

August 2, 2011

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

The Dakota County Board of Commissioners convened at 9:00 a.m. on Tuesday, August 2, 2011. The meeting was called to order by Chair Joseph Harris who welcomed everyone and opened the meeting with the Pledge of Allegiance. Roll was called with the following members present:

- Commissioner Joseph A. Harris, District 1
- 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; Karen Schaffer, First Assistant County Attorney; and Kelly Olson, Senior Administrative Coordinator to the Board.

Chair Harris 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. No one appeared.

11-360

Approval Of Agenda

Motion: Comm. Gaylord

Second: Comm. Egan

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the agenda for the County Board meeting on August 2, 2011, with the following revisions:

- Removed Item 7.1– Authorization To Purchase Storage Area Network (SAN);
- Announced Dakota-Scott Youth Council Meeting will be held on August 5, 2011 and no Tree Trust Picnic will be held this year (Item 17.1 – Future Board Meetings and Other Activities); and
- Item 10.1 – Scheduling Of County Board Workshop On 2030 Transportation Plan Update was moved from the Consent Agenda to the Regular Agenda.

ayes 7

nays none

At this time, Al Singer, Land Conservation Manager, presented the National Association of Counties (NACo) 2011 Achievement Award for the Vermillion River Corridor Plan and recognized the following staff for their contributions: Katherine Carlson, Mary Hagerman, Mary Jackson, Paula Liepold, Mark Zabel and Soil and Water Conservation District staff member, Dave Holmen.

At this time, Kurt Chatfield, Senior Planner, presented the NACo 2011 Achievement Award for the Greenway Collaborative and recognized the following staff for their contributions: John Mertens, Dan Patterson, Steve Sullivan and Al Singer.

The consent agenda was then approved as follows:

Motion: Comm. Branning

Second: Comm. Gaylord

11-361

Approval Of Minutes

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the minutes of the regular County Board meeting, held July 12, 2011, as presented and entered in Commissioners' Record 2011.

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11-362**Authorize Upgrade To Voice Over Internet Protocol (VoIP) Telephone System**

WHEREAS, the County's current telephone system is sixteen years old and should be upgraded to be able to take advantage of new telephone technologies; and

WHEREAS, the Information Technology Department recommends that the majority of the current PBX telephone system with a voice-over-internet-protocol (VoIP) telephone system; and

WHEREAS, the Information Technology Department has developed a proposed upgrade to VoIP that is reasonable in cost and which will result in a cost savings of \$403,707 over three years; and

WHEREAS, the Information Technology Department recommends that Transcend United Technologies, LLC be engaged to install, configure and maintain the VoIP telephone system, with VoIP components and handsets acquired from Avaya, the successor company to Nortel; and

WHEREAS, the current method of connecting to VoIP telephone systems is session initiative protocol (SIP), a fiber optic technology; and

WHEREAS, of the two companies with SIP capacity to serve the Western Service Center and the Northern Service Center, Information Technology recommends a lease with Frontier Communications Corporation, on the basis of its low quote.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Director of Information Technology to execute an agreement with Transcend United Technologies, LLC for the acquisition of VoIP components, handsets and associated software and for the installation and configuration of the VoIP telephone system, in an amount not to exceed \$794,835 (including sales tax), subject to approval as to form by the County Attorney's Office; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Director of Information Technology to execute an agreement with Transcend United Technologies, LLC for three years of maintenance of the VoIP telephone system, in an amount not to exceed \$370,900, subject to approval as to form by the County Attorney's Office; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Director of Information Technology to execute a three-year lease of SIP trunking from Frontier Communications Corporation, in an amount not to exceed \$220,000, subject to approval as to form by the County Attorney's Office.

