

The Ramsey County Board of Commissioners met in regular session with the following members present: Carter, McDonough, Ortega, Parker (late), Reinhardt, Rettman and Chair Bennett – 7. Absent – 0. Also present were David Twa, 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 Ortega moved approval of the Agenda of the April 4, 2006, Board Meeting, seconded by Commissioner Carter. Roll Call: Ayes – Ortega, Reinhardt, Rettman, Carter, McDonough, Bennett – 6. Nays – 0.

#### MINUTES

Commissioner Reinhardt moved approval of the Minutes of the March 28, 2006 Board Meeting, seconded by Commissioner Ortega. Roll Call: Ayes – Ortega, Reinhardt, Rettman, Carter, McDonough, Bennett – 6. Nays – 0.

#### PROCLAMATION declaring the week of April 3-9, 2006, as Public Health Week – with the national theme – Designing Healthy Communities, Raising Health Kids

Commissioner Rettman read the proclamation and presented it to Rob Fulton, Director, St. Paul-Ramsey County Department of Public Health. She said Public Health staff have been very good in making connections with people. She asked Mr. Fulton to convey to the Public Health staff how grateful the County Board is for all their work.

Mr. Fulton accepted the proclamation on behalf of the 320 employees who do their part every day to make this a better community. In July, the Department approaches the 9<sup>th</sup> anniversary of the merged departments. December 2006 will mark ten years since the County Board and City Council adopted the merger. This creation is the finest full-service public health department in the upper Midwest. The Board will hear later today about the work around the pandemic flu; in June information will be brought forth about the refugee immigration issues; and on April 18 there will be a presentation about critical issues being faced.

Mr. Fulton said the Department staff works well together and is committed to working in and with the community, which is an important value for the County and the City regarding Public Health. He thanked the County Board on behalf of the Public Health staff and said they appreciate the Board's support.

#### COUNTY MANAGER/COMMUNITY CORRECTIONS – State Legislative Proposals – Sexual Predator Bills

Commissioner Ortega introduced the following resolution and moved its adoption, seconded by Commissioner McDonough. Roll Call: Ayes – Ortega, Reinhardt, Rettman, Carter, McDonough, Bennett – 6. Nays – 0. (2006-126)

WHEREAS, The Ramsey County Board of Commissioners has reviewed a number of proposals for possible inclusion in their 2006 state legislative package as support items; and

WHEREAS, The Ramsey County Board of Commissioners has reviewed a request for support from the City of St. Paul on HF2600, pertaining to the requirement for sex offenders to wear tracking and monitoring bracelets after release from prison; Now, Therefore, Be It

*(Continued)*

RESOLVED, The Ramsey County Board of Commissioners hereby authorizes inclusion of a request from the City of St. Paul as a support item, only as a specific pilot program proposal to pursue funding for tracking homeless people who have already been through the complete system; and Be It Further

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

COUNTY MANAGER – Federal Legislative Item – Emergency Management Performance Grant Proposal

Commissioner Ortega introduced the following resolution and moved its adoption, seconded by Commissioner McDonough. Roll Call: Ayes – Ortega, Reinhardt, Rettman, Carter, McDonough, Bennett – 6. Nays – 0. (2006-127)

WHEREAS, Ramsey County has been asked by a number of emergency management groups to work with its federal legislative members to secure more funding for the Emergency Management Performance Grant Program (EMPG); and

WHEREAS, The President's budget proposed reducing the program by \$13.1 million for FY2007; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners hereby authorizes the Chair of the Ramsey County Board to send a letter to the Minnesota Federal Legislative Delegation in support of full funding of the Emergency Management Performance Grant Program; and Be It Further

RESOLVED, The Board authorizes County representatives to work with federal legislators on this matter.

COUNTY MANAGER – Federal Legislative Support Item – I-35W Corridor Proposal

Commissioner Ortega introduced the following resolution and moved its adoption, seconded by Commissioner McDonough. Roll Call: Ayes – Ortega, Reinhardt, Rettman, Carter, McDonough, Bennett – 6. Nays – 0. (2006-128)

WHEREAS, The Ramsey County Board of Commissioners has reviewed a number of proposals for inclusion as support items in their 2007 federal legislative package; and

WHEREAS, The Ramsey County Board of Commissioners has reviewed the 2007 Appropriations Request from the North Metro I-35W Corridor Coalition; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners hereby authorizes the inclusion of the 2007 Appropriations Request from the North Metro I-35W Corridor Coalition as a support item in their 2007 federal legislative package; and Be It Further

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

*(Continued)*

COMMUNITY HUMAN SERVICES – Developmental Disability – Crisis Services

Commissioner Ortega introduced the following resolution and moved its adoption, seconded by Commissioner McDonough. Roll Call: Ayes – Ortega, Reinhardt, Rettman, Carter, McDonough, Bennett – 6. Nays – 0. (2006-129)

WHEREAS, For nine years, the seven metropolitan counties have worked in a coordinated fashion to develop and operate a crisis system for individuals with developmental disabilities; and

WHEREAS, The crisis services are funded primarily through Medical Assistance payments that in previous years were made directly from the State of Minnesota to the providers operating this network; and

WHEREAS, The State of Minnesota has passed the funding for crisis services to counties and given them the responsibility for managing the payment of these services; and

WHEREAS, Ramsey County would transfer funding from the Developmental Disabilities Waiver funding pool to the Metro Crisis Coordination Program based on the number of residents that use one of the crisis beds or related services; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners approves the Cooperative Agreement between Ramsey, Hennepin, Anoka, Dakota, Carver, Scott, and Washington Counties for operation of the metro area Developmental Disabilities Crisis Project (MADDCP), for the period July 1, 2006 through June 30, 2013; and Be It Further

RESOLVED, The Board authorizes the Chair to sign the agreement.

