

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

STUDENT COUNTY GOVERNMENT DAY

Chair Parker welcomed students from various high schools in Ramsey County, who were participating in the annual Students' County Government Day. The students are learning about various areas of County government in a program sponsored by the American Legion, the VFW and the Auxiliaries. Prior to the meeting, the Commissioners explained the functions of County government.

PLEDGE OF ALLEGIANCE

All in attendance recited the Pledge of Allegiance, led by George Eath, representing the American Legion.

AGENDA

Commissioner Bennett moved approval of the Agenda of the March 25, 2008 Board Meeting, seconded by Commissioner Carter. Roll Call: Ayes – Bennett, Carter, McDonough, Ortega, Reinhardt, Rettman, Parker – 7. Nays – 0.

MINUTES

Commissioner Reinhardt moved approval of the Minutes of the March 18, 2008 Board Meeting, seconded by Commissioner McDonough. Roll Call: Ayes – Bennett, Carter, McDonough, Ortega, Reinhardt, Rettman, Parker – 7. Nays – 0.

COMMUNITY HUMAN SERVICES – Residential Chemical Dependency Treatment – Tapestry LLC

Commissioner Bennett introduced the following resolution and moved its adoption, seconded by Commissioner Reinhardt. Roll Call: Ayes – Bennett, Carter, McDonough, Ortega, Reinhardt, Rettman, Parker – 7. Nays – 0. (2008-119)

WHEREAS, Tapestry provides service to adult women in need of treatment for chemical dependency; and

WHEREAS, They are planning to relocate from 1609 Jackson Street to 135 East Colorado; and

WHEREAS, They are planning to expand from 20 to 51 beds and to offer co-occurring chemical dependency and mental illness (MI/CD) treatment; and

WHEREAS, The West Side Citizen's Organization has written a letter in support of this proposal; and

WHEREAS, If this service becomes operational, based on need, Ramsey County Human Services would refer approximately 35 individuals per year; and

WHEREAS, The provider would also take referrals from other counties and from prepaid and private health plans; and

(Continued)

WHEREAS, This service is paid from the Consolidated Chemical Dependency Treatment Fund; and

WHEREAS, The amount in the fund is capped and managed within the existing County budget; and

WHEREAS, All Ramsey County referrals to Tapestry would be pre-authorized by the Ramsey County Human Services Chemical Health Unit; and

WHEREAS, The Ramsey County Human Services chemical dependency service team has recommended approval of a Statement of Need; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners approves the Statement of Need for Tapestry, LLC to relocate chemical dependency services for adult women to 135 East Colorado, St. Paul, MN 55107 with a capacity for 51 beds, and Be It Further

RESOLVED, The Board authorizes the County Manager to sign a letter to the Minnesota Department of Human Services recommending approval; and Be It Further

RESOLVED, The Board approves the rate setting agreement for chemical dependency inpatient services at \$241 per day; chemical dependency extended care services at \$138 per day; co-occurring mental illness/chemical dependency inpatient services at \$295 per day; and co-occurring mental illness/chemical dependency extended care at \$190 per day, for the period June 1, 2008 through December 31, 2008; and Be It Further

RESOLVED, The Board authorizes the County Manager to sign the rate setting agreement with Tapestry, LLC, 135 East Colorado, St. Paul, MN 55107, subject to approval by the County Attorney and the Budgeting and Accounting Office, for the period of June 1, 2008 through December 31, 2008, and to make the appropriate budget adjustments.

COUNTY MANAGER/BUDGETING & ACCOUNTING – Monthly report of contracts and final payments and grant submissions that were approved during the month of February 2008

Commissioner Bennett introduced the following resolution and moved its adoption, seconded by Commissioner Reinhardt. Roll Call: Ayes – Bennett, Carter, McDonough, Ortega, Reinhardt, Rettman, Parker – 7. Nays – 0. (2008-120)

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 February 2008.

(Continued)

BOARD OF RAMSEY COUNTY COMMISSIONERS – Metropolitan Transportation Area, Counties Transit Improvement Board and Sales and Use Tax

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

Commissioner McDonough said counties took the lead on this work four years ago. This is not a new problem for Minnesota, but an ongoing issue about how to come up with a comprehensive way to fund transportation and transit in the State of Minnesota, that meets the needs of rural counties, farmers, small towns and cities in the rural area, the metropolitan area, and for the people who drive in the metropolitan area, and the needs of transit for the metropolitan and rural areas. The action today is just a small piece of the four-year work started by the counties to come up with an acceptable statewide plan for counties to support.