11-363**Proclamation Of Child Support Awareness Month, August 2011**

WHEREAS, by investing in children we secure their future, as well as the future of Dakota County; and

WHEREAS, many concerned and dedicated child support workers, clerks of court, attorneys, magistrates, and judges diligently work to establish and enforce child support obligations for over 15,000 Dakota County families each year; and

WHEREAS, August is National Child Support Awareness Month; and

WHEREAS, staff requests that the County Board proclaim August as Child Support Awareness month in Dakota County to recognize the importance of the Child Support Program in helping families achieve self-sufficiency.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby proclaims August 2011 as Child Support Awareness Month in Dakota County; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby extends its appreciation to the dedicated child support staff, clerks of court, attorneys, magistrates, and judges who diligently work to establish and enforce child support obligations for Dakota County families.

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11-364**Authorization To Execute Joint Powers Agreement With School Districts For Early Intervention Services**

WHEREAS, Dakota County Social Services and Dakota County Public Health are partners with the county school districts in providing interagency early intervention services to young children at risk for developmental delays; and

WHEREAS, Dakota County has previously had costs associated with these interagency early intervention services reimbursed by one school district serving as the fiscal agent for Dakota County Interagency Early Intervention Committee; and

WHEREAS, the Minnesota Department of Education funding will flow directly to the individual school districts for school year 2011-2012 rather than to a fiscal agent; and

WHEREAS, Independent School Districts 6, 191, 192, 194, 195, 196, 197, 199, and 200 have indicated that each intends to continue purchasing the services previously provided by Dakota County Social Services and Dakota County Public Health; and

WHEREAS, Independent School Districts 6, 191, 192, 194, 195, 196, 197, 199, and 200 have negotiated the framework of scope and nature of services to be provided under a Joint Powers Agreement with Dakota County for the purpose of continuing interagency early intervention services consistent countywide; and

WHEREAS, the Joint Powers Agreement will be offered to any and all Dakota County school districts based on the agreed services and reimbursement to be provided.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to execute a Joint Powers Agreement with any school district in the county, including Independent School Districts 6, 191, 192, 194, 195, 196, 197, 199, and 200, for health and human services related interagency early intervention system services, effective upon the date of execution through June 30, 2012, containing the elements noted herein, subject to approval by the County Attorney's Office as to form.

11-365**Authorization For Sentencing To Service Program To Offer Services To Waiver And Alternative Care Clients And To Private Non-Profit Entities**

WHEREAS, the Sentencing to Service (STS) Program has been providing a cost-effective jail alternative in Dakota County since 1991; and

WHEREAS, by Resolution No. 09-629 (December 15, 2009) the Dakota County Board of Commissioners authorized the Community Services Director to enter into contracts with Dakota County municipalities and to Lakeside Cemetery to provide STS crews as a way to recoup some of the costs of the STS program.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Sentencing to Service Program to offer services to waiver and alternative care clients, to private non-profit entities, and to governmental entities; and

BE IT FURTHER RESOLVED, That staff will investigate opportunities to expand the Sentencing to Service Program to offer services to private for-profit entities and follow-up with a recommendation to the County Board.

11-366**Award Of Bid And Authorization To Execute Contract With Max Steininger, Inc. For Construction Of Lebanon Hills Regional Park Visitor Center Phase II Project**

WHEREAS, by Resolution No. 01-361 (May 15, 2001), the Dakota County Board of Commissioners adopted the Lebanon Hills Regional Park Master Plan (master plan); and

WHEREAS, the master plan provides direction for the development of Lebanon Hills Regional Park; and

WHEREAS, the 2003 opening of the Lebanon Hills Visitor Center was the first major improvement project guided by the master plan and is considered "Phase I" of the visitor center campus development; and

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WHEREAS, the master plan provides direction on additional development near the visitor center to improve recreational experience, ecological condition and other objectives; and

WHEREAS, by Resolution No. 10-073 (February 9, 2010), the County Board approved a preferred development concept plan for the visitor center campus area; and

WHEREAS, pursuant to advertisement, bids were received for the Phase II project until 2:00 p.m. on July 19, 2011; and

WHEREAS, based on the bids, staff recommends the acceptance of the base bid and alternatives #1, 2, 3, 6 and 8; and

WHEREAS, the bid of Max Steining, Inc. in the base bid amount of \$1,289,951, and alternative #1 in the amount of +\$211,851, alternative #2 in the amount of +\$0.01 (one cent), alternative #3 in the amount -\$78,000, alternative #6 in the amount of -\$73,000 and alternative #8 in the amount of +\$2,000 was the lowest responsible bid received; and

WHEREAS, the approved 2011 Parks and Open Space Capital Improvement Program includes \$1,418,000 for this project.

