

The Ramsey County Board of Commissioners met in regular session with the following members present: Carter, McDonough, Ortega, Parker, Rettman and Chair Bennett – 6. Absent: Reinhardt – 1. 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 Carter moved approval of the Agenda of the August 22, 2006, Board Meeting, seconded by Commissioner Rettman. Roll Call: Ayes – Parker, Rettman, Carter, McDonough, Ortega, Bennett – 6. Nays – 0.

MINUTES

Commissioner Rettman moved approval of the Minutes of the August 1, 2006 Board Meeting, seconded by Commissioner Ortega. Roll Call: Ayes – Parker, Rettman, Carter, McDonough, Ortega, Bennett – 6. Nays – 0.

PROCLAMATION

Commissioner Carter read a Proclamation declaring September 9, 2006, as Fetal Alcohol Spectrum Disorders Awareness Day (FASD). She thanked staff for highlighting this syndrome/disorder in the community and in the nation.

Present to receive the Proclamation were: Deb Schuhmacher and Jill Lindahl, St. Paul-Ramsey County Department of Public Health; Sara Messelt, Program Director, FASD Statewide Initiative; and Cathy Luiken, Program Director, Fetal Alcohol Spectrum Disorders Regional Network serving Washington and Ramsey Counties.

Ms. Luiken said this year's event would be held at St. Peter Claver Church, located off Lexington Avenue and I-94, beginning at 8:30 a.m., with bell ringing at 9:09 a.m. to symbolize that during the nine months of a woman's pregnancy, she should abstain from alcohol. There will be speakers along with music and activities for kids.

EMPLOYEE ACHIEVEMENT AWARDS

Commissioner Rettman presented an Employee Achievement Award to Jan Beaudoin, Workforce Solutions – Nominated for *Excellent Job Performance* and *Performance Beyond the Call of Duty*.

Commissioner Ortega presented an Employee Achievement Award to Rhoda Ann Wathum-Ocama, Community Human Services – Nominated for *Performance Beyond the Call of Duty*.

Commissioner McDonough presented an Employee Achievement Award to Dave Wittman, Community Corrections Department – Nominated for *Performance Beyond the Call of Duty*.

EMERGENCY MANAGEMENT AND HOMELAND SECURITY – Apply for and accept the 2006 Urban Area Security Initiative (UASI) Grant award

Commissioner Parker introduced the following resolution and moved its adoption, seconded by Commissioner McDonough. Roll Call: Ayes – Parker, Rettman, Carter, McDonough, Ortega, Bennett – 6. Nays – 0. (2006-278)

(Continued)

WHEREAS, The Minnesota Department of Public Safety, Division of Emergency Management and Homeland Security has authorized Ramsey County to apply for and receive a grant for personnel costs, training costs, and for the purchase of equipment in an amount up to \$250,000; and

WHEREAS, The funds are required to be used enhance the County's ability to respond to, prevent, plan for, and mitigate against terrorist events affecting the County and the region continuing the process begun under the Urban Area Security Initiative; and

WHEREAS, Ramsey County has received and executed several similar grants in the past; and

WHEREAS, Use of funds is specifically limited to continuing the Planner positions in Ramsey, Hennepin and Dakota Counties, educational activities, referred to as Planning, Training and Exercise, and CBRNE Equipment; and

WHEREAS, The equipment, services, costs and authorized training must be selected from the Federal "Authorized Equipment List"; and

WHEREAS, Discussions have been held with the regional UASI Council and local municipalities to gain consensus as to the use of these funds, and reflects a general strategy to develop County-wide resources, region-wide resources, and to protect those persons who will respond to such emergencies; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners hereby authorizes the County Manager to apply for and accept the 2006 Urban Area Security Initiative grant agreement in the amount of \$250,000 and any modifications to the grant agreement and to sign contracts related to the grant, upon receipt from the State of Minnesota; and Be It Further

RESOLVED, The Board authorizes the County Manager to make necessary adjustments to the Emergency Management and Homeland Security budget; and Be It Further

RESOLVED, The Board authorizes the Division of Emergency Management and Homeland Security to expend monies for personnel costs, training, and to purchase equipment from the federally approved equipment list and to distribute the equipment.

SHERIFF – Agreement with James Hall II to provide Chemical Addiction Counseling for inmates of the Adult Detention Center

Commissioner Parker introduced the following resolution and moved its adoption, seconded by Commissioner McDonough. Roll Call: Ayes – Parker, Rettman, Carter, McDonough, Ortega, Bennett – 6. Nays – 0. (2006-279)

WHEREAS, Ramsey County inmates of the Adult Detention Center will be offered chemical addiction counseling services in group sessions with a certified Chemical Dependency Counselor, James Hall II; and

(Continued)

WHEREAS, Through the Agreement with James Hall II, counseling sessions will be available to inmates two times an evening, twice a week, for a total of four sessions per week, and each session will last approximately one and one-half hours and will be available to a maximum of ten inmates per session; and

WHEREAS, The cost of providing these chemical addiction counseling sessions will be paid by the Inmate Trust Fund; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners approves the Agreement between Ramsey County and James Hall II, 62 Flandrau Place, St. Paul, Minnesota 55106, for the provision of chemical addiction counseling services for inmates of the Adult Detention Center, for a one-year period commencing on the date of final execution of the Agreement, in an amount not to exceed \$11,520, to be paid from Inmate Funds; and Be It Further

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

RESOLVED, The Board authorizes the County Manager to approve any amendments or renewals to the Agreement for Chemical Addiction Counseling services with James Hall II.