Commissioner McDonough said the counties took this leadership role because of the many years of inaction at the State level. The counties came up with a plan that could be supported by a broad base of supporters. Most of the Ramsey County Commissioners have supported that comprehensive transportation plan with resolutions as a County Board; the AMC has taken resolutions of support and actively worked toward the passage of the comprehensive transportation-funding bill. That bill was passed this year at the State Legislature; a piece of that for the ability for the seven metropolitan counties to impose a ¼-cent sales tax to help fund transit in the metropolitan area. A part of that was to come together as a joint powers board to plan and fund a balanced regional transit system. The intent of these funds was to increase transit options -- not to supplant current transportation or transit funding -- not to backfill other dollars that are being currently invested in our communities. It was important for counties to ensure that did not happen; that the governance of those funds occurred at the local level with county input in a joint powers agreement between the counties that choose to impose the tax.

Commissioner McDonough said he is pleased this is before the Board today, with a lot of hard work from many people to make this commitment. He recognized the responsibility and accountability that goes along with that to ensure there are increased transit options in our community, ensuring that the dollars we are asking our citizens to pay as a part of the ¼-cent sales tax increase have a measurable impact in our community, that people do notice a difference, and that we are able to accelerate the building of some of the transit corridors. The corridors could be light rail, commuter rail, dedicated busways, or bus rapid transit, but they need to be corridors that are not available for options to be used right now. We need to be able to strengthen this system. He encouraged other Commissioners to comment or ask questions on how this joint powers board was arrived at.

Commissioner Reinhardt said it is important to note when talking about 87 county governments coming together, perhaps for the first time in Minnesota, that this is about roads and bridges, transit, and trying to figure out a fair way to deal with the crumbling infrastructure. There were also other partners; the partners in the business community were critical to moving this forward. The Minnesota Chamber of Commerce, the St. Paul Area Chamber of Commerce, and others, said it makes the most sense not to have this on property taxes. Roads are not free; there is a public subsidy. To have the subsidy fall solely on property taxpayers within county borders, because they are not the only users, doesn't make a great deal of sense. She believes there was broad support for moving this forward because of the economic vitality of our region within the State and the global environment, the environment itself, the climate change issues impacted by transportation, public safety, and many other factors. When talking about property taxpayers in Ramsey County, this sales tax is a better option because it spreads the costs to others besides just those in Ramsey County, and for her, that was a pivotal point.

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Commissioner Reinhardt said one person told her they would rather pay for this on their property taxes because they could write it off on income taxes. That would be true if in fact people were being asked to pay the whole amount. If the total is \$100 and it was put on property taxpayers, they would pay the whole amount. By doing this with sales taxes, they are paying only a portion of it. That is a more fair way to move forward with this. She will support this action because it means a great deal for Ramsey County with the Central Corridor coming on line, and for her, as Chair of the Rush Line Task Force, having bus service that goes from the North Branch area down to the Union Depot, it is critical because there would be at least 400 riders per day from that area. That service needs to be provided to all of Ramsey County to be a part of the multi-modal regional system. This is the mechanism provided to us to take that bold step and to make this happen for the region.

Commissioner Carter said she supports the action on the transportation tax because she is looking forward to the enrichment and enhancement to the region that would be provided from this investment in regional transportation and transit system. During tough economic times like this, it is very difficult to make these kinds of decisions and find the best way to fund this transit enhancement, which is our goal. There are many in our communities who recognize the need for this transit enhancement. In addition to other government and business partners, people in the community have spoken loudly to say they want to make this investment for the future. She supports this action and recognized those in the community who have stepped forward and together with the County have mandated this transit enhancement and also support it.