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 Max Steining, Inc. for the Lebanon Hills Regional Park Visitor Center Phase II Project, in the amount not to exceed \$1,352,802.01, including the base bid and alternatives #1, 2, 3, 6 and 8, subject to approval by the County Attorney's Office as to form.

11-367

Reallocation Of Funding Sources For 16.8 Acre Grannis, Grannis, O'Brien Permanent Natural Area Conservation Easement

WHEREAS, by Resolution No. 03-334 (June 17, 2003), the Dakota County Board of Commissioners adopted Farmland and Natural Areas Program (FNAP) guidelines; and

WHEREAS, these guidelines include a County funding cap of \$5,000 per acre for a permanent conservation easement on private property; and

WHEREAS, by Resolution No. 11-302 (June 21, 2011), the Dakota County Board of Commissioners authorized expending \$323,000 to acquire a 16.8-acre permanent natural area conservation easement on the Grannis/ Grannis/O'Brien property in Inver Grove Heights; and

WHEREAS, by Resolution No. 11-302 (June 21, 2011), the Dakota County Board of Commissioners approved a budget amendment to use \$193,000 of FNAP bond funds and \$130,000 of DNR Metro Greenways program funds for the Grannis/Grannis/O'Brien easement; and

WHEREAS, existing County Board policy limits the amount of County funding for the 16.8-acre Grannis/Grannis /O'Brien easement to no more than \$84,000 of FNAP funds; and

WHEREAS, the County has received state fiscal year 2010 (FY 10) Outdoor Heritage funds for Marcott Lakes and other shoreline protection projects; and

WHEREAS, FY10 Outdoor Heritage funds can be used to replace the portion of FNAP funds greater than the \$5,000 acre funding cap previously allocated for the Grannis/Grannis/O'Brien easement; and

WHEREAS, the \$109,000 of the FNAP funds can be used to replace FY10 Outdoor Heritage funds and be allocated for the phase II Marcott Lakes acquisition project.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby amends the 2011 Farmland and Natural Areas Program budget as follows:

Expense	
Acquisition of the Grannis/Grannis/O'Brien easement	\$320,000
Closing and other associated acquisition costs	3,000
Total Expenses	\$323,000

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Revenue	
FNAP Fund Balance	\$84,000
Metro Greenways	130,000
FY10 Outdoor Heritage Fund	109,000
Total Revenue	\$323,000

11-368**Authorization To Execute Separate Joint Powers Agreements With Cities Of Apple Valley, Burnsville, Eagan, And Lakeville For County Maintenance Of City Traffic Signals**

WHEREAS, to promote a safe and efficient transportation system throughout Dakota County, the County's Transportation Plan (Policy P.10) provides for traffic signal maintenance assistance to the cities on a reimbursable basis; and

WHEREAS, in 2007, Dakota County executed separate agreements with the cities of Apple Valley, Burnsville, Eagan, and Lakeville to provide County maintenance for city traffic signals at a reimbursable annual charge; and

WHEREAS, to provide more responsive maintenance to the cities and reduce administration of amendments, it is requested that the County Board authorizes the County Engineer to accept additional new city signals for county maintenance and initial installation assistance based on the Engineer's evaluation of staff and resource availability to perform the work; and

WHEREAS, the County Engineer recommends entering into a new separate joint powers agreement with each of the cities to incorporate language for maintaining signals, denoting the County Engineer's authority to approve the addition of city signals for county maintenance when requested by the cities, and to establish an annual fee process consistent with the Dakota County fee assessments; and

WHEREAS, the new agreement establishes the 2011 cost of services at \$1,400 per signal for the County to provide routine maintenance and urgent service calls for traffic signals and \$1,600 for initial set-up, to be prorated for the term of July 1, 2011 to December 31, 2011; and

