

December 13, 2011

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

The Dakota County Board of Commissioners convened at 9:04 a.m. on Tuesday, December 13, 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; James Backstrom, County Attorney; 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.

11-570

Approval Of Agenda

Motion: Comm. Gaylord

Second: Comm. Krause

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the agenda for the County Board meeting on December 13, 2011, as presented.

ayes 7

nays none

The time being 9:06 a.m., and pursuant to public notice, a public hearing was conducted for the purpose of receiving comments on the Dakota County 2030 Transportation Plan (Agenda Item 5.1). Mark Krebsbach, Transportation Director, presented this item. Interested parties desiring to be heard were afforded the opportunity to address the County Board. The following appeared:

Kevin Raun, Representing DARTS

11-571

Closing Of Public Hearing

Motion: Comm. Schouweiler

Second: Comm. Egan

BE IT RESOLVED, That the public hearing is closed.

ayes 7

nays none

The consent agenda was then approved as follows:

Motion: Comm. Krause

Second: Comm. Branning

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11-572**Approval Of Minutes**

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the minutes of the regular County Board meeting, held November 15, 2011, as presented and entered in Commissioners' Record 2011.

11-573**Seek County Board Direction And Authorization To Execute Joint Powers Agreement With City Of Hastings For Fleet Services**

WHEREAS, the City of Hastings Police Chief approached the Dakota County Operations Management Director about receiving fleet management services for the Hastings Police Department's 25 vehicles in an effort to reduce their operating costs and improve the service level and condition of their fleet of vehicles; and

WHEREAS, the Dakota County Board of Commissioners and the City of Hastings support opportunities to share resources for the benefit of their constituents; and

WHEREAS, Dakota County has existing fleet shop space and the skill sets to provide these services; and

WHEREAS, Dakota County will use part of the labor revenue generated to hire a 1.0 FTE Special Limited Term Temporary fleet technician; and

WHEREAS, Dakota County will use the remaining labor revenue to cover other fleet staffing issues through overtime on an as needed approved basis; and

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the County Administrator to execute a one-year Joint Powers Agreement with the City of Hastings Police Department, for Fleet Management Services, effective January 1, 2012 through December 31, 2012, subject to approval by the County Attorney's Office as to form.

11-574**Authorization To Execute Contract With Midway Training Services, Inc. For Office Support Services For Community Services Division**

WHEREAS, the Dakota County Community Services Division issued a Request for Proposal (RFP) on August 1, 2011, for the purchase of Office Support Services to complement its' workforce; and

WHEREAS, the Community Services Division requires flexible staffing at the Northern Service Center to accomplish common functions, such as scanning, and to manage special projects and respond to cyclical or periodic work demands; and

WHEREAS, eight proposals were reviewed by the selection team based on criteria such as the provision of a flexible workforce to cover a wide variety of projects and daily assignments, evidence of the ability to develop creative strategies to complete work assignments, provision of direct supervision of all employees assigned to work in Dakota County facilities, and experience in setting quality assurance standards to insure that work is accurately completed on a timely basis; and

WHEREAS, the selection team recommends that services be purchased from Midway Training Services, Inc., based on the excellence of their original proposal, competitive rates, quality assurance standards and an innovative approach to doing business.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to execute a contract with Midway Training Services, Inc., for the purchase of onsite Office Support Services using County equipment, at the rates as referenced in the Resolution, in an amount not to exceed \$184,600, for the period of January 1, 2012 through December 31, 2012, with an option to renew the contract for one additional year through December 31, 2013 based on the quality of work provided and funding availability, subject to approval by the County Attorney's Office as to form, as follows:

<u>Rate</u>	<u>Volume of Work</u>
\$10.00 per hour	Volume of work is equal to or greater than 500 hours per month
\$12.00 per hour	Volume of work is less than 500 hours per month

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(Rates for offsite work and lease of equipment will also be included in the contract)

; and

BE IT FURTHER RESOLVED, That the Community Services Director is hereby authorized to amend said contact, alter rates within the amount budgeted annually, type of services provided, and the contract term, consistent with County contracting policies, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the contract shall contain a provision that allows the County to immediately terminate the contract in the event sufficient funds from county, state, or federal sources are not appropriated at a level sufficient to allow payment of the amounts due.

11-575

Authorization To Execute Amendment To Cooperative Agreement With Anoka, Chisago, Dakota, Hennepin, Isanti, Ramsey, Sherburne, And Washington Counties For Nonemergency Medical Access Transportation Services

WHEREAS, in July 2004, the Department of Human Services (DHS) implemented the Minnesota Nonemergency Transportation (MNET) program to improve services and control costs; and

WHEREAS, under MNET, DHS contracted with Medical Transportation Management, Inc. (MTM), a medical transportation management company (broker), to determine the appropriate level of transportation service for eligible publicly funded health care program enrollees statewide and make access transportation services (ATS) arrangements for fee-for-service enrollees in the eleven-county metropolitan area; and

WHEREAS, in 2009, there was a cost shift from the state to the counties for nonemergency medical ATS, and 2009 Legislative action transferred the administration and coordination of ATS from the state to counties in the eleven county metropolitan area effective July 1, 2009; and

WHEREAS, Anoka County executed a master contract with MTM, Inc. that allowed Anoka and the other metropolitan area counties continued use of MTM, Inc., for ATS transportation services for the period of July 1, 2009, through June 30, 2010; and

WHEREAS, because approximately half of the ATS trips were provided for Hennepin County clients, Hennepin County agreed to issue a Request for Proposal (RFP) and execute a master contract with the selected medical transportation management company for broker services effective July 1, 2010; and

WHEREAS, the selected medical transportation management company billed Hennepin County for the administrative costs and then Hennepin billed each participating county for that county's administrative costs based on the number of rides for recipients from their county; and

WHEREAS, a Cooperative Agreement between Anoka, Chisago, Dakota, Hennepin, Isanti, Ramsey, Sherburne, and Washington Counties is required in order for Dakota County to reimburse Hennepin County for Dakota County's share of the administrative costs.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to execute an amendment to the Cooperative Agreement with Anoka, Chisago, Dakota, Hennepin, Isanti, Ramsey, Sherburne, and Washington Counties for the provision of nonemergency medical access transportation services for eligible Medical Assistance and MinnesotaCare recipients, to extend the time period of the Agreement through December 31, 2012, with the option to extend the Agreement for an additional one-year term through December 31, 2013, with approval by some or all parties, subject to approval by the County Attorney's Office as to form.

11-576

Authorization To Execute Contracts For Sex Offender Treatment

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to execute contracts with Patricia Orud, Pathways Psychology, Project Pathfinder, Inc., and Veracity Research, Inc., for sex offender treatment services, for the period of January 1, 2012 through December 31, 2012, subject to approval by the County Attorney's Office as to form, as follows:

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<u>Service</u>	<u>2012 Rate</u>	<u>Unit of Service</u>
Patricia Orud		
Sex Offender Assessment	\$1300	Assessment
Sex Offender Assessment at Jail	\$1400	Assessment
Sex Offender Assessment at Jail When Offender Refuses to Cooperate	\$200	Assessment
Project Pathfinder, Inc.		
Abel Screen Exam	\$215	Exam
Individual/Conjoint Sessions	\$135	Session
Group Therapy	\$65	Session
Care Coordination	\$26	Month
Phallometric Exams	\$425	Exam
Pathways Psychology		
Sex Offender Assessment	\$1300	Assessment
Veracity Research, Inc.		
Sexual History Exam, Full Disclosure	\$406	Exam
Maintenance Exam	\$354	Exam
Instant Offense/Specific Issue	\$354	
No-Show	\$136	
Terminated During Pretest Interview	50% of Full Rate	
Terminated During Testing Phase	Full Rate	
Retake on Inconclusive	No Charge	

; and

BE IT FURTHER RESOLVED, That a sliding fee scale will be applied to the expense for sex offender treatment services with Project Pathfinder, Inc.; and

BE IT FURTHER RESOLVED, That the fee charged to the offender is \$50 for a polygraph exam or \$136 if the offender is a No-Show for the polygraph exam appointment; and

BE IT FURTHER RESOLVED, That the contracts shall contain a provision that allows the County to immediately terminate the contracts in the event sufficient funds from county, state or federal sources are not appropriated at a level sufficient to allow payment of the amounts due; and

BE IT FURTHER RESOLVED, That the Community Services Director is hereby authorized to amend said contracts, within the amount budgeted, to alter the number of clients served, types of services provided, service rates, and contract term, consistent with County contracting policies, subject to approval by the County Attorney's Office as to form.

11-577**Authorization To Execute Contracts For Domestic Violence Education**

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to execute a contract with Children's Home Society and Family Services for domestic violence education services to offenders, at the unit rates of \$269.64 per group session for men's groups, \$184.49 per group session for women's groups, and \$510 per group session for adolescent's groups regardless of the number of attendees for the period January 1, 2012 through December 31, 2012, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the Community Services Director is hereby authorized to include in the executed contract with Children's Home Society and Family Services \$1,773 for an evaluation of the effectiveness of the contracted services provided during calendar year 2012; and

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BE IT FURTHER RESOLVED, That the fee charged to the adult offender for domestic violence education services provided by Children's Home Society and Family Services in 2012 is \$25 per group session and for those offenders who must restart a program, a one-time administrative surcharge fee of \$25 will be charged; and

BE IT FURTHER RESOLVED, That a sliding fee scale will be applied to the cost for domestic abuse and anger management services for offenders ages 13 up to 18; and

BE IT FURTHER RESOLVED, That the Community Services Director is hereby authorized to execute a contract with La Oportunidad, Inc., for domestic violence education services to Latino-speaking male and female offenders, at the rate of \$70.97 per client per group session for the Phase 1 Latinos Ending Abuse Program (LEAP) and \$56.78 per client per group session for the Phase II (Intensive Domestic Violence) program for the period of January 1, 2012 through December 31, 2012, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the fee charged to the offender for domestic violence education services provided by La Oportunidad, Inc., for 2012, is \$75; and

BE IT FURTHER RESOLVED, That the contracts shall contain a provision that allows the County to immediately terminate the contracts in the event sufficient funds from county, state or federal sources are not appropriated at a level sufficient to allow payment of the amounts due; and

BE IT FURTHER RESOLVED, That the Community Services Director is hereby authorized to amend said contracts, within the amount budgeted, to alter the number of clients served, types of services provided, service rates, and contract term, consistent with County contracting policies, subject to approval by the County Attorney's Office as to form.

11-578

Authorization To Execute Contracts For Sentencing To Service

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to execute contracts with cities, school districts, General Security Services Corporation, Lakeside Cemetery and other entities within the County for the purchase of guaranteed work crew days, at a rate of \$425.36 per day for the period of January 1, 2012 through December 31, 2012, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That these contracts shall contain a provision that allows the County to immediately terminate the contract in the event sufficient funds from county, state or federal sources are not appropriated at a level sufficient to allow payment of the amounts due; and

BE IT FURTHER RESOLVED, That the Community Services Director is hereby authorized to amend said contracts, within the amount budgeted, to alter the number of work crews and crew days, service rates, and contract term, consistent with County contracting policies, subject to approval by the County Attorney's Office as to form.

11-579

Authorization To Execute Contract For Driving With Care And Thinking For A Change Group Services

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to execute a contract with Create, Inc. for Driving With Care and Thinking for a Change Group services, at the rates listed for the period of January 1, 2012 through December 31, 2012, subject to approval by the County Attorney's Office as to form, as follows:

<u>Service</u>	<u>2012 Rate</u>
Driving With Care Group (with two facilitators)	\$275 per session
Driving With Care Group (with one facilitator)	\$177 per session
Thinking For A Change Group	\$300 per session

; and

BE IT FURTHER RESOLVED, That the fee charged to the offender is \$45 per Driving With Care curriculum workbook; and

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BE IT FURTHER RESOLVED, That the contract shall contain a provision that allows the County to immediately terminate the contract in the event sufficient funds from county, state or federal sources are not appropriated at a level sufficient to allow payment of the amounts due; and

BE IT FURTHER RESOLVED, That the Community Services Director is hereby authorized to amend said contract, within the amount budgeted, to alter the number of clients served, types of services provided, service rates, and contract term, consistent with County contracting policies, subject to approval by the County Attorney's Office as to form.

11-580**Authorization To Execute Contracts With Sue Flannigan And LouAnn Oppitz For General Education Degree Testing Services**

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to execute contracts with Sue Flannigan and LouAnn Oppitz for General Education Degree testing services at the Juvenile Services Center at the rate of \$25/hour for the period of January 1, 2012 through December 31, 2012, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That these contracts shall contain a provision that allows the County to immediately terminate the contract in the event sufficient funds from county, state or federal sources are not appropriated at a level sufficient to allow payment of the amounts due; and

BE IT FURTHER RESOLVED, That the Community Services Director is hereby authorized to amend said contracts, within the amount budgeted, to alter the number and types of clients served, type of services provided, service rates, and contract term, consistent with County contracting policies, subject to approval by the County Attorney's Office as to form.

11-581**Authorization To Execute Contract With Purusha Project For Yoga And Art Instruction**

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to execute a contract with The Purusha Project for yoga and art instruction services at \$150.00 per group session for the period of January 1, 2012 through December 31, 2012, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That there is an additional \$25.00 per participant fee for each individual beyond 10 in the group; and

BE IT FURTHER RESOLVED, That this contract shall contain a provision that allows the County to immediately terminate the contract in the event sufficient funds from county, state or federal sources are not appropriated at a level sufficient to allow payment of the amounts due; and

BE IT FURTHER RESOLVED, That the Community Services Director is hereby authorized to amend said contract, within the amount budgeted, to alter the number and types of clients served, type of services provided, service rates, and contract term, consistent with County contracting policies, subject to approval by the County Attorney's Office as to form.

11-582**Authorization To Execute Contract With Lopno And Associates, LLC For Psychological Evaluation Services For Juveniles**

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to execute a contract with Lopno and Associates, LLC, for a fee of \$955.00 per psychological evaluation service for juveniles for the period of January 1, 2012 through December 31, 2012, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That this contract shall contain a provision that allows the County to immediately terminate the contract in the event sufficient funds from county, state or federal sources are not appropriated at a level sufficient to allow payment of the amounts due; and

BE IT FURTHER RESOLVED, That the Community Services Director is hereby authorized to amend said contract, within the amount budgeted, to alter the number and types of clients served, type of services provided, contract rates, and contract term, consistent with County contracting policies, subject to approval by the County Attorney's Office as to form.

