

The Ramsey County Board of Commissioners met with the following members present: Carter, McDonough, Ortega, Reinhardt, Rettman and Chair Parker – 6. Absent: - Bennett – 1. Also present were Julie Kleinschmidt, County Manager, and Darwin Lookingbill, Director, Civil Division, County Attorney's Office.

PLEDGE OF ALLEGIANCE

All in attendance recited the Pledge of Allegiance.

AGENDA

Commissioner Carter moved approval of the Agenda of the April 14, 2009, Board Meeting, seconded by Commissioner Reinhardt. Roll Call: Ayes – Reinhardt, Rettman, Carter, McDonough, Ortega, Parker – 6. Nays – 0.

MINUTES

Commissioner Reinhardt moved approval of the Minutes of the March 24, 2009 Board Meeting, seconded by Commissioner McDonough. Roll Call: Ayes – Reinhardt, Rettman, Carter, McDonough, Ortega, Parker – 6. Nays – 0.

PUBLIC WORKS – Final Payment and Contract amount for the construction of White Bear Avenue from Beech Street to Reaney Avenue

Commissioner Reinhardt introduced the following resolution and moved its adoption, seconded by Commissioner McDonough. Roll Call: Ayes – Reinhardt, Rettman, Carter, McDonough, Ortega, Parker – 6. Nays – 0. (2009-114)

WHEREAS, County Board Resolution 2006-151 approved a contract with Progressive Contractors, Inc. for the construction of White Bear Avenue from Beech Street to Reaney Avenue; County Contract CC001534; and

WHEREAS, The final contract cost totaled \$886,906.90; and

WHEREAS, The Ramsey County Project Engineer has inspected the work and certified that it has been completed in accordance with the plans and specifications of the contract; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners hereby approves a final contract amount of \$886,906.90 and authorizes a final payment of \$13,889 to Progressive Contractors, Inc., 14123 42<sup>nd</sup> Street NE, St. Michael, MN 55376, County Contract CC001534, for construction of White Bear Avenue from Beech Street to Reaney Avenue.

PUBLIC WORKS – Cooperative Agreement PW 2009-02 for Intersection improvements at Wabasha Street and Plato Boulevard

Commissioner Reinhardt introduced the following resolution and moved its adoption, seconded by Commissioner McDonough. Roll Call: Ayes – Reinhardt, Rettman, Carter, McDonough, Ortega, Parker – 6. Nays – 0. (2009-115)

WHEREAS, The City of St. Paul, in cooperation with Ramsey County, is proposing the installation of traffic control signals at the intersection of Wabasha Street and Plato Boulevard; and

**(Continued)**

WHEREAS, Agreement PW 2009-02, prepared by Ramsey County, identifies Ramsey County's cost share responsibilities for the new traffic control signal system at the intersection of Wabasha Street and Plato Boulevard; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners amends the 2008-2012 Transportation Improvement Program to include the Wabasha Street and Plato Boulevard intersection improvements to be funded by County State Aid for \$141,303.75; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners approves Agreement PW 2009-02 between Ramsey County Public Works and City of St. Paul for 50% (approximately \$115,350.00) of the cost of the new traffic control signal and an additional 22.5% (approximately \$25,953.75) for engineering and construction fees; and Be It Further

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

RESOLVED, The Ramsey County Board of Commissioners authorizes the County Manager to approve appropriate budget adjustments, increasing estimated revenues and appropriations, when final 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 participating funds; and Be It Further

RESOLVED, That the five (5) page agreement is made part of this resolution by reference and is on file with the Chief Clerk.

#### COMMUNITY HUMAN SERVICES – Children's Services Review Panel

Commissioner Reinhardt introduced the following resolution and moved its adoption, seconded by Commissioner McDonough. Roll Call: Ayes – Reinhardt, Rettman, Carter, McDonough, Ortega, Parker – 6. Nays – 0. (2009-116)

WHEREAS, Ramsey County is one of three counties in Minnesota that has a functioning Children's Services Review Panel; and

WHEREAS, The purpose of the Panel is to review the services provided to children and families and develop recommendations for how the Human Services Department, County Board and State of Minnesota can improve the delivery of those services; and

WHEREAS, The members of the Panel are community volunteers; and

WHEREAS, The Panel serves the dual function of fulfilling the responsibilities from the State of Minnesota for serving as the Review Panel and also provides input to the Ramsey County Board as part of the Human Services Citizen's Advisory Council; and

WHEREAS, The State of Minnesota provides a grant of \$3,000 annually to cover the costs of the activities of the Children's Services Review Panel; and

**(Continued)**

WHEREAS, The funds are used to reimburse panel members for meeting attendance, child care and other incidental expenses; and

WHEREAS, In previous years, the Review Panel for Ramsey County has averaged less than \$1,000 in expenses per year; and

WHEREAS, The unspent portion of the funds are then returned to the State of Minnesota's general fund; and

WHEREAS, To enhance the effectiveness of the Review Panel's work, three members will be attending the Annual Citizen's Review Panel National Conference in Wyoming, May 20-22, 2009; and

WHEREAS, The Community Human Services Department is requesting authority to distribute \$1700 of these state funds to three members of the Children's Services Review Panel in advance of conference expenditures; and

WHEREAS, The state funds flow through the budget of the Ramsey County Community Human Services Department and are to be used specifically for support of the activities of the Review Panel; and

WHEREAS, The funds to support attendance will be paid entirely from the state grant; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners approves the advance payment of a total of \$1700 to the three members of the Children's Services Review Panel attending the conference the National Citizen's Review Panel National Conference in Wyoming, May 20-22, 2009.

COMMUNITY HUMAN SERVICES – Disabled Adults – Home and Community Based Waiver Services

Commissioner Reinhardt introduced the following resolution and moved its adoption, seconded by Commissioner McDonough. Roll Call: Ayes – Reinhardt, Rettman, Carter, McDonough, Ortega, Parker – 6. Nays – 0. (2009-117)

WHEREAS, St. Regis Foster Care is seeking an agreement with the Community Human Services Department; and

WHEREAS, This four-person foster care home at 3802 St. Regis Drive in White Bear Lake, initially was established to serve individuals for HealthPartners and UCare; and

WHEREAS, The home currently has an opening and one of the individuals Human Services provides case management for wishes to move into this home; and

WHEREAS, To honor this choice, the Department is recommending entering into an agreement without the usual Request for Proposal process; and

WHEREAS, These circumstances require a new purchase of service agreement; Now, Therefore, Be It

*(Continued)*

RESOLVED, The Ramsey County Board of Commissioners approves St. Regis Adult Foster Care, 3802 St. Regis Drive, White Bear Lake, MN 55110, for foster care services at the medical assistance rate for the period March 9, 2009 through December 31, 2012; and Be It Further

RESOLVED, The Board authorizes the County Manager to approve and execute an agreement in a form to be approved by the County Attorney.

COMMUNITY HUMAN SERVICES – Child Protection Services

Commissioner Reinhardt introduced the following resolution and moved its adoption, seconded by Commissioner McDonough. Roll Call: Ayes – Reinhardt, Rettman, Carter, McDonough, Ortega, Parker – 6. Nays – 0. (2009-118)

WHEREAS, This request is to re-start a purchase of service agreement for psychological evaluations and parenting assessments; and

WHEREAS, Dr. Stephen Antonello provided these services for the Human Services Department from February 2003 through December 31, 2007; and

WHEREAS, The contract was not continued in 2008 due to an inability to meet the standard insurance requirements contained in purchase of service agreements; and

WHEREAS, Dr. Antonello has acquired the necessary insurance the Community Human Services Department proposes to resume purchasing these services from him; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners approves the recommendation of Dr. Stephen Antonello, 750 South Plaza Drive, Suite 104, Mendota Heights, MN 55120, at the rate of \$92.70 per hour for parenting assessments and at Medical Assistance rates for psychological evaluations, for the period January 1, 2009 through December 31, 2009; and Be It Further

RESOLVED, The Board authorizes the County Manager to approve and execute an agreement in a form to be approved by the County Attorney.

