comm. Branning

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby appoints the following individual to the Solid Waste Management Advisory Committee for a one-year term ending December 31, 2011:

District	Name
5	John Doll

ayes 6

nays none

absent 1 Comm. Harris

11-159

Closed Executive Session: Discuss Labor Negotiation Strategy

Motion: Comm. Gaylord

Second: Comm. Branning

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

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

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby closes the Board meeting on March 22, 2011, and recesses to Conference Room 3A, Administration Center, Hastings, Minnesota, in order to discuss labor negotiations strategy.

ayes 6

nays none

absent 1 Comm. Harris

The time being 9:20 a.m. and pursuant to public notice and Resolution No. 11-159, the County Board convened in Conference Room 3A to hold a Closed Executive Session to discuss Labor Negotiation Strategy.

The following were present:

- Commissioner Kathleen A. Gaylord, District 2
- Commissioner Thomas A. Egan, District 3
- Commissioner Nancy Schouweiler, District 4
- Commissioner Liz Workman, District 5
- Commissioner Paul J. Krause, District 6
- Commissioner Willis E. Branning, District 7
- Brandt Richardson, County Administrator
- James Backstrom, County Attorney
- Karen Schaffer, First Assistant County Attorney
- Kelly Olson, Sr. Administrative Coordinator to the Board
- Nancy Hohbach, Acting Employee Relations Director

The Closed Executive Session continued until 9:53 a.m., at which time the Board reconvened in the Board Room with all members present, except Commissioner Harris.

Received a Legislative Update.

Inter-agency announcements and reports were then presented. The County Administrator's Report followed.

11-160

Adjournment

Motion: Comm. Krause

Second: Comm. Egan

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby adjourns to Tuesday, April 5, 2011.

ayes 6

nays none

absent 1 Comm. Harris

The County Board meeting was adjourned at 10:47 a.m.

Joseph A. Harris
Chair

ATTEST

Brandt Richardson
County Administrator