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11-583**Authorization To Execute Amendment To Grant Agreement With Minnesota Department Of Human Services For Case Management Services For Substance Abusing/Dependent Offenders**

WHEREAS, Dakota County is in need of increased services for high-risk adult offenders with substance abuse/dependency issues; and

WHEREAS, by Resolution No. 08-089 (February 26, 2008), the Dakota County Board of Commissioners authorized the submission of a grant application to the Minnesota Department of Human Services, (DHS), Chemical Health Division, in an amount not to exceed \$200,000 for the period of July 1, 2008 through June 30, 2010; and

WHEREAS, by Resolution No. 08-253 (May 20, 2008), the Dakota County Board of Commissioners authorized the Community Services Director to accept the grant award and execute a grant agreement with the Minnesota Department of Human Services, Chemical Health Division, in the amount of the grant awarded, subject to approval by the County Attorney's Office as to form; and

WHEREAS, by Resolution No. 10-178 (April 6, 2010), the Dakota County Board of Commissioners authorized the Community Services Director to execute a grant extension with the Minnesota Department of Human Services, Chemical Health Division, for the period of July 1, 2010 through June 30, 2013; and

WHEREAS, Dakota County has been notified by the Department of Human Services, Chemical Health Division, that Dakota County Community Corrections has been awarded an additional \$100,000 for the period of July 1, 2012 through June 30, 2013, to provide intensive case management and continuing care services for individuals with substance use issues/disorders involved in the criminal justice system.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to accept and execute a grant amendment with the Minnesota Department of Human Services, Chemical Health Division, in the amount of the grant awarded for the period of July 1, 2012 through June 30, 2013, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the County Administrator's 2012 recommended budget for Community Corrections will include the following:

Expense	
POS	\$50,000
Total Expense	\$50,000
Revenue	
Intensive CM-DHS	\$50,000
Total Revenue	\$50,000

11-584**Authorization To Execute Contract With Medical Transportation Management, Inc. For Transportation Services For Minnesota Family Investment Program Participants**

WHEREAS, Dakota County has provided the Minnesota Family Investment Program (MFIP) Transportation Program since 2005; and

WHEREAS, the program allows MFIP participants with significant barriers to transportation access rides to pre-employment services, such as meetings with employment counselors, English language training, and job search activities; and

WHEREAS, Medical Transportation Management, Inc. became the new provider of MFIP transportation services beginning on January 1, 2011, as a result of a 2010 Request for Proposal (RFP) process, primarily due to their cost-effectiveness and expanded service to rural Dakota County; and

WHEREAS, on November 18, 2011, the Dakota-Scott Workforce Investment Board approved a contract with Medical Transportation Management, Inc. in an amount not to exceed \$110,000 for the period of January 1, 2012 through December 31, 2012.

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NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to execute a contract with Medical Transportation Management, Inc., for transportation for Minnesota Family Investment Program participants, at a cost per trip of \$17.63, in an amount not to exceed \$110,000 for the period of January 1, 2012 through December 31, 2012, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the Community Services Director is hereby authorized to amend said contract, within the amount budgeted, to alter the number and types of clients served, type of services provided, contract amount, and the contract term, consistent with County contracting policies, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the contract shall contain a provision that allows the County to immediately terminate the contract in the event sufficient funds from county, state, or federal sources are not appropriated at a level sufficient to allow payment of the amounts due.

11-585

Ratification Of Federal Transit Administration Job Access And Reverse Commute Grant, Authorization To Execute Grant Agreement With Metropolitan Council, And Authorization To Amend 2011 Employment And Economic Assistance Budget

WHEREAS, on September 21, 2011, the Metropolitan Council notified Dakota County that the grant project submitted by Dakota County Workforce Services to provide transportation services to eligible Minnesota Family Investment Program (MFIP) participants had been approved in the amount of \$106,900 for the period of October 1, 2011 through September 30, 2013; and

WHEREAS, Dakota County administers the Minnesota Family Investment Program (MFIP) for eligible participants; and

WHEREAS, Dakota County has provided a MFIP Transportation Program since 2005, that allows MFIP participants with significant barriers to transportation access rides to services, such as meetings with employment counselors, English language training, and job search activities.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby ratifies the Federal Transit Administration Job Access and Reverse Commute grant received from the Metropolitan Council through the Dakota County Workforce Services, Employment and Economic Assistance department; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to execute a grant agreement with the Metropolitan Council in the amount of the grant awarded to implement Minnesota Family Investment Program transportation services, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the 2011 Employment and Economic Assistance budget is hereby amended as follows:

EXPENSE	JARC GRANT
Direct Program	\$106,900
Total Expense	\$106,900
REVENUE	
Metropolitan Council	\$106,900
Total Revenue	\$106,900

11-586

Authorization To Execute Contract With Resource, Inc., DBA Employment Action Center For Minnesota Family Investment Program Employment Services

WHEREAS, Dakota County implements Minnesota Family Investment Programs (MFIP) to eligible Dakota County residents; and

WHEREAS, Dakota County has contracted with RESOURCE, Inc., for MFIP employment services since July 2007; and

WHEREAS, a competitive Request for Proposals (RFP) process was established and followed using Dakota County guidelines to seek providers of MFIP Employment Services; and

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WHEREAS, Dakota County's work participation rate was 52%, annualized from the period of June 30, 2010 through July 31, 2011, which was 8.6% higher than the 43.4% rate the previous year, which made Dakota County eligible for the 2012 performance-based funds; and

WHEREAS, the Dakota-Scott Workforce Investment Board (WIB) approved the committee's recommendation of RESOURCE, Inc., at its October 21, 2011, meeting; and

WHEREAS, staff recommends executing a contract with RESOURCE, Inc., doing business as Employment Action Center, in an amount not to exceed \$886,244 for the period of January 1, 2012 through December 31, 2012.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to execute a contract with RESOURCE, Inc., doing business as Employment Action Center, to provide employment and training case management services and job club services for Minnesota Family Investment Program participants, in an amount not to exceed \$886,244 for the period of January 1, 2012 through December 31, 2012, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the Community Services Director, is hereby authorized to amend said contract, consistent with the Minnesota Family Investment Program Employment Services grants awarded by the Minnesota Department of Human Services and the Minnesota Department of Employment and Economic Development, to alter the number and types of clients served, types of services provided, amount of contract, reporting requirements, and contract term, consistent with County contracting policies, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That this contract shall contain a provision that allows the County to immediately terminate the contract in the event sufficient funds from county, state, or federal sources are not appropriated at a level sufficient to allow payment of the amounts due.

11-587

Authorization To Execute Memorandum Of Agreement With University Of Minnesota For Local Extension Programming

WHEREAS, Minn. Stat. §38.34 authorizes a board of county commissioners to incur expenses and spend money for County Extension work; and

WHEREAS, money appropriated by the county board in the County Extension fund may be paid out by orders of the University of Minnesota's (University) Director of the Extension, or the Director's designee, as identified in Minn. Stat. §38.36, subd. 3; and

WHEREAS, Minn. Stat. §38.37 provides that Extension educators and program staff be University employees and employed according to University personnel procedures; and

WHEREAS, it is the intention of Dakota County and the University that the University shall provide Extension services within and for Dakota County with county dollars; and

WHEREAS, staff recommends continuing the following local Extension programs provided by the University employees for the period of January 1, 2012 through December 31, 2012:

4-H Youth Development Program, 4-H Community Clubs
4-H Youth Development Program, Youth Teaching Youth
Families Program, *On the Move...for Minnesota Families*

; and

WHEREAS, staff recommends the County Board approve a Memorandum of Agreement (MOA) with the University of Minnesota Extension for local Extension, which reflects the elimination of the Master Gardener Program.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to execute a Memorandum of Agreement with the Regents of the University of Minnesota for the provision of Extension educators and program staff employed by the University of Minnesota for the time period of January 1, 2012 through December 31, 2012, and for a reimbursement amount not to exceed \$292,050, subject to approval by the County Attorney's Office as to form, as follows:

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\$129,800	2.0 FTE; 4-H Youth Development Program Coordinator, 4-H Community Clubs
\$97,350	1.5FTE; 4-H Youth Development Program Coordinator, Youth Teaching Youth
\$64,900	1.0 FTE; Families Program Coordinator, <i>On the Move...for Minnesota Families</i>

11-588**Authorizaton To Execute Amendment To Twin Cities Public Health And Environmental Health Mutual Aid Joint Powers Agreement**

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, Dakota County has participated in and will benefit from the implementation of regional public health preparedness initiatives; and

WHEREAS, emergencies may occur in the future which will require local public health and environmental health entities to come to the aid and assistance of other local public health and environmental health entities; and

WHEREAS, by Resolution No. 07-542 (November 27, 2007), the County Board authorized execution of the Twin Cities Public Health and Environmental Health Mutual Aid Agreement between seven metro counties and four metro cities for the period of February 2007 through December 31, 2011; and

WHEREAS, the metropolitan public health entities and their respective City and County Attorneys' Offices recommend the one year extension to the Mutual Aid Agreement through December 31, 2012, to strengthen the preparedness of the public health and environmental health system in Minnesota.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners authorizes the County Board Chair to amend the Twin Cities Public Health and Environmental Health Entities of Minnesota Mutual Aid Joint Powers Agreement to extend the agreement through December 31, 2012, subject to approval by the County Attorney's Office as to form.

11-589**Authorization To Submit Grant Application To Minnesota Department Of Human Services For Child Maltreatment Outreach And Prevention Services Through Parent Support Outreach Project, Amendment Of Social Services Budget, And Execution Of Grant Agreement**

WHEREAS, Parent Support Outreach Program (PSOP) offers voluntary services to families with young children who have been reported to child protection due to family concerns that fall short of the criteria mandated investigation; and

WHEREAS, the voluntary services through PSOP have been shown to provide connection to needed community supports, including services for substance abuse and basic needs that have reduced future maltreatment reports; and

WHEREAS, Dakota County Social Services has received reimbursement from the Minnesota Department of Human Services annually since 2005 for providing PSOP services; and

WHEREAS, staff recommends submitting a grant application to the Minnesota Department of Human Services for PSOP funds in the amount of up to \$200,000 annually to serve up to 200 families each year with current staff complement for the period of January 1, 2012 through December 31, 2016.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to submit the Parent Support Outreach Project grant application to the Minnesota Department of Human Services to provide child maltreatment outreach, prevention and early intervention services; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to execute a grant agreement with the Minnesota Department of Human Services for Parent Support Outreach Project grant funds in the amount of the grant awarded, for the time period of January 1, 2012 through December 31, 2016, subject to approval by the County Attorney's Office as to form; and

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BE IT FURTHER RESOLVED, That, if awarded, the Dakota County Board of Commissioners hereby authorizes the Community Services Director to amend the 2012 Social Services budget to include revenue in the amount of the grant awarded.

11-590**Authorization To Execute Contract With Dakota Woodlands, Inc. For Emergency And Transitional Housing Services**

WHEREAS, Dakota Woodlands, Inc., in Eagan, is the primary single-site emergency shelter for homeless women with children in Dakota County; and

WHEREAS, the Dakota Woodlands' program prepares residents to transition to permanent housing and self-sufficiency through on-site support services including advocacy, parenting classes, financial responsibility, and tutoring; and

WHEREAS, Dakota County contracts with Dakota Woodlands to provide County levy funding to augment revenues from the Group Residential Housing (GRH) program, Emergency Assistance and private fundraising; and

WHEREAS, Dakota County holds a contract with Dakota Woodlands, Inc., for GRH funding from the State of Minnesota at the GRH rate established and paid by the State.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to execute a contract with Dakota Woodlands, Inc., for Emergency and Transitional Housing Services in an amount not to exceed \$135,000 for the period of January 1, 2012, through December 31, 2012, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the Community Services Director is hereby authorized to amend said contract, within the amount budgeted, to alter the number and types of clients served, type of services provided, contract amount, and the contract term, consistent with County contracting policies, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the contract shall contain a provision that allows the County to immediately terminate the contract in the event sufficient funds from county, state, or federal sources are not appropriated at a level sufficient to allow payment of the amounts due.

11-591**Authorization To Execute Amendment To Mental Health Crisis Alliance Cooperative Agreement With Ramsey County**

WHEREAS, in response to a growing shortage of hospital beds for mental health clients and an increase in the number of individuals seeking care in hospital emergency departments, the Mental Health Crisis Alliance (MHCA) (formerly East Metropolitan Adult Crisis Stabilization) was formed by Ramsey County and Dakota County; and

WHEREAS, MHCA has been a forum among counties, health plans, hospitals, consumer support groups, and State agencies to identify barriers to integrated rapid crises stabilization for residents experiencing mental health crisis, to problem solve once these barriers are identified, to plan new or enhanced services, and to develop better access to care; and

WHEREAS, the MHCA forum has challenged each organization to work differently through the contribution of time and expertise; has promoted business practices to benefit adults who are in a crisis; and has promoted the use of client-centered evidence-based practices; and

WHEREAS, the MHCA model delivers direct services to adults experiencing a mental health crisis and in need of immediate services and stabilization, provides a Continuum of Care to improve the adult mental health system in the East Metro counties; and

WHEREAS, the cooperative agreement creating the MHCA expires on December 31, 2011.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the County Board Chair to execute an amendment to the Mental Health Crisis Alliance Cooperative Agreement, by and among the east metropolitan counties of Dakota and Ramsey, to extend the Agreement through December 31, 2016, with the option to withdraw from the Agreement with or without cause, as referenced in the parent agreement, subject to approval by the County Attorney's Office as to form.

December 13, 2011

11-592**Approval To Submit Community Corrections 2012-2013 Comprehensive Plan**

WHEREAS, the Community Corrections Act requires participating counties to submit a two-year comprehensive plan which describes correctional services and funding expected for the upcoming two years; and

WHEREAS, the Community Corrections Advisory Board has reviewed the proposed 2012-2013 Comprehensive Plan and recommends approval.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the 2012-2013 Community Corrections Comprehensive Plan for submission to the Commissioner of Corrections, Minnesota Department of Corrections; and

BE IT FURTHER RESOLVED, That the Community Corrections Department shall make the Plan available upon request to the residents of Dakota County.