COMMUNITY HUMAN SERVICES – Intellectual and Developmental Disabilities – Supported Living Services specific to Hmong culture

Commissioner Reinhardt introduced the following resolution and moved its adoption, seconded by Commissioner McDonough. Roll Call: Ayes – Reinhardt, Rettman, Carter, McDonough, Ortega, Parker – 6. Nays – 0. (2009-119)

WHEREAS, The Community Human Services Department issued a Request for Proposal on December 10, 2008 seeking agencies to provide culturally specific supported living services for individuals from the Hmong community; and

WHEREAS, Vendors will provide this service to individuals receiving funding through the Developmental Disabilities (DD) Home and Community Based Waiver; and

WHEREAS, Approximately 300 agencies received notice of the RFP and 12 submitted proposals; and

*(Continued)*

WHEREAS, The review panel included Ramsey County staff and one community member; and

WHEREAS, The three recommended vendors scored higher on their understanding of the need for this service, their administrative and staff capabilities, and the ability to serve the Hmong community; and

WHEREAS, The panel recommended contracting with the following vendors:

- S&B Comfort Home Health Care Services, doing business as “Peaceful Living Services”, 377 University Ave Suite C, St. Paul, MN 55103
- SunLight Services LLC, 440 Virginia Street, St. Paul MN 55103
- Wingspan Life Resources, 2954 Rice Street, St. Paul MN 55113;

Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners approves:

- S&B Comfort Home Health Care Services, doing business as “Peaceful Living Services”, 377 University Ave Suite C, St. Paul, MN 55103
- SunLight Services LLC, 440 Virginia Street, St. Paul MN 55103
- Wingspan Life Resources, 2954 Rice Street, St. Paul MN 55113

to provide Supported Living Services at individualized rates based on the needs identified in the screening documents for persons with Intellectual and Developmental Disabilities that are customized around Hmong culture, and Be It Further

RESOLVED, The Board authorizes the County Manager to approve and execute the agreements in a form to be approved by the County Attorney.

WORKFORCE SOLUTIONS – Approval of PY 2009 Local Youth Plan Update for the Workforce Investment Act Youth and Minnesota Youth Programs Contracts, Funding and Program Operations

Commissioner Reinhardt introduced the following resolution and moved its adoption, seconded by Commissioner McDonough. Roll Call: Ayes – Reinhardt, Rettman, Carter, McDonough, Ortega, Parker – 6. Nays – 0. (2009-120)

WHEREAS, The State of Minnesota requires an annual update to the Local Youth Plan for the youth program under the Workforce Investment Act. (“WIA”) and the Minnesota Youth Program (“MYP”); and

WHEREAS, The annual WIA/MYP Local Youth Plan Update for program year 2009 (April 1, 2009 through March 31, 2010) is due to the Minnesota Department of Employment and Economic Development (“DEED”) on April 15, 2009; and

WHEREAS, Both the Ramsey County Board of Commissioners and the local Workforce Investment Board (“WIB”) are required to approve and sign the Local Youth Plan Update for WIA Youth and MYP; and

WHEREAS, The PY 2009 WIA/MYP Local Youth Plan Update was accepted by the WIB’s Youth Council on March 10, 2009 and approved by WIB at its meeting on April 2, 2009; and

**(Continued)**

WHEREAS, The Ramsey County Board of Commissioners authorize the County Manager to negotiate and execute amendment to the PY 2009 WIA Master Contract with the State of Minnesota, and amendment to the Master Contracts for operation of WIA Adult, Dislocated Worker and Youth and Minnesota Youth and Dislocated Worker Programs, including Amendments to funding, and to execute the required certification forms, subject to prior approval by Budgeting and Accounting and the County Attorney's office; and

WHEREAS, Program Administrative Staffs from Workforce Solutions recommend approval of the Program Year 2009 WIA/MYP Local Plan Update; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners approves the PY 2009 Local Youth Plan Update for the WIA Youth Program and the MYP Contracts, Funding and Operation Authorizations; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners authorizes the County Manager to execute Amendments to the PY 2009 Local Youth Plan Update for WIA Youth and Minnesota Youth Programs Contracts, Funding and Operation Authorizations; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners authorizes the County Manager to negotiate and execute the PY 2009 WIA Master Contract with the State of Minnesota, and amendments to the Master Contract, for operation of WIA Adult, WIA Youth and Minnesota Youth Programs and Dislocated Worker; and State Dislocated Worker Programs, including and not limited to amendments related to changes in funding, and to required certification forms, 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 make temporary cash loans as needed from the County General Revenue Funds to Workforce Solutions in order to cover program expenses until federal and state youth program funds are received, with repayments to be made upon receipt of the funds; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners authorizes the County Manager to sign any additional funding agreements and amendments, and amendments to the agreements with youth program service providers.

SHERIFF – 2007 Homeland Security Grant Program Award

Commissioner Reinhardt introduced the following resolution and moved its adoption, seconded by Commissioner McDonough. Roll Call: Ayes – Reinhardt, Rettman, Carter, McDonough, Ortega, Parker – 6. Nays – 0. (2009-121)

WHEREAS, The Federal Department of Homeland Security has made available grant funds for distribution by the Minnesota Department of Public Safety, Division of Homeland Security and Emergency Management for the strengthening of terrorism response capabilities; and

WHEREAS, The Minnesota Department of Public Safety, Division of Homeland Security and Emergency Management, has awarded Ramsey County a 2007 Homeland Security Grant Program award in the amount of \$100,750, with no local match requirement; and

*(Continued)*

WHEREAS, The Ramsey County Sheriff's Office will use the grant funds for temporary and overtime related to involvement in the Minnesota Joint Analysis Center, a collaborative of local, state and federal law enforcement agencies, and for training in intelligence gathering and analysis; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners accepts a 2007 Homeland Security Grant Program award of \$100,750 from the Minnesota Department of Public Safety, Division of Homeland Security and Emergency Management, for the period of grant execution through March 30, 2010; and Be It Further

RESOLVED, The Board authorizes the County Manager to execute the grant agreement; and Be It Further

RESOLVED, The Board authorizes the County Manager to accept and execute any amendments to the grant agreement; and Be It Further

RESOLVED, The Board authorizes the County Manager to approve a budget adjustment establishing a grant budget for the Homeland Security Grant Program and other adjustments, if necessary, for receipt of additional funds.

