

**MINUTES**  
**RAMSEY COUNTY CHARTER COMMISSION**  
**October 27, 2008**  
**7:00 p.m.**

Ramsey County Public Works Facility  
1425 Paul Kirkwold Drive, Arden Hills, MN

**MEMBERS PRESENT:**

District 1: Ben Stephens III  
District 2: Robert C. Bell  
Elwyn Sands  
District 4: Peter Hendricks  
District 5: Rod Halvorson  
Lyle Nelson  
District 6: A.L. Brown  
Russ Miller  
District 7: Bud Berry  
Marvin C. Koppen  
At Large: Mike Fratto, Chair  
Beth M. Miller

**MEMBERS ABSENT:**

District 1: Sharon Klumpp  
District 3: Frank Gurney  
James Kilbride IV  
District 4: Christopher Leifeld  
At-Large: Minoka Kitto

**OTHERS PRESENT:** Jim Schottmuller, District 1 County Commissioner candidate; Dennis Dunnigan, District 7 County Commissioner candidate; Darwin Lookingbill, County Attorney's Office; Bonnie Jackelen, County Manager's Office.

**CALL TO ORDER:**

Chair Mike Fratto called the meeting to order. Kurt Zilley, new secretary, was introduced to the commission. Each member introduced themselves.

It was noted that this is Mr. Bell's last meeting with the commission. He has completed two terms on the commission and is not eligible to serve again.

**APPROVAL OF MINUTES:**

Mr. Halvorson moved, seconded by Mr. Stephens, to approve the minutes of the August 4, 2008 Charter Commission meeting. MOTION CARRIED.

**CITIZEN COMMENTS/INPUT:**

Mr. Jim Schottmuller addressed the commission with his concerns about the recent salary increases that the Ramsey County Board voted itself. His presentation follows:

*"Charter Commission:*

*I would first like to thank the Charter Commission for taking on a difficult and thankless job.*

*My name is Jim Schottmuller and I am running for Ramsey County Commissioner. I am here on behalf of the residents of Ramsey County to plead with the commission to add a layer of checks and balances for our Board of Commissioners.*

*While I am out meeting residents, a critical issue I keep hearing about is the 2007 pay increase. First I see the astonishment that the board had the audacity to give themselves a 25 percent pay increase. Then, when*

*residents hear that they have now raised their pay by 62 percent since 2003 they get mad. I come to you today to request commission action to prevent further attempts to raise the salary so substantially.*

*The residents of Ramsey County feel like they have been taken advantage of and want more accountability and transparency from our Board.*

*I propose a change to the charter that would allow County Commissioners to propose and vote on their own salary but would require Charter Commission approval before the salary would become an ordinance.*

*I am not suggesting the charter commission set the salary only that the commission maintain veto power to protect Ramsey County residents from an unaccountable board.*

*Our nation, our state and our cities operate with checks and balances. It's time our county has checks and balances too.*

*Thank you"*

Mr. Fratto requested a copy of the presentation. Ms. Jackelen will provide a copy to each Commission member.

Mr. Schottmuller's goal is that the commission would have veto power over the salary increases.

Mr. Bell asked if the commission has the statutory power to approve or disapprove the salary increase. Mr. Lookingbill stated that there is a certain procedure for setting salary. Concern was expressed that citizens may not want to have an un-elected body determine the salaries of Board Commissioners.

Mr. Lookingbill stated he could look into it further. However, if you can get enough votes to put a referendum on the ballot for the public to vote that would be better.

Mr. Dunnigan endorses what Mr. Schottmuller stated regarding the salary increase. He stated that based on his door-knocking, many citizens are upset about the salary increase. He has heard many people with attitudes of cynicism, skepticism and sarcastic comments about the board thinking that they can get away with the salary increase. He stated that he does not bring the issue up during the discussion.

He wanted to add what he has been hearing from the citizens he has talked with and enforce what Mr. Schottmuller has said.

Mr. Stephens asked if it was the amount or the percentage of increase that is the issue. Mr. Dunnigan stated that is both. Mr. Stephens stated that he believes the amount is based upon the time they put in. The board is almost full time. The board puts in a lot of hours, almost 24/7.