11-593**Authorization To Execute MetroGIS Regional Parcel Data Sharing And Distribution Agreement With Metropolitan Council**

WHEREAS, through the MetroGIS initiative, established in 1996, the seven metropolitan counties (hereafter "counties"), the Metropolitan Council (hereafter "Council"), and other interests have been working on regional and collaborative solutions to create, maintain, and distribute commonly needed geospatial (GIS) data; and

WHEREAS, in 1999, the MetroGIS Policy Board (hereafter "Board") directed MetroGIS staff to develop a Business Plan to provide direction for future collaborations necessary to realize the MetroGIS vision; and

WHEREAS, the Metropolitan Council Board accepted a Business Plan for MetroGIS on June 14, 2000; and

WHEREAS, the Business Plan identified the need to build a regional parcel dataset for distribution to public sector stakeholders, such as state agencies, municipalities and watershed districts; and

WHEREAS, the Board acted upon the subcommittee's recommendations on July 19, 2000, requesting its county members to request their respective county boards to approve necessary agreements between the counties and the Council that will allow for distribution of regional parcel data by the Council to interested public and private sector parties upon receipt of an executed license; and

WHEREAS, the counties subsequently entered into agreements with the Council to assemble a regional parcel dataset and distribute it to other public agencies; and

WHEREAS, in December 2008, the County entered into the current such agreement with the Council; and

WHEREAS, that agreement expires on December 31, 2011; and

WHEREAS, the new agreement shall commence on January 1, 2012 and remain in effect until December 31, 2014, with options to be extended for up to two one year terms; and

WHEREAS, the County wishes to continue the Council's authority to distribute its County Parcel Data by the authority granted in the MetroGIS Regional Parcel Data Sharing And Distribution Agreement; and

WHEREAS, under this agreement, the Metropolitan Council will provide \$4,000 per year to help cover costs of performing tasks defined in the agreement and to foster GIS user group activities.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the County Board Chair to execute the MetroGIS Regional Parcel Data Sharing And Distribution Agreement with Metropolitan Council, subject to approval by the County Attorney's Office as to form; and

December 13, 2011

BE IT FURTHER RESOLVED, That \$4,000 per year received from the Metropolitan Council under this agreement be deposited in the GIS Enterprise Fund.

11-594**Authorization To Release Amended Draft Park System Plan For Public Review And Comment And To Schedule Public Hearing**

WHEREAS, Dakota County needs to amend its Park System Plan to conform to changes in the Metropolitan Council's Regional Parks Policy Plan, as required under Minnesota Statute 473.864 subdivision 2; and

WHEREAS, Dakota County last updated its Park System Plan in 2008 as an element of the Dakota County Comprehensive Plan (DC2030), which was approved by the Metropolitan Council in 2009; and

WHEREAS, Scott County's 2008 Comprehensive Plan proposed the *Elko New Market-Blakeley Regional Trail Search Corridor*, an east-west regional trail from the Minnesota River in Scott County to the Chub Lake Greenway in Dakota County, that would connect Dakota County residents to the following Scott County regional parks: Cedar Lake Farm, Doyle-Kennefick, and Blakely Bluffs; and

WHEREAS, in 2010, the Metropolitan Council released a draft update of its Regional Parks Policy Plan, encompassing changes documented in comprehensive plan updates prepared in 2008 by regional park agencies, including the new regional trail in Scott County connecting to Dakota County; and

WHEREAS, the Physical Development Committee reviewed the draft Metropolitan Council's Regional Parks Policy Plan in 2010, and provided written comments that the connection to the new Scott County regional trail search area was not in Dakota County's Park System Plan, and that stated an understanding that Scott County would lead future master planning for the east-west trail, including the short segment in Dakota County, and would engage Eureka Township, Dakota County, and property owners; and

WHEREAS, the Metropolitan Council issued updated System Statements in 2011, which require Dakota County to amend its Park System Plan to include the short segment of *Elko New Market-Blakeley Regional Trail Search Corridor* in Eureka Township.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes staff to amend the Dakota County Park System Plan, a component of the Dakota County Comprehensive Plan, to include the *Elko New Market-Blakeley Regional Trail Search Corridor*; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes release of the Dakota County Park System Plan amendment for a 60-day public review period, from December 13, 2011 to February 13, 2012; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby schedules a public hearing for February 28, 2012, at 9:00 a.m. in the Board Room, Dakota County Administration Center Hastings, Minnesota, to receive comments on the Park System Plan amendment; and

BE IT FURTHER RESOLVED, That the Dakota County Treasurer/Auditor is hereby directed to publish in the official County newspaper, the notice of the public hearing on the Park System Plan amendment.

11-595**Authorization To Appraise And Negotiate With Thomas And Carrie Furlong For Acquiring Mississippi River Regional Trail Easement Or Fee Title Addition To Spring Lake Park Reserve**

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. 03-649 (December 23, 2003), the Dakota County Board of Commissioners adopted the Spring Lake Park Reserve Master Plan; and

WHEREAS, Dakota County purchases easements or fee title of privately owned property from willing sellers to protect natural resources and to provide for public recreation according to approved park and trail master plans; and

December 13, 2011

WHEREAS, Thomas and Carrie Furlong own property adjacent to Spring Lake Park Reserve (SLPR) in Nininger Township; and

WHEREAS, the trail alignment study as part of the approved Draft MRRT Development Plan for SLPR includes a portion of the Thomas and Carrie Furlong Property as a potential location for the MRRT; and

WHEREAS, acquisition of an easement of fee title or a portion of the Thomas and Carrie Furlong property would provide public value, preserve natural resources and open spaces; and expedite construction of the MRRT; and

WHEREAS, Thomas and Carrie Furlong have indicated an interest and willingness to sell up to 17.6 acres of their property to the County for park and trail purposes; and

WHEREAS, the Metropolitan Council's Acquisition Opportunity Fund (AOF) includes \$1.8 million for acquiring easements or fee title on private properties within approved regional park and trail boundaries; and

WHEREAS, 75% of the cost of acquiring an easement or fee title and other associated costs is available through the AOF; and

WHEREAS, use of the AOF for this project requires a 25% non-reimbursable match amount from the County.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Parks and Open Space Department to appraise and negotiate terms and conditions for acquiring a trail easement or fee title of up to 17.6 acres of the Thomas and Carrie Furlong property for the Mississippi River Regional Trail or as an addition to Spring Lake Park Reserve in Nininger Township; and

BE IT FURTHER RESOLVED, That staff will present the results of the negotiations at a future County Board meeting.

11-596

Authorization To Execute Contract With Vintage Tech Recyclers, Inc. For Residential And Business Electronics Collection

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

WHEREAS, as part of the Master Plan, the Dakota County Board of Commissioners encourages residents and businesses to properly manage hazardous wastes and recyclables; and

WHEREAS, electronics, which can contain lead, cadmium and mercury, continue to be the largest growing hazardous waste stream; and

WHEREAS, in 2010 and 2011, the Dakota County Board of Commissioners allocated funds in the Environmental Management budget for a no-charge residential electronics collection program; and

WHEREAS, electronics are collected from residents at no charge at The Recycling Zone and at one-day household hazardous waste events; and

WHEREAS, electronics are collected from Dakota County businesses at The Recycling Zone for a fee; and

WHEREAS, Dakota County's current electronics recycling vendor contract expires December 31, 2011; and

WHEREAS, Dakota County issued a request for proposals (RFP) on August 3, 2011, seeking a vendor to provide for the pickup, transportation, and recycling of: 1) residential electronics collected by the County at The Recycling Zone; 2) business electronics collected through the County business collections programs; and (3) electronics collected by the County at events; and

WHEREAS, seven vendors submitted responses, which were evaluated by Environmental Management staff; and

WHEREAS, Vintage Tech Recyclers, Inc. (VTR) currently services county electronics collection sites in Illinois; has a demonstrated tracking and reporting system; has strict data and facility security practices; and identified the ability to recycle all electronic materials and the capability to manage increasing amounts of electronics; and

December 13, 2011

WHEREAS, VTR is registered with the Minnesota Secretary of State to do business in Minnesota; and

WHEREAS, it is the recommendation of Environmental Management staff that a contract be executed with VTR to implement VTR's proposal to provide the services requested in the RFP.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a contract with Vintage Tech Recyclers, Inc. for a term from January 1, 2012, through December 31, 2014, in an amount not to exceed \$130,000; subject to the approval of the County Attorney's Office as to form, and subject to approval by the County's Risk and Homeland Security Manager.

11-597**Authorization To Execute Joint Powers Agreement With City Of Burnsville For Right Of Way Acquisition And Construction For County Project 5-41**

WHEREAS, Dakota County, the City of Burnsville and the Minnesota Department of Transportation (Mn/DOT) are partnering on County Project (CP) 5-41 for the construction of an interchange at the intersection of Trunk Highway (TH) 13 and County State Aid Highway (CSAH) 5 in Burnsville; and

WHEREAS, Dakota County is the lead agency for this project; and

WHEREAS, a Joint Powers Agreement between Dakota County and the City of Burnsville is necessary to outline cost participation and responsibilities for right of way acquisition and construction; define maintenance responsibilities; outline project management responsibilities; convey surplus land; and include the standard indemnification, waivers and other standard agreement language all in accordance with the County Transportation Plan and County Policy; and

WHEREAS, Dakota County had previously identified a need for a future extension of CSAH 5 from TH 13 to I-35W, which generated State Aid revenues to Dakota County from 1975 to 2002, in the amount of approximately \$1 million; and

WHEREAS, Dakota County and the City of Burnsville agree that a future roadway connection previously identified as future CSAH 5 would more appropriately be a future City street; and

WHEREAS, after State and Federal revenues have been applied to the project, and after the County contribution of \$1 million of State Aid revenues to the project, the County and City will share in the balance of project costs based on County transportation policy of 55% County and 45% City unless otherwise stipulated for various specific items of design and construction based on the current Transportation County Policy.

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 City of Burnsville for County Project 5-41, construction of an interchange at the intersection of CSAH 5 and TH 13, subject to approval by the County Attorney's Office as to form.

11-598**Authorization To Release New Regional Park Draft Master Plan For Public Review**

WHEREAS, in 2008, Dakota County acquired its 456-acre new regional park in Empire Township, next 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 a consultant contract with Sanders, Wacker, Bergly, Inc. (SWB) to prepare a development master plan for the new park and refine collaborative recreation on the MWMA; 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 public engagement, three draft concept alternatives were prepared and entered a 30-day public comment period from March 22 to April 21, with presentations to neighboring communities and Vermillion Highlands; and an open house on April 18, 2011; and

December 13, 2011

WHEREAS, comments were incorporated into a refined concept, approved by the County Board at its August 2, 2011 meeting, as the foundation for a draft development master plan; and

WHEREAS, SWB has prepared a draft master plan document identifying park improvements, collaborative recreation on Vermillion Highlands, maintenance, stewardship, operational needs, phasing, and budget; and

WHEREAS, the draft master plan document places major improvements in the east plateau and north portions of the park, that include a visitor center/trailhead, trails, picnicking, event areas, nature/water play areas, unique camping cabins, off-leash dog area, disc golf course, interpretive facilities, gardens and maintenance facility; and

WHEREAS, the draft master plan document identifies collaborative recreation on Vermillion Highlands and the adjacent Vermillion River Wildlife Management Area and includes the existing Lone Rock Trail and trailhead, use of existing parking areas, equestrian trail, southern Vermillion River use area, a primitive river use area, Lone Rock use area and potential collaborative education center and agricultural education area; and

WHEREAS, proposed phase one improvements that would open the park for public use include a gravel road, water and electric supplies, paved parking, trails, boardwalks, lighting, picnic shelter, restrooms, facilities, dam maintenance, natural resources stewardship and restoration, and signage; and

WHEREAS, the draft plan identifies phase one improvements to include a gravel road, water and electric supplies, paved parking, trails, boardwalks, lighting, picnic shelter, restrooms, facilities, dam maintenance, natural resources stewardship and restoration, and signage; with a phase one cost estimate of \$5.2 million and a total development cost estimated at \$26 million.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes release of the draft plan for the new regional park for a 30-day public review period, from December 13, 2011 to January 12, 2012.

11-599**Authorization To Execute Joint Powers Agreement With Rice County And Goodhue County For JABG Funds**

WHEREAS, Minnesota counties are eligible to apply for Federal Juvenile Accountability Block Grant (JABG) funds to be used for the purposes of reforming the juvenile justice system and providing greater accountability for juveniles who are in the juvenile or criminal justice systems; and

WHEREAS, Rice County and Goodhue County have requested that Dakota County apply for and enter a grant agreement to receive a combined grant to meet the JABG program needs for each of the three counties and also that Dakota County administer Rice County and Goodhue County's share of the grant funds; and

WHEREAS, in order for Dakota County to apply for and receive JABG grant funds on behalf of itself, Rice County and Goodhue County, a joint powers agreement among Dakota County, Rice County and Goodhue County is required.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the County Attorney to execute a joint powers agreement among Dakota County, Rice County and Goodhue County for the purpose of applying for, receiving and administering federal JABG grant funds in the total amount of \$32,322, for the period July 1, 2011, through June 30, 2012.