PROPERTY MANAGEMENT – City of Saint Paul Second Street Parking Lease Agreement

Commissioner Reinhardt introduced the following resolution and moved its adoption, seconded by Commissioner McDonough. Roll Call: Ayes – Reinhardt, Rettman, Carter, McDonough, Ortega, Parker – 6. Nays – 0. (2009-122)

WHEREAS, Ramsey County has entered into a lease agreement with the City of Saint Paul for parking spaces in the City's Second Street Garage, located at 131 East Second Street, since 1998; and

WHEREAS, The leased parking spaces are in turn subleased to County employees at the RCGC East building as a means to alleviate employee parking problems; and

WHEREAS, By Resolution No. 2002-051, the Ramsey County Board of Commissioners approved a 5-year Lease Agreement with the City of Saint Paul beginning March 1, 2002, with a renewal option for an additional two-year period through February 28, 2009, for 31 parking spaces in the Second Street Garage; and

WHEREAS, The City of Saint Paul has proposed a new 5-year Lease Agreement with Ramsey County for the period from March 1, 2009, through February 28, 2014; with a renewal option for an additional 5-year period; annual increases of 2% and the standard 90 day cancellation clause for either party; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners approves the draft Lease Agreement with the City of Saint Paul for 31 parking spaces in the Second Street Garage at a monthly rate per space as follows: Year 1 \$86.15; Year 2 \$87.87; Year 3 \$89.63; Year 4 \$91.42; and Year 5 \$93.25, subject to the final approval by the County Attorney's Office; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners authorizes the County Manager to execute the final Lease Agreement; and Be It Further

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RESOLVED, The Ramsey County Board of Commissioners authorizes the County Manager to negotiate rental rates and approve a renewal for up to an additional five years; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners authorizes the County Manager to appropriate rental revenues from subleasing of the 31 parking spaces to fund the Lease Agreement and any renewals.

PUBLIC WORKS – High Resolution Digital Color Orthophoto Flight and Physical Feature Update

Commissioner Reinhardt introduced the following resolution and moved its adoption, seconded by Commissioner McDonough. Roll Call: Ayes – Reinhardt, Rettman, Carter, McDonough, Ortega, Parker – 6. Nays – 0. (2009-123)

WHEREAS, Ramsey County has had a program of obtaining aerial photography for several years; and

WHEREAS, Beginning in 2000, the County continued the program by programming flights for high accuracy orthophotography on a three-year rotational basis; and

WHEREAS, The aerial flight and the resulting physical feature updates satisfy the existing Joint Power Agreement with the Ramsey County GIS Users Group; and

WHEREAS, The timing of the flight is critical because the leaves must be off the trees and no snow on the ground; Spring is the only reliable time for this work; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners waives the requirement for prior County Board authorization to issue a Request for Proposals for purchases in excess of \$50,000 for the High Resolution Digital Color Orthophoto Flight and Physical Feature Update; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners authorizes the County Manager to execute the agreement resulting from the Request for Proposal process, after being approved by Budgeting and Accounting and the County Attorney's Office.

BOARD OF RAMSEY COUNTY COMMISSIONERS – National Volunteer Week

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

Chair Parker spoke of the results in the report regarding volunteer efforts taking place in Ramsey County. There is almost \$3 million worth of volunteer time put into Ramsey County programs during 2008.

Mary Capuzzi, Chair, Volunteer Program Network, said there are about fourteen program areas throughout Ramsey County government that have formal volunteer programs. Those programs are coordinated by a variety of staff throughout the County; some have the formal title of volunteer coordinator and some wear multiple hats. Ms. Capuzzi introduced members of the Volunteer Program Network who were in attendance. The Network meets every other month to discuss issues relevant to volunteerism in the County. Ms. Capuzzi distributed an addendum to the report which stated that the Independent Sector recently released the value of volunteer service for 2008 is \$20.25 per hour, and is based on U.S. Department of Labor statistics for a non-agricultural wage and a 12% benefit estimate. When taking the new hourly rate, the value to Ramsey County in 2008 was over \$4 million.

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Volunteerism has been tracked throughout the years, and a significant increase has been seen in 2008. Cumulatively, throughout the County, there was an increase of over 16,000 hours, or an additional equivalent of 8.1 FTEs of service. It is believed there will be additional growth in 2009. She has seen about a 27% increase in the inquiries in volunteering for the Human Services Department.

Commissioner Reinhardt said that is in no small part to how much staff is trying to engage people by emails, newsletters, etc. Making people aware of opportunities is key to having people call to volunteer. The work the Volunteer Program Network is doing is fantastic.

Ms. Capuzzi said they have worked hard over the years to come together as a cohesive group and do things more as a group; results are being seen.

Chair Parker thanked Ms. Capuzzi and the coordinators of these programs for the work they do.

Roll Call: Ayes – Reinhardt, Rettman, Carter, McDonough, Ortega, Parker – 6. Nays – 0.  
(2009-124)

WHEREAS, April 19-25, 2009, has been named National Volunteer Week; and

WHEREAS, The Ramsey County Board of Commissioners realizes the significant role that volunteers play in providing services to citizens and saving tax dollars, and appreciates the work that volunteers provide; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners hereby declares the week of April 19-25, 2009, as Volunteer Week in Ramsey County; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners hereby thanks all its volunteers for the vital role they play in providing services to Ramsey County citizens; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners hereby accepts the report on volunteer activity within Ramsey County government, as prepared by the Volunteer Program Network.

COMMUNITY HUMAN SERVICES – Chemical Dependency Outpatient Treatment Services – Statement of Need

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

Commissioner Rettman said the last resolved clause in the draft resolution changes a process and procedure that she would prefer to have removed from the resolution and discussed separately at a later time. She moved to amend the resolution to remove the last resolved clause.

Commissioner Reinhardt asked why the clause is necessary; is it not part of what the County Manager currently does?

Julie Kleinschmidt, County Manager, said there is an administrative policy that denials of need determination requests need to be presented to the County Board. The reason why staff is recommending that the authority to issue denials be vested with the County Manager is that effectively the State does not pay attention to these denials in any event, and it really doesn't change the process at the State level. The policy could be changed or remain as is.

Commissioner Reinhardt requested clarification that the reference to 'statements' is actually an official document, and that most items that come through are actually handled without coming to the County Board.

Ms. Kleinschmidt responded affirmatively.

Commissioner Reinhardt said this would then make it consistent with every other process, but because of State Statute we are required to do this officially.

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Ms. Kleinschmidt said that was a good summary.

Commissioner Ortega asked for the initial intent for notifying the Board of Commissioners when a request for service is being denied.

Ms. Kleinschmidt believes the original intent was to ensure that the Board was aware and part of the process. Essentially it would be due process. In fact, the State is the determining agency, and our experience has been that the decision of the County Board ends up being moot.

Commissioner Rettman said she read the County's Administrative Code to try to piece this together. The County Manager has authority to send statements of support, but not denials. This comes to the Board because of possible negative impact. She didn't want the discussion today, but rather someone from the County Attorney's Office could provide the Board with some information on this. She would like to know the pros and cons of doing this or not doing this, and whether the Board has the ability to do that.

Commissioner Reinhardt said she doesn't have a problem with this because the Board delegates various responsibilities to the County Manager, which is the basis of the Home Rule Charter, and gives authority and responsibility to the Board to delegate some of these things. She believes this is straightforward and is consistent with other program decisions that are made. She doesn't see this as a "big deal" because the approvals can come through the County Manager and is based on the work done in the community. She doesn't have strong feelings one way or another.

Commissioner Carter said she is fine with removing the clause from the resolution because it would provide an opportunity to have some additional experience to understand how much it is a factor.

The amendment was accepted as friendly.

