

The Ramsey County Board of Commissioners met with the following members present: Bennett, Carter, McDonough, Ortega, Reinhardt, Rettman and Chair Parker (late) – 7. Absent: - 0. Also present were Julie Kleinschmidt, County Manager, and Darwin Lookingbill, Director, Civil Division, County Attorney's Office.

Vice-Chair Rettman called the meeting to order until Chair Parker arrived.

PLEDGE OF ALLEGIANCE

All in attendance recited the Pledge of Allegiance.

AGENDA

Commissioner Carter moved approval of the Agenda of the January 13, 2009, Board Meeting, seconded by Commissioner Ortega. Roll Call: Ayes – Bennett, Carter, McDonough, Ortega, Reinhardt, Rettman, Parker – 7. Nays – 0.

MINUTES

Commissioner Reinhardt moved approval of the Minutes of the January 6, 2009 Annual Organizational Board Meeting, seconded by Commissioner Carter. Roll Call: Ayes – Bennett, Carter, McDonough, Ortega, Reinhardt, Rettman, Parker – 7. Nays – 0.

EMPLOYEE ACHIEVEMENT AWARDS

Employee Achievement Awards were presented to:

- Donna Johnson, Community Human Services – Nominated for Excellent Job Performance, by Commissioner McDonough; and
- The ACT (Assertive Community Treatment) Team, Community Human Services – Nominated for Excellent Job Performance, Performance Beyond the Call of Duty and Community Contribution, by Commissioner Carter.

BOARD OF RAMSEY COUNTY COMMISSIONERS – Appointment to Ramsey-Washington Metro Watershed District Board of Managers

Commissioner Bennett introduced the following resolution and moved its adoption, seconded by Commissioner McDonough. Roll Call: Ayes – Bennett, Carter, McDonough, Ortega, Reinhardt, Rettman, Parker – 7. Nays – 0. (2009-016)

WHEREAS, In accordance with the County's Open Appointment Process, a press release was distributed October 20, 2008, seeking individuals for one position on the Ramsey-Washington Metro Watershed District Board of Managers; and

WHEREAS, The incumbent was the only applicant; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners hereby ratifies the appointment of James Frost, 2324 E. Maple Lane, Maplewood, MN 55109, to the Ramsey-Washington Metro Watershed District Board of Managers, for a term beginning February 23, 2009 and ending February 23, 2012

BOARD OF RAMSEY COUNTY COMMISSIONERS – Appointments to the Parks and Recreation Commission

(Continued)

Commissioner Bennett introduced the following resolution and moved its adoption, seconded by Commissioner McDonough. Roll Call: Ayes – Bennett, Carter, McDonough, Ortega, Reinhardt, Rettman, Parker – 7. Nays – 0. (2009-017)

WHEREAS, In accordance with the County’s Open Appointment Process, a press release was distributed seeking applicants to the Ramsey County Parks and Recreation Commission for vacancies in Districts 5 and 6; and

WHEREAS, The Parks and Recreation Commission is composed of nine members; one from each Commissioner district, and two at-large positions; and

WHEREAS, Commissioner Ortega wishes to appoint an applicant to represent District 5, and Commissioner McDonough wishes to appoint an applicant to represent District 6; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners hereby ratifies the appointment of the following individuals to the Parks and Recreation Commission for terms beginning with the date of appointment and ending June 1, 2012.

APPOINTEE

TERM EXPIRATION

District 5

Brian Shirley
955 Armstrong Avenue
St. Paul, MN 55102

June 1, 2012

District 6

Caddy Rowland
240 Kennard Street
St. Paul, MN 55106

June 1, 2012

PUBLIC WORKS – Professional Right of Way Acquisition Services by SRF Consulting Group for the White Bear Avenue from County Road D to Radatz Avenue Reconstruction Project

Commissioner Bennett introduced the following resolution and moved its adoption, seconded by Commissioner McDonough. Roll Call: Ayes – Bennett, Carter, McDonough, Ortega, Reinhardt, Rettman, Parker – 7. Nays – 0. (2009-018)

WHEREAS, The Ramsey County Public Works Department Transportation Improvement Program has White Bear Avenue from County Road D to Radatz Avenue including a portion of County Road D west of White Bear Avenue programmed to be reconstructed in the construction in 2010; and

WHEREAS, Ramsey County, in cooperation with MnDOT and the City of Maplewood, hired the consulting firm Kimley-Horn and Associates, Inc. for the preliminary design and environmental work for the White Bear Avenue Reconstruction project on February 13, 2007; and

WHEREAS, The Ramsey County Board of Commissioners approved a cost share agreement with the City of Maplewood to conduct final design of the reconstruction project on November 4, 2008; and

WHEREAS, Ramsey County prepared and notified companies for the Professional Right of Way Acquisition Services for the Reconstruction of White Bear Avenue (County Road D to Radatz Avenue) RFP #PUBW-740; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners authorizes the Director of Public Works to negotiate a professional services contract with SRF Consulting Group, Inc. for the purpose of Right of Way acquisition services for the reconstruction of White Bear Avenue from County Road D to Radatz Avenue and a portion of County Road D west of White Bear Avenue, S.A.P. 62-665-48; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners authorizes the County Manager to approve and sign the contract on behalf of Ramsey County, subject to approval as to form by the County Attorney; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners approves the following budget adjustment:

INCREASE ESTIMATED REVENUE

| | | | | | | | |
|------|-------|--------|-------|--------|-------------------|---------|-----------|
| 2007 | 17304 | 550880 | 00000 | 314606 | CSAH Construction | P033202 | \$306,992 |
| | | | | | Regular | | |

TRANSFER TO/INCREASE APPROPRIATION

| | | | | | | | |
|------|-------|--------|-------|--------|-------------------------|---------|-----------|
| 2007 | 17304 | 550880 | 00000 | 421501 | White Bear Ave @ I-694 | P033202 | \$306,992 |
| | | | | | Right of Way Consultant | | |

and Be It Further

RESOLVED, The Ramsey County Board of Commissioners authorizes a temporary cash loan in the amount of \$306,992 from the County General Fund to the Road and Bridge CIP fund until receipt of participating funds.

PUBLIC WORKS – Professional Services Agreement PW2008-20 with TKDA for Warner Bridge Replacement Project

Commissioner Bennett introduced the following resolution and moved its adoption, seconded by Commissioner McDonough. Roll Call: Ayes – Bennett, Carter, McDonough, Ortega, Reinhardt, Rettman, Parker – 7. Nays – 0. (2009-019)

WHEREAS, Ramsey County Public Work's Transportation Improvement Program has identified Warner Road Bridge at Childs Road for replacement in 2010; and

WHEREAS, Funding for the project has been identified through County State Aid funds, State Bridge Bonds, Surface Transportation Program Funds (STP) and the City of St. Paul; and

(Continued)

WHEREAS, Ramsey County Public Works has selected TKDA through the RFP process as the project consultant to complete preliminary engineering; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners approves Professional Services Agreement PW2008-20 between Ramsey County and TKDA for Professional Engineering Services; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners authorizes the Chair and Chief Clerk to execute Professional Services Agreement PW2008-20 on behalf of Ramsey County; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners authorizes the following budget adjustment:

INCREASE ESTIMATED REVENUE

2009 17304 550880 00000 314617 CSAH Engineering Fee Reim P033276 \$146,100

TRANSFER TO/INCREASE APPROPRIATION

2009 17304 55088 00000 442109 Warner Rd Eastbound Bridge P033276 \$146,100

and Be It Further

RESOLVED, The Ramsey County Board of Commissioners authorizes a temporary cash loan in the amount of \$146,100 from the General fund to the Road and Bridge CIP fund until receipt of the participating funds.

PUBLIC WORKS – Traffic Control Signal Agreement 93699R for TH 280 at Larpenteur Avenue

Commissioner Bennett introduced the following resolution and moved its adoption, seconded by Commissioner McDonough. Roll Call: Ayes – Bennett, Carter, McDonough, Ortega, Reinhardt, Rettman, Parker – 7. Nays – 0. (2009-020)

WHEREAS, Mn/DOT is planning the replacement of the Larpenteur Avenue bridge over T.H. 280; and

WHEREAS, As part of the project new traffic control signals will be constructed at the ramps along with street lights, interconnect and signing; and

WHEREAS, Mn/DOT has prepared Agreement 93699R between Ramsey County Public Works, Mn/DOT and the City of Lauderdale, which identifies Ramsey County's responsibility for maintaining the luminaires, relamping the traffic control signal and street lights and cleaning the traffic control signal, mast arm extensions, controllers and service cabinets; and

WHEREAS, Agreement 93699R also details cost sharing identifying Ramsey County's responsibility for 50% of cost of the traffic control signals at the east and west ramps at Highway 280 and an 8% engineering fee which is in accordance with Ramsey County's cost participation policy; Now, Therefore, Be It

(Continued)

RESOLVED, The Ramsey County Board of Commissioners approves Agreement 93699R between Ramsey County Department of Public Works, MN/Dot and the City of Lauderdale, prepared by Mn/DOT, for the construction, maintenance and operation of the traffic control signal and EVP system at the intersection of T.H. 280 and Larpenteur Avenue (CSAH 30), S.A.P. No. 62-630-53; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners authorizes the Chair and Chief Clerk to execute Agreement 93699R on behalf of Ramsey County; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners authorizes the County Manager to make appropriate budget adjustments at the time of contract award and when final contract costs are known; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners approves a temporary cash loan, from the County General Fund to the Road and Bridge CIP fund until receipt of CSAH funds.