11-600**Authorization To Execute Agreement With Minnesota State Court Administrator's Office For Juvenile Drug Court Program**

WHEREAS, Dakota County has been operating a Juvenile Drug Court Program since 2004; and

WHEREAS, the program has been supported by dollars provided by the Minnesota Department of Public Safety to the Minnesota State Court Administrator's Office; and

WHEREAS, Community Corrections was recently notified that the Minnesota State Court Administrator's Office has made funding available to existing drug courts for 2012 and 2013, with \$60,000 available to the Dakota County Juvenile Drug Court; and

December 13, 2011

WHEREAS, Community Corrections plans to use \$40,000 for the period of January 1, 2012 through December 31, 2012, and \$20,000 for the period of January 1, 2013 through June 30, 2013.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to execute an agreement with the Minnesota State Court Administrator's Office, in the amount of \$60,000 for the period of January 1, 2012, through June 30, 2013, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the County Administrator's 2012 recommended budget for Community Corrections will include the following:

EXPENSE	
(Department Budget)	\$40,000
TOTAL EXPENSE	\$40,000
REVENUE	
(Grant Funding Source)	\$40,000
TOTAL REVENUE	\$40,000

11-601**Authorization To Execute Contract With Guild Incorporated For Community Support Program Services And Case Management And Rescind Resolution No. 11-454**

WHEREAS, staff recommends the County Board execute a contract with Guild Incorporated for community support services and case management; and

WHEREAS, the 2012 adopted budget includes sufficient funding to pay for services provided through this contract.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to execute a contract with Guild Incorporated for community support program services, assertive community treatment (ACT), and targeted case management services (MH-TCM), for the period of January 1, 2012, through December 31, 2012, subject to approval by the County Attorney's Office as to form, as follows:

ACT Rate	At DHS Approved Rate
ACT Supplemental Rate	At DHS Approved Rate
MH Targeted Case Management	\$364.71/client/month
Vocational Specialist Services	\$62.42/hour
Rule 25 CH Assessment	\$150.00/assessment

; and

BE IT FURTHER RESOLVED, That client specific expenses for clients receiving Guild Incorporated case management services shall be reimbursed up to a maximum of \$17,985; and

BE IT FURTHER RESOLVED, That monthly payments of \$16,564.83 for drop-in center services shall be made to Guild Incorporated for the months of January 2012 through December 2012; and

BE IT FURTHER RESOLVED, That the contract shall contain a provision that the Contractor shall reimburse the County for payment of County funds made for clients who are retroactively eligible for Medical Assistance or who were eligible for a Prepaid Medical Assistance Program on a date of service paid for by the County; and

BE IT FURTHER RESOLVED, That the Community Services Director is hereby authorized to amend said contract, within the amount budgeted, to alter the number and types of clients served, type of services provided, contract amount and rates, and the contract term, consistent with County contracting policies, subject to approval by the County Attorney's Office as to form; and

December 13, 2011

BE IT FURTHER RESOLVED, That the contract shall contain a provision that allows the County to immediately terminate the contract in the event sufficient funds from county, state, or federal sources are not appropriated at a level sufficient to allow payment of the amounts due; and

BE IT FURTHER RESOLVED, That Resolution No. 11-454 (October 4, 2011), is hereby rescinded.

11-602**Authorization To Execute Contract With Mental Health Resources, Inc., For Community Support Program Services And Case Management And Rescind Resolution No. 11-455**

WHEREAS, staff recommends the County Board execute a contract with Mental Health Resources, Inc., for community support program services and case management; and

WHEREAS, the 2012 adopted budget includes sufficient funding to pay for services provided through this contract.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to execute a contract with Mental Health Resources, Inc., for community support program services, assertive community treatment (ACT), and targeted case management services (MH-TCM), for the period of January 1, 2012, through December 31, 2012, subject to approval by the County Attorney's Office as to form, as follows:

ACT Rate	At DHS Approved Rate
ACT Supplemental Rate	At DHS Approved Rate
MH Targeted Case Management	\$364.71/client/month
Nursing Services	\$160.89/hour
Rule 25 CH Assessment	\$150.00/assessment

; and

BE IT FURTHER RESOLVED, That client specific expenses for clients receiving Mental Health Resources, Inc., case management services shall be reimbursed up to a maximum of \$20,114; and

BE IT FURTHER RESOLVED, That the contract shall contain a provision that the Contractor shall reimburse the County for payment of County funds made for clients who are retroactively eligible for Medical Assistance or who were eligible for a Prepaid Medical Assistance Program on a date of service paid for by the County; and

BE IT FURTHER RESOLVED, That the Community Services Director is hereby authorized to amend said contract, within the amount budgeted, to alter the number and types of clients served, type of services provided, contract amount and rates, and the contract term, consistent with County contracting policies, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the contract shall contain a provision that allows the County to immediately terminate the contract in the event sufficient funds from county, state, or federal sources are not appropriated at a level sufficient to allow payment of the amounts due; and

BE IT FURTHER RESOLVED, That Resolution No. 11-455 (October 4, 2011) is hereby rescinded.

11-603**Authorization To Execute Contract With People Incorporated For Community Support Program Services And Case Management And Rescind Resolution No. 11-456**

WHEREAS, staff recommends the County Board execute a contract with People Incorporated for community support program services and case management; and

WHEREAS, the 2012 adopted budget includes sufficient funding to pay for services provided through this contract.

December 13, 2011

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to execute a contract with People Incorporated for community support program services, targeted case management services, mental health rehabilitative services, and home health services, for the period of January 1, 2012, through December 31, 2012, at the following rates, subject to approval by the County Attorney's Office as to form, as follows:

MH Targeted Case Management	\$364.71/client/month
Mental Health Rehabilitative Services	At prevailing ARMHS Rates
Home Health Services	At prevailing Medical Assistance Rates
Rule 25 CH Assessment	\$150.00/assessment

; and

BE IT FURTHER RESOLVED, That client specific expenses for clients receiving People Incorporated case management services shall be reimbursed up to a maximum of \$19,050; and

BE IT FURTHER RESOLVED, That the contract shall contain a provision that the Contractor shall reimburse the County for payment of County funds made for clients who are retroactively eligible for Medical Assistance or who were eligible for a Prepaid Medical Assistance Program on a date of service paid for by the County; and

BE IT FURTHER RESOLVED, That the Community Services Director is hereby authorized to amend said contract, within the amount budgeted, to alter the number and types of clients served, type of services provided, contract amount and rates, and the contract term, consistent with County contracting policies, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the contract shall contain a provision that allows the County to immediately terminate the contract in the event sufficient funds from county, state, or federal sources are not appropriated at a level sufficient to allow payment of the amounts due; and

BE IT FURTHER RESOLVED, That Resolution No. 11-456 (October 4, 2011), is hereby rescinded.

11-604

Authorization To Execute Contract With Eagan Counseling Clinic, Inc., DBA Minnesota Mental Health Clinics, For Community Support Program Services And Case Management And Rescind Resolution No. 11-457

WHEREAS, staff recommends the County Board execute a contract with Eagan Counseling Clinic, Inc., DBA Minnesota Mental Health Clinics, for community support program services and case management; and

WHEREAS, the 2012 adopted budget includes sufficient funding to pay for services provided through this contract.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Community Services Director to execute a contract with Eagan Counseling Clinic, Inc., DBA Minnesota Mental Health Clinics, for community support program services and targeted case management services for the period of January 1, 2012, through December 31, 2012, subject to approval by the County Attorney's Office as to form, as follows:

MH Targeted Case Management	\$364.71/client/month
Rule 25 CH Assessment	\$150.00/assessment

; and

BE IT FURTHER RESOLVED, That monthly payments of \$21,241.50 for drop-in center services shall be made to Eagan Counseling Clinic, Inc., DBA Minnesota Mental Health Clinics, for the months of January 2012 through December 2012; and

BE IT FURTHER RESOLVED, That client specific expenses for clients receiving Eagan Counseling Clinic, Inc., DBA Minnesota Mental Health Clinics, case management services shall be reimbursed up to a maximum of \$23,664; and

December 13, 2011

BE IT FURTHER RESOLVED, That the contract shall contain a provision that the Contractor shall reimburse the County for payment of County funds made for clients who are retroactively eligible for Medical Assistance or who were eligible for a Prepaid Medical Assistance Program on a date of service paid for by the County; and

BE IT FURTHER RESOLVED, That the Community Services Director is hereby authorized to amend said contract, within the amount budgeted, to alter the number and types of clients served, type of services provided, contract amount and rates, and the contract term, consistent with County contracting policies, subject to approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the contract shall contain a provision that allows the County to immediately terminate the contract in the event sufficient funds from county, state, or federal sources are not appropriated at a level sufficient to allow payment of the amounts due; and

BE IT FURTHER RESOLVED, That Resolution No. 11-457 (October 4, 2011), is hereby rescinded.

11-605**Authorization To Execute Contract With Regina Medical Center For Morgue And Medical Examiner Support Services**

WHEREAS, Carver County, Chisago County, Dakota County, Fillmore County, Freeborn County, Goodhue County, Houston County, and Scott County have obligations pursuant to Minn. Stat. Ch 390 to make available a process for receiving and releasing dead bodies and to allow the reasonable and necessary expenses of the Medical Examiner and Assistant Medical Examiner incurred for their official business; and

WHEREAS, the counties desire that a morgue be provided and equipped for use by the medical examiner appointed in each of them; and

WHEREAS, Regina Medical Center desires to and is able to provide and equip a morgue and provide medical examiner support services to the counties.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes its Chair to execute a contract with Regina Medical Center for morgue facilities and medical examiner support services for the term of January 1, 2012 through December 1, 2012, substantially as presented to the County Board on December 13, 2011, on behalf of Dakota County and Carver, Chisago, Fillmore, Freeborn, Goodhue, Houston, and Scott Counties, subject to receipt of resolution approving the contract from each of these eight counties and subject to approval by the County Attorney's Office as to form.

11-606**Reappointment Of Dakota County Medical Examiner**

WHEREAS, the term of the Dakota County medical examiner appointment expires on December 31, 2011; and

WHEREAS, the County Administrator recommends that Dr. Lindsey C. Thomas be reappointed for a four-year term as County Medical Examiner.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners, pursuant to Minn. Stat. § 390.005, subd. 2, hereby reappoints Dr. Lindsey C. Thomas as Dakota County Medical Examiner for a four-year term for the period of January 1, 2012 through December 31, 2015.

11-607**Acceptance Of Resignation From Member Of Planning Commission**

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

11-608**Establishment Of 2012 Elected Officials' And County Administrator Compensation**

WHEREAS, the County Board adopted amended 2012 Unclassified Employee Merit Compensation Policy and Plan provisions; and

December 13, 2011

WHEREAS, the County established a process within that Plan by which Elected Officials' and the County Administrator's compensation is determined and it is necessary that proper compensation be established for all Elected Officials and the County Administrator, pursuant to relevant provisions of the 2012 Unclassified Employee Merit Compensation Policy and Plan; and

WHEREAS, the County is required to administer salaries in compliance with statute, setting the maximum compensation permitted by law and if the compensation payable to an appointed County official or employee, if paid, would exceed the political subdivision compensation limit, established by Minn. Stat. 43A.17, subd. 9, compensation in excess of such limit shall not be paid, unless the limit is raised or repealed.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby establishes in the context of and consistent with the 2012 Unclassified Employees Merit Compensation Policy and Plan and Local Government Salary Cap provisions, Elected Officials' and County Administrator's 2012 compensation as follows: County Commissioner, \$66,400 plus \$1,000 lump sum; County Administrator, \$164,200 plus \$2,222 non-base payment and \$1,000 lump sum; County Attorney, \$157,200 plus \$2,130 non-base payment plus \$1,000 lump sum; County Sheriff, \$131,700 plus \$1,000 lump sum; however, 2012 payable compensation per current policy or statute limitations shall be:

COUNTY COMMISSIONER	*\$66,400 plus \$1,000 lump sum
COUNTY ADMINISTRATOR	\$162,211
COUNTY ATTORNEY	\$157,200 plus \$2,130 non-base plus \$1,000 lump sum
COUNTY SHERIFF	\$131,700 plus \$1,000 lump sum

* Prior to 4:30 p.m. on December 30, 2011, a County Commissioner may file with the Interim Employee Relations Director an election to decline their 2012 salary increase. For any Commissioner filing such a declination, the 2012 compensation level shall be \$65,400 plus \$1,000 lump sum

; and

BE IT FURTHER RESOLVED, That if the compensation payable to an appointed county official or employee, if paid, would exceed the political subdivision compensation limit established at Minn. Stat. § 43A.17, subd. 9, compensation in excess of such limit shall not be paid, unless the limit is raised or repealed; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners, in accordance with Minn. Stat. § 383D.05, hereby establishes a Commissioner car/expense allowance for 2012 in the amount of \$4,752 per year per Commissioner, representing a 0% increase over 2011, 2010 and 2009.

11-609

Authorization To Execute 2010 Labor Agreement With Law Enforcement Labor Services Licensed Deputies Unit

BE IT RESOLVED, That the Dakota Board of Commissioners hereby authorizes the appropriate County officials to execute the Labor Agreement with Law Enforcement Labor Services Licensed Deputies unit for the period January 1, 2010 – December 31, 2010, in accordance with the terms and conditions of the Agreement and those contract modifications submitted to the Dakota County Board of Commissioners dated December 13, 2011, and subject to approval by the County Attorney's office as to form.

11-610

Renewal Of Annual Labor Consulting Contract With Madden-Galanter-Hansen For 2012

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Interim Employee Relations Director to execute a contract with Madden-Galanter-Hansen, LLP for labor consulting services for the period of January 1, 2012 through December 31, 2012, and subject to the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the contract shall be paid at a monthly rate of \$5,596.00 plus mileage and incidental expenses; grievance and interest arbitration preparation, employee relations training, and special projects as approved by the County shall be paid at \$112.00 per hour; and services requested by the County Attorney shall be paid at \$128.00 per hour.

December 13, 2011

11-611**Approval Of Employee Relations Policies Modifications**

WHEREAS, the Employee Relations Department periodically reviews policies and procedures and makes recommendations to them, in order to maintain and enhance the effective provision of human resource management functions in Dakota County.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby adopts amendments to Policy 3101 Applicant Recruitment, Testing and Certification conforming the language to current practice without substantive changes; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby adopts amendments to Policy 3102 Candidate Selection, adding a requirement that drug and alcohol testing be completed within 24 hours of a contingent verbal job offer and an opportunity for a second drug and alcohol test within 24 hours of a dilute test result; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby adopts amendments to Policy 3160 Wage and Salary Guidelines, conforming the policy for adjusting the salary review date for paid and unpaid leaves (excluding FMLA leaves) and amending the voluntary demotion policy to conform to the 2012 adopted merit compensation plan; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby adopts amendments to Policy 3200 Pay Administration to reflect current use of electronic time reporting; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby adopts amendments to Policy 3241 Flex Leave to conform to the flex leave carryover provisions of the 2012 adopted merit compensation plan; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby adopts amendments to Policy 3242 Leaves of Absence, reducing the maximum leave of absence to 12 months (unless otherwise required by law), requiring that accrued paid leave be exhausted prior to use of unpaid leave (except for FMLA leave), clarifying that employee benefit contribution are prorated while on unpaid leave, and amending Family and Medical Leave Act Plan to provide that FMLA leave is both paid and unpaid; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby adopts amendments to Policy 3340 Travel on County Business, eliminating commuting-related mileage reimbursement and two categories of meal reimbursement that do not qualify as non-taxable under the Internal Revenue Code, clarifying that Policy 3340 applies both to expenses claimed on expense reimbursement form and paid through use of County purchasing card, requiring that taxable meals be reimbursed exclusively through the expense reimbursement form, and establishing a 60-day period in which expense reimbursement must be claimed in order to be treated as non-taxable under the Internal Revenue Code; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby adopts these policies as presented to the Board of Commissioners on December 13, 2011, and authorizes the Interim Employee Relations Director to modify said policies accordingly.