BOARD OF RAMSEY COUNTY COMMISSIONERS – Statement of Support for employees who serve in the National Guard and Reserve

Commissioner Ortega introduced the following resolution and moved its adoption, seconded by Commissioner McDonough. Roll Call: Ayes – Ortega, Reinhardt, Rettman, Carter, McDonough, Bennett – 6. Nays – 0. (2006-130)

WHEREAS, The Department of Defense has asked Ramsey County to join with thousands of public and private employers who have signed a Statement of Support for our nation's National Guard and Reserve; and

WHEREAS, The Secretary of Defense has recently stated that National Guard and Reserve personnel are critically important to a peaceful nation; and

WHEREAS, The National Committee for Employer Support of the Guard and Reserve (ESGR) is the Department of Defense Agency with the mission of gaining and maintaining support from all public and private employers for the men and women of the National Guard and Reserve; and

WHEREAS, Ramsey County recognizes the National Guard and Reserve as essential to the strength of our nation and well-being of our communities; and

WHEREAS, In the highest American tradition, the patriotic men and women of the Guard and Reserve serve voluntarily in an honorable and vital profession; and

*(Continued)*

WHEREAS, They train to respond to their community and their country in time of need and deserve support of every segment of our society; and

WHEREAS, If these volunteer forces are to continue to serve our nation, increased public understanding is required of the essential role of the Guard and Reserve in preserving our national security and their members must have the cooperation of all American employers in encouraging employee participation in Guard and Reserve; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners hereby authorizes the Chair of the County Board to sign the “*Statement of Support for the Guard and Reserve*”, pledging that:

- 1) Employment will not be denied because of service in the Guard or Reserve;
- 2) Employee job and career opportunities will not be limited or reduced because of service in the Guard or Reserve;
- 3) Employees will be granted leaves of absence for military service in the Guard or Reserve, consistent with existing laws, without sacrifice of vacation; and
- 4) This agreement and its resultant policies will be made known throughout Ramsey County.

PUBLIC WORKS – Final Payment and Contract amount for Reconstruction of Silver Lake Road and Supplemental Agreements 15, 17 and 18, S.A.P. 62-644-21

Commissioner Ortega introduced the following resolution and moved its adoption, seconded by Commissioner McDonough. Roll Call: Ayes – Ortega, Reinhardt, Rettman, Carter, McDonough, Bennett – 6. Nays – 0. (2006-131)

WHEREAS, County Board Resolution 2002-118 approved a contract with Palda & Sons, Inc. for reconstruction of Silver Lake Road from I-694 to 15<sup>th</sup> Street North, Contract CC000996; and

WHEREAS, After commencement of construction, the Engineer determined that an existing storm sewer should be extended to accommodate new pond inslope elevations; and

WHEREAS, The Engineer determined that chain link fence should be installed on the newly constructed retaining wall where pedestrian safety was a concern; and

WHEREAS, The Engineer determined that the existing fiber optic at Palmer Drive signal system has been damaged due to water freezing in the steel conduit and that PVC conduit is flexible and would minimize the problem. The contractor installed 2” non-metallic conduit; and

WHEREAS, Appropriate additions or corrections are defined in Supplemental Agreements 15, 17 & 18, respectively; and

WHEREAS, Costs for the work identified within these contract revisions, \$13,658.79, will be paid for with 100% Ramsey County State Aid Funds, S.A.P. 62-644-21; and

WHEREAS, The final contract cost amounted to \$2,032,192.69; 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

**(Continued)**

RESOLVED, The Ramsey County Board of Commissioners approves Supplemental Agreements 15, 17 & 18; and Be It Further

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

RESOLVED, The County Board authorizes the following budget adjustment:

INCREASED ESTIMATED REVENUE

2000 11101 550880 00000 314606 CSAH Construction Regular P033127 \$13,658.69

INCREASE APPROPRIATIONS

2000 11101 550880 00000 442305 Silver Lk Rd – I694 to 15<sup>th</sup> St P033127 \$13,658.69

and Be It Further

RESOLVED, The Ramsey County Board of Commissioners hereby approves a final contract amount of \$2,032,192.69 and authorizes a final payment of \$9,578.35 to Palda & Sons, Inc., 1462 Dayton Avenue, St. Paul, Minnesota 55104, for Contract CC000996.

PUBLIC WORKS – Contract Award for Intersection Improvements on County Road B at Cleveland Avenue/I-35W, S.P. 6284-133, S.A.P. 62-646-19

Commissioner Ortega introduced the following resolution and moved its adoption, seconded by Commissioner McDonough. Roll Call: Ayes – Ortega, Reinhardt, Rettman, Carter, McDonough, Bennett – 6. Nays – 0. (2006-132)

WHEREAS, Ramsey County Public Works, in cooperation with the Minnesota Department of Transportation (Mn/DOT), has developed plans for the reconstruction of traffic signals and geometric improvements for County Road B at TH 35W/Cleveland Avenue, S.P. 6284-133, S.A.P. 62-646-19; and

WHEREAS, Bids were received for this project on February 8, 2006, and one bid was received; and

WHEREAS, The bid for the project was from Progressive Contractors, Inc. for \$397,930.20, which was higher than the engineer's estimate; and

WHEREAS, The bid received from Progressive Contractors, Inc. has been reviewed and both Mn/DOT and Ramsey County Public Works, and they have concluded that the bid price, while greater than the engineer's estimate, is justified due to the size of this project and the variety of work; and

WHEREAS, The Ramsey County Project Engineer and the Public Works Director recommend award of the contract to Progressive Contractors, Inc.; Now, Therefore, Be It

*(Continued)*

RESOLVED, The Ramsey County Board of Commissioners hereby approves award of a contract to Progressive Contractors, Inc., 14123 42<sup>nd</sup> Street NE, St. Michael, Minnesota 55376, in the amount of \$397,930.20, for the reconstruction of County Road B at TH 35W/Cleveland Avenue, S.P. 6284-133, S.A.P. 62-646-19; and Be It Further