Roll Call: Ayes – Reinhardt, Rettman, Carter, McDonough, Ortega, Parker – 6. Nays – 0.  
(2009-125)

WHEREAS, Under Minnesota Statutes, the need for an additional or expanded chemical dependency treatment program must be determined, in part, based on the recommendation of the county board of commissioners of the county in which the program will be located; and

WHEREAS, When an applicant for licensure requests a written statement of support for a proposed treatment program, the county board, or the county board's designated representative, shall submit a statement to the commissioner that either supports or does not support the need for the applicant's program; and

WHEREAS, In 1993, the Ramsey County Board of Commissioners made the Ramsey County Manager its designee with the responsibility to issue statements of support in response to requests from outpatient providers when the Ramsey County Community Human Services Department recommends approving the need for the program, with the exception of methadone treatment services; and

WHEREAS, The Board continues to require that all statements come before the Board when Human Services recommends denial of the need for any chemical dependency treatment program, or when the approval of any methadone program or residential treatment program is recommended; and

WHEREAS, For the first part of this action, currently, Ramsey County Community Human Services has two requests for statements of need, one from Twin City Chemical Health Services and the other from Freedom Chemical Health - Kingdom Pathways Treatment Center, for which the department is recommending denial of the need for the additional outpatient treatment capacity; and

*(Continued)*

WHEREAS, The rationale for the Community Human Services Department to make this recommendation is that the capacity and the designs of existing programs currently contracted by Ramsey County are sufficient to meet the service needs of the populations Twin City Chemical Health Services and Kingdom Pathways Treatment Center propose to serve respectively; and

WHEREAS, Twin City Chemical Health Services is proposing an outpatient program at 850 Terrace Court, St. Paul, MN 55130, to serve adult men and women age 18 and older with co-occurring chemical dependency and mental illness, and adolescent males and females age 16-21 who are currently involved in the corrections system and/or in correction diversion; and

WHEREAS, Freedom Chemical Health Kingdom Pathways Treatment Center is proposing an outpatient program at 1088 University Avenue, St. Paul, MN 55104, to serve adult Christian men and women age 18 and older with chemical dependency; and

WHEREAS, For the second part, issuing statements denying the need for additional treatment capacity to serve CCDTF clients of Ramsey County will not prevent the Minnesota Department of Human Services from licensing programs in Ramsey County and will not prevent providers from treating chemically dependent people funded by other sources; and

WHEREAS, In fact, experience has indicated that the State more often than not approves the application in circumstances where the Board has not recommended approval; and

WHEREAS, In light of this experience, the Department is proposing that recommendations against be processed in the same manner as recommendations for, with the County Manager having the authority to submit to the State of Minnesota; and

WHEREAS, The Department will inform the Board by memorandum of the proposed action of not recommending before the need determination is signed and submitted to the State; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners approves the recommendation to issue a statement of denying the need for the programs proposed by Twin City Chemical Health Services and Freedom Chemical Health - Kingdom Pathways Treatment Center; and Be It Further

RESOLVED, The Board authorizes the County Manager and the Director of Community Human Services to sign letters to the Commissioner of the Minnesota Department of Human Services.

INFORMATION SERVICES – Distribution of 2009 Technology Application Systems Appropriation and Appropriation in the Technology Application Systems Contingency Account

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

Commissioner Rettman said she had been with Congresswoman Betty McCollum in a meeting with some health people who made mention of some stimulus dollars for seamless health records retention and to be able to get rid of the silos. There is one project that is requesting about \$500,000 this year and additional money the two following years. She has suggested to the County Manager that if this project is 'shovel ready' she would like to be able to use the stimulus money and Congresswomen McCollum's office to assist the County in this. If the stimulus dollars were available

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she would like those dollars used if at all possible. This money would then not be used toward that project.

Mary Mahoney, Director, Information Services, said there is money in the stimulus package for electronic health records, but there are not many details currently available. It would have to be determined whether or not the County is eligible for using the funds along with the timing. Because there has not been a Commissioner appointed for the Center for Medicaid Services the requirements are delayed in coming out. If someone else has money to help us pay for this, we will find it. This project is not yet considered 'shovel ready'. A consultant is working with the Public Health Department to put some definition to what an electronic health record would look like in all their various areas of service. It might look different in the correctional facilities than it does in the clinic. In some ways the fact that the money is not yet available works to our advantage, because we are still working to be 'shovel ready'.

Commissioner Rettman said it looks to her that we would continue some of the silos; she wants to make certain they are not continued. We need to be seamless; she wants to make certain that the administration and those working on this will be in touch and make sure the silos are gone.

Chair Parker asked Ms. Mahoney that if this were approved today, would the County be hindering its potential for requesting stimulus funds. Ms. Mahoney said she doesn't believe so.

Roll Call: Ayes – Reinhardt, Rettman, Carter, McDonough, Ortega, Parker – 6. Nays – 0. (2009-126)

WHEREAS, In 2005, the Ramsey County Board of Commissioners established a Technology-Applications Systems appropriation to fund the acquisition, upgrade and replacement of software applications necessary to meet the current and emerging business needs of Ramsey County; and

WHEREAS, Consistent with the County Board's direction at a workshop on April 12, 2005, the County Manager charged the Technology Governance Committee with the responsibility of developing and implementing a plan for making recommendations for the allocation of this appropriation; and

WHEREAS, The Board appropriated \$2,900,000 for 2009 for this purpose; and

WHEREAS, Previous County Board resolutions have authorized the County Manager to close completed projects and transfer unspent funds to a Contingency Account; and

WHEREAS, For 2009, the County Manager is recommending that up to \$245,950 in the Contingency Account be re-allocated for approved projects; and

WHEREAS, Previous resolutions have also authorized the use of other funds in the completion of these projects; and

WHEREAS, For 2009, the County Manager is recommending that \$414,015 of reserve data processing funds in the County Attorney's Office budget be allocated to fund a portion of the County Attorney's Office projects; and

WHEREAS, Proposals for the use of these funds were solicited from departments; and

WHEREAS, The recommendations of the Technology Governance Committee and the County Manager are presented for County Board approval; Now, Therefore, Be It

***(Continued)***

RESOLVED, The Ramsey County Board of Commissioners hereby approves the distribution of the 2009 Technology Application Systems appropriation of \$2,900,000, and up to \$245,950 from the Technology Application Systems Contingency Account for the projects, and in addition, \$414,015 of reserve funds in the County Attorney Department budget to fund a portion of the recommended County Attorney projects, for the following projects:

\$ 250,000	Medical Examiner, Case Management System
\$ 1,783,000	Budgeting & Accounting, Aspen Financial System
\$ 100,000	County Manager, Business Improvements
\$ 70,000	Community Corrections, OTIS Enhancements
\$ 120,000	Community Corrections, Performance Management
\$ 20,000	Community Corrections, Payroll Projections
\$ 321,722	County Attorney's Office, .NET Conversion (CAIS)
\$ 168,743	County Attorney's Office, Electronic Integration MNCIS to CAIS
\$ 55,000	Information Services, Web Migration to ASP NET 2.0
\$ 25,000	Information Services, Web 2.0 Pilot
\$ 25,000	Information Services, Reporting Services Migration
\$ 100,000	Library, Self-service Checkout
\$ 500,000	Public Health, Electronic Health Records System
\$ 21,500	Sheriff, Forensic Computer Services
\$ 3,559,965	Total

and Be It Further

RESOLVED, The Board authorizes the County Manager to use other funding sources, including grants, in lieu of or in addition to this funding, to finance the approved projects; and Be It Further

RESOLVED, The Board authorizes the County Manager to issue Requests for Proposals in accordance with County Board policy on issuance, select proposers in accordance with County Board policy on selection, enter into contracts subject to prior approval by Budgeting and Accounting and the County Attorney's Office, make budget adjustments, and execute change orders and amendments to agreements, provided the amounts are within the budget of the approved projects; and Be It Further

RESOLVED, The Board authorizes the County Manager to close completed projects and make necessary budget adjustments to re-allocate unexpended Technology Application Systems appropriations to a Technology Application Systems Contingency Account for future projects to be approved by the County Board.