11-612**Authorization To Execute 2011 Labor Agreement With Teamsters Local 320 Jail Unit**

BE IT RESOLVED, That the Dakota Board of Commissioners hereby authorizes the appropriate County officials to execute the Labor Agreement with the Teamsters Local 320 Jail Unit for the period January 1, 2011 - December 31, 2011, in accordance with the terms and conditions of the Agreement and those contract modifications submitted to the Dakota County Board of Commissioners dated December 13, 2011, and subject to approval by the County Attorney's office as to form.

11-613**Adoption Of 2012 Unclassified Merit Compensation Policy And Plan Provisions**

WHEREAS, market competitive compensation and pay policy administration are essential to effective and efficient government; and

WHEREAS, Unclassified Merit Compensation Policy and Plan provisions need to be amended for application in 2012.

December 13, 2011

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby adopts the following provisions for inclusion in the 2012 Unclassified Merit Compensation Policy and Plan:

- The 2012 Pay Equity Compensation Structure is unchanged from 2011; and
- The 2012 Merit Matrix is set at 1.5% base adjustment for the performance categories of Role Model, Achiever and Contributor; and
- Unclassified employees shall receive a \$1,000 lump sum payment in March 2012 provided that they are employed as of January 1, 2012 and on payroll status at the time the lump sum payment is made. The lump sum payment shall be pro-rated for non-limited part-time employees, subject to the same conditions.
- Unclassified employees shall receive \$1,000 lump sum payment in March 2012; and

BE IT FURTHER RESOLVED, That participating employees' 2012 salaries shall be established in the context of and consistent with these provisions; and

BE IT FURTHER RESOLVED, That the Interim Employee Relations Director is hereby authorized to update, edit and amend the 2011 Unclassified Merit Compensation Policy and Plan document consistent with the above-referenced 2012 provisions.

11-614

Cancellation Of 2011 Debt Service Levies

WHEREAS, on November 28, 2006, the Dakota County Board of Commissioners adopted Resolution No. 06-529 issuing its General Obligation Refunding Bonds, Series 2007A, in the amount of \$31,695,000, and levying ad valorem taxes for the years 2010-2024 in order to produce amounts not less than 105% of the amount needed to meet when due the principal and interest payments on these Bonds; and

WHEREAS, on November 28, 2006, the Dakota County Board of Commissioners adopted Resolution No. 06-528 issuing its General Obligation Capital Improvement Plan Bonds, Series 2006A, in the amount of \$7,300,000, and levying ad valorem taxes for the years 2006-2024 in order to produce amounts not less than 105% of the amount needed to meet when due the principal and interest payments on these Bonds; and

WHEREAS, on November 15, 2005, the Dakota County Board of Commissioners adopted Resolution No. 05-564 issuing its General Obligation Capital Improvement Plan Bonds, Series 2005A, in the amount of \$16,800,000, and levying ad valorem taxes for the years 2005-2018 in order to produce amounts not less than 105% of the amount needed to meet when due the principal and interest payments on these Bonds; and

WHEREAS, on May 20, 2003, the Dakota County Board of Commissioners adopted Resolution No. 03-295 issuing its General Obligation Open Space Bonds, Series 2003A, in the amount of \$20,000,000, and levying ad valorem taxes for the years 2002-2011 in order to produce amounts not less than 105% of the amount needed to meet when due the principal and interest payments on these Bonds; and

WHEREAS, on May 20, 2003, the Dakota County Board of Commissioners adopted Resolution No. 03-296 issuing its General Obligation Capital Improvement Plan Bonds, Series 2003B, in the amount of \$7,010,000, and levying ad valorem taxes for the years 2002-2021 in order to produce amounts not less than 105% of the amount needed to meet when due the principal and interest payments on these Bonds; and

WHEREAS, the Dakota County Board of Commissioners desires to cancel the 2011 levies for the Bonds and to make instead an irrevocable appropriation to the applicable debt service funds of funds actually on hand in the General Fund, as authorized by Minn. Stat. §475.61, subd. 3.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby cancels the 2011 ad valorem tax levy in connection with its General Obligation Refunding Bonds, Series 2007A, in the amount of \$1,362,550.00, and irrevocably appropriates from its General Fund the amount of \$1,180,046.56 to the Series 2007A debt service fund; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby cancels the 2011 ad valorem tax levy in connection with its General Obligation Capital Improvement Plan Bonds, Series 2006A, in the amount of \$250,693.97, and irrevocably appropriates from its General Fund the amount of \$219,503.97 to the Series 2006A debt service fund; and

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BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby cancels the 2011 ad valorem tax levy in connection with its General Obligation Capital Improvement Plan Bonds, Series 2005A, in the amount of \$674,654.75, and irrevocably appropriates from its General Fund the amount of \$576,672.00 to the Series 2005A debt service fund; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby cancels the 2011 ad valorem tax levy in connection with its General Obligation Open Space Bonds, Series 2003A, in the amount of \$563,312.50, and irrevocably appropriates from its General Fund the amount of \$402,000 to the Series 2003A debt service fund; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby cancels the 2011 ad valorem tax levy in connection with its General Obligation Capital Improvement Plan Bonds, Series 2003B, in the amount of \$232,920.96, and irrevocably appropriates from its General Fund the amount of \$198,449.46 to the Series 2003B debt service fund.

11-615**Authorization To Execute Contract With RTW, Inc. For Administration Of Workers' Compensation Claims**

WHEREAS, Dakota County purchases services for the administration of workers' compensation claims; and

WHEREAS, the current contract with RTW, Inc. will expire on December 31, 2011; and

WHEREAS, the Operations Management Director and Risk Manager evaluated available services through a review of the marketplace for third party administration services; and

WHEREAS, the results of the review process showed that RTW, Inc. continues to be cost competitive for this service; and

WHEREAS, the Operations Management Director and Risk Manager recommend RTW, Inc. as the Dakota County's provider of workers' compensations claims management services.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Operations Management Director to execute a contract with RTW, Inc., for a three-year term, January 1, 2012 through December 31, 2014, in the amount of \$94,614, subject to approval by the County Attorney's Office as to form.

11-616**Authorization To Amend Operations Management Budget To Reallocate 2009 Homeland Security Grant Funds For Dakota County Special Operations Team**

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

WHEREAS, Dakota County desires to assist local agencies to be better prepared for any potential of disasters and emergencies in Dakota County; and

WHEREAS, Dakota County Domestic Preparedness Committee and its Special Operations Team has been selected by the Minnesota Department of Public Safety, Division of Homeland Security and Emergency Management, to receive grant funds as one of five regional collapsed structure rescue teams in the state; and

WHEREAS, Dakota County acts as the fiscal agent for the Dakota County Domestic Preparedness Committee; and

WHEREAS, the State of Minnesota, acting through with the Minnesota Department of Public Safety, Division of Homeland Security and Emergency Management, awarded a 2009 SOT Homeland Security Grant in the amount of \$65,000 to Dakota County for the period of September 1, 2009 through March 31, 2012; and

WHEREAS, by Resolution No. 10-190 (April 6, 2010), the Dakota County Board of Commissioners approved the execution of the 2009 UASI homeland security grant agreement with the Minnesota Department of Public Safety; and

December 13, 2011

WHEREAS, staff recommends that the 2011 Operations Management 2009 SOT Homeland Security grant budget be amended to transfer grant funds from the Operations Management operations budget to the capital expenditure purchases (CEP) budget.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby amends the Operations Management Budget as follows:

Expense	
2009 UASI Homeland Security Grant CEP	\$18,100
2009 UASI Homeland Security Grant Operational	(18,100)
Total Expense	\$0

11-617

Authorization To Expend Up To \$135,721 Of Farmland And Natural Areas Program Funds To Acquire Permanent Agricultural Conservation Easement On James And Barbara Gilomen Property

WHEREAS, by Resolution No. 10-130 (February 23, 2010), the Dakota County Board of Commissioners preliminarily approved appraisals and negotiations for the eight highest ranked, 2010 Farmland and Natural Areas Program (FNAP) farmland projects, and authorized staff to submit a fiscal year (FY) 2010 federal Farm and Ranch Lands Protection Program (FRPP) application that included the eight projects and an additional six projects; and

WHEREAS, by Resolution No. 11-319 (June 21, 2011), and Resolution No. 11-396 (August 23, 2011), the Dakota County Board of Commissioners approved acquiring seven agricultural easements; and

WHEREAS, the combination of lower 2011 easement values and a withdrawn project have made additional FRPP funds available for reserve projects included in the FY2010 FRPP funding agreement; and

WHEREAS, James and Barbara Gilomen, landowners of one of the FY2010 FRPP application reserve projects, agreed to increase their easement value donation, thereby increasing their final project score above previously Board-approved projects; and

WHEREAS, the Farmland and Natural Areas Program Advisory Committee (AC) recommended that the County Board authorize the appraisal and negotiations for acquiring an agricultural easement on the Gilomen property; and

WHEREAS, by Resolution No. 11-518 (August 23, 2011), the Dakota County Board of Commissioners approved appraising and negotiating for the acquisition of an agricultural easement on the Gilomen property; and

WHEREAS, based on the appraised value and subsequent negotiations, James and Barbara Gilomen have agreed to sell a permanent agricultural conservation easement to Dakota County; and

WHEREAS, County staff and the FNAP AC re-evaluated and re-scored the final Gilomen farmland protection projects as follows:

<u>Landowners</u>	<u>Easement Acres</u>	<u>Location</u>	<u>Score</u>	<u>Rank</u>
James/Barbara Gilomen	68.3	Greenvale Township	85	15

; and

WHEREAS, Dakota County is eligible for reimbursement of up to 50 percent of the farmland easement acquisition cost through the federal FRPP; and

WHEREAS, Dakota County has \$1,385,800 of FY2010 FRPP matching funds available for reimbursement; and

WHEREAS, the appraised value of the James and Barbara Gilomen easement is \$150,260 and the Gilomens have agreed to reduce the easement cost by \$22,539 for a final easement cost of \$127,721; and

WHEREAS, the total estimated cost of the easement, including \$3,000 for closing and other associated acquisition costs, and \$5,000 for possible easement acreage adjustment, is \$135,721; and

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WHEREAS, the FNAP AC unanimously recommended that Dakota County acquire a permanent agricultural easement on the Gilomen property.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the expenditure of up to \$135,271, including \$3,000 for closing and other associated acquisition costs, and \$5,000 for possible easement acreage adjustments from the Farmland and Natural Areas Program to acquire the following permanent agricultural conservation easement:

<u>Landowners</u>	<u>Size</u>	<u>Easement Cost</u>	<u>Other Costs</u>	<u>Landowner Donation</u>	<u>Federal FRPP Funds</u>	<u>Net County Cost</u>
James/Barbara Gilomen	68.3 ac	\$150,260	\$8,000	\$22,539 (15%)	\$75,130	\$60,591

; and

BE IT FURTHER RESOLVED, That the Physical Development Director is hereby authorized to execute the purchase agreement for the Gilomen permanent agricultural conservation easement, subject to review and approval as to form by the County Attorney's Office; and

BE IT FURTHER RESOLVED, That the County Board Chair is hereby authorized to execute the James and Barbara Gilomen agricultural conservation easement, subject to review and approval as to form by the County Attorney's Office; and

BE IT FURTHER RESOLVED, That if the total acquisition costs of the Gilomen conservation easement exceed \$135,721, staff will seek County Board authority to expend any additional funds to acquire the agricultural easement; and

BE IT FURTHER RESOLVED, That following acquisition of the Gilomen agricultural conservation easement, Dakota County will submit the necessary forms and documentation to the United States Commodity Credit Corporation to receive a total of approximately \$75,130 in federal Farm and Ranch Lands Protection Program reimbursement funds; and

BE IT FURTHER RESOLVED, That the reimbursement from the United States Commodity Credit Corporation for the James and Barbara Gilomen easement will be returned to the Farmland and Natural Areas Program fund balance; and

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

Expense	
Acquisition of the James and Barbara Gilomen easement	\$127,721
Costs associated with acreage adjustments	\$5,000
Closing and other associated acquisition costs	\$3,000
Total Expenses	\$135,721
Revenue	
FNAP Fund Balance	\$135,721
Total Revenue	\$135,721

11-618

Authorization To Submit Easement Application For Mississippi River Regional Trail Within Pine Bend Bluffs Scientific And Natural Area

WHEREAS, by Resolution No. 99-526 (September 21, 1999), the County Board of Commissioners adopted the Draft Mississippi River Regional Trail (MRRT) Development Plan which identified private land in the vicinity of Pine Bend Bluffs for the preferred location of the MRRT in this area of Inver Grove Heights; and

WHEREAS, by Resolution No. 01-401 (June 26, 2001), the County Board approved the establishment of the Pine Bend Bluffs Scientific and Natural Area (SNA) in Inver Grove Heights by the Minnesota Department of Natural Resources (DNR) to protect some of the highest quality natural area remaining in Dakota County; and

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WHEREAS, County Board approval of the Pine Bend Bluffs SNA was conditioned upon the DNR working cooperatively with Dakota County to accommodate the planned Mississippi River Regional Trail within the SNA; and

WHEREAS, the DNR Commissioner's Designation Order No. 180 establishing the Pine Bend Bluffs SNA included a legally described exception for the MRRT; and

WHEREAS, by Resolution No. 06-479 (November 14, 2006), and by Resolution No.10-491 (September 28, 2010), the Dakota County Board approved expending a total of \$316,000 of Farmland and Natural Areas program funds to assist the DNR in acquiring two parcels as additions to the SNA with provisions for the DNR to continue to work cooperatively with Dakota County on the MRRT; and

WHEREAS, a final MRRT alignment and future trailhead location within the Pine Bend Bluffs SNA has now been established; and

WHEREAS, the final trail corridor must be excepted from the amended DNR Commissioner's Designation Order for the Pine Bend Bluffs SNA to comply with state law governing the establishment and purposes of SNAs; and

WHEREAS, Dakota County must establish land control for the MRRT to meet federal funding requirements; and

WHEREAS, due to the long-term nature of the MRRT, a permanent trail easement will be required to establish the necessary land control and meet state requirements; and

WHEREAS, Minnesota Statutes Sections 84.63, 84.631 and 85.015 subd. 1(b) has established the application process and requirements for securing an easement on state land; and

WHEREAS, one of the application requirements for a governmental entity requesting an easement that crosses state land is to approve a resolution authorizing the submission of an easement application; and

WHEREAS, due to the cooperative nature of this project, the DNR is waiving the payments for both the temporary construction and permanent trail easements and the easement monitoring fee for the MRRT.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to submit an easement application, together with the required application fee, to the Minnesota Department of Natural Resources for the purposes of establishing the Mississippi River Regional Trail within the Pine Bend Bluffs Scientific and Natural Area in Inver Grove Heights; and

BE IT FURTHER RESOLVED, That the Chair of the Dakota County Board of Commissioners is hereby authorized to execute the permanent easement for the Mississippi River Regional Trail within the Pine Bend Bluffs Scientific and Natural Area, subject to review and approval as to form by the County Attorney's Office.