PROPERTY RECORDS AND REVENUE – Appointment of Members of the Ramsey County Canvassing Board

Commissioner Parker introduced the following resolution and moved its adoption, seconded by Commissioner McDonough. Roll Call: Ayes – Parker, Rettman, Carter, McDonough, Ortega, Bennett – 6. Nays – 0. (2006-280)

WHEREAS, Minnesota Statutes §204C.31 provides that the County Canvassing Board shall consist of the County Auditor, the District Court Administrator, the Mayor of Saint Paul and two members of the County Board who are not candidates in 2006; and

WHEREAS, Ramsey County Commissioner Jan Parker and Commissioner Tony Bennett are not candidates in 2006; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners hereby appoints Commissioner Jan Parker and Commissioner Tony Bennett as members of the Ramsey County Canvassing Board in 2006; and Be It Further

RESOLVED, That in the event the two above named Commissioners decline to serve on the Canvassing Board and decline to name alternates, the Director of Property Records and Revenue is authorized to appoint alternates; and Be It Further

RESOLVED, That payment of \$50 per day is authorized for Canvassing Board members who are not elected officials or employees of Ramsey County.

PARKS AND RECREATION – Construction Contract – Keller Regional Park Restrooms

Commissioner Parker introduced the following resolution and moved its adoption, seconded by Commissioner McDonough. Roll Call: Ayes – Parker, Rettman, Carter, McDonough, Ortega, Bennett – 6. Nays – 0. (2006-281)

(Continued)

WHEREAS, The Ramsey County Board of Commissioners and the Metropolitan Council gave new facilities at Keller Regional Park a high priority on the regional park Capital Improvement Program; and

WHEREAS, The Metropolitan Council has approved a grant to develop new restrooms within the park; and

WHEREAS, The Ramsey County Parks and Recreation Commission recommended approval of the building plans; and

WHEREAS, Bids were received on July 19, 2006, for construction of restrooms and Gladstone Construction Inc. was the low bidder for the specified work with a base bid, minus deduct alternate #1, resulting in a cost of \$902,830; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners approves a Standard Form of Agreement Between Owner and Contractor, AIA Document A101-1997, in the amount of \$902,830, including deduct alternate #1, with Gladstone Construction Inc., 1315 Frost Avenue, St. Paul, MN 55109, for construction of five restrooms at Keller Regional Park; and Be It Further

RESOLVED, The Board authorizes the Chair and Chief Clerk to sign the agreement.

HUMAN RESOURCES – Terms of collective bargaining agreement with Teamsters Local 320 (Correctional Officer 3) for years 2006, 2007 and 2008

Commissioner Parker introduced the following resolution and moved its adoption, seconded by Commissioner McDonough. Roll Call: Ayes – Parker, Rettman, Carter, McDonough, Ortega, Bennett – 6. Nays – 0. (2006-282)

WHEREAS, Ramsey County and the Teamsters Local 320 (Correctional Officer 3) engaged in collective bargaining; and

WHEREAS, Negotiations resulted in a tentative agreement on terms and conditions of employment for 2006, 2007 and 2008; and

WHEREAS, The Teamsters Local 320 (Correctional Officer 3) bargaining unit has ratified the agreement reached in negotiations; Now, Therefore, Be It

RESOLVED, That the Ramsey County Board of Commissioners approves the implementation of a three year agreement on terms and conditions of employment for the Teamsters Local 320 (Correctional Officer 3), effective January 1, 2006, for the years 2006, 2007 and 2008 as follows:

WAGES

2% increase effective 3/1/06

2% increase effective 3/1/07

1.5% increase effective 3/1/08

1.5% increase effective 7/1/08

(Continued)

All general salary increases will be effective the first full pay period following the effective date.

INSURANCE

- 2006 – Family coverage - Employer will pay 90% of health insurance premium increase.
Employee will pay 10%
Single coverage – Employee will pay \$15/month (Single & Family effective 1/1/06)
- 2007 – Family coverage - Employer will pay 75% of health insurance premium increase.
Employee will pay 25%.
Single coverage – Employee will pay \$21/month (Single & Family effective 1/1/07)
- 2008 – Family coverage - Employer will pay 70% of health insurance premium increase.
Employee will pay 30%.
Single coverage – Employee will pay \$21/month (Single effective 1/1/08, employer pick up increase in family coverage until 3/1/08)

Dental -

Employer and employee will each pay 50% of any increase in dental insurance premiums for single and family for each year of the agreement, effective January 1 of each year.

Retiree Insurance -

Early Retiree Contributions for Employees Retiring in 2006, 2007, 2008 – The County will make the same contribution to medical insurance premiums for early retirees as for active employees. County contributions are subject to the years of service requirements previously established by the County Board.

Regular Retiree Minimum Payment For Employees Retiring During the Term of the Contract:

	<u>2006</u>	<u>2007</u>	<u>2008</u>
Single	\$20/mo	\$25/mo	\$25/mo
Family	\$50/mo	\$55/mo	\$60/mo

All changes effective January 1 each year of contract.

New Hires on or after 1/1/06

- Eliminate County contribution toward retiree insurance for new hires, effective 1/1/06. These employees may participate in the County's retiree insurance plan but will be responsible for the entire premium.
- Effective the 1st full pay period following 7/1/06, all new employees hired on or after 1/1/06 begin contributing 1% of salary on a per pay period basis to a Health Care Savings Plan (HCSP).
- The County will contribute \$500 per year to the HCSP on a per pay period basis beginning the 1st full pay period following the employee's 5 year anniversary date.
- The County will contribute \$600 per year to the HCSP on a per pay period basis beginning the 1st full pay period following the employee's 10 year anniversary date.
- The County will contribute \$700 per year to the HCSP on a per pay period basis beginning the 1st full pay period following the employee's 15 year anniversary date.
- Contributions will be prorated based on the number of hours on paid status in a pay period for both full-time and part-time employees (same exception for counting unpaid union leave as described in proposed change for accruing floating holidays).

(Continued)

- Only insurance-eligible employees are eligible to participate in this HCSP option.