BOARD OF RAMSEY COUNTY COMMISSIONERS – Distribution of "Vision of Peace" Replicas

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

Commissioner Rettman requested an amendment to the policy, not the resolution. She believes that it would be better if the County Manager were to make the recommendation to the County Board rather than the Board Chair.

Commissioner Reinhardt commended staff who worked on this item. We are not trying to stop people from getting this wonderful 'Vision of Peace' but rather make certain that it keeps its value. She doesn't believe the County Board needs to take time on its agenda unless they are trying to use that as a form of presenting the statue. She doesn't believe it needs to be a County Board action.

*(Continued)*

Commissioner Rettman said the County Board Chair is to officiate at meetings; this creates a situation that could be perceived as giving the Chair some abilities. It would be fairer for it to appear on a consent agenda. Nowhere in the Administrative Code or the Charter is there any of those “powers” going to the Chair. This would keep it pure.

Commissioner Reinhardt said there is a nominating process and an appeal process. Not every single decision made in this County rises to the level of having to come to this Board. This is about a statue being awarded. It is very important because of the value of it. She does not believe this raises to that level. There is an appeal process; she believes it is legitimate to follow this process. She sees no reason to complicate this further.

Commissioner McDonough said he doesn’t even want to vote for this; 25 statutes have been given in 18 years. There has already been too much time spent on this issue. He would not support having it come back to the County Board. There was no problem to begin with; we continue to make a big problem out of something that should have honor and respect and very esteemed recognition. We should make it matter.

Commissioner Rettman said the Board Chair would make the final decision even in the appeals process. She believes that is creating a situation that empowers the Chair. Each Commissioner is elected by the citizens; the Chair convenes the meetings and officiates at the meetings. This type of thing creates that the Chair makes the final determination. She believes that is not a proper process.

Commissioner Rettman’s amendment was not seconded.

Roll Call: Ayes – Reinhardt, Carter, McDonough, Ortega, Parker – 5. Nays – Rettman - 1.  
(2009-127)

WHEREAS, The 55-ton, 36-foot high Mexican Onyx statue in Memorial Hall of the Saint Paul City Hall/Ramsey County Court House was designed by Swedish sculptor Carl Milles and unveiled on May 28, 1936; and

WHEREAS, The statue was later named *Vision of Peace* on May 11, 1994, at a special ceremony involving three major Minnesota Native American Indian tribes; and

WHEREAS, The Ramsey County Board of Commissioners authorized the commissioning of a limited edition, small replica of the *Vision of Peace* statue reserved for County Board use; and

WHEREAS, The Ramsey County Board of Commissioners recognizes the *Vision of Peace* replica statue to be a prestigious form of recognition it can bestow on an individual or organization in recognition of distinguished or exemplary leadership and/or service to Ramsey County; and

WHEREAS, There have been 25 *Vision of Peace* statues awarded by the County Board to date since 1991; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners reaffirms the *Vision of Peace* replica statue to be a prestigious award provided to an individual or organization in recognition of distinguished or exemplary leadership and/or service to Ramsey County; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners authorizes the County Manager to implement nomination procedures and a decision-making process for awarding the *Vision of Peace* Award; and Be It Further

(Continued)

RESOLVED, The Ramsey County Board of Commissioners authorizes the County Manager to establish an alternative to the current forms of recognition to be reserved for County Board use at its discretion for recognition purposes without a nomination process.

COMMUNITY CORRECTIONS – Approval of participation in Second Chance Act Prisoner Re-entry Initiative Grant Application with the Minnesota Department of Corrections

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

Commissioner Rettman said the grant is not attached, and she thought the grant agreement would return to the County Board but this resolution authorizes the County Manager to accept the grant agreement with the Department of Corrections and to make all the necessary budget adjustments. It would not return to the Board. The Board has not seen anything on this.

Commissioner Carter said there was discussion at a recent Corrections Management Committee about a process moving forward to sanction individuals who violate the conditions of their release and bring them back in. She interpreted the process we were talking about as activity that would not have previously happened on a particular type of violation. She interprets this as being something different – it is about re-entry and those individuals who would have been re-incarcerated anyway coming closer to us and being put at the workhouse instead of being in the State prison. She wants to make certain that the individuals we are talking about would have otherwise been incarcerated; we are not talking about increasing the number of individuals who would be re-incarcerated for a violation.

Al Carlson, Superintendent of the Correctional Facility and Ron Bergee, Assistant Superintendent of the Correctional Facility, were present to answer any questions. Mr. Carlson said that in response to Commissioner Carter's question, these are people who typically would have been in the community and violated rules and would have been sent back to the State prison or other facility and locked down until their release date. The intent here is to offer them programming and employment search to better transition them back into the community.

Commissioner Reinhardt believes this is a good grant application; the Board has been kept informed all the way through the process. If there is not a problem with timing, she suggested that the grant agreement come back to the full Board. If it were to cause a problem with the timing, she is comfortable with that as well.

Mr. Carlson said the reason why they are moving quickly on this is that the Department of Corrections (DOC) has to partner with the County and the deadline for the application process is April 20, 2009.

Ms. Kleinschmidt said this is one of the first projects for Recovery Act dollars and we are learning as we go forward. In terms of the timing, there would not be time for the grant agreement to come back to the Board because they are working on the grant agreement with DOC right now. However, once the grant is awarded there would be time to come back to the County Board in terms of acceptance of the money and approval of the budget.

Commissioner Reinhardt said lines 45-53 would be removed from the draft resolution and at the time the grant is awarded, the Board would approve it.

Commissioner Reinhardt moved an amendment to remove lines 45-53 from the resolution. The amendment was accepted as friendly.

Ms. Kleinschmidt believes she would need authority to execute the grant agreement, but the resolution could stop after that point and the rest would return to the Board.

Mr. Carlson said the County is not the grant holder; the DOC is the grant holder. The County's role is to partner with DOC.

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Commissioner Reinhardt requested clarification that the DOC is applying for the money and Ramsey County is partnering with the DOC. If the DOC receives the money Ramsey County would enter into an agreement with the DOC so that we do the work and the DOC would pay us for that work.

Mr. Carlson responded affirmatively.

Commissioner Reinhardt said the agreement that Ramsey County would be accepting is between the DOC and Ramsey County on those proceeds.

Commissioner Ortega said this is a contract; we are not getting the grant. DOC would contract with the County – it is on a per diem basis so it could be less or more, depending upon the amount of service provided. It is then a contract that comes to us and we would follow the normal procedure.

Ms. Kleinschmidt said the original amendment to eliminate everything from line 45-53 would be acceptable. The first resolved clause provides authority needed at this time.

Commissioner Carter is pleased that we are partnering with the DOC on this project. It a wonderful thing to bring these violators, who otherwise would have been incarcerated in State prisons, closer to us and provide them with programming and services. We did talk about a pilot program that was being done in another part of the country that takes the opportunity to sanction quicker for violations, not re-offenses, of release. She is glad we are not following that approach which would quicken the pace at which those re-offense arrests would actually occur, but that we are talking about offenders who have violated and otherwise would have been incarcerated in State prisons. We have been working on getting offenders who are coming out, reintegrated back into the community.