Mr. Dunnigan expressed that the editorial board of the St. Paul paper stated that the board makes it 24/7 and it may not necessarily need to be that. Mr. Dunnigan stated that the board should be more of a citizen involvement level of participation instead of a managerial role. The county has paid managers, department heads, etc. who should be bringing information to the board. The board's job is to vote up or down on the recommendations.

What if a provision was in place that a pay raise would not become effective until after the next election? Mr. Dunnigan responded that if he were elected he would propose to rescind the pay

increase. The salary should be connected to some sort of index. If the board seeks more than that amount then the board needs to go to the citizens.

Mr. Nelson proposed that the Board needs to stand for election prior to getting the raise. Mr. Dunnigan was asked what he would do with his salary, if he was elected. He stated he would donate it. He would have to look at the increases and determine what he would donate.

On October 20, 2008, Commission members had been mailed a copy of *Request for Ramsey County Board Action* forms pertaining to the 2008 salary ordinance and a copy of a report prepared by Himle Horner Inc. *Evaluation of Base Salaries Ramsey County Board of Commissioner*, dated February 23, 2007. At this meeting, Ms. Jackelen provided each member a copy of Chapter 2 of the Ramsey County Home Rule Charter – County Board of Commissioners.

Mr. Berry stated that in the handout on page 23, *Request for Ramsey County Board Action* - it is the intent of the County Board to set the future salary increases for the Board of Commissioners to a rate that matches the future general increase in wages given to employees in the previous year. This would mean that the Commissioners' salary would always lag behind the pay raises given to the County employees. This is an attempt to correct the issue.

Discussion took place comparing the salary of the state legislature and the county board. It would be difficult to compare since much of legislators' salary comes from a per diem. The per diem is not voted on by the public.

Mr. Dunnigan stated that the County Board now makes 2.5 times more than the median income of an individual Ramsey County citizen.

If basing salary on a median income there are many low-income individuals which affects the income median. This doesn't change what the County Commissioners need to do for their job. The average salary of the metro area county boards is just over \$61,000. That is about where the Ramsey County Board was prior to the salary increase.

Mr. Miller stated that the job should be a part-time role. Perhaps a study should be done to determine time management and time usage of the Commissioners. This would be an interesting study to look at what work is actually being done. This job is not supposed to be life-time job.

Mr. Dunnigan stated that the role of the Commissioner was originally intended to be a citizen serving to give something back, not as full-time political career; there needs to be some relationship of the board salary compared to the citizen's income.

Mr. Brown said there could be some sort of index for salaries as performance based. If the county does better the commissioner does better.

Mr. Fratto ended the discussion noting that he would like to see a part-time role of the Commissioners. In reality, we are not able to do this.

Mr. Fratto wished the two candidates luck in the election. The commission will be looking at the particular section of the charter to see what can be done.

Mr. Fratto asked that the Charter Commission members review the charter. It is accessible on the county website.

Mr. Halvorson would like to find out how many votes are cast for president and what 10% of the total is. Every citizen has the right to sign a petition and have this issue raised. Ms. Jackelen will have the new figures based upon the Nov 4 election at the next meeting.

### **COUNTY BOARD UPDATE:**

Mr. Fratto asked if a Commissioner would be present to provide a County update.

Ms. Jackelen responded that the Commissioner scheduled to provide a County Board update had to go out of town and a replacement could not be found in time.

Mr. Fratto covered an action item from the last meeting.

The barricades on North St. Paul road have been taken down and the road has been cleaned up. Beam Avenue was finally paved but it is still blocked. Ms. Jackelen noted that Beam Ave is a County road between Highway 61 and White Bear Avenue. That portion of Beam Avenue east of White Bear Avenue is a City of Maplewood street. The City of Maplewood would need to be contacted regarding the issue.

### **ELECTION OF 2009 OFFICERS:**

Mr. Miller reported that he and Mr. Hendricks agreed to serve on the nominating committee. Mr. Miller had recruited Mr. Hendricks to serve as the 2009 Vice Chair.