Current Insurance-eligible Employees hired between 7/1/92 and 12/31/05

- Employees must elect in writing prior to 11/1/06 whether they will maintain their current retiree insurance benefit, **or** opt out of the current retiree benefit and participate in the Health Care Savings Plan (HCSP) option described below. This is a one time, irrevocable decision. Employees who do *not* make an election in writing prior to 11/1/06, will be deemed to have elected to retain their current retiree insurance benefit.
- Effective the 1st full pay period following 1/1/07, employees opting out of the current retiree insurance benefit will begin contributing 1% of salary on a per pay period basis to the HCSP.
- The County will contribute \$500 per year to the HCSP on a per pay period basis on the 1st full pay period following 1/1/08, or the 1st full pay period following the employee's 5 year anniversary date, whichever is later.
- The County will contribute \$600 per year to the HCSP on a per pay period basis on the 1st full pay period following 1/1/08, or the 1st full pay period following the employee's 10 year anniversary date, whichever is later.
- The County will contribute \$700 per year to the HCSP on a per pay period basis on the first full pay period following 1/1/08, or the 1st full pay period following the employee's 15 year anniversary date, whichever is later.
- Contributions will be prorated based on the number of hours on paid status in a pay period for both fulltime and part time employees (same exception for counting unpaid union leave and weekend National Guard training as described in proposed change for accruing floating holidays).

EDUCATION FUND

Provide an education fund of \$500 per year, per employee, that can be accumulated for two years, up to \$1,000 total, but is lost if not used by the end of the second year. Expenditure must be approved by the employer, for training appropriate to the work of a Correctional Officer 3.

CLOTHING ALLOWANCE

The annual clothing allowance will increase from the 2005 allowance of \$600, in each of the three years of the agreement, as follows: 2006 - \$640; 2007 - \$660; 2008 - \$680.

FLOATING HOLIDAYS

Maintain current floating holiday accrual method in 2006. Change current method to an accrual method as described below, effective 1/1/07, provided all Ramsey County bargaining units agree to the same contract language.

- 1) Effective 1/1/07, update existing employee floating holiday bank with eligible hours under current contract language.
- 2) Beginning with the first pay period that includes January 1, 2007, accrue floating holidays based on employment status.
- 3) Effective 1/1/07, any floating holiday in excess of the maximum accumulation allowed shall be lost to the employee on May 1 and November 1 of each year (same dates as used for vacation max). Maximum accrual will remain at 16 hours.
- 4) Full-time and part-time employees shall earn pro-rated accrual based on actual hours on paid status in a pay period. Accrual for a full pay period will be .61536 hours.
- 5) Employees who have worked less than 6 months will not be paid for accrued floating holidays if terminating employment.

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- 6) Floating holidays shall be taken at a time mutually agreeable to the employee and the department.
- 7) No loss in accrual for full-time employees for up to 40 hours per pay period for no more than 2 consecutive pay periods for unpaid union leave.
- 8) No loss in accrual for unpaid time-off required to fulfill weekend National Guard training.

OTHER PROVISIONS

The agreement reached provides for miscellaneous changes to the sick leave and vacation articles, comparable to provisions in other collective bargaining agreements and Ramsey County Personnel Rules.

and Be It Further

RESOLVED, That the Ramsey County Board of Commissioners approves the terms of the collective bargaining agreement with the Teamsters Local 320 (Correctional Officer 3) and authorizes the Chair of the Ramsey County Board of Commissioners and the County Manager, as representatives of the County, to approve and sign the agreement incorporating these terms.

PUBLIC WORKS – Vadnais Boulevard Realignment – 11th Rider to Existing Agreement with the St. Paul Board of Water Commissioners

Commissioner Parker introduced the following resolution and moved its adoption, seconded by Commissioner McDonough. Roll Call: Ayes – Parker, Rettman, Carter, McDonough, Ortega, Bennett – 6. Nays – 0. (2006-283)

WHEREAS, Ramsey County, in cooperation with the Minnesota Department of Transportation and the Cities of Vadnais Heights and Shoreview, is preparing plans and specifications for the realignment of Vadnais Boulevard between Rice Street and Twin Lakes Boulevard in the City of Vadnais Heights; and

WHEREAS, The alignment will cross land owned by the St. Paul Water Department; and

WHEREAS, Technical design efforts will require survey work along with subsurface soils exploration and other related geotechnical study on Water Department property; and

WHEREAS, An 11th Rider to an existing agreement with the St. Paul Board of Water Commissioners has been prepared to qualify and allow specific field/design work necessary for the realignment of Vadnais Boulevard; and

WHEREAS, Riders to the original agreement have maintained the intent and provisions of the original Agreement; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners approves the 11th Rider to the existing Agreement with the St. Paul Board of Water Commissioners; and Be It Further

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

(Continued)

RESOLVED, The Ramsey County Board of Commissioners authorizes the County Manager to approve and execute subsequent Riders to the existing Agreement on behalf of Ramsey County.

BOARD OF RAMSEY COUNTY COMMISSIONERS – Appointments to the Workforce Investment Board (WIB)

Commissioner Parker introduced the following resolution and moved its adoption, seconded by Commissioner McDonough. Roll Call: Ayes – Parker, Rettman, Carter, McDonough, Ortega, Bennett – 6. Nays – 0. (2006-284)

WHEREAS, The terms for several county-appointed WIB members ended July 31, 2006; and

WHEREAS, Five of those individuals are seeking reappointment, two individuals represent business and three individuals represent one-stop partners; and

WHEREAS, Four WIB members, whose terms expired July 31, 2005, are interested in reappointment; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners hereby appoints the following individuals to the Workforce Investment Board for terms as indicated:

	<u>Term of Appointment</u>
Business	
Vinod Kumar, Kumar Mechanical	August 1, 2006 – July 31, 2007
John Evans, H.B. Fuller	August 1, 2006 – July 31, 2008
One Stop Partner	
Patricia Brady, Workforce Solutions	August 1, 2006 – July 31, 2007
Jerry McElroy, Keystone Community Services	August 1, 2006 – July 31, 2007
Kirk Hayes, Community Action Partnership for Ramsey and Washington Counties	August 1, 2006 – July 31, 2008
Education	
Craig Anderson, St. Paul College	August 1, 2006 – July 31, 2007
Mary McKee, Century College	August 1, 2006 – July 31, 2008
Dean Shawbold, White Bear Lake Area Schools Transition Plus	August 1, 2006 – July 31, 2008
Economic Development	
Tom Simonson, City of Shoreview	August 1, 2006 – July 31, 2008