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

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

INCREASE ESTIMATED REVENUE

|      |       |        |        |                                |         |              |
|------|-------|--------|--------|--------------------------------|---------|--------------|
| 2006 | 17304 | 550880 | 314606 | CSAH Construction Regular      | P033211 | \$ 21,643.20 |
| 2006 | 17304 | 550880 | 314405 | State of MN – Cooperative Agr. | P033211 | \$149,400.00 |
| 2006 | 17304 | 550880 | 314405 | State of MN – Local Rd Impr.   | P033211 | \$226,887.00 |
| 2006 | 17304 | 550880 | 311703 | Engineering Revenue            | P033211 | \$ 3,979.30  |

TRANSFER TO/INCREASE APPROPRIATION

|      |       |        |        |                             |         |              |
|------|-------|--------|--------|-----------------------------|---------|--------------|
| 2006 | 17304 | 550880 | 442305 | Cty Rd B at I-35W/Cleveland | P033211 | \$397,930.20 |
| 2006 | 17304 | 550880 | 442305 | Cty Rd B at I-35W/Cleveland | P033211 | \$ 3,979.30  |

and Be It Further

RESOLVED, The Ramsey County Board of Commissioners approves a temporary cash loan not to exceed \$401,909.50 from the County General Fund to the Road and Bridge CIP fund until receipt of State Aid and participating funds.

SHERIFF – Community Crime Prevention Grant Award – Juvenile Justice Special Project

Commissioner Ortega introduced the following resolution and moved its adoption, seconded by Commissioner McDonough. Roll Call: Ayes – Ortega, Reinhardt, Rettman, Carter, McDonough, Bennett – 6. Nays – 0. (2006-133)

WHEREAS, The Minnesota State Legislature established a crime prevention grant program for the purpose of funding community based programs designed to enhance the community's safety and to assist the community in its crime control and prevention efforts; and

WHEREAS, The Minnesota Department of Public Safety, through the Office of Justice Programs, has awarded the Ramsey County Sheriff's Office a Community Crime Prevention Grant in the amount of \$124,788; and

WHEREAS, The Sheriff's Office identified the Montreal Courts Apartments in Little Canada as a community that could benefit from this type of crime prevention programming due to the high level of crime and the high concentration of economically disadvantaged youth living in the apartments; and

WHEREAS, The available funding would provide for an on-site social worker, after school and summer youth programs and organized family activities to increase the sense of community; and

(Continued)

WHEREAS, The grant funding is available through December 31, 2007, and no local match is required; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners approves the Community Crime Prevention Grant – Juvenile Justice Special Project with the State of Minnesota Department of Public Safety, Office of Justice Programs, in the amount of \$124,788, for the period of contract execution through December 31, 2007; and Be It Further

RESOLVED, The Board authorizes the County Manager to execute the Grant Contract; and Be It Further

RESOLVED, The Board authorizes the County Manager to approve any necessary budget adjustments to establish the grant, and any necessary contracts to carry out the grant; and Be It Further

RESOLVED, The Board authorizes the County Manager to approve any amendments or renewals of the Community Crime Prevention Grant.

INFORMATION SERVICES/COMMUNITY CORRECTIONS – Agreement with McCaa-Webster & Associates, Inc. for Software Programming Services

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

Commissioner Rettman asked if the \$30,000 expenditure was included in the 2006 budget.

Dave Twa, County Manager, responded affirmatively.

Julie Kleinschmidt, Director, Budgeting & Accounting, responded that this \$30,000 would come out of the Department's 2006 operating budget as already approved.

Commissioner Rettman requested that in future items information be provided in the documentation.

Roll Call: Ayes – Ortega, Parker, Reinhardt, Rettman, Carter, McDonough, Bennett – 6.  
Nays – 0. (2006-134)

WHEREAS, The Ramsey County Community Corrections Department uses two computer software applications in its Juvenile Division written by the County's Information Services programming unit, OTIS (Offender Tracking Information System) and RTS (Resident Tracking System); and

WHEREAS, Both OTIS and RTS have several bugs that need to be fixed and various enhancements that users of the systems have requested and management of both the Department of Corrections and Information Services recommend; and

WHEREAS, McCaa-Webster & Associates, Inc. has extensive experience working in the Foxpro structure used for these systems and has demonstrated excellent performance on a similar prior project for the County; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners approves a professional services agreement with McCaa-Webster & Associates, Inc., 1422 West Lake Street, Suite 212, Minneapolis, MN 55408-2616, for a contract sum not to exceed \$30,000, to provide software programming support services for the County's Offender Tracking Information System and Resident Tracking System; and Be It Further

*(Continued)*

RESOLVED, The Ramsey County Board of Commissioners authorizes the Chair and Chief Clerk to sign the Agreement; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners authorizes the County Manager to sign amendments to this Agreement up to \$3,000, subject to prior approval by the County Attorney's Office and Budgeting & Accounting, should additional work on the two systems not identified in the Agreement be identified during the term of the Agreement.

[Commissioner Parker arrived during discussion of the following item.]

PROPERTY RECORDS AND REVENUE – Repurchase of property located between 160 and 168 Acker Street East, by the prior owner

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

Commissioner Carter said her question is related to items 8.2 and 8.3. She cited the document that states: "indication had been provided that the City of St. Paul had reviewed the application for police, building code, illegal activity and health violations within the past five years, and has not been able to determine if the property is considered a municipal problem". She asked for clarification on that statement.

Commissioner Rettman said on problem properties, if a municipality doesn't find that there is a problem, and they don't know if there was a problem, that phrase is used in the documentation. She is aware of both of these properties.

Dorothy McClung, Director, Property Records and Revenue, said a couple years ago while dealing with a number of repurchases of tax-forfeited land, the County Board asked the Department to develop a policy. One of the Board's concerns was that a background check be made to see if the properties had been the cause of any concern for the municipalities in which they operated. Part of the procedure adopted by the Board was that any repurchase is referred to the municipality, which is their opportunity to inform the Board before the Board makes any decision about whether there has been any problem. This is the way the City of St. Paul responded.

Chair Bennett asked if a checklist would need to be developed.

Ms. McClung responded, no.