SHERIFF/COMMUNITY CORRECTIONS/PUBLIC HEALTH – Agreements for Dental Services at the Ramsey County Law Enforcement Center and the Ramsey County Correctional Facility

Commissioner Bennett introduced the following resolution and moved its adoption, seconded by Commissioner McDonough. Roll Call: Ayes – Bennett, Carter, McDonough, Ortega, Reinhardt, Rettman, Parker – 7. Nays – 0. (2009-021)

WHEREAS, The Health Care programs at the Law Enforcement Center (“LEC”) and the Ramsey County Correctional Facility (“RCCF”) provide urgent dental care on-site for adult detainees and inmates; and

WHEREAS, In past years it has proven to be most cost effective and efficient to have a contractual agreements with a dentist and a dental assistant to provide appropriate dental care services; and

WHEREAS, Dr. Brad McDonnell, D.D.S. has been providing dental consultation, patient care and assistance with dental policy in the Health Services Programs at the LEC and the RCCF in a professional and satisfactory manner for over ten years and understands the mission of dental health care in short-term detention and correctional facilities; and

WHEREAS, Kellie Johnson, Dental Hygienist, has been providing services as a dental assistant at the LEC and the RCCF in a professional and satisfactory manner for over ten years; and

WHEREAS, The Sheriff's Office and the Department of Community Corrections are requesting approval of a three-year contract with Dr. Brad McDonnell, D.D.S. for dental services at the LEC and the RCCF commencing January 1, 2009, and a three-year contract with Kellie Johnson, Dental Hygienist, for services as a dental assistant at the LEC and the RCCF commencing January 1, 2009, both with options to renew for up to two 1-year periods; Now, Therefore, Be It

(Continued)

RESOLVED, The Ramsey County Board of Commissioners approves an agreement with Dr. Brad McDonnell, D.D.S., 1020 Griffin Ave., Mahtomedi, MN 55115 for services as a dentist for the LEC and the RCCF clinical programs for an initial three-year period from January 1, 2009 through December 31, 2011, with an option to renew for up to two one-year periods, at a rate of \$120/hour, up to a maximum not to exceed sum of \$40,000 during any one year period; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners approves an agreement with Kellie Johnson, Dental Hygienist, 2044 Prosperity Road, Maplewood, MN 55109 for services as a dental assistant for the LEC and RCCF clinical programs for an initial three-year period from January 1, 2009 through December 31, 2011, with an option to renew for up to two one-year periods, at a rate of \$ 41/hour up to a maximum not to exceed sum of \$15,000 during any one year period; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners authorizes the County Manager to execute the agreements, subject to prior approval by Budgeting and Accounting and the County Attorney's Office; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners authorizes the County Manager to sign amendments to the agreements for each 1-year renewal period, subject to prior approval by Budgeting and Accounting and the County Attorney's Office.

PUBLIC HEALTH – Renewal of Agreements for Physician, Physician Assistant and Nurse Practitioner Services for Clinical Programs at Public Health

Commissioner Bennett introduced the following resolution and moved its adoption, seconded by Commissioner McDonough. Roll Call: Ayes – Bennett, Carter, McDonough, Ortega, Reinhardt, Rettman, Parker – 7. Nays – 0. (2009-022)

WHEREAS, For many years, it has been more cost effective to have contractual agreements with physicians and physician assistants to provide health care services in the clinical programs at St. Paul – Ramsey County Department of Public Health, than to hire fulltime employees; and

WHEREAS, Dr. Keith Henry, provides clinical consultation, patient care and assists with clinical policy in Room 111, is an international expert in the area of HIV/AIDS; and

WHEREAS, Mr. Robert Carlson, PA, provides patient health care in the tuberculosis control clinic and refugee/immigrant health programs at 555 Cedar Street; and

WHEREAS, Dr. Carol Ball, M.D., and Advanced Practice Solutions provides clinical consultation, patient care and assists with clinical policy in the Women's Health program at 555 Cedar Street; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners approves the renewal of the following rate setting agreements for the period January 1, 2009 through December 31, 2010:

- Hennepin Faculty Associates for services of Dr. Keith Henry, 600 HFA Building, 914 South 8th Street, Minneapolis, MN 55405, at the rate of \$2,100 per month, in an amount not to exceed \$50,400;

(Continued)

- Health Partners, Inc. for physician assistant services of Robert Carlson, 8100 – 34th Avenue South, Bloomington, MN 55425, at the rate of \$60/hour, in an amount not to exceed \$70,000;
- Advanced Practice Solutions, Inc. to provide clinical nurse practitioner services, 8645 Eagle Pt. Blvd. N., Lake Elmo, MN 55042, at the rate of \$69/hour in 2009 and \$70/hour in 2010, in an amount not to exceed \$82,000;
- Carol Ball, M.D. for physician services, 9809 85th Street South, Cottage Grove, MN 55016, at the rate of \$175/hour, in an amount not to exceed \$29,400;

and Be It Further

RESOLVED, The Board authorizes the County Manager to execute and amend the Agreements as necessary in a form to be approved by the County Attorney.

PUBLIC HEALTH – Living At Home/Block Nurse Program, Inc.

Commissioner Bennett introduced the following resolution and moved its adoption, seconded by Commissioner McDonough. Roll Call: Ayes – Bennett, Carter, McDonough, Ortega, Reinhardt, Rettman, Parker – 7. Nays – 0. (2009-023)

WHEREAS, Ramsey County desires that persons 65 years and older who are in need of support, remain in their homes in their community; and

WHEREAS, Living At Home/Block Nurse Program, Inc. (LAH/BNP, Inc.) agrees that it can provide an array of services so that persons 65 years and older and their families are satisfied living interdependently in their homes and in their communities; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners approves an agreement with Living At Home/Block Nurse Program, 475 Cleveland Avenue, Suite 322, Saint Paul, MN 55104, in an amount not to exceed \$191,250, for the period January 1, 2009 through December 31, 2009; and Be It Further

RESOLVED, That Ramsey County funds cannot be used to pay for services to Living at Home/Block Nurse Program, Inc., and can only be used for local services to seniors and neighborhood program administration; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners authorizes the County Manager to execute the agreement, in a form to be approved by the County Attorney; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners authorizes the County Manager to amend the agreement, in the event of decreased or increased funding availability, and make necessary budget adjustments.

WORKFORCE SOLUTIONS – Reduction of Two Vacant FTEs in the Workforce Solutions Budget

Commissioner Bennett introduced the following resolution and moved its adoption, seconded by Commissioner McDonough. Roll Call: Ayes – Bennett, Carter, McDonough, Ortega, Reinhardt, Rettman, Parker – 7. Nays – 0. (2009-024)

(Continued)

WHEREAS, Effective January 1, 2009, Workforce Solutions will eliminate two vacant positions in its budget; and

WHEREAS, Although these positions are in the Community Human Services (CHS) complement, they have been used to provide services to MFIP participants and have stayed in the CHS complement to preserve the seniority rights of the affected staff; and

WHEREAS, Workforce Solutions' community partners will now provide these services; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners authorizes the reduction of two vacant FTEs in the Workforce Solutions budget, currently in the Community Human Services Department's complement, effective January 1, 2009.

COMMUNITY HUMAN SERVICES – Contract Amendment for CAFÉ System software maintenance with BearingPoint, Inc.

Commissioner Bennett introduced the following resolution and moved its adoption, seconded by Commissioner McDonough. Roll Call: Ayes – Bennett, Carter, McDonough, Ortega, Reinhardt, Rettman, Parker – 7. Nays – 0. (2009-025)

WHEREAS, On March 14, 2002, Ramsey County, Minnesota, a political subdivision of the State of Minnesota, on behalf of the Human Services Department entered into an agreement with BearingPoint, Inc., for the development and first-year maintenance/support for the Computer Access Front End ("CAFÉ") computer system for the Community Human Services Department; and

WHEREAS, On June 22, 2005, the County entered into an agreement with the Contractor for ongoing maintenance/support for the CAFÉ computer system for the period from June 22, 2005 through January 11, 2009; and

WHEREAS, The County wishes to extend the term of the Agreement for the ongoing maintenance/support for the CAFÉ software; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners hereby approves an amendment for CAFÉ System Software Maintenance with BearingPoint, Inc., 3510 Wells Fargo Place, 30 East 7th Street, St. Paul, MN 55101, for a total amount not to exceed \$150,000, for the period January 12, 2009 through December 31, 2009, with a renewal clause for three additional years; and Be It Further

RESOLVED, The Board authorizes the County Manager to execute the amendment and any renewals, subject to prior approval by the County Attorney's Office and Budgeting and Accounting.

DISTRICT COURT – Approval of 2009 Professional Services Contract Agreements between Ramsey County District Court and Attorneys on the Civil Commitment Defense Panel

Commissioner Bennett introduced the following resolution and moved its adoption, seconded by Commissioner McDonough. Roll Call: Ayes – Bennett, Carter, McDonough, Ortega, Reinhardt, Rettman, Parker – 7. Nays – 0. (2009-026)

WHEREAS, Minn. Stat. 253B.07 subd 2c requires that defense counsel be provided to proposed patients in civil commitment proceeding; and

(Continued)

WHEREAS, Ramsey County District Court has retained counsel to provide these services on a contract basis; and

WHEREAS, The Ramsey County Board of Commissioners approved agreements for these services in 2008; and

WHEREAS, A 2009 Contract Amendment has been prepared; and

WHEREAS, Satisfactory proof of adequate malpractice insurance coverage is required before the amendment is executed by the County; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners authorizes the County Manager to approve Professional Services Contracts between Ramsey County District Court and the following Attorneys, to provide civil commitment defense services for calendar year 2009, payable at the rate of \$2,452.90 per month for January 2008 through December 2009. Additionally, the County will compensate the contractor at the rate of \$60 per hour for representing proposed patients in petitions to commit psychopathic or sexually dangerous persons. Prior written authorization is required from the Administrator of the Court in the event those fees exceed \$4,000 per patient.

