

## MINUTES

### DAKOTA COUNTY PHYSICAL DEVELOPMENT COMMITTEE OF THE WHOLE

April 12, 2011

14955 Galaxie Avenue, Conference Room L139, Apple Valley, Minnesota

#### 1. CALL TO ORDER AND ROLL CALL

Commissioner Paul Krause, Chair of the Physical Development Committee of the Whole, called the meeting to order at 10:00 a.m., following the Community Services Committee and the Legislative Update. Commissioners in attendance:

- Commissioner Joseph A. Harris, District 1
- Commissioner Kathleen Gaylord, District 2
- Commissioner Thomas 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
- Lynn Thompson, Division Director
- Jay Stassen, Assistant County Attorney
- Jeanne Nash Hoffmann, Administrative Coordinator

#### 2. INTRODUCTION OF NEW STAFF

There was no new staff to introduce this month.

#### 3. AUDIENCE

Chair Krause asked if anyone in the audience wished to address the Committee on an item not on the agenda or if anyone wished to discuss an item on the Consent Agenda. No one came forward.

#### 4. APPROVAL OF THE AGENDA

**Motion by Commissioner Workman, Second by Commissioner Harris**, and passed on a 7-0 vote to approve the agenda as presented on April 12, 2011.

#### 5. CONSENT/INFORMATION AGENDA

**Motion by Commissioner Gaylord, Second by Commissioner Branning** and passed on a 7-0 vote to approve the consent agenda.

##### 5.1 – Minutes Of The March 15, 2011 Meeting

##### 5.2 – Plat Commission Update

This was an information item; no action was requested.

#### 6. REGULAR AGENDA

##### 6.1 Scheduling Of Public Hearing To Receive Comments On Dakota County's Federal Fiscal Year 2011 One Year Action Plan For Community Development Block Grant and HOME Investment Partnerships Program

CDA Director of Community Revitalization Dan Rogness briefed the Committee. Discussion was held on the potential unknown budget cuts for 2011; it is assumed the cuts will be higher than the figures presented to the Committee as Attachment A. Direction was given to again contact the cities explaining the assumed major budget cut projections and ask if they wish to change their requests. The Committee further directed that the second resolve be removed from the resolution that authorized proportional increases/decreases to individual activities once the final HUD budgets for CDBG and HOME were known.

**Motion by Commissioner Egan, Second by Commissioner Schouweiler** and passed on a 7-0 vote to recommend that the County Board adopt the following resolution with the above noted resolve removed.

WHEREAS, Dakota County is an Entitlement County for funds through the Community Development Block Grant (CDBG) Program and a Participating Jurisdiction for the HOME Investment Partnership (HOME) Program with a requirement by the U.S. Department of Housing and Urban Development (HUD) that a One-Year Action Plan be submitted by Dakota County; and

WHEREAS, the Dakota County Community Development Agency (CDA) administers the CDBG and HOME Programs on behalf of Dakota County, thereby requiring agreements between HUD and Dakota County for the CDBG and HOME funds and between Dakota County and the Dakota County CDA for CDBG and HOME program administration; and

WHEREAS, the requested public hearing is to receive comments and inform the public on the Dakota County 2011 One Year Action Plan that outlines the strategies and objectives for the proposed allocation of 2011 CDBG and HOME funds to local governments in the County; and

WHEREAS, Dakota County CDA staff have worked with participating communities to identify CDBG and HOME activities for Federal Fiscal Year 2011 (FFY11); and

WHEREAS, the proposed activities for the U.S. Department of Housing and Urban Development (HUD) funds meet the housing and community development priorities established in the Five Year Consolidated Plan (2010-2014) that was approved by the County Board on May 4, 2010 (Resolution No. 10-230); and

WHEREAS, at this time, the final FFY11 CDBG and HOME budgets have yet to be released by HUD; and

WHEREAS, CDA staff recommends using a 7.5 percent reduction in FFY11 CDBG and HOME budgets from FFY10 for a FFY11 CDBG budget of \$1,713,000 and FFY HOME budget of \$760,000; and

WHEREAS, CDA staff recommends funding 30 CDBG eligible activities for the 12 cities with populations more than 10,000 with direct allocation funding, 4 CDBG eligible activities with competitive pool funds for cities and townships with populations less than 10,000, and 3 countywide activities with the FFY11 CDBG funds; and

WHEREAS, CDA staff recommends funding four HOME activities as follows: new construction (75%), unallocated CHDO (Community Development Housing Organization) project (15%), and administration (10%) with FFY11 HOME funds.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby schedules a public hearing on May 3, 2011, at 9:00 a.m., in the Boardroom, Administration Center, Hastings, MN, to receive comments on the Federal Fiscal Year 2011 One-Year Action Plan, including proposed CDBG activities estimated to total \$1,713,000 and HOME funded activities expected to total \$760,000 (of the Consortium total of \$2,295,000); and

BE IT FURTHER RESOLVED, That staff of the Dakota County CDA is hereby authorized and directed to publish the public hearing notice in the *Dakota County Tribune* and the *Rosemount Town Pages* and to post the notice on the Dakota County CDA website and the Dakota County website.