Commissioner Rettman said this has worked extremely well and the Property Records and Revenue staff has worked very hard. The municipalities have different ways of stating their determinations. The County is not in charge of land use in the municipalities, and the Board wanted to ensure that the municipalities make the determination whether or not a property is a problem. It gives the County the ability to refuse to allow someone to repurchase, and that has been done, but is based on factual data.

Chair Bennett thought it could be written in a form that could be better understood.

Commissioner Reinhardt said given the history between the County and the City, when there is a problem, these are carefully laid out. None of the municipalities are shy about saying what the problems are.

Roll Call: Ayes – Ortega, Parker, Reinhardt, Rettman, Carter, McDonough, Bennett – 7.  
Nays – 0. (2006-135)

WHEREAS, Tax Forfeited Lands has received one application to repurchase a tax-forfeited property by Angelo Mancini III, the prior owner at the time of forfeiture; and

WHEREAS, This property is located in the City of Saint Paul, County of Ramsey, and is legally described as follows:

*(Continued)*

The East half of Lot 19, Block 8, Edmund Rice's Second Addition

Commissioner District 3

PIN: 30-29-22-43-0122; and

WHEREAS, The prior owner has filed an application with the Tax Forfeited Lands section to repurchase the property from the State of Minnesota, Trust Exempt, and has agreed to repay the outstanding back taxes, interest and penalties on the property and has further agreed to keep all future real estate taxes current; and

WHEREAS, Any and all payments received have been deposited into the Tax Forfeited Land Accounts; and

WHEREAS, The repurchase application was referred to the City of Saint Paul for recommendation after a review of the police, building code, illegal activity, and health violations within the past five years; and

WHEREAS, The City of Saint Paul makes no recommendation to the County Board to approve or deny the application; and

WHEREAS, The Ramsey County Board of Commissioners has determined that by allowing the repurchase, any financial difficulties or undue hardship caused by the forfeiture will be corrected; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners hereby approves the repurchase of a tax-forfeited property in the name of the prior owner, Angelo Mancini III, PIN: 30-29-22-43-0122, between 160 and 168 Acker St. E., St. Paul, MN 55117, in the amount of \$441.22, over a four-year contract repayment period.

PROPERTY RECORDS AND REVENUE – Repurchase of property located at 568 Lawson Avenue W. by the prior owner

Commissioner Rettman introduced the following resolution and moved its adoption, seconded by Commissioner McDonough. Roll Call: Ayes – Ortega, Parker, Reinhardt, Rettman, Carter, McDonough, Bennett – 7. Nays – 0. (2006-136)

WHEREAS, Tax Forfeited Lands has received one application to repurchase a tax-forfeited property by Michael Meath, the prior owner at the time of forfeiture; and

WHEREAS, This property is located in the City of Saint Paul, County of Ramsey, and is legally described as follows:

Lots 25, 26, and 27, Block 13, Como Prospect Addition

The West 10 feet of Lot 28, Block 13, Como Prospect Addition

Commissioner District 3

PIN: 25-29-23-23-0054; and

**(Continued)**

WHEREAS, The prior owner has filed an application with the Tax Forfeited Lands section to repurchase the property from the State of Minnesota, Trust Exempt, and has agreed to repay the outstanding back taxes, interest and penalties on the property and has further agreed to keep all future real estate taxes current; and

WHEREAS, Any and all payments received have been deposited into the Tax Forfeited Land Accounts; and

WHEREAS, The repurchase application was referred to the City of Saint Paul for recommendation after a review of the police, building code, illegal activity, and health violations within the past five years; and

WHEREAS, The City of Saint Paul makes no recommendation to the County Board to approve or deny the application; and

WHEREAS, The Ramsey County Board of Commissioners has determined that by allowing the repurchase, any financial difficulties or undue hardship caused by the forfeiture will be corrected; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners hereby approves the repurchase of a tax-forfeited property in the name of the prior owner, Michael Meath, PIN: 25-29-23-23-0054, 568 Lawson Ave. W., St. Paul, MN 55117, in the amount of \$7,024.13, over a four-year contract repayment period.

SHERIFF – Lease of Office Space for the Metro Gang Strike Force at New Brighton Industrial Center

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

Commissioner Parker asked if the Sheriff's Office had spoken with the New Brighton Police Chief about this lease.

Undersheriff Dave Metusalem responded affirmatively.

Commissioner Rettman asked if this dollar amount was anticipated and included in the 2006 budget.

Mr. Metusalem responded, no.

Dave Twa, County Manager, responded that it was anticipated but on a grant basis. At the time of the discussion with the County Board on the Sheriff's budget, it was indicated this would be continued assuming the grant was received. That grant has now been received and with that respect, it was included in the budget.

Commissioner Rettman asked if County money has been put in.

Mr. Twa said there are no County dollars involved in this grant.

Commissioner Rettman asked if this was anticipated in the 2007 budget.

Mr. Twa responded affirmatively. This is a multi-year lease. The funding is there for 2006 and 2007. After that there may be an issue depending on what the Legislature does.

Commissioner Rettman asked if there are any County dollars going into this.

Mr. Twa responded no.

Chair Bennett said this was in the budget previously at some level, and it came out of the grant last year and is in the grant this year.

Mr. Metusalem said that is correct. There was a period of very minimal funding in between years of very good funding. There are more participants now and a will to be more centrally located for Minneapolis, St. Paul and the surrounding area, which is what was found at this location.

*(Continued)*

Commissioner Parker noted that the choice of a good central location was the City of New Brighton.