WHEREAS, the fees are based on assessment of all costs associated with signal maintenance including staff time, vehicles, equipment, material and overhead costs; and

WHEREAS, a budget amendment to the Transportation Department's Operating Budget may be requested to reflect the \$3,236 increase in expense and revenue; and

WHEREAS, under the terms of the new agreement, the maintenance and set-up assistance rates will be evaluated annually to adjust for actual costs as part of the Dakota County Transportation Fee Schedule; and

WHEREAS, the cities have reviewed the new agreement language and fees and all are amenable of execution of the new agreement; and

WHEREAS, the new signal maintenance agreements will supersede the existing agreements with the cities.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute new separate joint powers agreements, as substantially presented to the Physical Development Committee on July 26, 2011, for County maintenance of city owned signals with the cities of Apple Valley, Burnsville, Eagan, and Lakeville, 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 Engineer to accept additional city signals for County maintenance based on the Engineer's evaluation of staff and resource availability to perform the work; and

BE IT FURTHER RESOLVED, That the 2011 Transportation Department's Operating Budget is hereby amended as follows:

Expense	
Transportation Operating Budget for	
City Maintenance	\$3,236
Total Expense	\$3,236

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Revenue

City Maintenance Share	
Transportation Operating Budget for	
City Maintenance	\$3,236
Total Revenue	\$3,236

11-369**Approval Of Refined Concept For New Regional Park Development Master Plan**

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

WHEREAS, the development master plan will establish the new park vision; identify development, restoration, interagency collaboration and operational needs; and develop a cost estimate and phasing approach for park development, and is required by the Metropolitan Council to be eligible for future operations and maintenance, capital improvement, and park and trail legacy funding; and

WHEREAS, with input from the Minnesota Department of Natural Resources (MDNR), the University of Minnesota (UM), Empire Township, an interagency Technical Advisory Group, and extensive public engagement, three draft concept alternatives were prepared with the following themes: 1) Strength through Collaboration, 2) Community Commons, and 3) Northwest Gathering; and

WHEREAS, the draft concepts included events areas, trails, a regional trail segment, an off-leash dog area, disc golf, picnicking, an education center, unique camping cabins, a visitor center that could include a café, public art, interpretive facilities, wildlife viewing blinds, and shared maintenance facilities; and

WHEREAS, two concepts featured a collaborative agricultural educational area for community gardens and fruit, nut, and other food crops; and

WHEREAS, the concepts differed in road access, regional trail alignments, development locations, and partnership opportunities; and

WHEREAS, the draft concept alternatives entered a 30-day public comment period from March 22 to April 21, with concept presentations to the Vermillion Highlands Operations and Steering committees; parks committees for Empire, Rosemount, Farmington, and Lakeville; and an open house on April 18; and

WHEREAS, stakeholder agency and public comments have been incorporated into a preferred refined concept, which places major gathering areas in the park's eastern plateau and northern stovepipe, with events areas, trails throughout the park, an off-leash dog area, disc golf, picnicking, an education center, unique camping cabins, a visitor center that could include a café, public art, interpretive facilities, wildlife viewing blinds, and maintenance facilities; and

WHEREAS, the refined concept provides major access on a future internal park road and regional trail segment; and

WHEREAS, the refined concept provides collaborative recreation opportunities on the Vermillion Highlands with the Lone Rock equestrian and hiking trail and trailhead with future re-location of the equestrian uses to the northern portion of the MWMA; a developed river use area on the south side of the Vermillion River in the Vermillion River Aquatic Management Area and a primitive river use area in the Vermillion River Wildlife Management Area south of the end of Annette Avenue; and a collaborative agricultural educational area for community gardens and fruit, nut, and other food crops, all subject to further refinement discussions with the MDNR and UM.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the refined concept as the foundation of the draft development master plan for the new regional park, as presented to the Physical Development Committee meeting on July 26, 2011.