COMMUNITY HUMAN SERVICES – State Auditor – Mandates Reform

Commissioner Parker introduced the following resolution and moved its adoption, seconded by Commissioner McDonough. Roll Call: Ayes – Parker, Rettman, Carter, McDonough, Ortega, Bennett – 6. Nays – 0. (2006-285)

WHEREAS, In February 2006, the Board approved submission of two applications to the State Auditor for mandates reform for payment of day training and habilitation services, and a child care pilot project with St. Paul Schools; and

(Continued)

WHEREAS, The purpose of the day training and habilitation application is to pay on an hourly basis versus half- or full-day rate; and

WHEREAS, The purpose of the child care pilot is to streamline the application and eligibility determination process for the basic sliding fee child care program; and

WHEREAS, The State Auditor has approved the County's applications; and

WHEREAS, Agreements are to be signed before the reforms can be implemented; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners authorizes the Chair to sign the agreements with the Minnesota State Auditor to implement the hourly rate payment system for day training and habilitation programs and to streamline the application and eligibility determination process for the basic sliding fee child care program.

COMMUNITY HUMAN SERVICES CITIZENS ADVISORY COUNCIL – Appointments to the CHS Citizens Advisory Council

Commissioner Parker introduced the following resolution and moved its adoption, seconded by Commissioner McDonough. Roll Call: Ayes – Parker, Rettman, Carter, McDonough, Ortega, Bennett – 6. Nays – 0. (2006-286)

WHEREAS, Several committees of the Community Human Services Citizens Advisory Council have membership vacancies; and

WHEREAS, The County's open appointment process was followed to obtain applications; and

WHEREAS, The Citizens Advisory Council recommends that the applicants listed below be appointed to serve on the committees identified for the terms noted; Now, Therefore, Be It

RESOLVED, That the Ramsey County Board of Commissioners hereby appoints the following individuals to serve on the committees of the Community Human Services Citizens Advisory Council, with terms specified.

COMMUNITY HUMAN SERVICES
CITIZENS ADVISORY COUNCIL

TERM EXPIRATION

Adult Services Committee

- | | |
|----------------------------|-----------------|
| 1. Beth Shaw (incumbent) | through 6/30/08 |
| 2. Anita Olson (incumbent) | through 6/30/08 |

Chemical Health Committee

- | | |
|--------------------------------|-----------------|
| 3. John Henderlite (incumbent) | through 6/30/08 |
| 4. David Forsell | through 6/30/08 |
| 5. Eric Stuebner | through 6/30/08 |

(Continued)

Children’s Mental Health Advisory Council

- 6. Mary Vanderwert (incumbent) through 6/30/08
- 7. Sharon Saunders (incumbent) through 6/30/08

Children’s Services Review Panel

- 8. Georgia Boehlke through 6/30/08
- 9. Virginia Pieper (incumbent) through 6/30/08

Developmental Disabilities Committee

- 10. Jonathan Rose (incumbent) through 6/30/08

Low Income Committee

- 11. Tom Kosel (incumbent) through 6/30/08
- 12. Shellie Rowe through 6/30/08

Mental Health Advisory Council

- 13. Renee Jenson (incumbent) through 6/30/08
- 14. Kirsten Girard (incumbent) through 6/30/08

COMMUNITY HUMAN SERVICES – Licensed Family Child Care Provider Recognition Day

Commissioner Parker introduced the following resolution and moved its adoption, seconded by Commissioner McDonough. Roll Call: Ayes – Parker, Rettman, Carter, McDonough, Ortega, Bennett – 6. Nays – 0. (2006-287)

WHEREAS, Children are one of our greatest resources and strengths; and

WHEREAS, Ramsey County is committed to the nurturing of children; and

WHEREAS, Licensed Family Child Care Providers provide a safe and healthy environment that fosters the physical, intellectual, emotional and social development of children; and

WHEREAS, Ramsey County has over 900 licensed family child care providers caring for over 9,000 children; and

WHEREAS, Licensed Family Child Care Providers will be honored at the 29th Annual Provider Recognition Event on September 12, 2006; and

WHEREAS, Forty-five providers will receive five-year awards; thirty-three providers will receive ten-year awards; twenty-eight providers will receive fifteen-year awards; fifteen providers will receive twenty-year awards; eleven providers will receive twenty-five year awards; seven providers will receive thirty-year awards; and four providers will receive thirty-five year awards; and

WHEREAS, Colleen Clagherty, Ruby Lindblom, Ann Mullen and Maria Simonsen will receive forty-year awards; Now, Therefore, Be It

RESOLVED, That the Ramsey County Board of Commissioners hereby declares September 12, 2006, as Licensed Family Child Care Provider Recognition Day.

(Continued)

COMMUNITY HUMAN SERVICES – Renewal of Lease for Financial Assistance Services Hub and space for Family and Children’s staff at 450 North Syndicate Street, Saint Paul (Bigelow Building)

Commissioner Parker introduced the following resolution and moved its adoption, seconded by Commissioner McDonough. Roll Call: Ayes – Parker, Rettman, Carter, McDonough, Ortega, Bennett – 6. Nays – 0. (2006-288)

WHEREAS, The Community Human Services Department has rented office space in the Bigelow Building from Community Action Partnership of Ramsey and Washington Counties for several years; and

WHEREAS, The current lease expires the end of August 2006; and

WHEREAS, Community Human Services and Community Action Partnership of Ramsey and Washington Counties desire to continue their lease arrangement; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners hereby approves the draft lease agreement with Community Action Partnership of Ramsey & Washington Counties (formerly known as Ramsey Action Programs), a non-profit corporation (ID No. 41-0883443) for approximately 12,066 rentable square feet of office space at 450 North Syndicate Street, St. Paul, MN 55104, for a five (5) year period from September 1, 2006 through August 31, 2011, with a 60-day cancellation clause, for the Ramsey County Community Human Services Department at the following rates:

<u>Year</u>	<u>Per Sq. Ft.</u>	<u>Monthly Rent</u>
Year 1:	\$ 12.50 /RSF	\$ 12,568.75 /mo.
Year 2:	\$ 13.00 /RSF	\$ 13,071.50 /mo.
Year 3:	\$ 13.52 /RSF	\$ 13,594.36 /mo.
Year 4:	\$ 14.02 /RSF	\$ 14,097.11 /mo.
Year 5:	\$ 14.52 /RSF	\$ 14,599.86 /mo.

and Be It Further

RESOLVED, That the Ramsey County Board of Commissioners hereby authorizes the Chair and Chief Clerk to execute the final lease agreement, subject to prior approval by the County Attorney, Budgeting and Accounting, and Property Management.

COMMUNITY HUMAN SERVICES – Adult Mental Health Initiative

Commissioner Parker introduced the following resolution and moved its adoption, seconded by Commissioner McDonough. Roll Call: Ayes – Parker, Rettman, Carter, McDonough, Ortega, Bennett – 6. Nays – 0. (2006-289)

WHEREAS, Over the last several years, the State of Minnesota has provided State employees to work with County and private agency staff in community-based services; and

WHEREAS, This developed as the service delivery system has evolved and the State of Minnesota’s role in the provision of direct service at State Hospitals has diminished; and

WHEREAS, This effort has grown to the point that 37 State employees now work in service settings in Ramsey County; and

(Continued)

WHEREAS, In June 2006, the State of Minnesota notified Ramsey County Human Services that they intend to provide the equivalent of this resource in annual cash grants beginning July 1, 2007; and

WHEREAS, The Department is developing a plan for utilizing these dollars, which is to be submitted to the State by December 1, 2006; and

WHEREAS, The State will immediately provide Ramsey County with \$151,159, which is the cash equivalent of the five vacant positions, including benefits, for the six-month period July 1, 2006 through December 31, 2006; and

WHEREAS, The Department proposes to utilize these dollars in the following way:

- add 1.0 FTE Nurse as a replacement for current State staff to work on medication coordination and monitoring,
- add 1.0 FTE SW II as a replacement for current State staff to the Assertive Community Treatment Teams,
- enable Guild, Inc. to re-hire two nurse positions that are currently vacant, and
- seek a contract with one of our community partners for one additional case manager as a replacement for current State staff; and

WHEREAS, These are positions that the Department will be including in the overall plan for submission to the state; and

WHEREAS, If additional grant money becomes available, additional case managers would be added through our community partners; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners accepts the Adult Mental Health Initiative funds in the amount of \$151,159 for the period July 1, 2006 – December 31, 2006; and Be It Further

RESOLVED, The Board increases the 2006 and 2007 personnel complement of the Community Human Services Department by 1.0 FTE Nurse and 1.0 FTE Social Worker II; and Be It Further

RESOLVED, The Board authorizes the County Manager to accept any additional grant money and to make the necessary budget adjustments.

COUNTY MANAGER/BUDGETING AND ACCOUNTING – Monthly Report of Contracts and Final Payments and Grant Submissions that were approved during the month of July 2006

Commissioner Parker introduced the following resolution and moved its adoption, seconded by Commissioner McDonough. Roll Call: Ayes – Parker, Rettman, Carter, McDonough, Ortega, Bennett – 6. Nays – 0. (2006-290)

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

(Continued)

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 July 2006.

HUMAN RESOURCES – Re-allocate the Environmental Services Supervisor – Public Works, from the 02A Professional and Administrative Salary Schedule to the Department Head/Division Director 98B Salary Schedule

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

Commissioner Rettman said she would vote consistently on this type of request, which continues to escalate expenditures at a time when cuts may need to be made.

Roll Call: Ayes – Parker, Carter, McDonough, Ortega, Bennett – 5. Nays – Rettman - 1. (2006-291)

WHEREAS, The Ramsey County Board of Commissioners established the Department Head/Division Director Pay Plan in December 1988, to provide a pay for performance salary plan for top management positions; and

WHEREAS, The Department Head/Division Director Pay Plan established the criteria for positions to be allocated to the 98B Salary Schedule created by the Plan; and

WHEREAS, The Public Works Department requested a review of the Environmental Services Supervisor – Public Works classification to determine if it meets the criteria for allocation to the Department Head/Division Director Plan; and

WHEREAS, The Human Resources Department reviewed the classification and determined that it meets the criteria for inclusion on Salary Schedule 98B, Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners hereby approves the inclusion of the Environmental Services Supervisor – Public Works, on the Department Head/Division Director Pay Plan on Salary Schedule 098B, Grade 34.

PUBLIC HEALTH - Active Living Ramsey County

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

Commissioner Parker introduced Dan Breva, Chair of the Minnesota Council on Physical Activity and Sports, and a manager with the Department of Natural Resources, responsible for the East Metro Area, which includes Ramsey County.

Mr. Breva, said he is representing the Minnesota Council on Physical Activity and Sports, which is a citizens advisory agency, operated and staffed by the Minnesota Department of Health. Over the last eight years, their effort has been to increase the physical activity of Minnesota residents. The Award of Excellence Program recognizes efforts of individuals, communities, and organizations that work toward getting Minnesota residents more physically active. Ramsey County has been very active in this effort.

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Mr. Brevia presented the 2006 Award of Excellence for Active Living Ramsey County to co-chairs, Sue Gehrz, Mayor of Falcon Heights, and Commissioner Jan Parker.