Roll Call: Ayes – Ortega, Parker, Reinhardt, Rettman, Carter, McDonough, Bennett – 7.  
Nays – 0. (2006-137)

WHEREAS, The Ramsey County Sheriff's Office has served as the fiscal agent for the Metro Gang Strike Force since its inception in 1997, and as such has been granted funds to cover the operational costs of the Strike Force; and

WHEREAS, The Metro Gang Strike Force previously leased office space at 1919 University Avenue in Saint Paul, but terminated the lease and moved temporarily into available space at the Sheriff's old patrol station while ongoing funding decisions were finalized by the State; and

WHEREAS, As fiscal agent, the Ramsey County Sheriff's Office has been granted new funds for the ongoing operations of the Metro Gang Strike Force, including funding for the lease of office space; and

WHEREAS, Ramsey County Property Management has negotiated a Lease with Industrial Equities Group LLC, 321 First Avenue North, Minneapolis, MN 55401, for 9,516 square feet of office, warehouse and common space in New Brighton for the Metro Gang Strike Force, for the period of April 1, 2006 through March 31, 2011, terminable any time after January 1, 2008, with a three-month written notice, due to lack of ongoing program funding for the Metro Gang Strike Force; and

WHEREAS, This lease space in New Brighton was approved as suitable space for the Metro Gang Strike Force by the Oversight Council for the Metro Gang Strike Force; and

WHEREAS, The State Legislature has appropriated \$3,000,000 per fiscal year in the base budget to support and coordinate gang and drug task forces throughout the State, including the Metro Gang Strike Force, and will allocate these funds ongoing through calendar year grants; and

WHEREAS, The Ramsey County Sheriff's Office requests approval of the Lease to provide the necessary program space for the Metro Gang Strike Force; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners approves the Lease between Ramsey County and Industrial Equities Group LLC, 321 First Avenue North, Minneapolis, MN 55401, for 9,516 square feet of office, warehouse and common space at New Brighton Industrial Center IV, 33 Fifth Avenue NW, New Brighton, Minnesota 55112, for the period from April 1, 2006 through March 31, 2011, for the following annual costs, exclusive of building operations and maintenance costs:

- Year 1: \$6,303.10/month, \$75,637.20 annual
- Year 2: \$6,429.16/month, \$77,149.94 annual
- Year 3: \$6,557.75/month, \$78,692.94 annual
- Year 4: \$6,688.90/month, \$80,266.80 annual
- Year 5: \$6,822.68/month, \$81,872.14 annual

and Be It Further

RESOLVED, The Board authorizes the Chair and Chief Clerk to execute the Lease; and Be It Further

*(Continued)*

RESOLVED, The Board authorizes the County Manager to approve any amendments to the Lease, subject to prior approval by the County Attorney's Office and Budgeting and Accounting.

COUNTY MANAGER – Joint Powers Agreement with Central Certification Collaborative Members

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

Commissioner Carter said School District 625 had previously been engaged in this collaborative and pulled out in 2003. With the change in bringing the program in-house to be managed by the City of St. Paul, has the St. Paul School District had the opportunity to rejoin the program? What is the difference between this program and the State's Certification Program, and what does this buy us as opposed to the State's program? She also wondered about the assessment of this program with respect to its impact on increasing the level of women, small and minority business engagement in the County; and whether or not, and how, it is being involved in this year's review in inclusive contracting.

Terry Speiker, Director, Intergovernmental Relations, said the current members of the program have been involved for about six months in evaluating the success of the program. They have reviewed the number of certified small businesses taking advantage of the program. In the last two months, staff has begun working with the St. Paul Chamber of Commerce to expand the number of small businesses in this program. They will report to the County Board in April on some information on the numbers of small businesses and how they are viewing this program. Part of the evaluation is how small businesses feel they are being able to register. She didn't know about the St. Paul Schools, but it could be discussed in the Joint Property Tax Advisory Committee. This has been discussed with the new City of St. Paul administration. Nancy Homans is the staff person who has been given the responsibility for working around this whole issue area. County staff met with Ms. Homans and talked about how this program might be restructured over the next year. The Joint Property Tax Advisory Committee might be a good place to talk about this.

Commissioner Carter asked for an explanation between this program and the State's certification program and why we are separately certifying businesses.

Alice Smoot Gentry, Program Manager, Inclusiveness In Contracting Program (IICP), said the reason the Central Certification Program was established was to make it a one-stop shop for the small businesses in the marketplace. This is a simpler certification process, usually taking no longer than 14 days, sometimes extending to 21 days if on-sight visits are required. Therefore, it is an easier process.

Commissioner Rettman asked if a small business is certified, do they have to get the State certification as well. Is there a reciprocity agreement – does certification from the County mean that they don't have to go to the State?

Ms. Smoot Gentry said Ramsey County has a simplified application process when the small vendors are certified through other certification programs. The application is reduced from about seven pages to about two pages.

Commissioner Rettman said the State has a certification program. If a business receives certification in St. Paul, Minneapolis, Hennepin or Ramsey County, is there a requirement to be certified at the State, or is there a reciprocal agreement that the State recognizes our certification process as adequate.

Ms. Smoot Gentry said the Central Certification Program accepts the certification from the State. If a small business is certified through the State, that certification will be accepted by Ramsey County.

Commissioner Rettman asked if that occurs in the opposite.

Ms. Smoot Gentry responded negatively.

*(Continued)*

Commissioner Rettman said if our certification process is more simplified and quicker, but doesn't get the State certification, dual certification would still be needed. What efforts have occurred, or should occur to have the State recognize this? This should be a two-way street.

Ms. Smoot Gentry said the Central Certification Program is looking at having the other programs accept our certification, specifically the State program. However, while this has been talked about, it has not yet been taken to the State for acceptance.

Commissioner Rettman said that is something the County Board might want to give specific direction for, to take this to the State. She would like some follow-through on this, either by County resolution, through the joint powers group or in some other way.

Commissioner Parker said she attended a meeting of the Association of Minnesota Counties (AMC), where there was discussion about some recent legal action regarding partnerships and liabilities of joint powers boards. She asked about the governance structure for this – is there a representative from each entity that serves as a member of this board.

Ms. Smoot Gentry responded affirmatively; there is a representative from each of the jurisdictions.

Commissioner Parker asked if the representative is an elected official.

Ms. Smoot Gentry responded that the representatives are staff members.

Commissioner Parker said the County Board might want to rethink this given the previous discussion of the legal liability of joint powers boards.

Ms. Speiker said the municipal stacking legislation is something Darwin Lookingbill, Director, Civil Division, County Attorney's Office, has done some research on. Karen Kushner, Assistant County Attorney, works with this project. This is something they have been tracking and working with AMC about how it might be structured.