Commissioner Rettman said she originally voted against the Memorandum of Understanding (MOU) for several reasons. One reason was in putting it on the property taxes; property owners in Ramsey County would have been paying ongoing operation and maintenance. Secondly, we would pay a substantial amount of the capital. By going with the ¼-cent sales tax, it makes sure that Ramsey County property taxpayers would not be paying for it. She looked at whether this would defuse that MOU or render it non-existent. She has been assured by legal counsel that it not only does that, but it gives the opportunity for a broad spectrum to pay for this system; it also stops the County from using property taxes to pay for ongoing operations and maintenance. That is critical. It still comes out of people's pockets, but it is a better pocket to come from because it will come from all users. She will support this action today, and she has told people where she stands on this. Staff spent a lot of time answering all the detailed questions. This is the right thing to do for the Ramsey County taxpayers.

Commissioner Ortega said this is a good thing. However, there are a lot of opponents who say ¼-cent is another tax in a critical economic time. To put this into perspective, ¼-cent comes out to one cent for every \$4 spent. A lot of good can come from that. As to the MOU, Ramsey County was going to pay for the capital expenses from its local share, and it would have gone onto the property taxes, which is the only means we have to raise revenues. We save close to \$43 million that won't go on the property tax. The sales tax is a more progressive tax. We need a transit system for the future of our kids to get to work, for educational and recreational activities, to depend more on public transportation than the automobile. It will be a different future, and we need to plan ahead – that is what county boards do – look ahead. He has worked on this for 13 years, and it is finally coming to fruition. There are 87 counties that agree on how this is going to be done. It is about our roads, bridges, buses, and light rail systems, and is critically important. Along with his colleagues, he has pushed the transit agenda. It will have the biggest impact for our kids into the future.

Commissioner Bennett said this has been a tough decision for him, and he changed his mind several times on the way to work this morning. He supports that roads and transit are needed. A lot of people forget that the County plows the roads, salts and sands the roads, puts lights on the

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roads, and there are highway patrol working the roads – all those are costs with a dedicated tax for it. If this passes today, it will be the first dedicated tax for transit. There are a lot of people, particularly in his district, and several organizations with websites that include email links to the Commissioners, that have commented on the issue. Unfortunately, a lot of misinformation is showing up – he heard the comment that the County would no longer be paying operational costs if this passes. According to the people sending emails, this is a tax increase; it is a shift. He realizes that and has tried to put those facts out to the people. There is a minority of people who will not and do not want to believe that. He has also heard that this would be another layer of non-elected people, and newly elected people. In reading the draft resolution, current elected commissioners would be appointed to this board, making that piece of information false.

Commissioner Bennett said he has the honor of casting the first vote on this. He did not want to mislead people that he has abandoned his belief that both systems are needed, but there is a group of people who feel strongly in their hearts that this is a tax increase. Based on the other Commissioners comments, he believes his vote would not count much today, but it is a protest vote for those people who think this is going to raise their taxes. We all have a share in that if it passes, to prove them wrong. He would cast his vote today for those people saying “no”.

Chair Parker said until today, she was not sure how her colleagues would be voting. There are always two sides to issues and multiple ways to look at the issues. She sees this as a giant step forward for a multi-modal transit system in the metropolitan area. Buses have been funded through the Met Council and there is never enough transit to meet the needs. This is the first time there has been a dedicated source of revenue to go specifically for transit and to meet our transit needs.

Chair Parker said that prior to this meeting, one of the students asked a question about why Ramsey County doesn't have a subway system. It is because no elected officials took any action to do that. One hundred years ago, Chicago officials decided on a subway system, which had to have been incredibly expensive at that time, but they went forward; that system is still being used. Today we are talking about a multi-modal system that will include light rail and commuter rail; it will connect with Amtrak, with the bus system, and will improve the quality of life for generations to come. The Chamber of Commerce weighed in on this, from the business perspective. It is not just for the employers interested in how much time it takes to get goods to market, how much time it takes employees to get to work, or employees concerned about how much time they waste sitting in cars in traffic, but something has to be done for the environment, to get away from dependence on automobiles, etc. A resident in her district commutes by bicycle all winter from Roseville to his job in Golden Valley. This is about a multi-modal system that includes pedestrians and bike trails.