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11-370**Adoption Of County Project 50-17, Highway 50 And 60 Intersection Study Recommendations**

WHEREAS, the Dakota County Transportation Department and the City of Lakeville conducted a study to assess the operation and develop a long-term improvement measure for County State Aid Highway (CSAH) 50 (Kenwood Trail) and CSAH 60 (185th Street); and

WHEREAS, the study included evaluation and a public involvement process to determine future intersection improvements to address safety and mobility while considering costs; and

WHEREAS, a signalized intersection with increased capacity and full multi-lane (2 lanes in all directions) roundabout alternatives were evaluated; and

WHEREAS, while both alternatives could operate acceptably given the expected traffic volumes, the roundabout has a lower cost, greater safety benefit, and better operation during the peak periods and throughout the day compared to the signalized intersection option; and

WHEREAS, the final study recommendation of a multi-lane roundabout at the intersection meets the objectives of safety and mobility and was supported by the Lakeville City Council on July 18, 2011; and

WHEREAS, the County Engineer recommends adoption of the County Project (CP) 50-17 Study recommendations for the CSAH 50 (Kenwood Trail) and CSAH 60 (185th Street) intersection, including implementation of a multi-lane roundabout as the most cost effective measure to accommodate current and future traffic volumes in a safe and efficient manner.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby adopts the County Project Study for the CSAH 50 and CSAH 60 intersection, as presented to the Physical Development Committee on July 26, 2011.

11-371**Acceptance Of Resignation From Member Of Human Services Advisory Committee**

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby accepts the resignation received from Fardosa Hassan, District 5 representative on the Human Services Advisory Committee, and authorizes staff to begin the process to fill this vacancy.

11-372**Award Of Bids And Authorization To Execute Contracts With Palmer West Construction Company, Inc. For Roof Replacements At Pleasant Hill Library And Western Service Center**

WHEREAS, funding for the replacement of roofs at the Pleasant Hill Library and the Western Service Center is included in the 2011 Building Capital Improvement Program (CIP) as follows:

Pleasant Hill Library	\$272,000
Western Service Center	<u>\$606,000</u>
	\$878,000

; and

WHEREAS, bid documents were prepared by project consultant Roof Spec, Inc.; and

WHEREAS, pursuant to advertisement, bids were received on June 30, 2011 for both projects; and

WHEREAS, the bids from Palmer West Construction Company, Inc. in the amount of \$125,300 for the Pleasant Hill Library and \$422,700 for the Western Service Center were the lowest responsible bids received; and

WHEREAS, County staff and the consultant have reviewed the contractor's ability to perform the work and recommend awarding both bids to Palmer West Construction.

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NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby awards the bids to and authorizes the Operations Management Director to execute contracts with Palmer West Construction Company, Inc., 149595 James Road, Rogers MN 55374 for roof replacements at the Pleasant Hill Library in an amount not to exceed \$125,300 and at the Western Service Center in an amount not to exceed \$422,700, subject to approval by the County Attorney's Office as to form.

11-373**Rescission Of Resolution No. 11-353 And Authorization Of 2012 Farmland And Natural Areas Program Application Round**

WHEREAS, by Resolution No. 02-90 (January 29, 2002), the Dakota County Board of Commissioners adopted a Farmland and Natural Area Plan (FNAP) in response to citizen concerns; and

WHEREAS, the County Board has undertaken development of a comprehensive, long-term land conservation vision for Dakota County that includes Regional/County parks, multi-purpose greenways, natural areas, farmland and open space buffer corridors; and

WHEREAS, interest in voluntary land protection continues, with receipt of 11 unsolicited pre-applications for farmland and natural area protection totaling 1,005 acres; and

WHEREAS, there is an estimated \$2.3 million balance of uncommitted Farmland and Natural Areas Program bond funds for farmland protection and a \$659,000 balance for natural area protection; and

WHEREAS, available FNAP funds will likely continue leveraging future non-County funds for protection of farmland and natural areas through the federal Farm and Ranch Lands Protection Program, the state Outdoor Heritage Fund, and other sources; and

WHEREAS, a new FNAP application round will maintain interest in and visibility of the County's land conservation vision and goals.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby rescinds Resolution No. 11-353, adopted July 12, 2011; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes a 2012 Farmland and Natural Areas Program application round with a final application deadline of November 15, 2011.