Dave Twa, County Manager, said staff have been working with the County Attorney's Office on language. Anti-stacking would go into each and every one of these agreements depending on what action might be taken by the State. If the State passes the legislation, it resolves the issue in terms of the joint powers issue. There was a case in which if there was more than one governmental entity, and the liability limits were used for each entity; the net effect was to multiply what the statutory limits were. It is believed the legislature will correct this, but even if they don't, every time there is an agreement of this nature, staff is trying to make sure there is anti-stacking language in it.

Commissioner Parker had the impression that there was a requirement that an elected official be a member of the board.

Mr. Twa said he had not heard that. The County has many joint powers agreements on which there are no elected officials serving on the Joint Powers Board. He has not heard anything that would indicate that in order to avoid the stacking issue an elected official would have to be on the Board.

Commissioner Ortega said it might be easier to see how the County's process could shortcut the State's process. In other words, the County's process would help get the State certification in a much quicker fashion. That would cover the entire State rather than having the County certify. Ten years ago, the same issue was dealt with, and the County was not very successful at the State level. He asked if staff is comfortable in terms of liability, etc.

Mr. Twa said staff have worked with the County Attorney's Office and they have drafted language that would be referred to as anti-stacking language, which is being placed into contracts as they come up.

Commissioner Reinhardt recalled some talking points regarding that legislation and a reference to elected officials. There were several suggestions, depending upon the type of entity or the issue being dealt with. She doesn't believe it was across the board on every joint powers agreement.

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Commissioner Reinhardt said the resolution could be amended to add a resolved clause that directs staff to discuss options for either making the Statewide certification easier through the County's process or to enter into discussions with the State about their certification process as it relates the County's process.

Commissioner Parker hopes that once this is up and running, the other communities within Ramsey County would be invited to participate.

Ms. Smoot Gentry said she would do that.

Commissioner McDonough said that even though the County's process is simpler, it is duplicative of what the State is doing; we either have to recognize everything or one of the processes has to go away. It is burdensome if someone needs to go through both processes to deal in different jurisdictions, when the State covers it Statewide. He questions the differences between the two processes and why the County is making it a duplicative process for the people who want to do business in our community. Should this just go away?

Commissioner Ortega agreed that it is duplication and at a duplicative cost. There must be rationale for why the County wants to do this. What about the city of Roseville, Maplewood, White Bear Lake or any other community within Ramsey County?

Commissioner Carter asked about a workshop in April and asked that the Board be updated on the State certification and local certification as well as the issue of joint powers boards.

Ms. Speiker said she was not talking about a workshop, but would provide an update on the Inclusiveness in Contracting Program (IICP). Mr. Twa was planning to discuss with each Commissioner about how to do that update. There will be an update in April about this and the rest of the IICP.

Commissioner McDonough suggested that this item could be laid over because of all the questions. He said that perhaps the County is making this cumbersome and creating a burden for the businesses we are hoping to help, by making them participate in multiple certification programs. He would look for staff to come back and lay out why this program is needed when the State is doing it. If there are some deficiencies in the State's program that are beneficial in ours, why can't we work with the State to include those in their program so it becomes a truly one-stop shop for businesses.

Ms. Speiker said this joint powers agreement is done and laying it over would mean that we would not continue to have that joint powers agreement or that arrangement with the City of St. Paul. That doesn't mean it should not be laid over.

Commissioner McDonough said that if benefit is found, it could be returned to the Board for approval. It just means the Board is stepping back to make certain that businesses don't have to go through a duplicative process.

Commissioner Carter asked if the resolution could be amended to approve it through the year 2006, with a request that staff return to the Board with answers to today's questions, prior to any extension. That would give time to assess this and plan and prepare for any transition.

Commissioner Reinhardt asked how the resolution would be amended.

Commissioner Rettman said the reference was found in lines 40 and 41 of the resolution.

Commissioner Reinhardt said there are other partners involved, and having this discussion is important. She is in favor of approving the joint powers agreement through the end of this year and adding the resolved clause she mentioned earlier, directing staff to work with the State of Minnesota to determine one process and the options. She believes that is straightforward and doesn't prescribe what it will end up looking like.

Chair Bennett said a motion is in front of the Board to eliminate lines 40 and 41 from the resolution. He asked Council to look at the joint powers agreement and resolution for any additional changes that would be needed if lines 40 and 41 were removed from the resolution.

The maker and seconder accepted the amendment as friendly.

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Darwin Lookingbill, Director, Civil Division, County Attorney's Office, said the agreement actually allows four renewals – "The terms shall automatically renew for additional 12-month periods up to a total of four renewals".

Chair Bennett is inclined to say a one-week layover might be advisable to get this in order. Staff could return with answers to all Commissioners' questions.

Commissioner Rettman said that absent a layover, to make certain it is done properly, the duplication continues to exist. She is supportive of the layover. The joint powers agreement expired the end of December 2005 – here we are in April 2006. Another month should not make a difference. This just gets pushed out further. Perhaps today is the day to deal with it.

Commissioner Reinhardt repeated her suggestion that the County enter into discussions with the State to resolve these issues and lay out options.

Commissioner McDonough could be supportive of the compromise language to approve the joint powers agreement for 2006, but it does discourage him a bit. He believes it should be treated with a bit more urgency than taking an additional eight months to figure it out. That decision could still be made within the next three to four weeks. He said it discourages him that this is being brought forward in April for something that expired in December 2005. He believes we should be doing better than that. We have been operating four months without a signed agreement. It would be nice to have more conversation about whether this could be done in four weeks and lay it over for one month to get that information.

Commissioner Ortega is supportive of a layover to get a clear indication of the road the County will travel with this.