Mayor Gehrz said since the County Board would be acting on an item related to Active Living Ramsey County today, it seemed like a good time to bring forward information about what Active Living Ramsey County is, and steps taken in this program. Commissioner Parker initially heard about a national movement at a NACo conference. Cross-disciplinary meetings were subsequently held in December 2004, and Blue Cross Blue Shield provided consulting assistance. There were many participants in the planning efforts from government and citizen groups to nonprofits. Five data gathering and planning activities included: key informant interviews with public and private community leaders; a co-sponsored community workshop with the Ramsey County League of Local Governments; a telephone survey of 1200 Ramsey County residents (one-half in the City of St. Paul; one-half in the suburban areas) about the levels of current activities, what they saw as barriers; eight Walkable Community Workshops; and research through a team of interns from the Humphrey Institute on best practices for environments, policies, and programs that promote active living.

Next steps are to distribute the best practices for active living from the Humphrey Institute Teams to help cities revise their Comprehensive Plans, and support local efforts to pursue suggestions from the Walkable Community Workshops; complete a GIS mapping project to create "trailquest"; expand the web site as an information resource, and support local grant applications such as "Safe Routes to Schools"; and add 1000 new benches in Ramsey County to encourage elderly and/or disabled people to get out and walk.

Ms. Gehrz thanked the County Board for their support with this program. Representatives from Dakota and Hennepin Counties have been included in this partnership. Both those counties have modeled their program from Ramsey County's program and since qualified for a grant from Blue Cross Blue Shield to enable them to get to where Ramsey County is now.

Commissioner McDonough said this is a great program, which takes leadership otherwise it would flounder. He thanked Commissioner Parker and Mayor Gehrz for their leadership to keep this moving and congratulated them on the tremendous success.

Commissioner Parker said this has been a fun project; everyone understands its importance. People get excited about this project and want to help move it forward. The project has been inexpensive – by using student intern teams – and mobilizing available resources. The item before the Board is acceptance of a grant from Blue Cross Blue Shield. She gave special thanks to her assistant, Sara Merz, for the work she has put into this project. Additionally, many other staff have helped in this work. This grant involves hiring one position, which will be located in Environmental Health.

Commissioner Parker said there is an unusual opportunity this year, because all of the cities are required to revise and update their comprehensive plans, which is done every ten years. They will be submitting their plans to the Metropolitan Council. The focus on this effort is for the staff person to take all the best practices information and help Ramsey County communities to incorporate some of these ideas into their comprehensive plans. This is leveraging a point in time. A one-year grant will make a difference.

Commissioner Bennett congratulated Commissioner Parker on her work on this project. This points out something that can be learned about at a National Conference and bring back to implement in your county.

Roll Call: Ayes – Parker, Rettman, Carter, McDonough, Ortega, Bennett – 6. Nays – 0.
(2006-292)

(Continued)

WHEREAS, Blue Cross Blue Shield of Minnesota - Active Community has awarded a one-year grant, in the approximate amount of \$75,000, to Ramsey County for the Active Living Ramsey County Program; and

WHEREAS, The project is a collaboration between partnerships within the community representing Ramsey County, municipalities, school districts and community groups which includes elected officials and staff in the areas of public health, planning, parks and recreation, public works, law enforcement and pedestrian/bicycle safety; and

WHEREAS, This program is an initiative to assist all cities within Ramsey County to integrate active living principles into their comprehensive planning; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners authorizes the County Manager to accept the grant award from Blue Cross Blue Shield of Minnesota – Active Community for the Active Living Ramsey County, effective for one year, beginning with the date of execution, in the approximate amount of \$75,000, and to accept supplemental awards should they become available; and Be It Further

RESOLVED, The Board authorizes the County Manager to execute the grant contract, in a form and manner to be approved by the County Attorney as well as make the necessary budget adjustments; and Be It Further

RESOLVED, The Board authorizes the County Manager to execute any contracts necessary to implement the award; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners authorizes an increase in the Public Health complement of 1.0 FTE Program Analyst. This position will be “starred” in the complement and will be contingent on continued availability of funding; and Be It Further

RESOLVED, The Board authorizes the County Manager to accept future grant awards from Blue Cross Blue Shield of Minnesota to support the continuation of the Active Living Partnership Program.

COUNTY MANAGER/PROPERTY MANAGEMENT – First Amendment to Contract for Sale of Real Property Between Ramsey County and The Rottlund Company, Inc.

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

Commissioner Rettman said she was contacted to have a meeting with Rottlund Company and anticipates that other Commissioners will be contacted as well. The County Manager had been delegated authority to bring this back for discussion from staff and the County Manager’s Office. She requested that a report be given to Commissioners at the full Board and that the County Manager, prior to September 8, 2006, get the Commissioners all the information needed for September 12, 2006.

David Twa, County Manager, said it is the intention of staff to have a discussion and most likely an Executive Session dealing with it, on September 12, 2006. Staff will get as much information as possible to Commissioners by September 8. The presentation will be by the developers so he doesn’t know how much material will be available, but staff will do their best to provide Commissioners with everything they have.

(Continued)

Commissioner Rettman said the developer could be asked to provide information to the Commissioners. Her concern is that most of the discussion has been delegated to the County Manager and/or designee, to do this, and if all Commissioners get involved, they will be right back where they started. This is coming down to the wire and are very delicate negotiations that were entrusted to the County Manager. She asked if the presentation would be made prior to an Executive Session.

Mr. Twa said staff would get as much information for Commissioners as is possible. If individual Commissioners wish to meet with developers, staff doesn't have any control over that. However, it was clear from previous Board discussions that Commissioners prefer to have this handled at a Board meeting and as part of an Executive Session. The next Board Meeting will be September 12, 2006 and this extension is only until September 15th. The presentation would be made on September 12th and an Executive Session that same day because there will have to be some direction from the Board as of that time.

Commissioner Rettman said this is one of the times when the Board needs to use staff the way they have been doing this delicate negotiation. She will respectfully decline meeting with them individually because she believes it is better with all members in the same room getting the information at the same time.

