

MINUTES

DAKOTA COUNTY PHYSICAL DEVELOPMENT COMMITTEE OF THE WHOLE

August 16, 2011

1 Mendota Road, West St. Paul, Conference Room 520, West St. Paul,, 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 9:00 a.m. Commissioners in attendance:

Commissioner Kathleen Gaylord, District 2
 Commissioner Thomas Egan, District 3
 Commissioner Liz Workman, District 5
 Commissioner Paul J. Krause, District 6
 Commissioner Willis E. Branning, District 7 (arrived at 9:30 a.m.)

Absent:

Commissioner Joseph Harris, District 1

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

Community Services Division introduced the following new staff.

Community Services Administration: Diane Kruger
Employee and Economic Assistance: Terra Schuman, Heidi Norvold, Ashley Boyd, Pay Shoung, Sarah Noble, and Robin Samulenas
Social Services: Eric Grumdahl, Beth Zavalney Nigon

Physical Development Division introduced the following new staff.

Water Resources - Joshua Peterson, Water Resources– Engineer

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.

At this time, Sheriff David Bellows presented a plaque to 12 year old Amelia Foster for raising and donating \$1,955 to provide a protection vest for Dakota County Deputy Matt Schuster's K9 Ace. Amelia raised the money with a four-day garage sale. Additional funds were donated by Tops Pizza of Rosemount.

4. APPROVAL OF THE AGENDA

Motion by Commissioner Gaylord, Second by Commissioner Egan, and passed on a 5-0 vote (in the absence of Commissioners Harris and Branning) to approve the agenda as presented on August 16, 2011.

5. CONSENT/INFORMATION AGENDA

Motion by Commissioner Gaylord, Second by Commissioner Workman, and passed on a 5-0 vote (in the absence of Commissioners Harris and Branning) to approve the consent agenda.

5.1 – Minutes Of The July 26, 2011 Meeting

5.2 – Authorization To Execute Amendments To Joint Powers Agreements With Cities And Rural Solid Waste Commission For 2012 Funds

WHEREAS, the Dakota County Board of Commissioners supports the development and implementation of waste reduction, reuse, and recycling programs in Dakota County communities; and

WHEREAS, Dakota County receives State grants to support waste management activities in communities; and

WHEREAS, the County Board has, since 1989, provided performance-based funding for a portion of the costs incurred by cities and the Rural Solid Waste Commission (RSWC) for operating local reduction, reuse, and recycling activities through an annual application process; and

WHEREAS, effective January 1, 1992, the County and the cities/RSWC entered into separate joint powers agreements (Agreements) to provide for cooperation and funding between the County and the cities/RSWC to implement and operate a local comprehensive landfill abatement program; and

WHEREAS, each year the Agreements are amended to revise funding amounts to reflect changes in the number of housing units and waste management priorities; and

WHEREAS, proposed funds are divided into operation and education, recycling container, and Local Negotiated Initiative Funds (LNIF); and

WHEREAS, a base fund plus an allocation per household are used to determine the proposed fund allocation for operations and education; and

WHEREAS, in 2012, the recycling container funds are proposed for public area recycling; and

WHEREAS, the LNIF provides funding for cities or the RSWC to implement specific strategies that support Regional/Dakota County Solid Waste Master Plan outcomes, as part of a County/community workplan; and

WHEREAS, community funding amounts are approved by the County Board each year, as part of the Environmental Management Department budget.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute amendments to the existing Joint Powers Agreements with cities and the Rural Solid Waste Commission to provide community funding for 2012, as presented to the Physical Development Committee of the Whole on August 16, 2011, subject to funding levels approved by the County Board as part of the 2012 budget, and subject to approval by the County Attorney's Office as to form.

5.3 – 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

WHEREAS, by Resolution No.10-344 (June 22, 2010), 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, by Resolution No. 10-392 (August 10, 2010), the County Board selected the Park Lake Alignment as the preferred alignment; and

WHEREAS, by Resolution No. 10-435 (August 24, 2010), 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, by Resolution No. 11-148 (March 22, 2011), the County Board authorized the fifth contract amendment with TKDA, in the amount of \$46,400, for securing railroad authorizations required and additional detailed engineering, for a contract total of \$205,300, and extended the term to August 31, 2011; and

WHEREAS, soon after the last amendment was processed, additional issues developed that had to be resolved to meet a federal funding deadline of June 30, 2011; and

WHEREAS, the additional issues and need for engineering services included redesigning a portion of the trail to comply with new direction provided by the Minnesota Department of Transportation (Mn/DOT) regarding American with Disability Act standards, plan and right of way modifications due to a previously unknown hydrant, and providing extensive efforts to facilitate communication with the Union Pacific Railroad and Mn/DOT's Federal Aid and right of way representatives to insure state and federal approval; and

WHEREAS, staff negotiated an amount of \$10,000 for the additional services; 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 the amount not to exceed \$10,000, including reimbursements, for a contract total of \$215,300, subject to approval by the County Attorney's office as to form.

5.5 – Plat Commission Update

This was an information item; no action was requested.

6. REGULAR AGENDA

Commissioner Branning took his chair at 9:30 a.m.

6.1 –Update On Abatement Of Failing Septic System In Ravenna

Water Resources Director David Swenson briefed the Committee on the 152 septic systems in the floodplain areas of Dakota County that were inspected in 2006 and 2007. He reported that of this number, 63 were deemed failing; 62 of these systems have been corrected to date. A property owned by Vernon and Roxanne Napper of 21849 Ravenna Trail, has the only remaining failing septic system that has not been corrected. A Notice of Violation was issued in 2009 to Mr. and Mrs. Napper. Mr. Swenson explained the attempts by staff and the homeowner to upgrade the septic system. He explained the Stipulation Agreement that is being suggested to resolve the situation. With this Agreement, the County would upgrade the system at the lowest quote, of \$12,045 and then come to the County Board for approval of a special assessment. Discussion was held on other costs and penalties that could be added to the special assessment. The County Board can set the length of repayment, the interest rate, and what staff costs to include. When the action is presented to County Board to set the Special Assessment, staff will lay out options for repayment terms for the County Board. This item was for information only at this time; no action is requested.

DIRECTOR'S REPORT

Lynn Thompson, Physical Development Director, provided her update to the Committee. Mark Krebsbach provided an update on the status of federal transportation funding.

ADJOURNMENT

Motion by Commissioner Egan, Second by Commissioner Workman to adjourn the Physical Development Committee of the Whole meeting at 10:03 a.m. Motion carried.

Respectfully submitted:



Jeanne Nash Hoffmann
Administrative Coordinator