Chair Parker said if we were required to pay the 50% of the capital costs on the property tax versus this sales tax, the estimated cost would be somewhere in the area of \$50-70 per household on the property tax, annually. This tax is a ¼-cent – for \$100 dollars spent it would amount to 25 cents -- \$1,000 spent would amount to \$2.50; \$10,000 spent would amount to \$25. That includes hotel rooms, and the Mall of America, where people from all over the world come to shop. They would be helping to pay for this instead of the County paying totally from property tax money. This is the conservative thing to do. She is very supportive of this and thankful to the State Legislature for this opportunity.

Roll Call: Ayes –Carter, McDonough, Ortega, Reinhardt, Rettman, Parker – 6. Nays – Bennett - 1. (2008-121)

DECLARATION TO BE PART OF METROPOLITAN TRANSPORTATION AREA
AND AUTHORIZATION TO ENTER INTO JOINT POWERS AGREEMENT
ESTABLISHING COUNTIES TRANSIT IMPROVEMENT BOARD

(Continued)

WHEREAS, the Minnesota Legislature has, by Laws of Minnesota 2008 Chapter 152, Article 4, Section 2, authorized metropolitan counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington to impose a one-quarter percent sales and use tax, and an excise tax of \$20 per motor vehicle purchased or acquired from any person engaged in the business of selling motor vehicles at retail (“Sales Tax”), following the formation of a joint powers board by agreement among the counties; and

WHEREAS, Ramsey County is committed to the development of a system of transitways to better serve the residents and businesses of the Twin Cities Metropolitan Area and to efficiently move people and goods throughout the region; and

WHEREAS, the proceeds of the Sales Tax will be used to enhance and improve the transitway system and not supplant state and regional obligations, as required by Minn. Stat. § 297A.992; and

WHEREAS, Ramsey County intends that, in accordance with Minn. Stat. § 297A.992, subd. 6, the Sales Tax proceeds will be made available for the development and operation of transitways, including rail and bus rapid transit projects serving the residents and businesses of the Metropolitan Transportation Area, as defined by statute; and

WHEREAS, Ramsey County intends that a Counties Transit Improvement Board shall endeavor to award grants to promote geographic equity over time with respect to investments in transitways to implement the metropolitan counties’ regional vision; and

WHEREAS, Ramsey County wishes to collaborate with the other metropolitan counties on the planning, implementation and funding of such transitway improvements through a joint powers board, to be known as the Counties Transit Improvement Board; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners does hereby declare Ramsey County to be a part of the Metropolitan Transportation Area; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners hereby approves the Joint Powers Agreement Establishing the Counties Transit Improvement Board in substantially the form on file on the date hereof, with the County Manager and the Chair authorized to agree to such minor technical modifications as may be recommended by the County Attorney, and authorizes its Chair and Chief Clerk to execute said agreement; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners hereby authorizes an advance of \$50,000 for the startup administrative expenses of the Counties Transit Improvement Board, subject to reimbursement from Sales Tax revenue; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners authorizes the County Manager to make all necessary budget adjustments, including increasing estimated revenues and appropriations, to advance \$50,000 to the Counties Transit Improvement Board for startup administrative expenses.

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BOARD OF RAMSEY COUNTY COMMISSIONERS – Metropolitan Transportation Area, Counties Transit Improvement Board and Sales and Use Tax

Commissioner McDonough introduced the following resolution and moved its adoption, seconded by Commissioner Carter. Roll Call: Ayes –Carter, McDonough, Ortega, Reinhardt, Rettman, Parker – 6. Nays – Bennett - 1. (2008-122)

RESOLUTION ADOPTING A SALES AND USE TAX FOR THE COUNTY OF RAMSEY

The Board of the County of Ramsey hereby resolves:

Section 1: AUTHORITY.

The Minnesota Legislature has, by Laws of Minnesota 2008 Chapter 152, Article 4, Section 2, authorized the County of Ramsey to impose a one-quarter percent sales and use tax, and an excise tax of \$20 per motor vehicle purchased or acquired from any person engaged in the business of selling motor vehicles at retail, occurring within the county, to assist in funding transit improvements, including debt service on obligations issued to finance such improvements. The County of Ramsey approved the Act in accordance with applicable law.

Section 2: DEFINITIONS.