11-619

Authorization To Execute Contract Amendment With WSB & 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. 10-633 (December 14, 2010), the County Board approved the alignment within the City of Rosemount as the preferred alignment for the MRRT Rosemount Segment; and

WHEREAS, by Resolution No. 11-218 (May 3, 2011), the County Board authorized a contract with WSB & Associates, Inc. (WSB), in the amount of \$167,632.50, for engineering and other services of the MRRT Rosemount segment; and

WHEREAS, staff administratively executed three prior amendments to the contract for the performance of additional services and to cumulatively increase the contract maximum to \$179,956.50; and

December 13, 2011

WHEREAS, there is need for additional engineering services for a sheet pile retaining wall to manage a steep slope and a bridge to cross an existing pipeline; and

WHEREAS, staff has negotiated a fee of \$15,172 for the additional required services; and

WHEREAS, the 2011 Dakota County Capital Improvement Program includes adequate funds for the additional engineering services for the MRRT Rosemount 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 WSB & Associates, Inc. for additional engineering of the Rosemount segment of the Mississippi River Regional Trail, in the amount not to exceed \$15,172, including reimbursements, for a contract total of \$195,128.50, subject to approval by the County Attorney's office as to form.

11-620**Approval Of Acquisition And Authorization To Initiate "Quick Take" Condemnation Of Right Of Way For Mississippi River Regional Trail Pine Bend Segment**

WHEREAS, Dakota County is proceeding with the construction of a 1.5 mile section of the Mississippi River Regional Trail (MRRT) from the Rosemount/Inver Grove Heights city boundary northerly 1.5 miles to the MRRT Central segment; 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 from Land O Lakes Farmland Feed is included in the Parks and Open Space Department Capital Improvement Program (CIP) budget for MRRT right of way acquisition; and

WHEREAS, acquisition of the needed right of way from Land O Lakes Farmland Feed is required on or before March 31, 2012, to meet a Federal Transportation grant deadline; and

WHEREAS, in the event that timely acquisition by direct negotiation of the Land O Lakes Farmland Feed required parcel does not appear possible, it is necessary to have the County Board authorize the County Attorney to initiate "quick take" condemnation of this parcel.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the appraisal for acquisition of right of way for this portion of the MRRT from Land O Lakes Farmland Feed and authorizes payment from the 2011 Parks and Open Space Department CIP budget; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the County Attorney to initiate "quick take" condemnation of the Land O Lakes Farmland Feed parcel to meet Federal Transportation grant requirements, in the event that timely acquisition by direct negotiations does not appear possible.

11-621**Authorization To Execute Agreement No. 00019 With Minnesota Department Of Transportation For Federal Participation In Construction Projects**

WHEREAS, the Minnesota Department of Transportation (Mn/DOT) and Dakota County intend to cooperate in the development, administration, and funding of federal aid transportation projects; and

WHEREAS, pursuant to Minn. Stat. 161.36, the County desires the State of Minnesota, acting through the Commissioner of Transportation (Mn/DOT), to act as the County's agent in accepting federal funds on the County's behalf for the construction, improvement, or enhancement of transportation financed either in whole or in part by federal funds; and

WHEREAS, the current Mn/DOT Agreement No. 84114 with Dakota County is only valid for current construction projects and new Agreement No. 00019 is required for Dakota County to continue to receive reimbursement from federal funds.

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NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby appoints, pursuant to Minn. Stat. 161.36, the Commissioner of Transportation of the Minnesota Department of Transportation as Agent of the County of Dakota to accept as its agent, federal aid funds which may be made available for eligible transportation related projects; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute Agreement No. 00019 with Mn/DOT for federal participation in construction projects, as presented on December 13, 2011, subject to approval by the County Attorney's Office as to form.

11-622**Authorization To Grant Easement To Minnesota Department Of Natural Resources (DNR) For Installation Of Monitoring Wells At Miesville Ravine Park Reserve**

WHEREAS, the Minnesota Commissioner of Natural Resources (DNR) has the authority to conduct surveys, investigations, and studies of the waters of the state in order to implement the Commissioner's duties under Minn. Stat. §§ 103G.121; and

WHEREAS, the DNR desires to expand the observation well network throughout the state for the purpose of obtaining geologic and hydrologic information; and

WHEREAS, staff from Dakota County Water Resources and Parks and Open Space and the DNR have determined a location at Miesville Ravine Park Reserve where it would be mutually beneficial to gather geological and hydrologic information; and

WHEREAS, the water supply well identified as Minnesota Unique Well No. W05379 is an existing well at Miesville Ravine Park Reserve which is no longer of use as a water supply well but which is suitable for conversion to a monitoring well; and

WHEREAS, the location at Miesville Ravine Park Reserve is subject to an agreement and restrictive covenant with Metropolitan Council; and

WHEREAS, the DNR will be responsible for all costs associated with converting, installing, monitoring, maintaining, and eventually sealing the existing well and any new monitoring wells at this site.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners, subject to the consent of the Metropolitan Council, hereby grants to the State of Minnesota acting through the Commissioner of Natural Resources a perpetual easement for the installation, operation, and maintenance of up to six groundwater monitoring wells on the following described property:

That part of the Northwest Quarter of Section 26, Township 113 North, Range 17 West,
lying south of County State Aid Road No. 91 (Miesville Trail).

; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners, subject to the consent of the Metropolitan Council, grants to the State of Minnesota acting through the Commissioner of Natural Resources the right and license to reconstruct, improve, and maintain Minnesota Unique Well No. W05379 as a monitoring well; and

BE IT FURTHER RESOLVED, That the above-described easement is subject to the conditions set forth in the Easement Agreement as presented to the County Board on December 13, 2011; and subject to the approval of the County Attorney's Office as to form.

11-623**Authorization To Execute Joint Powers Agreement With Vermillion River Watershed Joint Powers Organization For Groundwater Studies, Public Outreach, And Communication Services**

WHEREAS, the Vermillion River Watershed Joint Powers Organization (VRWJPO) is a watershed management body consisting of Dakota and Scott Counties (governed by the Vermillion River Watershed Joint Powers Board (VRWJPB) and is charged with carrying out the duties set forth in Minn. Stat. §§ 103B.211 to 103B.255 and as otherwise provided by law; and

December 13, 2011

WHEREAS, Dakota County Water Resources Department is currently conducting studies and coordinating public outreach and communication programs that have direct benefits to the Vermillion River Watershed and will help fulfill the goals and objectives of the Vermillion River Watershed Plan; and

WHEREAS, a Joint Powers Agreement between Dakota County and the VRWJPO to partially fund collaborative projects would result in increased government efficiency and effectiveness, avoiding duplication between these entities.

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 VRWJPO to receive funding in an amount not to exceed \$36,000, as presented to the County Board on December 13, 2011, contingent upon final approval by the VRWJPB of the VRWJPO 2012 Budget and subject to approval by the County Attorney's Office as to form.

11-624**Authorization To Renew Contract With Allina Medical Clinic For Medical Services For Jail Inmates**

WHEREAS, the Dakota County Sheriff's Office has contracted with Allina Medical Clinic for the purpose of providing on-site medical services to the inmates of the Dakota County Jail since 1989; and

WHEREAS, the Sheriff and representatives of Allina Medical Clinic would like to continue this relationship in 2012.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Sheriff to execute a contract with Allina Medical Clinic for jail medical services at a cost of \$87,497, and any additional medical services provided by Allina Medical Clinic according to the Allina Standard Fee Schedule in a total contract amount not to exceed \$110,000 for the period of January 1, 2012, through December 31, 2012, subject to approval by the Dakota County Attorney's office as to form.

11-625**Renewal Of Policy Regarding Installment Plan For Repurchase Of Non-Homestead, Tax-Forfeited Property**

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby resolves that the five-year installment repurchase plan, authorized in Minn. Stat. 282.261, Subd. 3, shall apply to all non-homestead, tax-forfeited property in Dakota County for one year beginning the first business day of 2012.

11-626**Approval Of 2012 Intoxicating Liquor Licenses**

WHEREAS, no county may issue or renew a retail license to sell any alcoholic beverages until the County Board has received a written recommendation from the Sheriff and County Attorney stating that to the best of their knowledge the application is eligible to be licensed under Minn. Stat. § 340A.402; and

WHEREAS, applications for the listed licenses have been approved by the County Attorney and County Sheriff; and

WHEREAS, the applications are pending approval by Nininger Township, Castle Rock Township, Marshan Township, Randolph Township, and Empire Township.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the following applications for 2012 licenses to sell intoxicating liquor after approval from the townships and authorizes the County Property Taxation and Records Department to issue the licenses upon payment of the fees:

Nininger Township:

Emerald Greens Golf, LLC

On Sale and Sunday Sale

Castle Rock Township:

Castle Rock Bar & Grill, Inc.

On & Off Sale And Sunday Sale

December 13, 2011

Marshan Township:

Hidden Greens, Inc. On Sale and Sunday Sale
Little Log House Properties, Inc. On Sale and Sunday Sale

Randolph Township:

Cannon Golf Club, Inc. On Sale and Sunday Sale

Empire Township:

Newman Golf Investors, LP On Sale and Sunday Sale

11-627

Approval Of Plat

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

WHEREAS, the conditions established by the Plat Commission were met for this plat; and

WHEREAS, the County Surveyor has signed the plat and recommends approval.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the following plat, having been approved by the respective City Council and submits it to the Property Taxation and Records Department for recording:

Christianson Estate

City of Apple Valley

END OF CONSENT AGENDA

ayes 7

nays none

The following items were on the agenda for informational purposes only: Item 10.11 – Report On Invoices Paid In November 2011.

Matt Smith, Deputy Administrator, presented Items 15.1 – Adoption Of 2012 Property Tax Levy, 2012 Dakota County Budget, And County Board Priorities, 15.2 – Adoption Of 2012-2016 Capital Improvement Program, and 15.3 – Authorization To Implement GASB 54 Requirements, And To Apply Such Requirements To Its Financial Statements Beginning With Current (December 31, 2011) Fiscal Year, And Adopt Fund Balance Policy.

11-628

Adoption Of 2012 Property Tax Levy, 2012 Dakota County Budget, And County Board Priorities

Motion: Comm. Gaylord

Second: Comm. Schouweiler

WHEREAS, the Dakota County Board of Commissioners has completed the 2012 budget process; and

WHEREAS, the Dakota County Board of Commissioners held budget hearings from November 1 through December 13, 2011; and

WHEREAS, the Dakota County Board of Commissioners cancelled its various 2011 debt service levies payable in 2012 and has irrevocably appropriated sufficient amounts from its Building Fund to the various debt service funds; and

WHEREAS, the Administration/Finance/Policy Committee of the Whole reviewed the proposed 2012 Annual Strategic Board Priorities; and

WHEREAS, the 25 Annual Strategic Board Priorities reflect the priority actions and timely areas of emphasis for the coming year, in addition to the broad range of recurring, essential County services provided to the public.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby adopts the 2012 Dakota County property tax and 2012 Dakota County budget, as well as the 2012 Strategic Board Priorities, as prepared, presented and set forth in the amount of:

December 13, 2011

Total Budget: \$305,505,198
Property Tax Levy: \$129,402,073

<u>Department</u>	<u>FTE's</u>	<u>Total Budget</u>	<u>Non-Levy Revenue</u>	<u>County Property Tax</u>
PUBLIC SERVICE & REVENUE ADMIN	9.25	815,177	93,000	722,177
ASSESSING SERVICES	35.00	3,251,141	3,200	3,247,941
PROPERTY TAXATION & RECORDS	43.60	3,692,061	3,152,100	539,961
SERVICE & LICENSE CENTERS	23.75	1,745,452	1,381,125	364,327
COUNTY FAIR	-	115,000	-	115,000
HISTORICAL SOCIETY	-	100,000	-	100,000
LIBRARY	135.93	11,691,117	827,300	10,863,817
PUBLIC SERVICES AND REVENUE	247.53	21,409,948	5,456,725	15,953,223
OPERATIONS MGMT SERVICES	59.20	17,374,753	3,580,367	13,794,386
INFORMATION TECHNOLOGY	52.75	8,015,854	170,000	7,845,854
FINANCIAL SERVICES	31.00	2,971,435	-	2,971,435
OFFICE OF PLANNING & ANALYSIS	12.00	1,087,820	-	1,087,820
CJIIIN	6.00	787,790	458,859	328,931
OPERATIONS, MGMT AND BUDGET	160.95	30,237,652	4,209,226	26,028,426
COUNTY ADMINISTRATION	11.00	1,605,701	42,417	1,563,284
COUNTY BOARD	7.00	708,261	2,000	706,261
COUNTY COMMUNICATIONS	6.10	795,389	145,913	649,476
EMPLOYEE RELATIONS	19.05	2,374,561	115,000	2,259,561
ADMINISTRATIVE DEPARTMENTS	43.15	5,483,912	305,330	5,178,582
COMMUNITY SERVICES ADMIN	13.00	1,468,511	-	1,468,511
SOCIAL SERVICES	294.37	51,634,696	27,033,622	24,601,074
EMPLOYMENT & ECONOMIC ASSISTANCE	242.00	28,238,271	21,093,258	7,145,013
PUBLIC HEALTH	94.38	8,990,771	5,490,989	3,499,782
VETERANS SERVICES	6.00	534,175	-	534,175
COMMUNITY CORRECTIONS	169.30	17,624,486	7,178,786	10,445,700
EXTENSION	-	339,298	44,388	294,910
COMMUNITY SERVICES	819.05	108,830,208	60,841,043	47,989,165
SHERIFF	171.31	17,535,223	2,374,634	15,160,589
MEDICAL EXAMINER	-	559,359	-	559,359
PUBLIC SAFETY	171.31	18,094,582	2,374,634	15,719,948
COUNTY ATTORNEY	84.99	8,700,638	3,816,725	4,883,913
DISTRICT COURT	-	260,733	-	260,733
OFFICE OF GIS	7.00	918,280	190,678	727,602
PHYSICAL DEVELOPMENT ADMIN	17.20	1,488,337	479,175	1,009,162
TRANSPORTATION	81.93	9,091,913	8,782,291	309,622
PARKS AND OPEN SPACES	46.28	3,455,076	927,697	2,527,379
WATER RESOURCES	16.15	1,979,960	1,979,960	-
SOIL & WATER	-	263,482	-	263,482
ENVIRONMENTAL MANAGEMENT	12.65	6,544,920	6,044,920	500,000
SURVEY	8.00	719,155	135,000	584,155
PHYSICAL DEVELOPMENT	189.21	24,461,123	18,539,721	5,921,402
COUNTY-WIDE	3.00	12,171,640	15,486,707	(3,315,067)
COUNTY OPERATIONS	1719.19	229,650,436	111,030,111	118,620,325