Richard Cohen
Jon Duckstad
Mary Huot
Steven Kufus
Lisbeth Nudell

Kathleen Rauenhorst
Brian Southwell
Louis Torinus
Patrick Cotter

and Be It Further

RESOLVED, The Board authorizes the County Manager to execute the Contracts in a form approved by the County Attorney upon satisfactory proof of adequate malpractice insurance coverage.

PUBLIC HEALTH – Adjustment of Public Health Budget complement by an additional .4 FTE Nurse Practitioner (starred position) for Preventive Health services

Commissioner Bennett introduced the following resolution and moved its adoption, seconded by Commissioner McDonough. Roll Call: Ayes – Bennett, Carter, McDonough, Ortega, Reinhardt, Rettman, Parker – 7. Nays – 0. (2009-027)

WHEREAS, Public Health currently provides on-site professional clinical services for Family Planning clients; and

WHEREAS, Additional federal funds have become available through the Title X program to provide family planning and related services to women residing in the Ramsey County Correctional Facility; and

WHEREAS, Additional staff are needed to provide services to the RCCF population; Now, Therefore, Be It

(Continued)

RESOLVED, The Ramsey County Board of Commissioners authorizes an increase of .4 FTE Nurse Practitioner starred position, in the Public Health complement; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners authorizes the County Manager to make the necessary adjustments to the Public Health budget by increasing estimated revenue and appropriations, based on the supplemental grant award, to fund this position.

PUBLIC HEALTH – Adjustment of Public Health Budget complement by an additional 2.3 FTE WIC Nutrition Educators (starred positions) for the WIC Program

Commissioner Bennett introduced the following resolution and moved its adoption, seconded by Commissioner McDonough. Roll Call: Ayes – Bennett, Carter, McDonough, Ortega, Reinhardt, Rettman, Parker – 7. Nays – 0. (2009-028)

WHEREAS, Ramsey County supports efforts to improve the health of Ramsey County residents; and

WHEREAS, Public Health provides WIC services to eligible women, infants and children in Ramsey County to improve their nutritional and overall health status; and

WHEREAS, The Ramsey County WIC client caseload has significantly increased over the past year and funding for WIC services has also increased; and

WHEREAS, In order to provide the required services to the increasing number of clients, additional staff is needed; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners authorizes an increase of 2.3 FTE WIC Nutrition Educators, starred positions, in the Public Health complement; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners authorizes the County Manager to make the necessary adjustments to the 2009 Public Health Budget to fund these positions and related operating costs.

PUBLIC HEALTH – Community Clinic Funding

Commissioner Bennett introduced the following resolution and moved its adoption, seconded by Commissioner McDonough. Roll Call: Ayes – Bennett, Carter, McDonough, Ortega, Reinhardt, Rettman, Parker – 7. Nays – 0. (2009-029)

WHEREAS, The Saint Paul Community Clinics provide outpatient primary medical, dental and mental health care to low-income, uninsured residents of Ramsey County; and

WHEREAS, The Ramsey County Board of Commissioners desires to assist the clinics in the provision of this care; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners approves renewal of agreements with the Community Clinics for 2009; and Be It Further

(Continued)

RESOLVED, The Ramsey County Board of Commissioners authorizes the County Manager to execute agreements with the following Community Clinics for the period January 1, 2009 through December 31, 2009, in a form to be approved by the County Attorney:

- ❖ Face-to-Face Health and Counseling Center, 1165 Arcade St, Saint Paul, MN 55106, maximum contract payment of \$93,971;
- ❖ Family Tree, Inc., 1619 Dayton Ave, Saint Paul, MN 55104, maximum contract payment of \$93,971;
- ❖ Open Cities Health Center, Inc., 409 N. Dunlap, Saint Paul, MN 55103, and 135 Manitoba Avenue, St. Paul, 55117, maximum contract payment of \$232,503; and
- ❖ West Side Community Health Services, 153 Concord St, Saint Paul, MN 55107, maximum contract payment of \$330,004;

and Be It Further

RESOLVED, The Ramsey County Board of Commissioners authorizes the County Manager to amend the Agreements, in the event additional funds become available and make necessary budget adjustments.

COUNTY MANAGER – Request for Funding from General Contingent Account to Veterans Services Department

Commissioner Bennett introduced the following resolution and moved its adoption, seconded by Commissioner McDonough. Roll Call: Ayes – Bennett, Carter, McDonough, Ortega, Reinhardt, Rettman, Parker – 7. Nays – 0. (2009-030)

WHEREAS, The 2008 Veterans Services Department budget was developed in 2007; and

WHEREAS, The Veterans Services Department experienced significant staffing shortages in 2008 due to medical leaves, which required hiring temporary staff to provide continuity in services to veterans; and

WHEREAS, The costs associated with simultaneously paying for medical leaves and temporary staff exceeded the budgeted staffing costs for 2008 by approximately \$40,000; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners authorizes the County Manager to make a budget transfer of \$40,000 from the County's 2008 General Contingent Account to the Veterans Services Department budget to finance the increased cost for staffing.

PROPERTY RECORDS AND REVENUE/ELECTIONS – Supplemental budget request for 2008 election costs

Commissioner Bennett introduced the following resolution and moved its adoption, seconded by Commissioner McDonough. Roll Call: Ayes – Bennett, Carter, McDonough, Ortega, Reinhardt, Rettman, Parker – 7. Nays – 0. (2009-031)

WHEREAS, The administration of the 2008 state general election in Ramsey County resulted in the highest number of registered voters, absentee voters and total number of persons voting in the history of the county; and

(Continued)

WHEREAS, The costs of administering the election were related to these factors; and

WHEREAS, The first statewide recount of a federal office in the history of the state also occurred in 2008, resulting in additional administrative costs for the county; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners hereby authorizes the County Manager to make a budget transfer of \$105,897.78 from the 2008 Contingent Account to the Property Records and Revenue 2008 elections budget to cover the costs of the Ramsey County Elections Office for the administration of the 2008 state general election.

COMMUNITY HUMAN SERVICES – Request for Funding from Fund Balance for Lake Owasso Residence

Commissioner Bennett introduced the following resolution and moved its adoption, seconded by Commissioner McDonough. Roll Call: Ayes – Bennett, Carter, McDonough, Ortega, Reinhardt, Rettman, Parker – 7. Nays – 0. (2009-032)

WHEREAS, Lake Owasso Residence needs to cover a combination of high separation allowances for recently retired employees, overtime pay, a retroactive adjustment to on-call pay and a previous step increase that was not properly entered on the payroll system; and

WHEREAS, The separation pay totals \$86,000, the overtime and on-call pay totals \$117,000 and the step increase totals \$40,000. This is a total of \$243,000 in one-time costs that have come due at the same time; and

WHEREAS, There may be a lag with year-end holiday pay and insurance; and

WHEREAS, To make sure the facility can cover all these costs, the Department is asking for a one-time increase in appropriations of up to \$250,000 using the LOR Fund Balance; and

WHEREAS, Steps have been taken to reduce the need for overtime to cover open shifts for 2009; and

WHEREAS, The Department anticipates they may have a small overtime deficit for 2009; and

WHEREAS, For 2010, the Department intends to configure the budget to set aside funding for overtime. By January 2010, the Department expects that revenue and spending to be in balance and no further expenditures needed from the LOR Fund Balance; and

WHEREAS, The LOR Fund Balance currently has \$853,316 and subtracting the \$250,000 will leave a balance of \$603,316; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners approves an increase in appropriations of up to \$250,000 using the Lake Owasso Residence Fund Balance to cover a combination of high separation allowances for recently retired employees, overtime pay, a retroactive adjustment to on-call pay, a previous step increase that was not properly entered on the payroll system, year-end holiday pay and insurance.

(Continued)

COUNTY MANAGER/BUDGETING AND ACCOUNTING – Monthly Report of Contracts and Final Payments and Grant Submissions that were approved during the month of November 2008

Commissioner Bennett introduced the following resolution and moved its adoption, seconded by Commissioner McDonough. Roll Call: Ayes – Bennett, Carter, McDonough, Ortega, Reinhardt, Rettman, Parker – 7. Nays – 0. (2009-033)

WHEREAS, Administrative Code 3.40.37 authorizes the County Manager to approve contracts, within certain limits; and

WHEREAS, Administrative Code 4.30.50a requires a monthly report on all contracts and final payments approved by the County Manager; and

WHEREAS, Administrative Code 4.30.39d requires the County Manager to report grant submissions, amendments, renewals, and acceptances along with the monthly contract report; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners hereby accepts the Report of Contracts and Final Payments and Grants for the month of November 2008.

COUNTY MANAGER/PUBLIC HEALTH – Solid Waste Management Coordinating Board 2009 Legislative Package

Commissioner Bennett introduced the following resolution and moved its adoption, seconded by Commissioner Reinhardt. Roll Call: Ayes – Bennett, Carter, McDonough, Ortega, Reinhardt, Parker – 6. Nays – Rettman - 1. (2009-034)

WHEREAS, The Ramsey County Board of Commissioners has reviewed a number of proposals and initiatives for inclusion as support items in their 2009 State legislative package; Now, Therefore, Be It

RESOLVED, That the Ramsey County Board of Commissioners hereby supports the Solid Waste Management Coordinating Board (SWMCB) 2009 Legislative Package; and Be It Further

RESOLVED, The County Board authorizes submission of this item to members of the Ramsey County State Legislative Delegation, and authorizes County representatives to work with the Legislature and other interested parties to seek the necessary legislation to enact this proposal.