Emails were sent out to the commission members regarding officer nominations. Mr. Halvorson was the only person to respond stating that he was willing to take the position of Chair.

Mr. Fratto called for nominations for the position of Chair. Mr. Nelson nominated Mr. Halvorson for Chair, seconded by Mr. Koppen. Final call for nominations was made. No other nominations were made. Nominations were closed. Mr. Halvorson was unanimously elected Charter Commission Chair for 2009.

Mr. Fratto called for nominations for the position of Vice Chair. Mr. Miller nominated Mr. Hendricks for Vice Chair, seconded by Mr. Koppen. Final call for nominations was made. No other nominations were made. Nominations were closed. Mr. Hendricks was unanimously elected Charter Commission Vice-Chair for 2009.

### **OLD BUSINESS:**

#### **Advent Lutheran Church**

Mr. Sands asked for an update on the Advent Lutheran Church tax issue. The case is still pending. There has been further discussion between the church and the assessor. It might be able to be worked out prior to court.

Mr. Lookingbill said the case is still pending.

Mr. Nelson stated that is the position of the commission not to become involved with tax issues. There are procedures in place for these issues

#### **Future Plans for the Commission**

Mr. Brown asked Mr. Halvorson what the plans are for the Charter Commission in the coming year. He would like to know if there are issues to be addressed.

Mr. Halvorson requested that each person review the Ramsey County Home Rule Charter and make a list of issues to potentially address in the coming year. He would then make a list and have the commission discuss the priorities.

It was noted that the Charter is available on the County website. Mr. Brown recommended that each person should email their suggestions to Mr. Halvorson in the form of a broad concept, not specific language. A summary could be made and then sent out to the commission members prior to the February meeting.

Mr. Halvorson requested that each person respond by the end of the year. Ms. Jackelen will send an email to all Commission members and have people respond to both her and Mr. Halvorson. Those not electronically connected would be accommodated.

### Campaign Financing

Mr. Nelson raised the issue of campaign financing. Mr. Lookingbill has not entirely looked into this matter. However, the commission has no authority over controlling limits to PACs. The commission has no jurisdiction over the city.

### Appointment/Reappointment Process:

Ms. Jackelen noted that each of the commission members whose terms are completed this November have responded to the District Court with the exception of Mr. Kilbride. If anyone knows about Mr. Kilbride please let her know.

Ms. Jackelen stated that another press release seeking applicants was sent out. The Chief Judge wanted to wait until after tonight's meeting before sending out appointment letters. Mr. Bell is not eligible to serve another term. Applicants are needed to fill this vacancy.

Mr. Fratto recognized the ending of service of two individuals. Members extended their thanks to Mr. Leifeld and Mr. Bell for their service to the commission.

### Meeting Attendance

Mr. Fratto requested information/policy for individuals missing commission meetings. For example Ms. Klumpp has missed her third meeting in a row. There is a rule in the by-laws regarding absences. It is believed that with three unexcused absences a member can be voted off the commission.

The commission should review this and determine what steps to take. There are only four meetings per year.

Ms. Jackelen will provide a complete attendance record at the next meeting. It is believed that it is three consecutive unexcused meetings.

Mr. Brown noted that is important for members to attend all meetings. There should be an action item on each agenda whereby anyone who has missed three consecutive meetings they could be voted off the Commission.

Mr. Sands moved, seconded by Mr. Brown, that if a member has three consecutive, unexcused absences, the issue would be automatically added to the next meeting agenda. Motion approved unanimously.

Mr. Brown requested that a review of the by-laws be made by the commission. Copies of the by-laws will be available at the next meeting. Mr. Lookingbill stated that it takes a majority of the Commission to adopt changes to the by-laws.

Mr. Brown requested that the issue of 'unexcused vs. excused' absences be placed on the February agenda.

**2009 MEETING DATES:**

The 2009 meeting calendar was set. Meetings will be held:

Monday, February 2, 2009

Monday, May 4, 2009

Monday, August 3, 2009

Monday, November 2, 2009

**ADJOURNMENT**

The meeting was declared adjourned.