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DEBT SERVICE	-	7,895,450	2,576,672	5,318,778
CIP-TRANSPORTATION	-	51,501,219	46,928,249	4,572,970
CIP-PARKS	-	11,071,266	10,761,266	310,000
COUNTY BUILDINGS	-	5,223,000	4,643,000	580,000
CIP-OPEN SPACE	-	163,827	163,827	-
CAPITAL IMPROVEMENTS	-	75,854,762	65,073,014	10,781,748
COUNTY GRAND TOTAL	1719.19	305,505,198	176,103,125	129,402,073

; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby adopts the following strategic priorities for 2012:

A Great Place to Live

1. Plan for the opening of the new park in Empire Township.
2. Begin station-to-station bus rapid transit service in late 2012.
3. Begin construction of the FERC required upgrade of the Byllesby Dam.
4. Develop correctional expertise in social media and portable device forensics and supporting infrastructure; use expertise to improve monitoring of offenders on probation.
5. Reduce recidivism by focusing on multiple programmatic strategies, including jail programming, the re-entry assistance programming (RAP), and correctional strategies.
6. Decrease the number of fatal and serious injury traffic accidents by providing education and enforcement regarding distracted driving.
7. Determine the future institutional arrangements for the provision of morgue services in Dakota County.

Good for Business

8. Conduct an Alternatives Analysis for the Robert Street Transitway.
9. Begin construction of CSAH 5 and TH 13 interchange in Burnsville.
10. Further develop Metro County IT collaborations, including broadband expansion, sharing applications and data centers, and software licensing through economies of scale.

A Clean, Green Place

11. Work with the six landfills located within the County to renegotiate host fee agreements.
12. Expand the quantity and quality of protected open space and recreational opportunities, specifically:
 - a. Complete four greenway master plans.
 - b. Update the Lebanon Hills Master Plan.

Thriving People

13. Increase specialized housing development for people with mental illness, disabilities, and those in need of re-entry housing.
14. Increase availability and accessibility of employment and economic assistance eligibility services within the County.

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15. Develop and implement division strategy and approach to emergency assistance in order to more effectively use limited dollars and provide referrals to more comprehensive services if appropriate.
16. Develop Aging/"Communities for a Lifetime" initiatives.

County Government that Leads the Way

17. Create strategic solutions and options within Community Services to provide more consumer-centric services.
18. Complete the County Commissioner Redistricting Plan by May 1, 2012.
19. Assure a fair and accurate 2012 election by training election judges effectively, affirming all election equipment works properly, and ensuring the integrity of the election process.
20. Successfully implement the Automatic Vehicle Location (AVL) pilot project in identified County-owned vehicles to better monitor our vehicle usage and identify possible efficiencies.
21. Prepare to meet the long-term needs of the County and continue to provide quality services by: (OMB/Admin)
 - a. Implementing the new strategic plan.
 - b. Designing and implementing a continuous improvement process.
22. Use technology effectively and efficiently to support countywide priorities by meeting the milestones for the ETC's project portfolio, including REMS, ERP, and the mainframe elimination.
23. Ensure a successful 2012 Benefits Plan RFP process and award medical, dental, life, and disability plan contracts effective 1/1/2013.
24. Evaluate alternatives to the current Decision Band Method (DBM) job evaluation systems.
25. Provide more efficient inmate transportation by collaborating with peer counties to reduce transport cost, overtime, and mileage.

ayes 7

nays none

11-629

Adoption Of 2012–2016 Capital Improvement Program

Motion: Comm. Krause

Second: Comm. Egan

WHEREAS, the Dakota County Board of Commissioners recognizes the need to identify and plan for future County capital projects; and

WHEREAS, the adoption of a Capital Improvement Program establishes a coherent development program that provides for the most efficient use of County financial resources; and

WHEREAS, Dakota County has prepared and thoroughly examined a five-year program for Transportation, Park, and Building projects; and

WHEREAS, Dakota County has considered the following factors in developing its 2012–2016 Capital Improvement Program:

- Condition of the County's existing infrastructure, including the projected need for repair or replacement;
- Likely demand for the improvement;
- Estimated cost of the improvement;
- Available public resources;
- Level of overlapping debt in the County;
- Relative benefits and costs of alternate uses of the funds;
- Operating costs of the proposed improvements; and
- Alternatives for providing services more efficiently through shared facilities with other counties or local government units; and

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WHEREAS, a public hearing was held on November 15, 2011, in accordance with the requirements of Minn. Stat. §373.40.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby adopts the 2012–2016 Capital Improvement Program in the amount of \$270,812,629, as presented on December 13, 2011.

ayes 7

nays none

11-630

Authorization To Implement GASB 54 Requirements, And To Apply Such Requirements To Its Financial Statements Beginning With Current (December 31, 2011) Fiscal Year, And Adopt Fund Balance Policy

Motion: Comm. Egan

Second: Comm. Krause

WHEREAS, the Governmental Accounting Standards Board ("GASB") has adopted Statement 54 ("GASB 54"), a new standard for reporting governmental fund balances and new definitions for governmental funds, which became effective for fiscal years starting after June 15, 2010; and

WHEREAS, Dakota County desires to implement GASB 54 requirements and to apply such requirements to its financial statements beginning with the current fiscal year ending December 31, 2011.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby adopts its Fund Balance Policy, as presented on December 13, 2011, effective for the fiscal year ending December 31, 2011; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby delegates to the Financial Services Director the authority to allocate funds to the Assigned Fund Balance in accordance with adopted operational plans and policies; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby commits the following portions of its December 31, 2011 Fund Balance: \$16,800,000 of the Environmental Management Fund (\$12,000,000 as a future source of funding for investigation and remediation of contaminated waste sites and \$4,800,000 as a future source for environmental programs relating to landfill abatement); and the tax revenue remaining in the fund balance of the County Library Special Revenue Fund for operation of the County Library; and the tax revenue remaining in the fund balance of the County Parks Special Revenue Fund for operation and maintenance of County Parks; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby establishes a policy that the Unassigned Fund Balance of the General Fund is maintained at a minimum of 20% of the total operating budget of the General Fund.

ayes 7

nays none

Mark Ulfers, Dakota County Community Development Agency Executive Director, presented Item 16.1 – Approval Of Levy Increment For Dakota County Community Development Agency.

11-631

Approval Of 2012 Levy Increment For Dakota County Community Development Agency

Motion: Comm. Krause

Second: Comm. Branning

WHEREAS, the Dakota County Board of Commissioners (the "Board") has determined that the availability of accessible affordable housing is a necessary component of a vital, sustainable economy in Dakota County; and

WHEREAS, the Board has established the Dakota County Housing Opportunities Enhancement (HOPE) Fund to provide a source of loans to leverage public and private investment in affordable housing and has authorized execution of a joint powers agreement with the Dakota County Community Development Agency (CDA) for administration of the HOPE Fund; and

WHEREAS, the Board appropriated \$1 million from the unreserved fund balance in 2002, 2003 and 2004, to help capitalize the HOPE Fund; and

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WHEREAS, there continues to be a substantial gap between the demand for affordable housing in Dakota County and availability of such units, and additional capital to support the continued work of the HOPE fund is desirable to leverage the development of additional affordable housing to address unmet housing needs in the County; and

WHEREAS, Rental Assistance programs provided through the CDA provide stable housing for vulnerable Dakota County residents in cooperation with the efforts of Dakota County staff; and

WHEREAS, the need for Rental Assistance has increased with the addition of support to residents of Lincoln Place youth supportive housing; and

WHEREAS, Dakota County has entered into a joint powers agreement with the Dakota County Community Development Agency in support of Lincoln Place and recognizing the CDA levy as a source of operating subsidy; and

WHEREAS, the Board has previously approved the ongoing levy by the CDA of special benefit taxes at a rate of .0144% of taxable market value; and

WHEREAS, the CDA is authorized under Minnesota Statutes, Section 469.033, Subd. 6, with the approval of the Board, to levy additional special benefit taxes, in the amount of .0041% of taxable market value (the "Incremental Levy") for a total levy of .0185%; and

WHEREAS, the Incremental Levy would be used by the CDA to provide an estimated \$1,391,179 in 2012 to leverage other public, private, and nonprofit investments in affordable housing through the HOPE program and an estimated \$86,871 to Rental Assistance programs to provide housing assistance to vulnerable Dakota County residents; and

WHEREAS, the approval by the Board of Commissioners of the Incremental Levy applies only to taxes payable in 2012.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the CDA's levy of special benefit taxes at a rate of .0185% of taxable market value for taxes payable in 2012, for the purpose of leveraging the development of additional affordable housing in Dakota County through the HOPE Fund and Rental Assistance programs.

ayes 7

nays none

Lisa West, Senior Planner, presented Item 16.2 – Authorization To Acquire 25 Acres From Paul Lewis Within Miesville Ravine Park Reserve.

11-632

Authorization To Acquire 25 Acres From Paul Lewis Within Miesville Ravine Park Reserve

Motion: Comm. Egan

Second: Comm. Schouweiler

WHEREAS, Dakota County purchases privately owned property from willing sellers to protect natural resources and to provide for public recreation according to approved park master plans; and

WHEREAS, the approved Miesville Ravine Park Reserve (MRPR) Master Plan includes the Paul Lewis property, located at 26140 Miesville Trail in Douglas Township as a priority in-holding and recommends County acquisition; and

WHEREAS, acquisition of the Paul Lewis property would provide public value, and preserve and enhance natural resources and open space; and

WHEREAS, by Resolution No. 11-047 (January 18, 2011), the Dakota County Board of Commissioners authorized the Physical Development Director to appraise and negotiate acquisition of a portion of the Paul Lewis property; and

WHEREAS, Paul Lewis, after negotiations with the County, has agreed to sell 25± acres (subject to survey) of his property to the County for the sum of \$122,500; and

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WHEREAS, the total acquisition project cost is \$134,000, including \$11,500 for appraisal, closing, Payment in Lieu of Taxes, and initial natural resource stewardship.

WHEREAS, staff has negotiated that Paul Lewis be allowed to continue cultivating and receiving annual rent from the existing eight acres of land on the property, until the completion of the 2015 growing season; and

WHEREAS, agricultural use of this portion of the property would be subject to annual County approval, including boundaries, management and final season crop selection in 2015 as a favorable transition to native species restoration; and

WHEREAS, the agreement with Paul Lewis would include an easement for road access over the portion of his property not being acquired by the County; and

WHEREAS, the Metropolitan Council Acquisition Opportunity Fund (AOF) is available to regional park implementing agencies for acquiring private property within approved regional park boundaries; and

WHEREAS, 75 percent of the cost to acquire the Paul Lewis property, including associated appraisal, closing, Payment in Lieu of Taxes, and initial management expenses, is available to Dakota County through the AOF and requires a 25 percent non-reimbursable County match; and

WHEREAS, the Parks and Opens Space 2011 Capital Improvement Program budget includes adequate park system acquisition funding, with 75 percent derived from the Metropolitan Council AOF and 25 percent from the County's General Fund balance; and

WHEREAS, County Board approval of a budget amendment is required to use the General Fund balance identified in the Parks and Opens Space 2011 Capital Improvement Program budget.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Physical Development Director to execute a Purchase Agreement with Paul A. Lewis to acquire 25± acres of his property within Miesville Ravine Park Reserve and associated road access easement for \$122,500, subject to survey and approval by the County Attorney's Office as to form; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Parks and Open Space Department Director to submit an Acquisition Opportunity Fund grant request to the Metropolitan Council for acquiring 25± acres of the Paul Lewis property as an addition to the Miesville Ravine Park Reserve for a total amount not to exceed \$100,500 of the estimated \$134,000 total cost of this acquisition; and

BE IT FURTHER RESOLVED, That following completion of the Lewis property acquisition, Dakota County will submit the necessary forms and documentation to the Metropolitan Council receive the \$100,500 of AOF reimbursements and said reimbursements will be returned to the Parks and Open Space Department fund balance; and

BE IT FURTHER RESOLVED, That the Chair of the Dakota County Board of Commissioners is hereby authorized to sign a Notice of Funding Restriction, as required by the Metropolitan Council grant agreement, providing matching funds for this project; and

BE IT FURTHER RESOLVED, That the 2011 Parks and Open Space Department's Capital Improvement Program is hereby amended as follows:

Expense	
Acquisition of Lewis property	\$122,500
Other associated acquisition and initial management costs	\$11,500
Total Expenses	\$134,000
Revenue	
AOF Reimbursement from Met Council	\$100,500
General Fund	\$33,500
Total Revenue	\$134,000

ayes 7

nays none

December 13, 2011

Mark Zabel, Watershed Administrator, presented Item 16.3 – Adoption Of 2012 Vermillion River Watershed Special Tax District Levy.