DISTRICT COURT – Request for Funding from Contingent Account for increased costs

Commissioner Reinhardt introduced the following resolution and moved its adoption, seconded by Commissioner McDonough.

Commissioner Rettman was concerned that the County is ebbing back into the Court situation. She believes this service is needed, but it should be part of the ongoing Court support. If the State took this over, they should pay this.

Commissioner Ortega said that is a good point. Several years ago, the County turned over its local government aid; from that point forward the County was to provide facilities for the Courts and not the other services, in general. The Public Defenders and the rest of the system are under a budget crunch. The rhetoric is fine, but where do we draw the line. He asked for a lengthier explanation than what was written in the documentation.

(Continued)

Larry Dease, District Court Administrator, said this service was previously provided by the Public Defender's Office (PD). The PD said it would no longer provide the service for indigent counsel representation. The Court was drawn into this by the fact that it has a County budget in addition to a State budget. The Court is asking the County to pick up this representation cost for indigent counsel and these case types. This is not a service the Court provided in the past, but something the PD provided. The Courts are in between the County and PD as to who will fund the counsel for representing indigents.

Commissioner Ortega said there is a lack of transparency because the request should have come from the PD. It shifted to the Court so the judges come to the County. It will be more difficult to deal with this because of the judges. We are facing some difficult times, and if every department, including District Court, comes to the County for funding, there needs to be more transparency for exactly what is happening.

Commissioner Bennett said it was the PD responsibility to provide this service, and the Court accepted it. He asked if the Court has paid some of the cost up until now.

Mr. Dease said the Court did not accept the responsibility – Statewide, this is the practice the PD is doing in every district. The question has become, who pays for the responsibility. Court staff had spoken with the County Manager and asked if the Court could take this service out of the indigent counsel fund. The County Manager said that could be done on a temporary basis until the Commissioners had the time to act on it. This is the first opportunity to act.

Commissioner Bennett asked if this is mandated by the State. Mr. Dease said it is mandated, however, the responsibility for payment seems to be unclear – the public defenders believe it is the counties. He is not certain that the statute clearly states that it is the counties' responsibility. There are vague references, but it is not clear.

Commissioner Bennett asked if this money has already been spent. Mr. Dease said the Court is paying for it now, but is asking for an additional \$125,000.

Commissioner Bennett asked what the total cost is up until this time; how much did the judicial system pay.

Mr. Dease responded that approximately \$75,000 was paid with County funds out of the indigent counsel account.

Commissioner Bennett asked Julie Kleinschmidt, County Manager, if the County has a line item account for indigent care, who was it paid to, and why didn't it go to the Public Defender if it was there. How did it get from the Public Defender to the Court?

Ms. Kleinschmidt explained that during the budget discussions for the 2009 supplemental budget, this issue was just coming to the forefront around July 1. The amount before the Board is the 2008 amount. The County Manager worked with District Court and said we need to provide counsel to these people and to use the money already in the budget for indigent care, understanding that essentially, they would run out of money by the end of the year. This amount balances their 2008 budget. In 2009 in the supplemental budget, the Board also approved an adjustment, putting that amount in the County Manager's Office budget. The Courts has an interest in making sure that everyone is represented so we are essentially using the contract the Courts has with attorneys to provide this defense. The County Board was very concerned at that time about providing money directly to the Public Defender, thereby solving their budget problem.

Commissioner Bennett said legal counsel is needed because there will be a lot of cuts made and this may be one if the County doesn't have the responsibility for it.

Commissioner Reinhardt said today we are looking at 2008 costs. A discussion was held in July, talking about not providing that service – the Courts made the argument. It was pointed out that it was the right thing to do, but who pays for it is the issue. Her concern is not so much about what

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happened in 2008, but the precedence that would be set here, that in 2009 and forward that the County would pick up the Public Defender's cost for those services within our budget when we can't afford to do that. The Court is caught in the middle, recognizing that it is an important service to provide. It wasn't that the Public Defender didn't feel it was an important thing to do, either, but if we don't do it, the Courts will have to, and they'll have to pay for it. The Courts are saying they don't have the budget either, so they would bring it to the County because they can make a case for that. It isn't that no one thinks it shouldn't be done; the question is who pays for it. The County is the last stop. For 2008, it was unexpected by everyone. We need to be very careful, even if the County approves this for 2008, to say, that is it.

Commissioner Ortega recalls that discussion during the budget hearings. There are hundreds of services in the community that are needed, many of which he has advocated for in the past, but that is not real. Transparency is needed. We are advocating on one level at the Legislative, in Washington, talking about unfunded mandates, redesign, and then behave in the same way, and we will head into some real trouble. If he is reading this correctly, this is nothing for the Public Defenders – there are going to be huge cuts. If anything, he would prefer the Public Defenders advocate and make their case, and that the County would have a real price tag for what this is going to look like for 2009 and 2010, because he couldn't believe this request would stay at \$125,000.

Commissioner Rettman said the Board had talked about Legislation, identifying at least one Legislator who would work on this. She believed that this was one issue discussed at AMC (Association of Minnesota Counties). Everybody else seems to be able to say no. The County has to make a decision on what would be its essential services, and we can't do everything for everybody. For her this goes back to the Court saying it wanted to take it over – then write the check – if that is a mandated service then write the check and not hold the County hostage with the tax levy. The County will have enough concerns.

Commissioner McDonough said there has been a lot of conversation at a Statewide level on this. A couple of counties even considered not paying it, thereby forcing it to go to the Courts. The language is vague about whether the county has the ultimate responsibility to pay or not. Those counties decided not to because of indications from judges that it probably would not flow the way they wanted it to. Statewide, this has been an issue; every county board is having the same conversations as Ramsey County, with the same frustrations about being forced to pay for something not felt to be their responsibility. As was pointed out, there was a trade-off when the County gave up these costs, and now they are slowly coming back. The reason it was put in the County Manager's budget was to help control the costs. Public Defenders don't have to be used for this service; it could be contracted out, and some counties are doing that. The reason it was put in the County Manager's budget for 2009 versus into the Courts budget, was to work to help control those costs, to make sure the people needing the representation got it, but the County would have a say in how that would happen.

Ms. Kleinschmidt said that is correct. The Courts have partnered well with the County to manage those costs, and have contracts with the civil commitment panel just approved by the County Board. Those have been very effective. The County is working with the Courts to manage those costs and to contract with private attorneys as opposed to public defenders to provide this defense.

Commissioner Reinhardt said this item is about two things but we are only talking about the one, the counsel for indigent counsel. The Board set up a budget, but this particular item has come up \$75,000 short for this particular item. The other \$50,000 is in the category of commitment services, cited in the Executive Summary. These need to be separated out. We are short \$75,000 for respondents in child protection matters. The civil commitment services is one she would like a real answer on. She referred to the documentation which stated: "the estimated deficit in this area for

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2008 is expected to be as high as \$50,000". It is now 2009, and we can't get the books straight that quickly, however, according to this documentation, the County is providing that \$50,000 and should have a real number before approving it. She would like that pulled out of this resolution to get the actual number rather than an estimate. Once the money is put in, it is there; it might be less than that \$50,000 estimate.

Ms. Kleinschmidt said the authorization is to make a budget transfer of up to \$125,000. The Budget Office would only transfer the actual amount needed. If it is less than that, the amount actually needed would be transferred. A report could be provided back to the Board about this specific transfer.

Commissioner Reinhardt said the Board definitely would need a report back. The questions asked on the first portion of the request regarding the Public Defender's Office need to be asked as well for the commitment services. In both cases, we are setting two precedents, and answers are needed for who was responsible for them before. For 2008, it is very difficult when dealing with funds that have already been expended, and the Board expected to spend some funds and to have that discussion for the public defense, but we are still \$75,000 short in that one area.

Commissioner Ortega said he is not debating the payment of \$125,000 out the 2008 budget. We need the actual amount that has been expended. As we move forward, there will be a lot of competing services, many with just as meaningful impact, if not more in a broader population, and this could be debated for a long time. We need to get more transparency on these things as they go along because there will be competing services during the budget hearings and Commissioners will be advocates for what each thinks is important. There needs to be enough room to make some valid decisions that keeps the safety net in all County services intact in the future.

Commissioner Bennett said these are bills the Board committed to pay, and also committed to in the 2009 budget, and that is of concern to him. While we can look at this for the 2010 budget, he is concerned that we don't have this same situation at the end of 2009. A legal opinion is needed for whose responsibility this is on both these items because it is not clear. The Courts should probably not pay for it either. If they are mandating this service, Public Defenders couldn't pay for it and transfer it to the Courts. The Courts are paying for it, but with County tax dollars, which means indirectly, the County is paying for it. A motion is needed for a legal opinion on both these, to make sure nothing more is spent than what is in the 2009 budget, and that the Courts and Public Defenders are made aware of that. He agreed that we have to set the stage because if we don't we are going to have trouble making the cuts that will be needed.

Commissioner Reinhardt suggested adding a resolved clause in the draft resolution that this is not precedent-setting; this is a one-time transfer; that a legal opinion is needed on both the public defense in child protection matters and in the commitment services; and that the information is taken to the State to determine who is responsible for these costs.

Commissioner Bennett added that the County Manager should be instructed to not exceed what has been allocated to the 2009 budget, and the proper parties be notified that there would be no more money.