## **6.2 – Update On Community Energy And Greenhouse Gas Inventory**

Office of Planning and Analysis Director Heidi Welsch, and Environmental Initiatives Specialist Theresa DiMarco briefed this item. Kari Palmer, Vice Chair of the City of Eagan Energy and Environment Advisory Committee, addressed the Committee and told them how the City of Eagan would use this study.

This was an information item; no action was requested.

### **6.3 – Approval Of Addition To Vermillion River Wildlife Management Area**

Land Conservation Manager Al Singer briefed this item and responded to questions. Bob Welsh, Assistant Regional Wildlife Manager with the DNR and Bob Fashingbauer, Area Wildlife Manager with the DNR were in attendance and responded to questions.

**Motion by Commissioner Harris, Second by Commissioner Workman** and passed on a 7-0 vote to recommend that the County Board adopt the following resolution:

WHEREAS, Dakota County and the Minnesota Department of Natural Resources (DNR) have been working cooperatively since 2005 to establish and manage the Vermillion Highlands complex in central Dakota County as a large public open space for trail use, hunting and other types of compatible recreation and nature study; and

WHEREAS, Dakota County, through the Farmland and Natural Areas Program, has provided the DNR with \$2 million of funds to acquire and expand the Vermillion River Aquatic and Wildlife Management Area (VRWMA); and

WHEREAS, on February 25, 2011, the Minnesota Department of Natural Resources (DNR) Section of Wildlife signed a two-month option to purchase 110 acres from David and Betty Adelman (subject property) as an addition to the VRWMA; and

WHEREAS, by state statute 97A.145 subd. 2, the DNR must receive County Board approval for establishing or adding to a state Wildlife Management Area; and

WHEREAS, the DNR must receive County Board approval for adding the subject property to the VRWMA by April 25, 2011, in order to exercise its existing option to purchase; and

WHEREAS, this portion of the subject property is adjacent to the western boundary of the VRWMA and the southwest corner of the new regional park in Empire Township; and

WHEREAS, the Dakota County Park System Plan identifies a single north-south connection via the Vermillion Highlands Greenway Regional Trail (VHGRT) extending from the Vermillion River Greenway Regional Trail (VRGRT) to the new park in Empire Township; and

WHEREAS, the VHGRT alignment options from the Vermillion River to the new park were evaluated with the establishment of the VRWMA, which resulted in an agreement between Dakota County and the DNR for two potential regional corridors; and

WHEREAS, these corridor alternatives would provide the connection between the VRGRT and the new park, but are located within areas of the VRWMA that would require closing the trail during particular hunting seasons; and

WHEREAS, the DNR, Empire Township and County staff discussed a new western VHGRT corridor that includes a portion of the subject property; and

WHEREAS, County staff evaluated this western trail alignment within the subject property and found it is technically feasible, provides a high quality recreation experience, and according to the DNR, could be open year-round because of the limited type of hunting planned within this portion of the proposed VRWMA; and

WHEREAS, the evaluation did not estimate improvement costs or regulatory obligations associated with a boardwalk crossing of a wetland, and did not confer with a private landowner south of the subject property necessary for the continuance of the VHGRT to the VRGRT; and

WHEREAS, the DNR remains obligated to providing a single corridor from the VRGRT to the new regional park per the VRWMA agreement, but asked that Dakota County consider using a western alternative through the subject property since it provides the intended trail connection and accommodates hunters and trail users and has provided a written letter of commitment to the County; and

WHEREAS, if the DNR is successful in acquiring additional adjoining land it would further accommodate the trail corridor as needed; and

WHEREAS, the DNR has secured all necessary acquisition funding for acquiring the subject property and will be responsible for payment in lieu of taxes for the property.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the addition of the 110-acre David and Betty Adelman property to the Vermillion River Aquatic and Wildlife Management Area, subject to a DNR letter committing to a 35-foot wide, permanent trail easement and necessary temporary construction easement on the Adelman property for the preferred VHGR alignment; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby directs staff to work with the DNR and Empire Township to refine the preferred VHGR alignment through DNR land as part of the current park master plan and review this with the County Board at a future meeting.

**DIRECTOR'S REPORT**

Physical Development Director Lynn Thompson presented her update to the Committee.

**ADJOURNMENT**

**Motion by Commissioner Workman, Second by Commissioner Gaylord** to adjourn the Physical Development Committee of the Whole meeting at 11:00 a.m.

A Dakota County Regional Railroad Authority Meeting was held, immediately following the Physical Development Committee meeting in Conference Room L139.

Respectfully submitted:

Jeanne Nash Hoffmann  
Administrative Coordinator