11-633**Adoption Of 2012 Vermillion River Watershed Special Tax District Levy**

Motion: Comm. Krause

Second: Comm. Branning

WHEREAS, by Resolution No. 02-347 (June 25, 2002), the Dakota County Board of Commissioners approved a Joint Powers Agreement (JPA) between Dakota County and Scott County to govern the Vermillion River Watershed; and

WHEREAS, the JPA establishes a Joint Powers Board consisting of two commissioners from Dakota County and one from Scott County; and

WHEREAS, funding is needed for Dakota County's share of costs associated with managing the Vermillion River Watershed; and

WHEREAS, by Resolution No. 02-296 (June 4, 2002), the Dakota County Board of Commissioners established the Vermillion River Watershed Special Purpose Tax District, through Ordinance No. 127, to fund Dakota County's share of costs associated with managing the Vermillion River Watershed; and

WHEREAS, approval and adoption of the Watershed Management Plan, as required by Minn. Stat. § 103B, occurred in November 2005; and

WHEREAS, the JPA states that the Vermillion River Watershed Joint Powers Board will adopt a budget and recommend a levy for each county by September 15th of each year; and

WHEREAS, on August 25, 2011, the Vermillion River Watershed Joint Powers Board adopted a proposed budget of \$1,847,200, including the use of 2011 fund balance and federal grant revenue, and recommended that Dakota County's levy be \$868,200 and Scott County's levy be \$31,500; and

WHEREAS, Dakota County certified a proposed levy of \$868,200 for the Vermillion River Watershed Special Tax District on September 13, 2011, to be effective for taxes payable in 2012.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby adopts a Vermillion River Watershed Special Tax District levy of \$868,200 for taxes payable in 2012.

eyes 7

nays none

Chief Deputy Sheriff Tim Leslie presented Item 17.1 – Authorization To Enter Into Mutual Aid Agreement With Ramsey And Washington Counties For Transportation Of Prisoners.

11-634**Authorization To Enter Into Mutual Aid Agreement With Ramsey And Washington Counties For Transportation Of Prisoners**

Motion: Comm. Krause

Second: Comm. Schouweiler

WHEREAS, the County Sheriff is responsible for transporting prisoners held in the custody of Dakota County to various locations to fulfill their obligations; and

WHEREAS, thousands of miles are logged each year by Sheriff's staff to safely transport prisoners and significant expenditures are made for wage, overtime and transportation expenses; and

WHEREAS, in an attempt to decrease these expenditures and improve efficiencies the Sheriffs of Dakota, Ramsey, and Washington Counties wish to collaborate and share when prisoners are going to the same locations as those from another of these two counties.

NOW, THEREFORE, BE IT RESOLVED, That the Sheriff is authorized to enter into a mutual aid agreement with the Counties of Ramsey and Washington for the purpose of sharing transportation duties with these counties in an effort to minimize costs and increase efficiencies, as presented on December 13, 2011, subject to approval by the County Attorney's Office as to form; and

December 13, 2011

BE IT FURTHER RESOLVED, That the Sheriff shall provide a report to the County Board on the outcomes of the shared transportation duties during the third quarter in 2012, including examination of the metrics of overtime use, miles driven, fleet costs and number of transports completed.

ayes 7

nays none

Jean Erickson, Public Services and Revenue Deputy Director, presented Item 18.1 – Imposition Of Civil Penalty For Second Violation Pursuant To Dakota County Ordinance 101 Regulating Licensing And Sale Of Non-Intoxicating Malt Liquor (On Sale and Off Sale) And Intoxicating Liquor (On Sale And Off Sale) By Southern Hills Golf Club. Following the presentation, representatives of Southern Hills Golf Club were afforded the opportunity to provide comments on the penalty. The following appeared:

Nate Cardin, Farmington

Following discussion, Commissioner Egan moved and Commissioner Workman seconded to adopt a resolution imposing a civil penalty in the amount of \$1,000 on Newman Golf Investors, LP with no suspension. The Commissioners voted as follows: ayes 3, nays 4. The motion failed.

The following resolution was then adopted.

11-635

Imposition Of Civil Penalty For Second Violation Pursuant To Section 24 Of Dakota County Ordinance 101 Regulating Licensing And Sale Of Non-Intoxicating Malt Liquor (On Sale And Off Sale) And Intoxicating Liquor (On Sale And Off Sale) By Southern Hills Golf Club

Motion: Comm. Egan

Second: Comm. Workman

WHEREAS, pursuant to Resolution No. 09-646 of the Dakota County Board of Commissioners, the Dakota County Treasurer-Auditor issued a license to sell intoxicating liquor to Newman Golf Investors, LP doing business as Southern Hills Golf Course ("licensee"); and

WHEREAS, pursuant to Dakota County Ordinance 101, Section 22, the Dakota County Sheriff conducted an alcohol compliance check at the licensee's premises located at 18950 Chippendale Avenue, Empire Township on August 21, 2010; and

WHEREAS, during the course of the compliance check an employee on behalf of the licensee, allegedly furnished alcohol to a minor; and

WHEREAS, the Dakota County Sheriff referred the alleged violation to the Dakota County Attorney, who charged an employee with sale of alcohol to a minor on August 21, 2010; and

WHEREAS, the employee has pled guilty to the charge has been sentenced and paid the fine; and

WHEREAS, Ordinance 101, Section 23, prohibits the licensee to permit any person under the age of 21 to drink alcohol on the licensed premises; and

WHEREAS, licensee permitted a person under the age of 21 to purchase alcohol on the licensed premises on July 2, 2008, in violation of Ordinance 101; and

WHEREAS, Ordinance 101, Section 24, authorizes the Dakota County Board of Commissioners to impose a civil penalty for violation of Ordinance 101; and

WHEREAS, pursuant to Resolution No. 09-424, the Dakota County Board of Commissioners imposed a civil penalty on Newman Golf Investors LP, doing business as Southern Hills Golf Course, in the amount of \$500 for violation of Dakota County Ordinance 101 based upon a failed alcohol compliance check conducted on July 2, 2008 by the Dakota County Sheriff's Office; and

WHEREAS, the Dakota County Board of Commissioners has provided notice to licensee of its intention to consider imposition of a civil penalty for violation of Ordinance 101 in 2010.

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NOW THEREFORE BE IT RESOLVED, That the Dakota County Board of Commissioners, based upon the record before it, hereby makes the following findings of fact:

1. Newman Golf Investors, LP doing business as Southern Hills Golf Course was licensed by the Dakota County Board of Commissioners to sell intoxicating liquor at its licensed premises located at 18950 Chippendale Avenue, Empire Township, for the period January 1, 2010 through December 31, 2010.
2. On August 21, 2010, a Southern Hills Golf Course employee furnished alcohol to two minors at the licensed premises.
3. The sale of alcohol to a minor at the licensed premises constitutes a violation of Dakota County Ordinance 101, Section 23.
4. Pursuant to Ordinance 101, Section 24, the Dakota County Board of Commissioners may impose a civil penalty for violation of the Ordinance.
5. This violation is the second violation of Ordinance 101 by Newman Golf Investors, LP doing business as Southern Hills Golf Course that has been the subject of a civil penalty imposed by the Dakota County Board of Commissioners (Resolution 09-424).

; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby concludes that Newman Golf Investors, LP violated Ordinance 101, Section 23 on August 21, 2010; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners hereby imposes a civil penalty in the amount of \$1,000 on Newman Golf Investors, LP; and

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners imposes a five day suspension of the Newman Golf Investors, LP Intoxicating Liquor License for the period of June 10, 2012 through June 14, 2012; and

BE IT FURTHER RESOLVED, That the Public Services & Revenue Division is hereby directed to send to Newman Golf Investors, LP, by registered mail, a certified copy of this County Board resolution imposing a five day suspension of its intoxicating liquor license and a civil penalty of \$1,000 requiring payment within 10 days of receipt.

ayes 5

nays 2
Comms. Krause and Branning

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

11-636

Authorization To Approve Settlement Of Parcel 94 (324): County Project 23-64)

Motion: Comm. Egan

Second: Comm. Krause

WHEREAS, Dakota County, through County Project (CP) 23-64 is constructing Cedar Avenue and multiple cross streets in Apple Valley and Lakeville to create a Bus Rapid Transit (BRT) corridor along County State Aid Highway (CSAH) 23; and

WHEREAS, in Parcel 94 (324), the County condemned for highway purposes 5,175 square feet of permanent trail, drainage and utility easement and 1,290 square feet of temporary construction easement for which the County offered compensation of \$55,200, which quick take amount has been deposited with Dakota County District Court; and

WHEREAS, Wooddale Group, LLC, the owners of the parcel, rejected the offer and have countered with a demand for \$177,700 as compensation for the taking of these easements and further attorney's fees and costs if the matter proceeds to litigation; and

WHEREAS, the parties to this action have agreed to a settlement of all damages caused by the takings for an amount of \$103,500, subject to approval by the County Board; and

December 13, 2011

WHEREAS, the County Attorney and Transportation Department staff recommend approval of the settlement agreement as being a fair and equitable settlement for both parties in view of the impacts to the property, real estate market data, the time, additional expense and risk involved in continued litigation and believe that the settlement represents an appropriate allocation of the prospects for success if the matter is allowed to proceed to a commissioners' hearing.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners approves the settlement agreement for Parcel 94 (324) in the total amount of \$103,500, conditioned on obtaining a refund of the quick take deposit for this parcel from Dakota County District Court, as being in the best interest of the County, and authorizes the County Attorney to arrange for final payment of the settlement amount and file the necessary court documents to effectuate final settlement of the condemnation action between the parties.

ayes 7

nays none

11-637

Closed Executive Session: County Of Dakota V. Convenience Store Investments, LLC, Et Al (Empire Four, LLC And Marie Forbush) (Arby's Restaurant Site) (County Project 23-59)

Motion: Comm. Schouweiler

Second: Comm. Gaylord

WHEREAS, Dakota County has commenced condemnation proceedings in connection with the construction of road and intersection improvements along Cedar Avenue in the City of Apple Valley and the City of Lakeville for Bus Rapid Transit in the Cedar Avenue transit corridor; and

WHEREAS, in connection with such proceedings, Dakota County took 2,953 square feet of permanent highway right of way easement, 429 square feet of permanent trail, drainage and utility easement, and 4,245 square feet of temporary construction easement from the property owned by Empire Four, LLC and Marie Forbush (Arby's Restaurant site); and

WHEREAS, the Dakota County Board of Commissioners seeks legal advice from the County Attorney with respect to the strategy of prosecuting this matter, the public disclosure of which would benefit the landowners and their counsel to the detriment of Dakota County's position in this matter; and

WHEREAS, pursuant to Minn. Stat. § 13D.05, subd. 3(b), the County Board by resolution may close a meeting as permitted by the attorney-client privilege.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby closes the County Board meeting on December 13, 2011, and recesses to Conference Room 3A, Administration Center, Hastings, Minnesota, in order to discuss with the County Attorney the legal strategy of prosecuting Dakota County's condemnation proceeding in the matter of Convenience Store Investments, LLC, et al. (Empire Four, LLC and Marie Forbush) (Arby's Restaurant site) (County Project 23-59).

ayes 7

nays none

11-638

Closed Executive Session: Discuss Labor Negotiations Strategy

Motion: Comm. Schouweiler

Second: Comm. Gaylord

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

WHEREAS, the Dakota County 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 County Board meeting on December 13, 2011, and recesses to Conference Room 3A, Administration Center, Hastings, Minnesota, in order to discuss labor negotiations strategy.

ayes 7

nays none

December 13, 2011

11-639**Closed Executive Session: Evaluate Performance Of County Administrator**

Motion: Comm. Schouweiler

Second: Comm. Gaylord

WHEREAS, upon adoption of a resolution by majority vote, the Dakota County Board is authorized, pursuant to Minn. Stat. § 13D.05 3(a), to hold a closed executive session; and

WHEREAS, the Dakota County Board of Commissioners desires to meet to evaluate 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 December 13, 2011, and recesses to Conference Room 3A, Administration Center, Hastings, Minnesota, to evaluate the performance of the County Administrator.

ayes 7

nays none

The time being 10:30 a.m. and pursuant to public notice and Resolution Nos. 11-637 and 11-638, the County Board convened in Conference Room 3A to hold Closed Executive Sessions to discuss County Of Dakota V. Convenience Store Investments, LLC, Et Al (Empire Four, LLC And Marie Forbush) (Arby's Restaurant Site) (County Project 23-59) and Labor Negotiations Strategy.

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
 James Backstrom, County Attorney
 Karen Schaffer, First Assistant County Attorney
 Kelly Olson, Sr. Administrative Coordinator to the Board
 Nancy Hohbach, Employee Relations
 Frank Madden, Labor Consultant
 Matt Smith, Deputy County Administrator

The Closed Executive Session continued until 10:53 a.m., at which time Mr. Madden, Ms. Hohbach, Mr. Smith, and Mr. Backstrom left the meeting and the following entered.

Jim Crow, Assistant County Attorney
 Mike Ring, Assistant County Attorney
 Lynn Thompson, Physical Development Director
 Mark Krebsbach, Transportation Director

The Closed Executive Session continued until 11:10 a.m., at which time the Board recessed. The Board reconvened at 11:51 a.m. in the Board Room with all members present and recessed at 11:51 a.m. The Board reconvened at 1:01 p.m. with all members present.

The time being 1:01 p.m. and pursuant to public notice and Resolution No. 11-639, the County Board convened in Conference Room 3A to hold Closed Executive Sessions to evaluate the performance of the County Administrator.

The following were present:

Commissioner Joseph A. Harris, District 1
 Commissioner Kathleen A. Gaylord, District 2

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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 1:46 p.m., at which time the Board reconvened in Conference Room 3A, with all members present.

11-640
Adjournment

Motion: Comm. Krause

Second: Comm. Gaylord

BE IT RESOLVED, That the Dakota County Board of Commissioners hereby adjourns to Tuesday, January 10, 2011.

ayes 7

nays none

The County Board meeting was adjourned at 1:46 p.m.

Joseph A. Harris
Chair

ATTEST

Brandt Richardson
County Administrator