Commissioner Reinhardt said the additional resolved clause would state: that the 2009 budget line item cannot be exceeded; that a legal interpretation of the responsible parties for the defense in child protection matters and commitment services be obtained to determine who is actually responsible. That takes care of 2008, it would not be precedent-setting, the 2009 budget may not be exceeded because there will not be a similar one-time contribution at the end of 2009, and a legal background would be obtained on the responsible parties for the public defense in child protection matters and in criminal commitment services. When going to the Legislature or whoever this

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information is provided to, the County can state that this was something that had been paid for by the Public Defender's Office or the Courts in the past, and that the County is now being asked to pick up those costs.

Commissioner Bennett seconded that as a motion if the County Manager would notify the proper parties who receive this money, that they would not be receiving any more money. It doesn't need to be included in the Resolution, but he does not want them to keep spending money and say they were not informed about this.

Commissioner Reinhardt said the new resolved clause that talks about not exceeding the 2009 budget amount would address that.

Chair Parker agreed that the legal opinion is needed, and it sounds like it is unclear who is actually responsible for this. If we get the legal opinion and find that the County is not responsible, or that it is not clear that we are responsible, the County should not pay out of the 2009 budget. That should be stopped at the end of 2008. She asked legal counsel if any search has been done on this yet.

Darwin Lookingbill, Director, Civil Division, County Attorney's Office, said every county in the State has looked at this and most have come to the conclusion that it is a county obligation. The Ramsey County Attorney's Office has not issued a formal opinion on this topic.

Chair Parker had read a written correspondence from Governor Pawlenty saying he had asked the counties for a list of unfunded mandates, but had not yet received it. Clearly, the County needs to state that this is a new obligation that has come to us and we don't have the resources to be responsible for it. We know somebody needs to pay this, but it is an additional burden on the counties and on county property taxpayers that we have not been responsible for in the past.

Commissioner Ortega asked for clarification that most counties that have researched this came to the conclusion that it is a county expense.

Commissioner McDonough said the information was received through the AMC, and staff followed this when this happened in July. As the AMC representative, he met with some county attorneys, court, and public defender people in August 2008, and many of the 87 counties acted on this in varying degrees; at least two or three went as far as having conversations with courts and judges, about the interpretation of this, and all the counties which had thought they would say no and not pay, have approved in some form in putting it in the courts budget or in the county manager's budget to control those costs.

Commissioner Ortega said that is different from saying they obtained a legal opinion and that that opinion was that the counties were responsible.

Commissioner McDonough said it is appropriate to have Ramsey County obtain a legal opinion.

Mr. Lookingbill said he has not seen anyone issue a formal opinion on that. There is a gap in the statute that makes it somewhat unclear of whether it is a County obligation. The statute says it is a County obligation, but that statute was written at a time when the Courts as a whole were part of the County obligation. The question is whether or not when the Courts went to the State, did that county obligation go to the State.

Commissioner Ortega said a legal written opinion should be obtained from the County Attorney's Office regarding this issue. If it is the County's responsibility, he does not want to see Court Administration come before the Board – the Public Defender has to make their own case. It is one way or the other. If it is the County's responsibility, then maybe the Public Defender should be here, otherwise, they go to the Courts where they approve it and the County Board is here through a third-party about these budget items.

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Commissioner Reinhardt said no matter how you look at it, the County is being asked to pick up costs that were part of the State's responsibility, so it is just one more time where it is being pushed down onto the property taxpayers. The motion, as amended, asks for a legal written opinion. She remembers from the previous discussion, the Courts had said if the County doesn't expend the funds, they would issue a Court order to make the County do it, because according to the way the statute is written right now, they have the right to do it. Once the legal opinion is provided, the County may have to go to the Legislature to say this is why we believe the legislation needs to be changed, which goes back to the language she offered in the amendment, which is the purpose. For 2009, there is a line-item budget for this. We need to get all these other things in place before saying that the County would not do it. If the legal opinion determines we do not have that legal obligation and that it should go back to the State and make that case, then it could be cut off.

Commissioner Reinhardt said the motion as amended deals with all the outstanding issues regarding 2008; 2009 not exceeding the amount in the budget; obtaining a legal opinion for who is responsible for this, and if the County is responsible, to what extent; if we are not responsible, then is legislative change necessary, and what are the next steps.

Chair Parker stated the amended resolution is that the County is not setting a precedent, that a legal written opinion is being requested, and that we would not exceed the budget for 2009.

Roll Call on the amended resolution: Bennett, Carter, McDonough, Ortega, Reinhardt, Parker – 6. Nays – Rettman – 1. (2008-035)

WHEREAS, The Ramsey County Contingency Account was created as part of the budget process to protect against cost overruns that cannot be reasonably predicted; and

WHEREAS, The District Court - County functions had expenses beyond their control that resulted in shortages in their 2008 budget; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners authorizes the County Manager to make a budget transfer of up to \$125,000 from the 2008 Contingent Account to District Court - County Functions department; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners has made the following declarations pertaining to projected shortages in 2009 and forward, for budgets under the control of the Second Judicial District Court:

- 1) The authorization to fund 2008 deficit amounts caused by child protection caseload work transferred from the Public Defender's Office does not in any way create precedence for the County to directly fund these same services in the future;
- 2) The Second Judicial District Court is required to take necessary action to ensure that budget deficits do not occur in the County-approved budgets under its control in 2009 and forward;
- 3) Ramsey County will obtain a written legal opinion from the County Attorney's Office pertaining to its obligation to directly fund the state mandated child protection caseload, formerly funded by the Minnesota Public Defenders Office prior to July 1, 2008; and
- 4) If the County is not responsible for these obligations, legislative change should be sought; if necessary.

SHERIFF – 2008 Vacancy Factor, Request for Contingent Funds for RNC Security and Hospital Security, and Request to Appropriate Excess Revenues

(Continued)

Commissioner McDonough introduced the following resolution and moved its adoption, seconded by Commissioner Carter.

Commissioner Carter addressed Sheriff Bob Fletcher regarding the request on the excess expenses, excess revenue, and request for transfers. It appears that the excess expenses and revenue look like a match, yet the transfers are \$256K above. She asked for clarification on the agreement on the vacancy factor and how that might impact the request for transfers, if in fact that is what makes the request exceed the expense.

Sheriff Fletcher said the numbers add up. The \$361K is a transfer from the contingent account to cover the vacancy factor. It has been a long-standing practice that the vacancy factor is earmarked in the contingent account because of the salary and overtime requirements for the jobs. The \$398K includes the investigative activities, the water activities and the County buildings security for the RNC. The \$174K is for the hospital security, double what it had been the year before, in part because there were more ill inmates. They have also lowered the bar for when an inmate goes to the hospital. There was also revenue from the boarding of inmates that helped cover temporary salaries and overtime in the jail. All the spending should be identical to the revenue in the summary of the Sheriff's request for 2008.

Commissioner Carter referred to the excess expenses on lines 81 and 85 of the draft Resolution as compared to the request for transfers in the Resolved clauses and the explanation of how the excess expenses and the transfer amounts are different with the excess expenses being \$667K, which seems to match the excess revenue and would then balance the budget, but the request for expenditures being \$934K and not matching. She asked how those funds get used as the budget would be balanced at \$667K.

Sheriff Fletcher said the \$900K and \$667K are two separate items. The \$900K is the vacancy factor plus the hospital overtime, plus the RNC-related costs. The \$667K is the funds for boarding of inmates that transfer into the department. The total transfer is the total of those, and the total expenditures are the total of those as well. On a regular basis they have captured those inmate funds at the end of the year, albeit this is a little larger than in the past.

Commissioner Reinhardt said when she first looked at handwritten page 1, the Summary of Sheriff's Request for 2008, it was confusing because it looked like it all went together, and it doesn't. The Board is used to seeing the Contingency Account line -- Restore Vacancy Factor and the Hospital Security Overtime, and those items were relatively normal. The Sheriff comes in at the end of each year to say how much he needs, rather than adding those funds to the Sheriff's budget up front. That way there is more transparency about those particular costs, and the reason it was done that way. That is expected in January of each year.

The second part on the Summary is primarily for the special investigation that took place. It is reasonable to believe that the County will be reimbursed for those costs. At this point, there has been no definitive decision made on that. That won't take place until the end of January, but the money has been spent. The documentation says that before we know whether or not it is reimbursable, that the County would pay for it out of the contingency account. If the money does come back to the County, it would replace this in the contingent account.

The third item on the summary (Increase Excess Additional Revenue) is not related to the others. In addition to the 2008 budgeted amount, additional revenues of \$672K were brought in for boarding of inmates, therefore, considered excess revenues. According to line 77 of the draft resolution, the actual revenues will exceed budgeted revenue estimates by approximately \$672K.

Sheriff Fletcher said they are, however, asking only for \$667K.

Commissioner Reinhardt said there have been situations in Public Health and other departments where additional revenue came in, with the departments stating the amount of additional

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revenue, sometimes offering suggestions on how they want it spent within their department, and sometimes it just rolls into the general fund. In this case, the Sheriff is saying additional money was brought in and this is how it was spent. The line item Salary Costs for overtime and temp for jail backfilling RNC at \$457,225 -- to her it reads that it is totally related to the RNC. The other line item under Excess Additional Revenue is for food service, auto repairs, etc., at \$210,554. Those funds have already been expended, but not projected, so all the repairs and other things have been completed. Those were not RNC related. She wanted to make sure that is correct, and why they don't match up because they are not the same.