11-374**Rejection Of Bids Received For County State Aid Highway 70 In Lakeville, County Project 70-18**

WHEREAS, Dakota County is proceeding with County Project (CP) 70-18 for the milling, bituminous reclamation and repaving on County State Aid Highway (CSAH) 70 from Kensington Boulevard to CSAH 23 in Lakeville; and

WHEREAS, pursuant to advertisement, bids were received for CP 70-18 on July 26, 2011; and

WHEREAS, four bids were received and all exceeded the engineer's estimate; and

WHEREAS, the low bid in the amount of \$2,580,630 exceeds the engineer's estimate by \$169,624 or 7%; and

WHEREAS, Federal funds in the amount of \$1,508,850 have been programmed for CP 70-18; and

WHEREAS, the 2011-2015 Transportation Capital Improvement Program (CIP) budget includes insufficient funding in Pavement Preservation and Safety & Management projects in 2011 to cover the County's share of the project; and

WHEREAS, the County Engineer recommends that all bids be rejected; and

WHEREAS, CP 70-18 will be advertised for bids in spring 2012 for summer 2012 construction.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby rejects all bids for County Project 70-18 as recommended by the County Engineer; and

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NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby schedules a County Board workshop for September 20, 2011, at 10:00 a.m. or following the Community Services Committee of the Whole meeting in the Northern Service Center, Conference Room 520, West Saint Paul for the purpose of reviewing the final draft Dakota County 2030 Transportation Plan document and of significant changes prior to County Board authorization to release the draft Dakota County 2030 Transportation Plan document for public review and comment.

ayes 7

nays none

B.J. Battig, Risk Management and Homeland Security Manager, presented Item 12.1 – Authorization To Execute Joint Powers Agreement With Cities And Townships In Dakota County That Own Outdoor Warning Sirens To Implement Narrow Banding.

11-377

Authorization To Execute Joint Powers Agreement With Cities And Townships In Dakota County That Own Outdoor Warning Sirens To Implement Narrow Banding

Motion: Comm. Krause

Second: Comm. Gaylord

WHEREAS, the Minnesota Department of Public Safety (MDPS) received a grant of monies from the United States Department of Homeland Security (2010 Homeland Security Grant Program) for improvements to homeland security preparedness; and

WHEREAS, by Resolution No. 10-616 (November 16, 2010), the Dakota County Board of Commissioners approved the execution of a 2010 UASI Grant with the MDPS that included a spending plan for narrow banding outdoor warning sirens; and

WHEREAS, individual outdoor warning sirens are owned and maintained by various entities including cities and townships; and

WHEREAS, the Federal Communications Commission (FCC) has established Rules and Regulations which require the reconfiguration of radio transmitters and receivers used in conjunction with the outdoor warning siren system by January 1, 2013; and

WHEREAS, failure to comply with FCC Rules and Regulations may subject the County and/or the Cities to possible sanctions including loss of FCC license authority and/or fines; and

WHEREAS, representatives of the Cities and Dakota County staff (Siren Work Group) have been planning a method to narrow band equipment used by the Dakota Communications Center (DCC) to activate outdoor warning sirens as well as individually owned/operated sirens across the County; and

WHEREAS, the Siren Work Group has recommended a migration strategy including funding assistance to local communities to narrow band individual siren radio transmitter/receivers using technology that will provide additional redundancy, faster signaling methods, and capability for future siren status monitoring; and

WHEREAS, the DCC joint power's board and several cities have adopted resolutions supporting the recommendations of the Siren Work Group; and

WHEREAS, a Joint Powers Agreement between each local government and the County must be executed in order for the local government to access Dakota County's master contract for narrow banding and to receive financial assistance through 2010 Homeland Security Grant program.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Operations Management Director to execute a Joint Powers Agreement for Outdoor Warning Siren Narrow Banding with Dakota County Cities and Townships, and the master contract described in the Joint Powers Agreement, subject to approval by the County Attorney's Office as to form and substantially as presented on August 2, 2011.

ayes 7

nays none

Mark Krebsbach, Transportation Director, presented Item 13.1 – Authorization To Execute Agreement With City Of St. Paul For Revocation Of County Road Status On County Road 45.