The words, terms and phrases used in this Resolution shall have the meaning ascribed to them in Minnesota Statutes, Chapter 297A and 297B, except where the context clearly indicates otherwise. In addition, the following definitions shall apply:

Subd. 1: Act means Laws of Minnesota 2008 Chapter 152, Article 4, Section 2;

Subd. 2: County means the County of Ramsey;

Subd. 3: Commissioner means the Commissioner of Revenue for the State of Minnesota acting under the authority of an agreement entered into between the County (or a joint powers board) and the State of Minnesota pursuant to the Act, or such other person or entity designated to administer and collect the Metropolitan Transportation Area Sales and Use Tax, and Excise Tax;

Subd. 4: Metropolitan Transportation Area Sales and Use Tax means the sales and use tax imposed and collected pursuant to this Resolution;

Subd. 5: Resolution means this Resolution in its present form;

Subd. 6: Retailer maintaining a place of business in the County or any like term shall mean any retailer having or maintaining within the County, directly or by a subsidiary or an affiliate, an office, place of distribution, sales or sample room or place, warehouse or other place of business, or having any representative, including an affiliate, agent, sales person, canvasser or solicitor operating in the County under the authority of the Retailer or its subsidiary, for any purpose, including the repairing, selling, delivering, installation, or soliciting of orders for the Retailer's goods or services, or the leasing of tangible personal property located in the County, whether the place of business or agent, representative, affiliate, sales person, canvasser, or solicitor, is located in the County permanently or temporarily, or whether or not the Retailer or subsidiary is authorized to do business within the County.

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Section 3: SALES & USE TAX AND EXCISE TAX.

There is hereby imposed an additional sales and use tax in the amount of one-quarter of one percent of the gross receipts from the sales at retail, and the storage, use, distribution or consumption of goods or services which are taxable, pursuant to Minnesota Statutes, Chapter 297A and occur within the County of Ramsey.

There is hereby imposed an excise tax of \$20 per sale of a motor vehicle at retail within the County of Ramsey. This excise tax shall be in lieu of the Metropolitan Transportation Area Sales and Use Tax.

The imposition, administration, collection and enforcement of these taxes shall be governed by the provisions of Minnesota Statute Chapters 297A, 270C, and 289A.

Section 4: SEPARATE STATEMENT: COLLECTION FROM PURCHASER; ADVERTISING NO TAX; MINIMUM UNIFORM TAX COLLECTION METHODS.

The Metropolitan Transportation Area Sales and Use Tax, and Excise Tax, shall be stated and charged separately from the sales price or charge for service insofar as practical, and should be a debt from the purchaser to the seller recoverable at law in the same manner as other debts. In computing the tax to be collected as a result of any transaction, any amount of tax less than one-half of one cent must be disregarded and amounts of tax one-half cent or more must be considered an additional cent.

Section 5: EXEMPTION CERTIFICATES.

A fully completed exemption certificate taken from a purchaser to the effect that the property purchased is for resale or that the sale is otherwise exempt from the application of the tax imposed by this Resolution will conclusively relieve the Retailer from collecting and remitting the tax.

Section 6: PRESUMPTION OF PURPOSE OF SALE.

For the purpose of the proper administration and enforcement of Section 3 of this Resolution, it shall be presumed that all retail sales for delivery in the County are for storage, use, or other consumption in the County until the contrary is established.

Section 7: COLLECTION OF SALES AND USE TAX AT TIME OF SALE.

Subd. 1: Any retailer making deliveries within the County, any Retailer maintaining a place of business in the County, or any other Retailer otherwise doing business within the County, upon making sales or any items described in Section 3 which are not exempted from the sales tax imposed under that section and which are to be delivered or caused to be delivered within the County to the purchaser, shall at the time of making such sales collect the Sales and Use tax from the purchaser. The tax collected by such retailer shall be remitted to the Commissioner on behalf of the County.

Subd. 2: Any retailer required to collect Metropolitan Transportation Area Sales and Use Tax, and Excise Tax, and remit such tax to the Commissioner pursuant to this section, shall register with the Commissioner and provide such other information as the Commissioner may require.

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Section 8: AGENT OF RETAILER.