Commissioner Carter said she would remove her motion to allow one-year renewal. This discussion pointed out that the Commissioners would appreciate an update on the work being done in the IICP. This Board had a good deal of discussion in the latter part of 2005. All members asked questions about the joint purchasing program and what that provides for the County. She believes that caused some delay in the process because of that discussion, commentary and direction to staff, and the movement of the IICP from Workforce Solutions to the County Manager's Office. That is not an excuse for belaboring the process over a long period of time. The Board began a one-year study of the process with direction to the County Manager to improve the IICP with respect to data, and the outreach programs, so that the County could encourage and see additional women, minority and small business participation in the County. She believes there are reasons why we are at the point we are. She suggests that the Board needs an update and that it could come in a workshop toward the middle of the year so the Board can see the direction this is heading, in addition to answers to questions raised today, the process currently engaged in, bringing on board a community advisory board, and a technical advisory committee of staff. She can support the delay until next week but also requests an update in mid-June.

Commissioner Reinhardt would like to know the status of the other partners involved in this and what they have done with the joint powers agreement.

Commissioner Reinhardt moved to lay this item over to an unspecified time; when it is ready to be brought back, staff will bring it back. Commissioner Parker seconded the motion.

Chair Bennett clarified that the motion is to lay this item over at the discretion of staff and County Manager, with no time limit – it could be one week or it could be four weeks.

Roll Call: Ayes – Ortega, Parker, Reinhardt, Rettman, Carter, McDonough, Bennett – 7.  
Nays – 0.

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LEGISLATIVE UPDATE

Terry Speiker, Director, Intergovernmental Relations, said last week was the first bill deadline; today is the second bill deadline, for all those bills that are non-fiscal. They are beginning to work on tax bills. Commissioner Rettman was involved in one part of that discussion last week for the Environmental Response Fund. The House Tax Committee Chair keeps saying there will not be a tax bill. The Senate began deliberations last week on what their omnibus tax bill would look like. So far, the proposal has focused on trying to adjust the marriage disparity credit – trying to have Minnesota conform to the federal government. It is Senator Pogemiller's way of getting his fourth tier of taxation in the whole discussion, which both the Republicans and Governor have said 'no way'. The Governor's tax proposal includes levy limits for 2007. That is being watched closely. Regarding eminent domain, there has been an amendment on both the House and Senate side that would exclude the kinds of takings that the County normally does – small strips of land for highway purposes, etc. It is not as good as staff would like it to be, it gives an "in" into the discussion when this gets to conference committee to be able to expand it and make the attorney's fees not be something the County finds onerous. The Mental Health bill was heard in both the House and Senate. More will be discussed about that bill in today's workshop. The bonding bill comes out later this afternoon.

Nick Riley, Intergovernmental Relations, said the anti-stacking legislation passed the house on a 6-5 vote and was sent to the floor. Representative Abrams bill was most favorable for Ramsey County. He was contacted by Senator Marty, who thinks there is a slim chance that they may be able to do a \$.05/drink bill where the proceeds would be dedicated to chemical dependency programs. A Republican Senator who is in favor of doing this also approached him. If they were willing to do an amendment in Senator Berglin's Finance Committee, that is where it would happen. The Tax Bill includes the marriage penalty and it raises the top bracket to 8.15 from 7.85 currently to pay for that marriage penalty.

Chair Bennett asked what would happen if the Senate has a tax bill and the House does not.

Mr. Riley said Representative Krinkie was asked if there would be an omnibus tax bill. He said he is not in favor of having one but there are so many things coming before him that would require a tax bill, they are probably headed for one.

Ms. Speiker said House tax hearings have been held. It will be hard to say that there won't be anything.

Commissioner Parker commented on the \$.05/drink legislation; last year at AMC there was a session on substance abuse and how it affects the court system. There has been a Minnesota Supreme Court Task Force looking at the issue and they are recommending a broad implementation of substance abuse courts Statewide. One of the issues is that it takes money on the front end to get these things up and running. All the evidence is that there is a long-term payback, but it is getting that kind of a system funded that is the problem. The \$.05/drink tax is one way of funding not only the substance abuse court throughout the State but also the chemical dependency treatments that are underfunded. She believes this is something that could make a huge difference long-term for all the related costs the county has. The County took a position several years ago. Is anything needed to renew that position?

Ms. Speiker said that when the Board takes a position, unless it is indicated that the position should be changed, staff acts on that position. They have been talking with Senator Marty about this regularly.

Mr. Riley said the County's support was for \$.10/drink, which is what Senator Marty would like, but he knows that the chances of that passing are nil. \$.10/drink would raise about \$270 million annually for these programs; \$.05/drink would go a long way to help in many areas.

Commissioner Parker believes this is the purest form of a user fee. It is important that the revenue generated from this should be directly linked to chemical dependency issues.

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Ms. Speiker said part of the problem the last time this was discussed, was that everyone thought they could have a piece of this money. Even if it is not successful this year, it might set the stage for us to work with the Supreme Court and the Association of Minnesota Counties for the future.

Mr. Riley said the immigration bill is still going forward in the House and Senate. Representative Steve Smith said that approximately 500 felons in the State prison system and 10,000 in the county system are foreign-born. He wants further investigation into their status, which could be a costly item for counties. They are not necessarily illegal immigrants. He is introducing a bill that also removes prohibiting sanction laws that local governments have where police officers are asked to look into this. The cities of St. Paul and Minneapolis would be greatly affected if they had to follow up on this. Staff will continue to monitor this issue. It is a “hot” issue at both the State and federal level this year.

Commissioner Parker requested clarification that he is talking about ‘foreign-born’ not illegal immigrants.

Mr. Riley said Representative Smith is lumping them first into being foreign-born and then he wants their status checked to make sure they are not illegal immigrants and they should be dealt with in a different way.

Ms. Speiker said this particular bill is one that would affect Sheriff’s Departments because it has to do with the booking side of things. It is something the county and city lobbyists are paying attention to because of the implications.

Commissioner Reinhardt said this is outrageous. One of the things that need to be done is to put a hard dollar amount on this; it would be costly. From a county standpoint, the philosophical issues are set aside; we need to figure out what the cost would be.

Chair Bennett asked if it has gotten out of any committee.

Mr. Riley said he is not sure, but Rep. Smith is head of the Committee, so if it doesn’t get out of his committee it would be a surprise. It has not made progress in the Senate but would likely be part of an omnibus bill in the house.