Roll Call: Ayes – Parker, Carter, McDonough, Ortega, Bennett – 5. Nays – Rettman – 1. (2006-293)

WHEREAS, On January 19, 2006, Ramsey County and The Rottlund Company, Inc. ("Rottlund") executed a Contract for Sale of Real Property ("Contract") for the Ramsey County Adult Detention Center and the F Building portion of the Ramsey County Government Center West Building, which includes a closing date of August 31, 2006; and

WHEREAS, Ramsey County and The Rottlund Company, Inc. are requesting approval by the County Board of an amendment to the Contract extending the closing date to September 15, 2006; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners approves the First Amendment to the Contract for Purchase of Real Estate between Ramsey County and The Rottlund Company, Inc., 3065 Center Pointe Drive, Roseville, MN, for the Ramsey County Adult Detention Center and the F Building portion of the Ramsey County Government Center West Building extending the closing date to September 15, 2006; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners authorizes the Chair and Chief Clerk to sign the First Amendment to the Contract for Purchase of Real Estate, subject to prior approval by the County Attorney's Office, Budgeting and Accounting, and Property Management.

COUNTY MANAGER – Access to Services – Grant Award from the Federal Office of Refugee Resettlement

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

Commissioner Rettman said that in the proposed County Manager's budget, there is the possibility of some layoffs and/or downsizing of Human Services. She asked if there was any ability for any of the folks who may be in that situation to apply for these jobs and/or could there be some re-training and re-tooling. They are well paid jobs and would give an opportunity for some to go to a new job. She asked if the Department has looked into this.

(Continued)

Dave Haley, Community Human Services Department, said they are hoping that in the proposed downsizing there will not be any layoffs, but that the positions that are given up will be open positions. In that case, there might not be the need for someone to be considered for this, but that is a possibility. If, in fact, there are layoffs, an individual could apply and be considered for these spots.

Commissioner Rettman asked staff to keep the Board apprised of this situation.

Mr. Haley responded affirmatively.

Roll Call: Ayes – Parker, Rettman, Carter, McDonough, Ortega, Bennett – 6. Nays – 0.
(2006-294)

WHEREAS, In June 2005, the Ramsey County Board of Commissioners accepted a report from the Ramsey County East African Task Force and requested the County Manager to monitor the implementation of the recommendations; and

WHEREAS, One of the recommendations is to improve access to County services for people with limited English proficiency; and

WHEREAS, An interdepartmental work group was convened to develop options for implementing the Task Force recommendations; and

WHEREAS, The work group visited the Hennepin County office of Multicultural Services (MCS); and

WHEREAS, Based on discussions with staff of MCS, the work group submitted an application for funding to the Office of Refugee Resettlement of the United States Department of Health and Human Services; and

WHEREAS, The proposal requested funding to support one Somali and one Hmong outreach worker to provide a linguistically and culturally appropriate access point for Ramsey County services to limited English speakers from those two communities; and

WHEREAS, The United States Department of Health and Human Services has notified Ramsey County that the proposal has been accepted; and

WHEREAS, The two outreach workers will assist with accessing services from all County Departments; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners accepts the grant award of \$190,412 from the United States Department of Health and Human Services for the period of August 1, 2006 to December 31, 2007; and Be It Further

RESOLVED, The Board authorizes the County Manager to accept any supplemental awards and to make any necessary budget adjustments; and Be It Further

RESOLVED, The Board authorizes an increase in the complement of the Community Human Services Department by 2.0 Financial Worker 3, the positions will be starred in the budget and eliminated if grant funds are discontinued.

(Continued)

RESOURCE RECOVERY PROJECT – Sale of Resource Recovery Facility in Newport from NRG to RRT and Agreement with RRT

Commissioner McDonough introduced the draft resolution, as revised, and moved its adoption, seconded by Commissioner Parker.

Zack Hansen, Environmental Health Division Director, said this is one of a series of actions related to the Resource Recovery Facility. The Project Board authorized staff to negotiate with RRT Incorporated possible agreements post-2007 for waste processing. Distributed to Commissioners was a letter from RRT making the offer of the material terms and conditions that are in the Board Action Request. They are the same as listed within the documentation but staff wanted to share the offer with the Board. The Board's action today would be to accept the offer.

Mr. Hansen said Washington County is also acting on this item this morning. He thanked RRT for engaging the County in such a professional manner. The County is in this because of environmental and public health concerns. RRT is in this because of business concerns. Where there were mutual interests, the parties came together on these material terms and conditions. Their professionalism and ability to do this in a short period of time was appreciated.

Harry McPeak, Assistant County Attorney, said the changes in the resolution are minor. One change takes into account that there are many moving parts in this transaction and it is possible that the transaction between RRT and NRG may not have closed by September 27, 2006, which is currently the date for the extension by which the County must indicate an intent to purchase. This makes the authorization to enter into an agreement extending that time a little broader, to take into account that the NRG and RRT deal may not have closed by that time. A problem with the agreement is not anticipated – there would be a question of who it would be with – and because there is a deadline staff wanted to open that up.

Commissioner Rettman asked if it is still anticipated that this would be done in 2006.

Mr. McPeak responded affirmatively. The date stays the same; what it does is indicate that the extension may not be with RRT. The date of December 31, 2006, was struck because they don't want it to read that it must be through December 31, 2006 and not earlier. It was just to remove any minor details.

Mr. McPeak said the next clause states that the County Manager has the authority to execute the release by RRT and NRG related to notice of default. That authority had not been clarified.

Mr. McPeak said those were the only changes from what had been previously distributed to members.

Commissioner Rettman thanked staff for all the time they have spent on this issue. RRT has demonstrated some willingness to get the County in a better position. It has been a phenomenal work in progress.

Mr. Hansen said there would be future Board actions.