When in the opinion of the Commissioner it is necessary for the efficient administration of the tax, the Commissioner may regard any salesman, representative, trucker, peddler or canvasser as the agent of the dealer, distributor, supervisor, employer or other person under whom such salesman, representative, trucker, peddler or canvasser operated or from whom the tangible property is being sold is obtained, and may regard the dealer, distributor, supervisor, employer or other person as a Retailer for the purposes of this Resolution.

Section 9: EFFECTIVE DATE, TRANSITIONAL SALES.

Except as otherwise provided herein, the Metropolitan Transportation Area Sales and Use Tax authorized by this Resolution shall apply to sales made on or after July 1, 2008 and shall be in addition to all other taxes now in effect. The Metropolitan Transportation Area Sales and Use Tax shall not apply to the following:

Subd. 1: The gross receipts from the purchase or lease of tangible personal property made under an enforceable contract entered into before July 1, 2008, provided that delivery or possession of items is taken on or before August 1, 2008.

Subd. 2: The gross receipts from the purchase of taxable services made under an enforceable contract entered into before July 1, 2008 and for which payment was made before July 1, 2008, provided that the services were provided before August 1, 2008.

Subd. 3: The gross receipts from the purchase of construction materials used to complete a lump sum or fixed price construction contract that was signed and enforceable before July 1, 2008 and that does not provide for an allocation of future taxes, provided that the construction materials are used exclusively in performing the contract and the materials are delivered before December 31, 2008.

Subd. 4: The gross receipts from the purchase of utility services if the utility bill includes charges for services furnished before July 1, 2008; however, the Metropolitan Transportation Area Sales and Use Tax shall apply to all utility bills for periods beginning July 1, 2008.

Section 10: COLLECTION AND ENFORCEMENT.

The Metropolitan Transportation Area Sales and Use Tax, and Excise Tax, imposed by the County pursuant to this Resolution shall be subject to the same interests, penalties, and other rules as are applicable to the State general sales and use tax imposed by Minnesota Statutes Chapter 289A and 297A. The Metropolitan Transportation Area Sales and Use Tax, and Excise Tax, imposed by the County pursuant to this Resolution shall be collected by the State on behalf of the County as provided by an appropriate agreement with the Minnesota Commissioner or Revenue.

Section 11: TAX CLEARANCE ISSUANCE OF LICENSES.

(Continued)

The County may not issue or renew a license for the conduct of trade or business in the County if the Commissioner notifies the County that the applicant for such license owes delinquent Metropolitan Transportation Area Sales and Use Tax or Excise Tax as provided in this Resolution, or penalties or interest due on such taxes. For the purposes of this Section 11, the following terms have the following meanings:

Subd. 1: Metropolitan Transportation Area Sales and Use Tax includes sales and use tax as provided in this Resolution. Penalties and interest are penalties and interest due on taxes included in this definition.

Subd. 2: Delinquent taxes do not include a tax liability if:

- a. an administrative or court action which contests the amount of validity or the liability has been filed or served;
- b. the appeal period to contest tax liability has not expired; or
- c. the applicant has entered into a payment agreement and is current with the payments.

Subd. 3: Applicant means an individual if the license is issued to or in the name of an individual or the corporation, partnership or other entity if the license is issued to or in the name of a corporation, partnership or other entity.

A copy of the notice of delinquent taxes given to the County shall also be sent to the applicant taxpayer. In the case of renewal of a license, if the applicant requests a hearing in writing, within thirty (30) days of the receipt of the notice of delinquent taxes, then a contested case hearing shall be held by the Commissioner under the same procedures as provided in Minnesota Statutes, Section 270C.72 for the State sales and use tax imposed under Minnesota Statutes, Chapter 297A, provided that if a hearing must be held on the State sales and use tax, hearings may be combined.

Commissioner McDonough said many partners have been recognized who helped get us to this point today. He also recognized and thanked the many staff people who worked on this, in particular those in the County Manager's Office, Regional Railroad Authority staff, and the County Attorney's Office. They put in a tremendous amount of work on this since the day the Legislature approved this about four weeks ago -- figuring out what the Legislation said, having conversations with the other metropolitan counties about what this joint powers agreement would look like, how we would come together to work on that. There were all-day meetings, weekend work, and emails, all to get us to this day to pass the joint powers agreement that will be the solid foundation for the future in the community.