Commissioner McDonough said just because someone is foreign born does not mean he or she is not a U.S. citizen.

Commissioner McDonough changed topics and said there was consensus that without the legislation, no matter what wording is put into the Joint Powers Agreements or how well they are crafted, the liability, as it currently stands with that Court Order is that stacking will be there, even if language is added that says otherwise. Until there is legislation in place that clarifies that, no matter how well the Joint Powers Agreements are done, we will be open to this potential liability; each of the parties will be liable for the statutory limits.

Mr. Riley said the bill went to the floor of the House, so it will be in play either way. The trial attorneys are fighting this legislation; they want to make it open and as broad as possible. Currently, the limits are \$300,000 per entity and \$1 million per incident for each of the entities. In the Crookston case, they doubled it to \$600,000 in the award. If there had been others involved in the Joint Powers Agreement it could have been substantially more.

Commissioner Rettman said a hearing was held in the Senate Tax Committee on the Environmental Response Fund (ERF). Senators Pogemiller and Rest did a wonderful job. Many questions were asked about the “sunset”. Senator Marty suggested that an extension be done. A five-year extension will be coming out of the Senate, which would bring it to 2013. That would allow the County to continue doing many of the things currently being done with the ERF. When it is scheduled in the House, an updated version will be provided.

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BOARD CHAIR UPDATE

Chair Bennett said a tentative agreement has been reached whereby the Fair will join in on paying the Environmental Charge. The agreement will be forthcoming to the Board.

AMC met last week in legislative sessions.

OUTSIDE BOARD AND COMMITTEE REPORTS

Commissioner Reinhardt reported that:

- She attended the Ramsey County League of Local Governments meeting; discussion took place about topics for upcoming meetings. Ideas for topics included: the pandemic; a legislative update, once the Legislature has finished its session; and clean water.

Chair Bennett asked if they spoke about the 800MHz Policy Committee and how people were appointed, and if there was a resolution about how it would be done.

Commissioner Reinhardt understands that the Mayor of Arden Hills spoke with Chair Bennett and that they have accepted the fact that the member of the Policy Committee, Sue Gehrz, had asked for recommendations from the different cities come to her and that she had forwarded two names for appointment to that Committee, which has already met. She expressed her displeasure over the fact that it didn't seem very organized as far as those two suburban representatives. They did not set a policy on how it would be done. It was pointed out that initially we talked about the Ramsey County League of Local Governments (RCLLG) forwarding those names. However, because the RCLLG covers all local governments in Ramsey County and not just the communities that are contract cities, they determined that they would not have the entire group make a decision for a subset. They didn't come up with a way to do that but understood that the RCLLG, although it sounded good, really didn't represent the group. Mostly, it was just expressing the fact that they thought there should have been more structure to it and ways for folks to have placed their names in. They were not sure exactly how the process got turned over to Ms. Gehrz. There was more confusion than anything.

Chair Bennett said part of the confusion was that people would be appointed from those cities that did not have an automatic member. The fact that she appointed them this time worked out, but she won't be in that capacity next time.

Commissioner Reinhardt said that as it moves forward, they were hoping that something would come forth from the County that would clearly delineate who should be contacted, by what time, and when the appointments would be ratified.

Commissioner McDonough asked if Ms. Gehrz' disappointment in the confusion around this was directed at the County or at how the communities were handling it themselves. When this was drafted there was no easy way to do it and in the end the County decided to leave it up to them to figure out how they got the representation, even though the RCLLG was mentioned as one possible venue. From the County's perspective, it is up to those cities to agree on an appointment. He would rather not have the County direct how their appointments would be made.

Commissioner Reinhardt said it wasn't about how they made the appointment; it was about to whom they were supposed to get the information to and by what time. The request came from Ramsey County, from the Chair, but somehow there wasn't anything about a process. Ms.

*(Continued)*

Gehrz took it upon herself; it was not being critical about her or of anything other than it would have been nice to provide information about the process and communicated to all of the communities in the same way. Basically, there were two communications going on; one that came to everyone from the County; and one that Ms. Gehrz initiated. There was some confusion about whom they should be talking to.

Chair Bennett believes it was the County's assumption that those communities would get together and have an "election".

- She attended an E-waste Task Force meeting. She believes they are close to having something that will work and meets the needs of counties. The counties are partners in e-waste but are not responsible. If something is not passed when that ban goes into effect, the counties will be stuck with the bill. After months of discussions with manufacturers, retailers, counties, recyclers, and collectors, Representative Ozment, Senator Higgins, and Representative Cox, sat down and hammered this out, and thought they had come to a consensus. Last Friday the manufacturers came out in opposition to many parts of it after sitting in the room during discussions. They came back and said there were a couple of things that should be removed from the bill, including reporting and education of consumers. She believes they will come up with a compromise. It has been an interesting discussion as this has evolved. Something must be done; the ban is just around the corner.

Commissioner Parker:

- Reminded everyone of the groundbreaking ceremony for the new Maplewood Library, on Wednesday, April 5, 2006, at 10:00 a.m., located west of Maplewood Mall, at 3025 Southlawn Drive.

Commissioner Carter reported that:

- She attended the AMC Health and Human Services Committee meeting. State Human Services Commissioner Kevin Goodno, Christine Bronson, the State Medicaid Director, and AMC staff, made presentations regarding the impacts of the Deficit Reduction Act; the AMC position on the Governor's Mental Health Initiative; the AMC position on impacts of the Presidents 2007 budget; and other supplemental budget proposals coming out of the State.
- The Metropolitan Communities Energy Task Force met with the rural energy management board at AMC. They are moving along in the project together to construct wind turbines in a combined ownership between the metropolitan counties and the rural counties.
- She attended the Central Corridor Equity Coalition meeting, which was a review of the current status on moving forward with the Central Corridor. There is a follow-up meeting today to help people in the community understand how to frame public comment during the public comment period.

## ADJOURNMENT

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

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Bonnie C. Jackelen, Chief Clerk-County Board