Roll Call: Ayes – Reinhardt, Rettman, Carter, McDonough, Ortega, Parker – 6. Nays – 0.  
(2009-128)

WHEREAS, The Ramsey County Community Corrections Department is seeking approval to submit a joint grant application with the Minnesota Department of Corrections; and

WHEREAS, This grant application is part of an overall strategy to improve the quality of services available to individuals who have been incarcerated to assist them in making an effective transition back into the community; and

WHEREAS, Research demonstrates that effective and comprehensive reentry services assist individuals in achieving successful reintegration; and

WHEREAS, The Minnesota Department of Corrections is collaborating with Ramsey County, other agencies and community-based non-profit organizations to model a community-based offender reentry, demonstration providing individualized, evidence based case planning with offender involvement and accountability, and comprehensive services offered both pre- and post-release; and

WHEREAS, The reentry demonstration will focus on individuals who have been re-incarcerated after violating conditions of release, who face multiple challenges to community reintegration; and

WHEREAS, This project will serve this “release violator” population from both Hennepin and Ramsey Counties, who are currently being returned to prison with minimal or no transition programming; and

WHEREAS, This project will address the need to keep this population closer to their communities by placing them at the Ramsey County Correctional Facility; and

*(Continued)*

WHEREAS, The Department of Corrections will use the grant to fund the daily cost of housing offenders in the facility as well as providing programming services, transition planning and housing plans for individuals in their home community; and

WHEREAS, The Ramsey County Correctional Facility will emphasize offender employment skills training for this population, and will develop individualized case plans to address barriers to employment, and other strategies for successful reentry; and

WHEREAS, The project is consistent with the Department's effort to improve the effectiveness of reentry services for offenders; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners hereby authorizes the Ramsey County Community Corrections Department to participate in the grant application submitted by the Minnesota Department of Corrections.

RAMSEY CONSERVATION DISTRICT – Ramsey County Groundwater Protection Plan Update

Tom Petersen, District Manager, Ramsey Conservation District, thanked Commissioner Rettman for participating on the plan task force and was part of a multiple agency group that helped put this draft plan together. Mr. Petersen introduced the members of the Soil and Water District Board.

Mr. Petersen said County groundwater protection started in 1988 with the omnibus groundwater bill passed by the Legislature. Some seed money was provided to the metro counties to get into groundwater quality protection. It was recognized then, and is still the case, that our state and federal partners in groundwater protection cannot do the job alone, so the County Board decided it would be appropriate to have a cooperative groundwater protection plan put together in the early 1990s. The first plan was adopted in 1996 and was to remain in effect until 2006 when it would be amended. Since that original plan was created we have worked with many municipalities in putting together wellhead protection plans; have a fairly comprehensive groundwater flow model for Ramsey County that is used by consultants looking at groundwater contamination issues; have been active in the TCAAP rehabilitation process and served as a technical advisor in that organization; and through grant funding have administered and implemented an abandoned well-sealing cost share program.

Geoff Nash, Groundwater Specialist, Ramsey Conservation District, provided an explanation of the contents of the Plan.

Many municipalities in Ramsey County, mainly those in the northern half of the County, are completely dependent on groundwater. St. Paul Regional Waster Service uses Mississippi River surface water through a chain of lakes, and supplies water to other cities, including St. Paul. About 20% of the population is completely dependent upon groundwater. Net water use in Ramsey County is 135% of the precipitation that falls within the boundaries of the County. It doesn't mean we are going to run out of groundwater regionally, but it does mean that locally in the future there could be some shortages.

Commissioner Ortega asked what 135% is based upon.

Mr. Nash said it means that municipal wells, drilled into the aquifers. The water we are using is more than what falls on the ground and seeps in, so we are using water from surrounding areas. In 2030 it is projected that Washington County will join Ramsey County in using more than 100%.

Mr. Nash said an aquifer is an underground layer of rock or other permeable material from which we draw water from. A plume is one fluid moving through another fluid, like a solvent that may have leaked out of an industrial facility, moving through groundwater. The Plan proposes that it is best to

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regulate groundwater on a countywide basis because the Drinking Water Supply Management Areas cross city and watershed boundaries, and even cross county boundaries. One proposal in the Plan is to take a closer look at the files sitting in storage with the MPCA and find out more about unpermitted dumps; they could be leaking materials into groundwater.

Commissioner Reinhardt recalls a presentation made at a Ramsey County League of Local Governments meeting regarding wells that still remain in private yards. This issue deals with education of the homeowners. What was most alarming was the impact on aquifers.

Mr. Nash said a study was done several years ago by Ramsey Conservation District and they estimated that 27,000 unsealed wells exist in Ramsey County. About 400-500 are sealed each year. In the plan there is a proposal to fund \$25,000 every year for a well-sealing cost share program throughout the County that would be an incentive for people to seal their well. The idea is that a well sitting unused, could be an easy conduit for contamination to move horizontally, encounter the well bore, and move vertically into another aquifer, spreading contamination rapidly. Currently there is a \$10,000 federal grant to get at this issue. The application period has been open one week and over 35 people have already applied for assistance.

Commissioner Reinhardt said it is important for people to know how they can find out more about this program.

Mr. Nash said the federal funds have some geographic and financial limits. People can call for assistance by calling the Ramsey Conservation District or by going to the web site at [www.ramseyconservation.org](http://www.ramseyconservation.org) and look at cost-share programs.

Mr. Nash said they are in the 60-day review and comment period. Public hearings and a 45-day review by Metropolitan Council and other agencies will take place during June, July and August and they will be returning to the County Board in September for adoption of the Plan so that implementation can begin.

Right now, Ramsey Conservation District (RCD) monitors 15 DNR observation wells in Ramsey County. There are 15 groundwater protection initiatives that they want to do including annual groundwater monitoring throughout the County. The RCD sees itself playing a leadership role in a county groundwater protection commission, with stakeholders being involved and focusing local attention on this groundwater issue. Other special projects include mapping projects, education and outreach.

Commissioner Reinhardt commented that all these projects take financial resources. She said that if there are issues directly related to solid waste or household hazardous waste, there are some opportunities in that because of some funds that have been dedicated to garbage management. Also, there is the Clean Water Act, the state funds that were approved in the last election. She serves on the Clean Water Council, which is one part of that but there is lots going on at the Legislature right now. It will be important for the individual Districts to be ready to jump on whatever comes out of the session. There will be funding available because that is what people voted for.

Mr. Nash said they have been speaking with the Environmental Health Department and are keeping an eye on opportunities with the Clean Water Council and the Clean Water Act. They are hoping that that legislation maintains a commitment to soil and water conservation districts.

Mr. Petersen said there are competing bills on how the funds should be used. House file 2128, which he believes is the G16 proposal, would put a lot of money available to local government units for groundwater protection, both through the Board of Water and Soil Resources (BWSR) and the Minnesota Department of Health. A competing bill that passed the House finance committee undoes all of that. There may be a loss if House file 2128 does not pass.

Commissioner Reinhardt said it would be very unfortunate if the Clean Water Council recommendations, which people from across the State put together, does not end up being the basis

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for what passes. She believes Minnesotans would be very disappointed in the outcome. The bottom line is that we need to pay attention to the bills.

Mr. Petersen said he believed that if 2128 passes, the Ramsey Conservation District will be well-positioned to access funding from the State Department of Health, PCA and the Board of Water and Soil Resources to deal with the groundwater in a lot of capacities.

Commissioner Reinhardt said that was the intent and what people voted for. We need to play close attention to that.

Mr. Nash said there is a one-year budget for completion and implementation of the tasks in the Plan, which includes capital expenses of \$9,500 to purchase equipment to be installed in the DNR observation well; small pressure transducers to monitor the level of groundwater; and ongoing projects for groundwater quality analysis at a laboratory of selected wells for an annual baseline monitoring database; \$25,000 as commitment to the cost-share program for sealing abandoned wells, also protective of groundwater. The Plan represents a commitment to the future of groundwater protection in the County.