Commissioner Reinhardt said the biggest issue for her is the increased excess additional revenue. On the \$457,225, it was her understanding from the very beginning that it would not be reimbursable because it was backfilling for the jail and it was very clear that any costs associated with the boarding of prisoners was not going to be reimbursable.

Sheriff Fletcher complimented Commissioner Reinhardt for laying out all the issues. To clarify, the last item for boarding prisoner fees, this is regarding the ICE and Department of Corrections prisoners that they board, and where the revenue comes from. The Sheriff has always come in at the end of the year, usually in December, and requests some of that money allocated, usually in the \$300-\$400K range. It might appear according to the Summary that it is related to the RNC, but it is not. Those costs are directly related to the boarding of the prisoners and hiring temps. The Sheriff's Office had asked to bring the RNC costs in October, and the former County Manager thought it would be better to delay until the end of the year. They tried to bring in the RNC separately, and apologized that it is co-mingled in this document.

Sheriff Fletcher said Commissioner Rettman has raised in the past that the Sheriff's Office can normally fluctuate personnel and cover different costs when they are short. The hospital is a great example. A lot of that cost might normally be covered with other parts of the department. This was a difficult year for the Sheriff's Office. All the RNC planning, although they paid them when in training and working for them, lost the flexibility in the department to shuffle people because they were dedicated to the RNC. It was an unanticipated indirect cost that came from losing flexibility in the workforce. This year they didn't have the ability to shuffle people, because they were all dedicated to RNC training, etc. Some of that \$174K would still have been here, but because their hands were tied with commitment to the RNC, it made it more difficult.

Commissioner Bennett asked since when are revenues held within a department. All revenues the County earns normally goes back to the general fund. If additional golf revenues come in, they don't go to the parks, they go into the general fund. The jail was built, and is technically the County's, and those funds don't stay there – all income should come in to the County. Citing the \$667K and \$672K, is money that could be re-appropriated wherever the Board would want it to go, but the Sheriff is requesting it back. He thought he heard the Sheriff state that is done on a regular basis, in addition to the overtime.

Julie Kleinschmidt, County Manager, said all revenue is accounted for in the County. Departments do not have authorization to spend any revenue that the Board has not authorized them to spend. They account for the \$672,000, which is the amount that has come in, that is over and above the amount that was budgeted (predicted). However, in this particular case, since this is salaries and overtime, peoples' paychecks would not be held up in order to allow the department to come in for permission to spend.

Commissioner Bennett said that was deficit spending based on the fact that the Sheriff hoped the Board would approve the money later on.

Sheriff Fletcher concurred and said it is what they have always done.

Commissioner Bennett said that was only on the overtime portion. Sheriff Fletcher said it is the same item, only on a smaller amount.

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Commissioner Bennett said we have been using the revenue within the department – why is this department treated differently from any other department.

Sheriff Fletcher responded they are not different. They always come to the County Board, usually in December, and the County Manager has always authorized them to use the money that they have raised through revenue as long as they have enough money to pay their bills. They have a long-standing precedent of doing that. If the County Board would like to change that practice of allowing them to do that, they are receptive to that. Lacking a commitment to use the revenue, they would have to adjust their budget accordingly, which might mean they can't board as many prisoners because they would have to know for sure that they could use the revenue that was generated in order to cover the costs associated with that. It is generally a win-win – they usually give \$100K back to the County.

Commissioner Bennett asked Sheriff Fletcher about their additional costs.

Sheriff Fletcher said the costs were for staffing, food, etc, and has been broken down. About \$210K was from line items; they could have come to the County Board for line item expenses for vehicle repairs, etc., but they did not because there was revenue available to cover the costs. This could be done in a variety of ways; for example, if the Board prefers, the Sheriff could come in regularly during the months of October through December for line item expenses. This has always worked; in some past cases, the County Manager had authority to transfer these funds. In the past few years it has always been brought to the County Board and has been successful. They think it is a good system, but if the Board wants it changed, that could be accomplished.

Commissioner Reinhardt knows that other departments come to the Board when they have additional revenue; sometimes they ask for Board approval to spend that revenue in a certain way and in other times it goes into the general fund. It is not unusual for a department to come to the Board with additional unanticipated revenue asking to spend those dollars. This is a great deal of money. Each year there has been additional revenue brought in and that the County ends up with additional revenue that helps offset some of the other line items. Not only has the amount raised many issues, but what is written in the documentation does not coincide with what is being said. If the \$457K is backfill for the RNC, that line item is 100% related to the RNC. She asked if those costs are associated to additional costs for boarding prisoners, which means that the revenue would be offset by approximately \$300K or is it for the RNC.

Sheriff Fletcher said page 1 is misleading; those funds were not used for RNC backfilling. What he was alluding to was that sometimes they have to cover costs with overtime that they normally would have been able to draw people from other places in the department. It was an indirect cost to their function because they were tied up training, planning, etc. for the RNC. However, none of those costs were directly related to the RNC, otherwise they would have billed the City of St. Paul for those costs.

Commissioner Reinhardt said that is a very important point; she reiterated that the reference to 'backfilling for RNC' should be struck, as those costs are overtime and temporary for the jail for the boarding of prisoners; and that part of that would have been covered had it not been for the RNC, but those are costs directly related to the boarding of prisoners which then relates to the \$662K

Sheriff Fletcher responded affirmatively.

Chair Parker requested clarification that the only amount related to the RNC is \$398,537 and that the County has submitted a request to the City of St. Paul seeking reimbursement for that amount.

Sheriff Fletcher responded affirmatively.

Commissioner Rettman referred to lines 80-82 of the draft resolution and said that 'backfilling for the RNC' was referenced.

Commissioner Reinhardt said that reference should be struck.

(Continued)

Sheriff Fletcher said those were indirect costs as they had to use additional people to cover there that in some years they might have been able to adjust accordingly; this year they were not able to adjust. There are no costs directly related to the RNC included in that amount.

Commissioner Rettman asked if there is anything in this draft resolution that changes the vacancy factor for 2009.

Ms. Kleinschmidt said this action does not change the 2009 budget at all.

Commissioner Rettman said that Commissioner Reinhardt is correct – some departments come in for budget amendments, but they are far and few between. Her concern is that this will be a very difficult budget time. This resolution is for \$1.6 million over budget; how are we going to assess the precedence of what is acceptable and not acceptable. She sees this item as a \$1.6 million request. The RNC was the City of St. Paul's responsibility; they were the ones that would make requests and that if they wanted something, they would pay for it. That was the way the County Board voted on it. This becomes something that the Board needs to discuss, especially knowing the difficult times we are in for the next three to four years. We cannot continue to do business as usual.

Sheriff Fletcher agreed, and said he has some suggestions to share.

Commissioner Ortega asked if the County has been reimbursed any dollars for RNC expenditures.

Sheriff Fletcher responded negatively, and added that they are just short of \$2 million that has been billed. Originally, we were assured we would be reimbursed by 35 days following the RNC, which would have been October; then we were told December 31 would be the last date. Now, we have been told the end of January.

Commissioner Ortega asked if we billed the City of St. Paul or the federal government.

Sheriff Fletcher said the bills were sent to the City; the City forwarded them to the federal government.

Commissioner Ortega asked if that is the total of what is outstanding and owed to the County.

Sheriff Fletcher said the amount was about \$1.8-1.9 million plus this \$400K.

Sheriff Fletcher said there are three items in the documentation. One is regarding building security; he didn't feel that they had the option of not securing County buildings, even though the City did not seem excited about reimbursing us for that cost. The water patrol is a statutory mandate; the City initially was not interested in reimbursing the County for the water patrol, but that may have changed. There was a conflict with Hennepin County, which wanted to do an extensive water patrol underneath the bridges between St. Paul and Minneapolis. There was no discussion about the investigative activities, but St. Paul had a person assigned to this investigative activity, who is probably being reimbursed. Sheriff Fletcher is confident that St. Paul will reimburse the County for that investigation. It really didn't make sense to debate that issue in a quasi-public forum, with the City Attorney's office knowing what we were doing, so the Sheriff's department chose to have some confidentiality so they did not risk having everyone knowing what they were doing.

Commissioner Ortega asked the amount of the actual request.

Sheriff Fletcher said the contract of \$1.8 million was for approximately 220 employees that were dedicated to the RNC. One agreement was for detention services, for housing all the inmates that were arrested; the second was for our officers who were engaged in mobile field force training and working the streets during the RNC. About 220 people were totally dedicated to the RNC.

Commissioner Ortega asked if the \$1.8 million included the water patrol.

Sheriff Fletcher responded that it does not include the water patrol, the County building security, and the covert investigation that was conducted.

Commissioner Ortega said we should have high expectations that we will be reimbursed the \$1.8 million; the other amount is in dispute.

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Sheriff Fletcher said there is not a dispute; they have not said no. The amount has been submitted and we are in a hold at this time.

Commissioner Bennett asked if there have been any reimbursements from Landmark Center.

Sheriff Fletcher said private security had been increased at the entrances; he believes those costs were passed on to those hosting parties. However, Landmark Center was open to the public. Often in these types of situations, vandalism occurs to public buildings. They wanted to make certain that the building itself survived. The Sheriff primarily provided exterior security.

Commissioner Reinhardt requested acceptance by the maker of the motion to strike the words 'and backfilling for the Republican National Convention' on lines 81 and 82 of the draft resolution.

Commissioner McDonough, as maker of the motion, accepted that as a friendly amendment.

Commissioner Reinhardt said she is comfortable with the \$398K amount because reimbursement will be sought. The question is whether or not the feds come through with all of the money. She believes it is reasonable to assume that we will get that money, assuming that it is there. The City of St. Paul is with us on this one.