Roll Call: Ayes – Parker, Rettman, Carter McDonough, Ortega, Bennett – 6. Nays – 0.
(2006-295)

WHEREAS, Ramsey and Washington Counties ("Counties") are parties to a Service Agreement and Design and Construction Agreement ("D and C Agreement") (together the "Agreements") with NRG Energy, Inc. ("NRG"), which owns and operates the Ramsey/Washington County Resource Recovery Facility ("Facility") in Newport, Minnesota; and

WHEREAS, The Agreements and the Facility were assigned by Northern States Power Company ("NSP") to NRG, which was at the time a wholly-owned subsidiary of NSP, in an Assignment and Assumption of Service Agreement in 1993 ("1993 Agreement"), but NSP was not relieved of any of its liabilities or obligations under the Agreements in the 1993 Agreement; and

(Continued)

WHEREAS, NSP is now a wholly-owned subsidiary of Xcel Energy, Inc. (“Xcel”) and NRG is now an independent, publicly-traded company; and

WHEREAS, Section 14.03 of the Service Agreement and Section 17.03 of the D and C Agreement provide that NRG shall not transfer or relinquish, either directly or indirectly, through the sale of assets, merger, transfer of stock or otherwise, the ownership of all or any portion of the Facility to any person or entity, without first obtaining the express written approval from the Counties and that if such approval is first secured, the person or entity to which such ownership or interest is transferred shall be bound by the Agreements and shall have no rights greater than NRG pursuant to the Agreements; and

WHEREAS, Section 14.04 of the Service Agreement and Section 17.04 of the D and C Agreement provide that NRG shall not assign any interest in the Agreements or transfer any interest in the same, whether by subcontract, assignment, or novation, without the prior written consent of the Counties, and such consent shall not be unreasonably withheld; and

WHEREAS, The Loan Agreement between the Counties and NSP (“Loan Agreement”) provides that NRG is bound by the provisions of Section 4.08 thereof; and

WHEREAS, The Counties have given formal notice to NRG that they do not intend to extend the terms of the Service Agreement, while also confirming their commitment to process waste through resource recovery; and

WHEREAS, By letter dated May 18, 2006, NRG notified the Counties that NRG is negotiating a Purchase Agreement with Resource Recovery Technologies, LLC (“RRT”), an affiliate of EBF Associates, LP, for the sale of the Newport facility (along with the Elk River Resource Recovery Facility and other related NRG solid waste processing assets) and requested that the Counties provide written consent to the transfer of ownership in the Facility and assignment of the Agreements; and

WHEREAS, On June 27, 2006, the Ramsey and Washington County Boards of Commissioners each provided conditional approval to the transfer of ownership of the Facility from NRG to RRT pursuant to the Agreements, to the assignment and assumption of the Agreements from NRG to RRT and pursuant to Section 17.04 of the D and C Agreement, and to the transfer of NRG’s rights and obligations under Section 4.08 of the Loan Agreement from NRG to RRT, provided that six specific conditions precedent are met; and

WHEREAS, On June 30, 2006, the Resource Recovery Project Board authorized staff to enter into discussions with RRT to develop a new agreement for processing for a period of up to five years after the expiration of the current Service Agreement, and also authorized staff to enter into discussions with waste haulers, if necessary, with regard to future waste deliveries, and reiterated that any such agreements are subject to approval by the Ramsey and Washington County Boards; and

WHEREAS, Xcel Energy, Inc. (“Xcel”) and Northern States Power Company (“NSP”) have requested that the Counties release them from liabilities and claims arising under the Agreement from their acts and omissions occurring on or after the date RRT purchases the Facility; Now, Therefore, Be It

(Continued)

RESOLVED, The Ramsey County Board of Commissioners hereby approves and authorizes the execution by the County Manager of a Release Agreement between Ramsey County, Washington County, Xcel and NSP in a form to be approved by the County Attorney, that relieves NSP and Xcel from liability or claims and expenses arising under the Service Agreement, Design and Construction Agreement, and Loan Agreement from their acts or omissions occurring after the sale of the Facility from NRG to RRT; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners hereby accepts the specific terms and conditions offered by Resource Recovery Technologies as set forth in Attachment 2, and directs staff to incorporate said terms and conditions into a written agreement to be presented for approval and execution by both County Boards; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners hereby approves and authorizes the execution of an amendment to the Service Agreement that extends the deadline for County notification of intent to purchase the Facility pursuant to Section 11.02 of the amended Service Agreement; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners hereby delegates to the County Manager the authority to execute, in a form to be approved by the County Attorney, documents in which NRG and RRT release the Counties from all potential claims arising from the facts and circumstances in connection with certain alleged events of default, described in the Notice of Default letter from NRG to the Counties dated June 28, 2005, which release was made a condition precedent to approval by the Counties of the transfer of assets from NRG to RRT in Resolution 2006-238; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners hereby delegates to the County Manager the authority to certify, in a form to be approved by the County Attorney, that the conditions precedent to consent to the transfer of assets and assignment of the Service Agreement set forth in Resolution No.2006-238 have been satisfied.

OUTSIDE BOARD AND COMMITTEE REPORTS

Commissioner Parker reported that:

- The National Association of Counties (NACo) Annual Conference was excellent. She got so much out of the conference.
- The Association of Minnesota Counties Policy Committees met; they are starting to work on legislative proposals for 2007.
- At yesterday's Active Living Ramsey County planning meeting, there were representatives from Hennepin and Dakota Counties, who want to model what Ramsey County has been doing in their counties.

Commissioner Carter reported that:

- The NACo Conference was excellent. She unfortunately missed the installation of Colleen Landkamer as the new NACo President.
- The ACE picnic was held at Battle Creek Park. She congratulated all who support ACE.

(Continued)

Commissioner Bennett reported that:

- Our County Manager has been asked by President Colleen Landkamer to serve on the Executive Board in the position of Parliamentarian. There are many Minnesotans who are serving on this Board. He believes Commissioner Rettman will be the Vice-Chair of the Environment Committee. President Landkamer disbanded the Homeland Security Committee, a task force that has been in existence since 9/11. Homeland Security has now been turned over to Justice and Public Safety, which he will Chair.

ADJOURNMENT

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

Bonnie C. Jackelen, Chief Clerk – County Board