Commissioner Rettman appreciated that all the Commissioners attended the reception earlier this morning to meet and greet the Ramsey Conservation District Board members. The packet distributed there showed the members of the Technical Advisory Committee and local advisory committee. Almost every city in Ramsey County had some participation in this review. The protection of groundwater is on the cusp of being the oil of tomorrow. If we don't protect the aquifers now, the demand for water will kill off the planet. It will take the County Board, the watershed districts and everyone working together. Terry Noonan from the Ramsey County Public Works Department was very involved in this Plan, along with the Board of Health. It has been noted that this item will come back in September 2009. Approval on this Plan is needed by the County Board, and the municipalities are being asked to also provide approvals. It is a State requirement that we have some type of plan. The Board and staff have taken that as a codicil to do that in the best possible way, and she appreciates that. Some of the funding sources have already been identified, and there is a linkage with having Commissioner Reinhardt serving on that committee. Dollars are tight, and the aquifers are not seen as they are underground. The County Board has taken a conscientious stand on environmental remediation as well. The participation of everyone working together is noteworthy. She appreciates that the entire District Board came in today.

#### LEGISLATIVE UPDATE

Nick Riley, Intergovernmental Relations, provided an overview on activities, and said the session is at about a midway point, and may go into special sessions. Handouts will be provided in the Commissioners' mailboxes including an updated tracking sheet and the Minnesota budget project piece that provides good in-depth information on the Governor's budget. Omnibus bills are being developed, many of which should be seen this week. The House has many bills out now; the Senate bills will begin coming out this week – including public safety, and the jobs bill including *Building Lives*. The tax bill will receive hearings over the next two weeks, with a conference committee on taxes in about 2½ weeks. Both the House and Senate are trying to raise revenues; the Governor has said he would not do any new taxes. The House bill has the onerous ½-cent sales tax increase they want counties to vote on, and it may be in the final bill. Staff have heard that the Senate has no interest in that particular provision but plans on doing some type of sales tax in their bill. It is expected that there will be something in both bills that deals with income tax on the wealthy. The House has extensively reviewed income tax loopholes that have benefited wealthier income taxpayers, and they are trying to close a lot of those.

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Claudia Brewington, Intergovernmental Relations, added that Thursday is the third committee deadline. All the omnibus bills are supposed to be processed and into the full finance committees. Health and Human Services may not be able to meet that deadline. Senator Berglin has expressed reservations about getting that done because of the difficulty in getting fiscal notes that fit the vision of their budget proposals. For most of the other committees, we have either seen their first draft or they have actually processed it. The House Public Safety Committee finished theirs before going on spring break. We have seen the tracking sheet in the Senate for economic development. Housing and Health in the House have put their omnibus bill out, which is being processed this week. Evening hearings are expected to get this work done this week. Next week those would be processed through the finance committees and the tax bills will come up.

Mr. Riley said bonding bills in both the House and Senate are out, and a conference committee meets later today. The Senate version has \$327 million in bonding, and the House version is just over \$200 million. The Governor has indicated he would like to see a much smaller bill -- \$120 million, but he wants \$50 million in flood mitigation so that might bring his number higher. Both bills will have Central Corridor at \$8.5 million; High Speed Rail is at about \$6 million in the House bill, and \$5 million in the Senate. The House and Senate chairs met with the Governor last week, where the Governor indicated his support for Central Corridor with some support for High Speed Rail, so we are hopeful both survive in a final bill. The Governor has indicated that if they don't come down to his number, he will line-item veto until he gets to his number. The pressure is on for them to come together.

Mr. Riley spoke with the Chair of the House bonding committee, who thinks that this bill will go toward the end of session; they don't want to release it early as was done the last time and risk an overall veto of the bill because it is now one of the pieces of the final compromise.

Commissioner Ortega asked for an expanded explanation on the sales tax. His concern is that it pushes the tax to the counties to make up for a State budget deficit making it another shift except that now it would be done through a sales tax. More detail is needed, and the County Board needs to be kept apprised of that. There has been a whole host of sales tax aside from giving counties the right to have a sales tax – which ones are going, which have legs, which don't.

Mr. Riley said staff will be providing a presentation for the Joint Property Tax Advisory Committee (JPTAC) on April 27, where a lot of that information will be provided, but that changes as we speak. What that bill now says is that counties around the State will lose a certain amount of their current aid, but would be allowed to levy a ½-cent sales tax. Any of the cities, except cities of the first class that currently have their own sales tax, will be allowed to give the counties their debt that they have incurred with sales tax that they now have. There aren't many that now have sales tax, but in those counties where a county imposes a sales tax, those cities would be relieved of their debt to be taken out of the sales tax that the counties collect, and then the counties will be able to keep the net proceeds. In Ramsey County it would amount to about \$15 million that the County would come ahead after getting the aid cut in any projects that are covered under that by the cities. St. Paul wouldn't be affected by that; they would keep their sales tax and keep their debt, and not be affected by this sales tax. That basically is the proposal. It is a lot like the local government trust fund spoken of previously, and there is some background information that would be provided at the JPTAC meeting. In 1991, counties were put in the same spot – they would lose the aid with the chance to impose a sales tax, and if they don't, there would be sanctions imposed. They created a local government trust fund. The trust came out of the fund quickly and only lasted three years after which it was abolished because the revenue was taken back and disbursed in aid again. The aid has been cut down quite a bit. This proposal seems a lot like the old one. The Senate wants to keep the sales tax pure. If they want to raise sales tax on their own, they don't want another sales tax competing with it, and is mainly why they don't like the House proposal.

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Commissioner Ortega said his fear is that if we end up with any version of the local sales tax that counties could impose, and then we get sales tax, it is like a double-whammy; it is regressive in many ways because people who make less will be paying sales tax upon sales tax. He wanted information even though things do change from day to day, but by the time we get a final product, there will be very little time to react appropriately. He prefers to know what is happening version by version for a better sense on where we are heading with this at the Legislature.

Mr. Riley said a graph has been prepared which shows incrementally what the different sales tax of different services on food, clothing, etc., and at what rate, and how much it would raise. He is reluctant in getting too far down that road in thinking we have to impose something, but does understand the concerns of the Commissioners.

Commissioner Ortega said he does not want to impose anything.

Mr. Riley said he sensed that the entire Board would not be in favor of that.

Commissioner Ortega said even though we need to raise revenues, he wants to make sure they are progressive and not regressive. A combination of any of these as the legislation is pieced together could come out to be bad news. While we talk about trying to address some of the issues and the needs of certain folks in our community, we could be taxing them. It doesn't eliminate property taxes – those still need to be imposed.

Mr. Riley said the other proposal both bodies are looking at is putting a higher tax on the wealthier residents in the State. That would only raise \$4-6 million depending on how high the tax is per year. To get to a higher number, you need to impose it across the board on everybody, which gets regressive. It will probably be a combination of taxes if they are raised, but the Governor has said he is opposed to any of that and why there may be extra sessions because he will keep vetoing everything. Three House Republicans are needed to override a veto and that would mean that all the Democrats would have to vote for this, and they may not all be in favor of raising taxes.