Commissioner Reinhardt said the amount of \$361K seems quite average. She would like additional information on the hospital security overtime. She believes that Regions Hospital is supposed to be covering that hospital security; she hopes we can get reimbursed by Regions for the services provided there. She asked if the County is supposed to cover those services.

Sheriff Fletcher said Regions Hospital is responsible for the facility and providing a secure location within that facility. There has been an ongoing debate with them. They have always been held to their obligation to maintain the same level of service as it was when they took over the building many years ago. It is our obligation to cover the overtime.

Sheriff Fletcher would like to explore the idea that the workhouse is responsible for securing their own inmates, but the Sheriff has been doing the workhouse inmates as well. They are erring on the side of sending inmates to the hospital on a quicker basis; they have to be secured while they are there. Some inmates go into the secure area but others go into the open ward.

Sheriff Fletcher said at some point he wants a discussion with the Board about the seriousness of what is about to hit the County economically. He believes the issues of cutting costs are genuinely important.

Commissioner Bennett asked where the reimbursement of the \$457,225 is coming from.

Sheriff Fletcher said there is no reimbursement; they are requesting that the excess revenue be used to cover those costs.

Commissioner Bennett asked about the two amounts representing overtime, and asked for the largest amount the Sheriff has received in the past three years.

Sheriff Fletcher said the total of all of them are probably about \$50-150K over where they traditionally are. Those costs are mostly due to cramming as many inmates as possible in for revenue purposes and losing flexibility of moving personnel to the jail because they had other obligations throughout the department.

Commissioner Bennett said he was surprised that people were flying all over the country; why wasn't that turned over to other jurisdictions.

Sheriff Fletcher said they worked side by side with the FBI, the lead agencies investigating the criminal intent of the RNC welcoming committee. In October 2007, both the FBI and the Sheriff's Office opened a full investigation and worked hand-in-hand with them. It is very helpful to have a local agency that has worked with the joint terrorism task forces. We are anticipating being reimbursed for those costs.

Commissioner Bennett referred to the \$174K in hospital costs. When the budget was put together, was it planned to be a 24/7 work schedule, and was that area to be expanded or were there not enough people in the area for the number of prisoners?

(Continued)

Sheriff Fletcher said there are four major areas within the hospital; the Emergency Room and the holding cells near the ER are two of those areas. There is 24-hour staffing in those areas. There is a secure unit where there is a secure door for high risk inmates, but the biggest problem is the open wards, commonly referred to as non-secure areas. If a person needs to be in a certain part of the hospital; a Sheriff Deputy must physically sit with that inmate for the entire time they are there. That is what is driving the costs.

Commissioner Bennett asked if the Sheriff takes over for any police department and secures them at the hospital, are we billing them.

Sheriff Fletcher said we take responsibility for security for any police department in Ramsey County and the workhouse. Regarding this year's budget proposal, he thinks we need to start charging some boarding, booking and hospital fees to the agencies bringing people into a pre-trial area.

Commissioner Rettman wants to make certain that the County Manager knows that she will continually bring those types of things up, because we cannot continue to do business as usual.

Commissioner Rettman asked if any action taken today would minimize any intensity to receive reimbursement for the RNC.

Ms. Kleinschmidt, County Manager, responded negatively. She added that this would not have been brought forward if we thought that it in anyway undermined our claim with the City of St. Paul. She added that the most current information is that the City of St. Paul received an extension from the federal government to review all of the claims and make payment by the end of February. We understand that they have just begun to look at our claim, which is why we have not gotten any questions back from them. The claim was submitted on October 27, 2008; this is a huge job for the City; they have not had time to yet look at our claim.

Commissioner Rettman asked if Ms. Kleinschmidt would be willing to think about some of the other services, such as water patrol, and guarding our buildings, and asked if those were all included in the request.

Ms. Kleinschmidt said the Office of Budgeting & Accounting coordinated the county-wide claim, including the Sheriff's Department, Emergency Communications, and all the other departments. That claim was submitted for all of the costs that we incurred and that we believe should be reimbursed by the City. Training time was also submitted.

Commissioner Rettman believes hospital security and revenue projections are outstanding issues that need to be discussed by the County Board.

Sheriff Fletcher said the concerns about future budgeting issues are huge. There have been 2.6 million jobs lost in the private sector nationwide. There were 70,000 jobs added in the public sector. That is going to have to change, and will be forced to change because of the tax revenue and the loss in housing values, etc. He said they are making significant changes to the way they do business. It is his goal that they will be able to bring in an additional \$500,000 in excess revenue that they would use to defray levy funds. This will be done with the right planning and some organization, which is usually driven by an economic crisis. They will try to plan ahead and change the way they do business so that \$500K of this excess revenue can be dedicated to offset levy. It will be their goal to use this revenue to offset levy. Regarding 2009, he believes the appropriate procedure to have this information discussed biannually would be that in June or July they share numbers at that time. They would not be able to reduce as fast as they would like to, but they will be in a better position in June or July to anticipate what could happen in 2010. He is on board with the entire County to make some significant changes in levy. With the tax values decreasing, eventually it will catch up with us, and we need to take significant, if not severe action over the next two years.

(Continued)

Commissioner Rettman said this Board made that tough decision about the vacancy factor; that has been a codicil the departments have taken on. She is pleased that Sheriff Fletcher is thinking about some of the same things she thinks about, but she still cannot support this request.

Chair Parker said that when she first read the documentation she was floored; it is almost \$1.6 million over what was budgeted. The Board has been clear about not using County dollars to pay for the RNC. Today's discussion has helped her think about it in a different way. Some of these funds had to be spent to get the additional revenue. We will hopefully getting the \$398K back reimbursed. There is still about \$600K that was overspent from what was approved in the budget. She believes the single biggest thing is to change the assumption that the Sheriff can come to the Board after the fact. For 2009, when there is going to be a budget adjustment, whether it is the revenue to begin going up or expenses going up. The vacancy factor gets cut from other budgets but does not get cut from the Sheriff's department. Not only does the Sheriff not get a cut, but there is an additional \$600K reimbursed.

Sheriff Fletcher said the vacancy factor was agreed to in a settlement with the County Board that was driven by one huge factor – the State of Minnesota got out of hospital security. We didn't do hospital security for these wards many years ago. The state had 11-15 people assigned to hospital security; we were left with five people. That was not enough so the County Board agreed that the vacancy factor would be earmarked and reimbursed to help offset those new duties. We are still in the same situation. The departure of the state on hospital security has driven our shortfall since then.

Chair Parker said that should then be part of the budget. It shouldn't be something that happens after the end of the year.

Sheriff Fletcher concurs and would be fine if next year's budget included the vacancy factor.

Chair Parker said the budget should be as accurate as possible. The County Board will enter into discussions with Sheriff Fletcher about helping out.

Commissioner Bennett asked what is going onto the levy from this request. We are getting reimbursed from the RNC. What is the amount of new money that is going onto the levy from this?

Ms. Kleinschmidt said \$536,052 will be transferred by this action out of the contingency account; that is levy money, and is to restore the vacancy factor and for the hospital security overtime.

Sheriff Fletcher added that the vacancy factor has been earmarked for transfer every year for the past several years.

Ms. Kleinschmidt said that is correct, so the new money is \$174,953.

Commissioner Bennett said that is providing the County receives all the reimbursements. He added that the criminal justice portion of the budget has been the fastest to increase and that it is not just the Sheriff, but includes Corrections, County Attorney, etc. That makes it reasonable. We need to look at the new revenue portion of the budget as this is likely the only department with which we allow that to happen.

Commissioner Reinhardt referred to the last point made and said the Sheriff's Department is not different from others as far as coming to the Board with the additional revenue; in some cases the departments ask the Board to allocate the funds in a certain way and others do not. In this case, the Sheriff is asking to have it allocated in this way. She doesn't believe this is something that was done outside of the normal route taken by other departments. Again, the reason why she is supporting this is because any expenses we had that could reasonably be asked for reimbursement from the RNC are being requested. It seems reasonable that if the funds are available from the federal government that we will get that \$398K. The only part that was outside that expected was the \$174K. She believes the Sheriff has provided the documentation to back that up.

(Continued)

Commissioner Reinhardt referred to the Chair's comment about incorporating the vacancy factor back into the budget. She said another discussion could take place about that, but she pointed out that it used to be included and the Board chose to have it come into the County Manager's budget so that a discussion could take place at the Board level, because the Board felt it needed more control over how much was being spent on overtime; it was more difficult for the Board to have control over that when it becomes part of the base budget. We can have that discussion but that was not a position of the Sheriff; it was a position the Board took.

Commissioner Carter had looked at the vacancy factor and the excess overtime; she was thinking that the excess revenue would cover those factors. She understands that at this point, based on what the Board is looking at, that revenue does not cover the overtime. She asked about the historical use of that vacancy factor; as she reads the documentation, the vacancy factor stands alone and does not overlap or cover any of those additional overtime costs. She asked if that was used for head count that was not reduced or if it was used for some additional staff that is not reflected here. The request for restoration is not accompanied by an explanation of how that vacancy factor was used. She does not have the history and would like to understand it before moving forward.