Commissioner Rettman thanked Commissioner McDonough for all his work in continuing to move this forward toward a regional concept, and prior to him, the work of Commissioner Ortega.

Chair Parker thanked Commissioner McDonough and Commissioner Ortega, previous Regional Railroad Authority Chair. She recalled Commissioners who worked on this issue 25 years ago.

BOARD OF RAMSEY COUNTY COMMISSIONERS – Appointments to the Counties Transit Improvement Board and Grants Evaluation and Ranking System Committee

Commissioner Reinhardt introduced the following resolution and moved its adoption, seconded by Commissioner Carter. Roll Call: Ayes – Bennett, Carter, McDonough, Ortega, Reinhardt, Rettman, Parker – 7. Nays – 0. (2008-123)

(Continued)

WHEREAS, Ramsey County is working with other metropolitan counties to implement the recently passed Minnesota Transportation Bill that authorizes the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington to raise Sales and Use Taxes funds for transit capital and operating costs; and

WHEREAS, A joint powers agreement is required for counties that choose to participate; and

WHEREAS, Representatives from the metropolitan counties have prepared a draft joint powers agreement (“Agreement”) that is being presented to the Ramsey County Board in a separate County Board action item; and

WHEREAS, The Agreement establishes a joint powers board, the Counties Transit Improvement Board (“CTIB”) that will award grants for transit improvement; and

WHEREAS, The Ramsey County Board of Commissioners must appoint two commissioners as CTIB members plus one or more alternates; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners appoints Commissioners Jan Parker and Jim McDonough to represent Ramsey County on the Counties Transit Improvement Board; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners appoints Commissioners Toni Carter and Janice Rettman to be alternates for Ramsey County to the Counties Transit Improvement Board.

BOARD OF RAMSEY COUNTY COMMISSIONERS – Appointments to the Counties Transit Improvement Board and Grants Evaluation and Ranking System Committee

Commissioner Reinhardt introduced the following resolution and moved its adoption, seconded by Commissioner Carter. Roll Call: Ayes – Bennett, Carter, McDonough, Ortega, Reinhardt, Rettman, Parker – 7. Nays – 0. (2008-124)

WHEREAS, Ramsey County is working with other metropolitan counties to implement the recently passed Minnesota Transportation Bill that authorizes the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington to raise Sales and Use Taxes funds for transit capital and operating costs; and

WHEREAS, A joint powers agreement is required for counties that choose to participate; and

WHEREAS, Representatives from the metropolitan counties have prepared a draft joint powers agreement (“Agreement”) that is being presented to the Ramsey County Board in a separate County Board action item; and

WHEREAS, The Agreement establishes the Grants Evaluation and Ranking System (“GEARS”) committee of the CTIB that will evaluate grant applications based on criteria established by the CTIB and provide the CTIB with a selection list of transportation projects with a priority ranking; and

WHEREAS, The Ramsey County Board of Commissioners must appoint one commissioner to the GEARS committee; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners appoints Commissioner Toni Carter to represent Ramsey County on the Grant Evaluation and Ranking System committee.

Commissioner McDonough said he wanted to make a public statement. So much work has been done to position us to move forward on this. There are some issues with Metropolitan Transit and the funding issues occurring there. When talking about this, he has stated that these dollars are to be building and enhancing the system; with the danger of backfilling or supplanting current dollars, we would all lose because the expectation is that these dollars will add to the system.

Commissioner McDonough referred to an editorial in today's StarTribune newspaper alluding that these dollars could and should be considered, and would be appropriate, to help Met Council and some of the financial issues there, which would mean that these dollars would actually supplant current dollars or go to fund existing operations. He felt it was important for this Board, which has always supported the position that if we are going to take this bold step and provide the opportunity to invest in new and improved transit systems, that we need to continue to be vigilant to ensure that, because we all will lose if that doesn't occur.

Commissioner McDonough distributed material that shows it was clear in the Legislation that that was not the intent. There were multiple places in the Legislation that prohibits the use of these funds to supplant dollars and prohibits the use of these funds to be taken and used for existing operations. We will have to continue to be watchful of that as we move forward because there are many people who will always take a look at new dollars and have other ways of wanting to spend those dollars.

ADJOURNMENT

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

Bonnie C. Jackelen, Chief Clerk – County Board