Commissioner Reinhardt said the previous experience has to be communicated to our legislators. She attended a couple meetings where legislators made the assumption that we would think this is a good thing – why would we say no to additional funding. She pointed out then what happened last time, and it was pointed out to her that one of the reasons this was brought forward was because they thought the Governor would be less likely to veto it if it wasn't the State imposing the tax. If this is to be done, it should be done statewide. There is also the assumption that we have this decision just to bring in more money when in fact, if it is like the last time, it could be a triple whammy if you don't impose this – to the cities, the school district and every local government jurisdiction – because it is not just a carrot, it is a huge stick and a lot more would be lost if this is not imposed. But, it doesn't look that way to the public. To the extent possible, we need to let the public know what this really is and what the downsides are to it – make the Governor step up to the plate and recognize what the (AMC) Association of Minnesota Counties has been saying all along that the deficit isn't just a spending or revenue problem; it is something we have to deal with from both sides. You can't raise enough taxes to fix it and you can't cut enough to fix it.

Terry Speiker, Director, Intergovernmental Relations, said an analysis is underway about this particular proposal. Because we haven't seen the final language of the bills, and might not until toward the end of next week, the analysis will not be final at this point. As Mr. Riley pointed out, we have an analysis of the other revenue-raising proposals to look at and to weigh in on. The difficult part about some of this, which may be a thought on the part of some of the smaller counties, is that this could be an advantageous way to have access to some additional revenue. It is important to have a united voice but it would also be good to raise with the AMC as the Commissioners are in the legislative steering committee meetings because the legislature in general always turns to the State associations when talking about these statewide legislative issues. There are a lot of things about this that feel very

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similar to what was seen the last time, but the House tax staff see this as a win-win proposal, which makes her nervous, and they don't see it similar to the local government trust fund. The chief tax person who looks at these things on the House side, which is where the proposal is coming from, thinks that this has some real potential. It is important for the Commissioners to talk with colleagues statewide about how to do this in relation to its own taxpayers.

Commissioner Carter said it is going to be important to understand the analysis and communicate with our legislators and AMC. She asked if the Commissioners would see the information that is to be presented to the JPTAC.

Ms. Speiker said all that material could be sent to Commissioners at the same time it is sent to the JPTAC members toward the end of next week. By then there should be something more concrete.

Commissioner Ortega said there are counties that look at this in a more favorable way. It is a good point that if this passes, it is a big stick, and we will be penalized if we don't go forward. Regardless of what the bottom line is in terms of the numbers, those are some of the things he wants to see. We need to be prepared to act. He will not vote for something just because – he would rather lose the local government aid if it is inappropriate. What would likely happen in 4-5 years is that more shifting will occur, and we will be defending a sales tax instead of a property tax. It is the State's responsibility and we should try to keep it there. Numbers are going to change, this is what is happening with this proposal and what the legislators are saying about it. He would like all the Commissioners to get a story about what is going on rather than a lot of numbers.

Chair Parker said she shares Commissioner Ortega's frustration. This is important for us, and we can't afford to wait until this has already been decided. If we are going to weigh-in, we need information sooner rather than after it is all decided – not just the data, but perhaps for next week's agenda, some options that are being talked about for something more to go on. We can't wait until this is all done before getting some help with that, especially if there are different perceptions within AMC.

Ms. Speiker said something would be put together for the Board on this still-evolving proposal, which could be updated as things change.

Mr. Riley cautioned that in some of the information they get, none has come out yet in bill form; it is from conversations with some of the key people in some of the committees, some in a confidential way, some hearsay.

Commissioner Ortega said he understands that but it may be the kind of story the Commissioners need. He would like the sense from staff on how they see things are happening. He understands the hesitance and the confidentiality and hearsay in the environment.

Mr. Riley said he understands the request. On the Governor's budget, a lot of what he does is cutting, and a lot of one-time funding. The stimulus is good for the first biennium; the Governor can't carry that forward to the second biennium, and they have to do two biennial budgets or try to balance for two. The Governor also gets money from bonds for the tobacco funds. We get \$100 million a year in tobacco money and the Governor wants to bond for \$900 million for a one-time hit in the first biennium so we are taking long-term money for a short-term hit, and that is not selling at the legislature. A lot of the Governor's budget has big holes, which will all have to be reconciled somewhere.

Commissioner Rettman said she met with Ms. Speiker and Mr. Riley yesterday, and discussed putting together a fiscal analysis. There was discussion about drafting a letter to all the Commissioners to see if the school district, the city and the County are all on the same page. If we have the numbers to show how it impacts the school, the cities and the County so it is not one-size fits all on how to respond, but having the foundation to react. It is all about how it is going to impact the County first, to make sure we are all on the same page on the foundation and how to respond as an entity. That is part of what JPTAC would be doing, which would now be provided to the Board.

Commissioner Reinhardt said the question had been raised about whether or not it would be

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constitutionally viable on the issue of the tobacco funds, raised by Democrats and Republicans alike at the State legislature.

Mr. Riley said he hadn't heard that but it probably has been raised. Bonding is a very tricky area, and there must be a secure revenue stream. Ten years out from a tobacco company might not be secure.

Commissioner Reinhardt said she hadn't heard an answer to the question.

Ms. Speiker said she had heard the question but not the answer. There has been a lot of discussion about the Governor's budget proposals in general in both the House and Senate because neither body feels it has as much concrete information as they would like to have. The next couple weeks should be interesting.

Commissioner Reinhardt said it will make the holes in the foundation more apparent, and hopefully will make it apparent to the general public as well in order to make some thoughtful decisions as we move forward. There is no easy fix here and in some ways it is being portrayed that way.

Ms. Brewington said as we look at some of the proposals to offset the deficit, within each one of the budgets or omnibus bills coming up, we are seeing them try to settle their budgets on a smaller scale with the same kind of struggle. One of the things being seen there is the same kind of thing with the ½-cent sales tax option being shifted to the counties. At the committee level, a lot of proposals are being seen for fee increases. In judiciary and public safety they are seeing a lot of increases for court filings, copying and getting records. That is the way they are raising revenues to offset some of the cuts that would have to be made. It is a house of cards, and if it falls in one budget area, there would be cost shifts to another one; it is all in the mix. Numbers could be produced but it is shifting so much, it might be helpful to let the Commissioners know what areas some of the increases are being looked at generally.

Ms. Speiker will provide information next week. Representative McCollum's office has said that they wish to put in two appropriation requests for transit lines within Ramsey County, one for \$4 million for the I-94 Corridor, and the other of \$1 million for Riverview Transit Corridor. The request was to bring to the Ramsey County Board letters of support and to ask if the Board would agree to send a letter of support to Representative McCollum for those two projects. Commissioner McDonough had a conversation with Mayor Coleman. Staff are prepared to bring something to the Board next week. It is a quick turn-around time because they had already acted so this is after the fact.

Commissioner McDonough said the Mayor had indicated that St. Paul would be supportive. He has also talked with the Board Chair of Washington County, who indicated they would be supportive of both of those projects, but in particular, the I-94 Corridor letter of support.

Commissioner Reinhardt said the Board already has a position in support of the I-94 Corridor. It is her understanding that these letters were going to go out and the only one the County Board would need to take a position on is Riverview. She asked if letters would be sent prior to next week, and if not, I-94 could move forward because of the previous position.

Ms. Speiker said the Board acted on the I-94 Corridor for an authorization request, not an appropriations request, so staff are coming forward with a request to look for money. In talking with Representative McCollum's office, next Tuesday would be fine on the letters for support. Tim Mayasich, Director, Regional Railroad Authority, has been talking with staff in Washington County to make sure that the two letters to be sent would look the same and in support of her funding request to move forward for both of these.

## ADJOURNMENT

There being no further business, Chair Parker declared the meeting adjourned.