Sheriff Fletcher said that in 1995, overtime was not paid to employees based upon how much they earned; it was based upon how many dollars were left over at the end of the year. Some employees had several hundred hours of overtime on the books because the County could never pay them. Each year there was a certain amount of money allocated that was then paid out. For example, one employee had 1,000 hours of overtime on the books. Technically, that was a liability for the County. That caused morale problems by being required to work and not being compensated for it. It was thought to be inconsistent with current labor laws. It was modified; the County agreed to buy down and pay people for their overtime, and then set an amount in the budget every year that would attempt to cover those costs. The amount set at that time was 8%, which is one of the lowest in the law enforcement industry. The reality is that our overtime runs at about the 12% level. Many agencies are at 15-20% of overtime (percentage of the salary dollars that are allocated to overtime). While the 8% is in the budget it has never been adequate to cover overtime. Therefore, the vacancy factor of \$361K, which is another 1½%, helps get to the 9½-10% range. Proper budgeting would say to put 10-12% in for overtime, but we are only at 8%. Historically, the vacancy factor has been used to cover overtime generated by the vacancies. If you are running a jail operation, you can't just eliminate a position; someone has to fill it either on overtime or temporary status.

Roll Call on the amended draft resolution: Ayes – Bennett, Carter, McDonough, Ortega, Reinhardt, Parker – 6. Nays – Rettman – 1. (2009-036)

WHEREAS, Every year since 1999, all County Departments have budgeted a 1.5% vacancy factor reduction; and

WHEREAS, Per a Settlement Agreement with the County Board dated February 18, 1999, the Sheriff's Department is to continue operations as usual despite the vacancy factor reduction; and

WHEREAS, Also per the Settlement Agreement, the County Manager was given authority to use savings in other departments' budgets or general contingency account funds to cover the Sheriff's vacancy factor; and

WHEREAS, In 2008, in anticipation of there not being sufficient savings in other departments' budgets to cover the Sheriff's vacancy factor, the County Board "earmarked" funds of \$361,099 in the Contingent Account, and

(Continued)

WHEREAS, The Sheriff's Department requests that the vacancy factor be restored to fund salaries for 2008; and

WHEREAS, The Sheriff's Office was integrally involved in the protection of the County leading up to and during the Republican National Convention, September 1, 2008 through September 4, 2008; and

WHEREAS, A substantial portion of the services provided by the Sheriff's Office will be reimbursed through the Federal Security Subsidy administered by the City of St. Paul; and

WHEREAS, It was necessary to dedicate resources of the Sheriff's Office to several other areas of responsibility that are not specifically reimbursable through the Security Subsidy but were essential for the overall protection and safety of the County; and

WHEREAS, These services provided by the Sheriff's Office included assigning employees to a year-long special investigation that uncovered plans disruption of the RNC and resulted in several arrests of leaders of the organization, hiring retired officers to provide additional security at County buildings during the RNC, and assisting the Coast Guard with security of the Mississippi River during the RNC; and

WHEREAS, A significant amount of overtime expense was incurred for the special investigation as well as for hiring temporary backfills for those assigned full-time to the investigation throughout all of 2008, totaling \$305,405; and

WHEREAS, The Sheriff's Office temporarily hired 47 retired officers for the week of the Republican National Convention for the protection of County buildings, specifically the Landmark Center, which cost \$68,765; and

WHEREAS, A combination of full-time and temporary Water Patrol deputies assisted the Coast Guard for security coverage of the Mississippi River, the overtime and temporary salaries for this security coverage was \$24,187; and

WHEREAS, The Sheriff's Office requests a budget transfer from the Contingent Account in the amount of \$398,357 as reimbursement for personnel costs for protection to the County before and during the Republican National Convention; and

WHEREAS, The Security Unit at Regions Hospital provides 24/7 staffing for in-custody detainees for both Sheriff's and Corrections' inmates in either the 9-East secure unit or in "Open Ward" with a deputy assigned round the clock; and

WHEREAS, The "Open Ward" care arrangement has added extensive amounts of overtime for Hospital Security staff, and deputies from other divisions that sign up to work the required overtime; and

WHEREAS, With the commitment to preparing and training for the Republican National Convention in 2008, the Sheriff's Department was unable to adjust schedules of on-shift deputies to cover this overtime; and

(Continued)

WHEREAS, It is estimated that the excess overtime required for Hospital Security for 2008 will be \$165,000; and

WHEREAS, During the Republican National Convention, additional help at the Hospital Security Unit was requested from Washington County which was provided by Washington County deputies on an overtime basis, and for which the Sheriff's Office received a bill of \$9,953; and

WHEREAS, The Sheriff's Department requests approval of a budget transfer from the Contingent Account in the amount of \$174,953 for unanticipated costs of Hospital security; and

WHEREAS, For 2008, the Sheriff's Department projects that actual revenues will exceed budgeted revenue estimates by approximately \$672,000, due mainly to prisoner boarding revenue in the Law Enforcement Center, and a high level of mortgage foreclosure fees; and

WHEREAS, For 2008, the Sheriff's Department projects that salary accounts will be insufficient by \$457,225 due mainly to temporary and overtime salaries for the jail; and

WHEREAS, For 2008, the Sheriff's Department also projects that non-salary budgeted line items will be insufficient to meet anticipated charges by approximately \$210,554 due to several factors including food service cost in the jail, and the high cost of automotive repairs; and

WHEREAS, The Sheriff's Department requests approval of a budget adjustment appropriating \$667,779 of the excess revenues to cover the projected salary and line item shortages; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners hereby authorizes the County Manager to make a budget transfer of \$361,099 from the 2008 Contingent Account into the Sheriff's 2008 operating budget to restore the vacancy factor and cover year-end salaries; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners authorizes the County Manager to make a budget transfer to the Sheriff's Office 2008 operating budget as reimbursement for personnel costs for protection of the County before and during the Republican National Convention, in the amount of \$398,357, with any potential reimbursement from the City of St. Paul to be returned to the Contingent Account; and Be It Further

RESOLVED, The Board authorizes the County Manager to make a budget transfer of \$174,953 from the 2008 Contingent Account into the Sheriff's 2008 operating budget to cover the unanticipated overtime costs for Hospital Security in 2008; and Be It Further

RESOLVED, The Board authorizes the County Manager to make a budget adjustment increasing estimated revenues and appropriations in the amount of \$667,779 to cover projected salary and non-salary shortages in the Sheriff's Department 2008 operating budget.

LEGISLATIVE UPDATE

Terry Speiker, Director, Intergovernmental Relations, introduced Megan Helge, from Dennis McGran's office. Ms. Helge is present to talk about the stimulus package and the incoming President's plans for how to work on the economic issues before us. Staff will be finalizing the agenda for the delegation meeting, which will be sent out electronically.

(Continued)

Ms. Helge said Congress is currently busy trying to get an economic stimulus plan ready for approval and to see what the new President will put forward for his budget in early February. Ms. Helge distributed an overview of the Obama-Biden Plan. The Ramsey County Board put together a list of items being requested for consideration in the stimulus package; that list has been shared with all members of Congress. One of the main objectives of President-elect Obama is to invest in metropolitan areas. The Lockridge law firm wants to capitalize on this for Ramsey County. They are looking at a proposed \$775 billion stimulus package, which would likely be passed in early February. The House would pass it first and then it would be taken up by the Senate.

Ms. Helge said the administration has said it wants 'shovel ready' projects, which are those projects that can happen between 90 and 180 days. Congressman Oberstar will be crafting a lot of the infrastructure segment of the stimulus bill and he knows what can and cannot happen in Minnesota. Another important aspect to remember is that the transition team wants to create upwards of 3 million jobs over the next two years. Many of the things listed by this Board are helping in the creation of new jobs.

Ms. Helge said her specialty is the area of health care. They have worked diligently on targeted case management, and the transition team is looking at state aid to cover health care for low income individuals and families. Child support enforcement rules are also being looked at. She has been focusing that with Congresswoman McCollum's office. Road, bridge and transit projects are being reviewed. Digital infrastructure, energy efficiency projects, weatherization, retrofitting grants, and smart metering are important projects. On the education front, they will be focusing on school construction and modernization, social programs, the extension of food stamps and unemployment benefit. For tax cuts, they are looking at a \$1,000 tax credit for working families, possible business tax breaks, possible expansion of the earned income tax credit for the poor, possible credits for tuition, and possible alternative energy tax credits.

Ms. Helge said everyone understands that this bill is in total flux; it is not yet public; both the House and Senate are working on their version. The handout is a summary of what President-elect Obama will be submitting. It is an incredible opportunity to make certain we are all at the table.

Chair Parker thanked Ms. Helge for providing the information; that communication link is so important.

Ms. Speiker said the information presented is timely; the House and Senate leadership held a press conference about House and Senate file 1, which is their receptacle for responding to the things that will come forward to Minnesota from the stimulus package. They are preparing to have that be their main emphasis.

ADJOURNMENT

Chair Parker declared the meeting adjourned.

EXECUTIVE SESSION

The Executive Session was called to order at 11:44 a.m., with the following members present: Bennett, Carter, McDonough, Ortega, Reinhardt, Rettman, and Chair Parker – 7. Also present were: Julie Kleinschmidt, County Manager; Darwin Lookingbill, Director, Civil Division, County Attorney's Office; and Dave Metusalem, Deputy Ramsey County Sheriff.

RE: Alexander Cole v. Ramsey County

Commissioner Ortega introduced the following resolution, seconded by Commissioner Bennett. Roll Call: Ayes – Bennett, Carter, McDonough, Ortega, Reinhardt, Parker – 6. Nays – Rettman – 1. (2009-037)

(Continued)

NOW, THEREFORE, BE IT RESOLVED, that the Board of Ramsey County Commissioners authorizes the Ramsey County Attorney to proceed with a settlement as discussed in this Executive Session.

The Executive Session was adjourned at 11:50 a.m.

Bonnie C. Jackelen, Chief Clerk-County Board