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11-378

Authorization To Execute Agreement With City Of St. Paul For Revocation Of County Road Status For Segment Of County Road 45

Motion: Comm. Egan

Second: Comm. Harris

WHEREAS, to allow the appropriate jurisdiction to provide the most effective maintenance and operation of roadways, the County transfers jurisdictions of roads to cities or townships by revoking County Road status; and

WHEREAS, jurisdictional transfers are accomplished in accordance with Minn. Stat. 163.11; and

WHEREAS, County Road (CR) 45 is identified in the Transportation Plan for transfer; and

WHEREAS, this segment of CR 45 is bounded by land owned by the City of St. Paul; and

WHEREAS, the City of St. Paul is interested in assuming ownership of the roadway to better accommodate park improvements and operations on the adjacent park properties; and

WHEREAS, entering into a revocation agreement is necessary to formally transfer jurisdiction and maintenance of the 1.2 mile segment of roadway from the eastern property boundary of the St. Paul Pool and Yacht Club to the County limits; and

WHEREAS, based upon the estimate costs for improvements to the roadway, Dakota County will pay the City of St. Paul \$145,000; and

WHEREAS, the 2011 Transportation Capital Improvement Program Budget includes \$500,000 for jurisdictional classification; and

WHEREAS, upon the date of revocation the City of St. Paul will assume total responsibility for all maintenance, repair, reconstruction, traffic control and such other matters concerning the roadway.

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 St. Paul for the purpose of revoking County Road status for a segment of County Road 45 upon execution of a revocation agreement with compensation of \$145,000 to the City of St. Paul, subject to approval by the County Attorney's office as to form; and

BE IT FURTHER RESOLVED, That upon execution of the agreement, the Dakota County Board of Commissioners hereby revokes County Road status of a portion of County Road 45 located in Sections 13 and 14, Township 28 North, Range 23 West, Dakota County, Minnesota, described as follows:

Beginning at the intersection of the existing centerline of said CR 45 and the northerly line of a highway easement described in Document No. 1584166; thence northeasterly along said centerline of CR 45, as built, in all that part of Government Lots 6, Government Lot 7, and Government Lot 8, said Section 14, and all that part of Government Lot 1, said Section 13, to the north line of said Government Lot 1, which is also the north line of said Section 13 and also the common boundary of Dakota County and Ramsey County, Minnesota, and said line there terminating.

ayes 7

nays none

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

The County Board meeting recessed at 10:22 a.m. The meeting reconvened at 12:10 p.m. in Conference Room 3A with all members present.

11-379

Closed Executive Session: Mid-Year Performance Evaluation Of County Administrator

Motion: Comm. Schouweiler

Second: Comm. Egan

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

WHEREAS, the Dakota County Board of Commissioners desires to meet to conduct a mid-year evaluation of the performance of the County Administrator.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby closes the County Board meeting on August 2, 2011, and recesses to Conference Room 3A, Administration Center, Hastings, Minnesota, to conduct a mid-year evaluation of the performance of the County Administrator.

ayes 7

nays none

The time being 12:10 p.m. and pursuant to public notice and Resolution No. 11-379, the County Board convened in Conference Room 3A to hold a Closed Executive Session To Discuss Mid-Year Performance Evaluation Of County Administrator.

The following were present:

- Commissioner Joseph A. Harris, District 1
- 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

The Closed Executive Session continued until 12:55 p.m., at which time the Board reconvened in the Conference Room 3A with all members present.

**11-380
Adjournment**

Motion: Comm. Gaylord

Second: Comm. Krause

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby adjourns to Tuesday, August 23, 2011.

ayes 7

nays none

The County Board meeting was adjourned at 12:55 p.m.

Joseph A. Harris
Chair

ATTEST

Brandt Richardson
County Administrator