

The Ramsey County Board of Commissioners met in regular session with the following members present: Carter, McDonough, Ortega, Parker, Rettman, Reinhardt 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 McDonough moved approval of the Agenda of the February 6, 2007 Board Meeting, seconded by Commissioner Ortega. Roll Call: Ayes – Rettman, Carter, McDonough, Ortega, Parker, Reinhardt, Bennett – 7. Nays – 0.

MINUTES

Commissioner Reinhardt moved approval of the Minutes of the January 23, 2007 Board Meeting, seconded by Commissioner Parker. Roll Call: Ayes – Rettman, Carter, McDonough, Ortega, Parker, Reinhardt, Bennett – 7. Nays – 0.

COMMUNITY HUMAN SERVICES CITIZENS ADVISORY COUNCIL – Appointments to the Community Human Services Citizens Advisory Council

Commissioner Rettman introduced the following resolution and moved its adoption, seconded by Commissioner Reinhardt. Roll Call: Ayes – Rettman, Carter, McDonough, Ortega, Parker, Reinhardt, Bennett – 7. Nays – 0. (2007-049)

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 applicants listed in the attached Membership Appointment Recommendations 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 beginning with the date of appointment and ending as specified below:

Chemical Health Committee

Mary (Tia) Hernandez through 6/30/08

Children’s Mental Health Advisory Council

John Moore (incumbent) through 6/30/08

Marcel Bilder through 6/30/08

Heather Schilling through 6/30/08

(Continued)

Developmental Disabilities Committee

Chris Steiner through 6/30/08

Low Income Committee

Mary Gallagher through 6/30/08

Rebecca Neamy through 6/30/08

Sina Black through 6/30/08

Mental Health Advisory Council

Carol Rynders (incumbent) through 6/30/08

COMMUNITY HUMAN SERVICES CITIZENS ADVISORY COUNCIL – Waive term limit for the CAC Chair

Commissioner Rettman introduced the following resolution and moved its adoption, seconded by Commissioner Reinhardt. Roll Call: Ayes – Rettman, Carter, McDonough, Ortega, Parker, Reinhardt, Bennett – 7. Nays – 0. (2007-050)

WHEREAS, Article IV Section 2 of the Community Human Services Citizens Advisory Council Bylaws states that officers of the CAC will be appointed by the Board of Commissioners for one-year terms and no member may serve for more than six consecutive years as an officer; and

WHEREAS, Lynne Megan has been an outstanding resource and an excellent leader for the Citizens Advisory Council and will reach the officer term limit at the end of her current term on February 28, 2007; and

WHEREAS, The Citizens Advisory Council feels it is advantageous to have CAC officers who are experienced in the CAC structure and familiar with the CAC's role and responsibilities, but there are no candidates with the necessary skills and abilities who are interested in filling the Chair position at this time; and

WHEREAS, Losing Lynne Megan's leadership at this time would cause a hardship for the Citizens Advisory Council which is prepared to be involved in the 2007 legislative session and other important activities, and Lynne is willing to continue her service for another one-year term; and

WHEREAS, The Citizens Advisory Council is in the process of creating leadership development training to offer to members of advisory committees who are capable but lacking specific experience, and anticipates that with focused training and mentoring there will be qualified candidates available next year; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners waives the officer term limitation set forth in Article IV Section 2 of the Community Human Services Citizens Advisory Council Bylaws and allows Lynne Megan to continue to serve as Chair of the Citizens Advisory Council for an additional one-year term ending February 28, 2008.

PUBLIC WORKS – Construction of Margaret Street overpass, McKnight Road interchange, Pedestrian bridge over T.H. 36 at 1st Street and Gateway Bike/Tunnel at Margaret Street and on T.H. 36 from Margaret Street and on T.H. 36 from White Bear Avenue to T.H. 120

(Continued)

Commissioner Rettman introduced the following resolution and moved its adoption, seconded by Commissioner Reinhardt. Roll Call: Ayes – Rettman, Carter, McDonough, Ortega, Parker, Reinhardt, Bennett – 7. Nays – 0. (2007-051)

WHEREAS, Ramsey County, in cooperation with the Minnesota Department of Transportation (Mn/DOT) and the Cities of North St. Paul and Maplewood, has developed plans and specifications for construction of Margaret Street overpass, McKnight Road (C.S.A.H 68) interchange, pedestrian bridge over T.H.36 at 1st Street and Gateway bike/tunnel at Margaret Street and on T.H.36 from White Bear Avenue (C.S.A.H. 65) to T.H. 120; and

WHEREAS, Ramsey County is acting as the lead agency in construction contract administration; and

WHEREAS, Mn/DOT Agreement No. 90190 between the State of Minnesota, Ramsey County, and the City of North St. Paul has been prepared to identify respective roles and financial responsibilities during project construction and also defines operations and maintenance responsibilities for the State, County, and City after project completion; and

WHEREAS, Minnesota Transportation Department Traffic Control Signal Agreement No. 90086 between the State of Minnesota, Ramsey County, and the City of North St. Paul has been prepared to identify the construction responsibilities, maintenance responsibilities and cost participation for several intersections on T.H. 36 from C.S.A.H. 65 (White Bear Avenue) to T.H. 120; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners approves Mn/DOT Agreement No. 90190; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners approves Minnesota Transportation Department Traffic Control Signal Agreement No. 90086; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners authorizes the Chair and Chief Clerk to execute Mn/DOT Agreement No. 90190 and Minnesota Transportation Department Traffic Control Signal Agreement No. 90086 on behalf of Ramsey County.

PARKS AND RECREATION – Tax Forfeited Property – Battle Creek Regional Park

Commissioner Rettman introduced the following resolution and moved its adoption, seconded by Commissioner Reinhardt. Roll Call: Ayes – Rettman, Carter, McDonough, Ortega, Parker, Reinhardt, Bennett – 7. Nays – 0. (2007-052)

WHEREAS, A tax forfeit parcel of land exists adjacent to Battle Creek Regional Park; and

WHEREAS, Due to its narrow width and small size it has received no interest from prospective buyers; and

WHEREAS, The parcel is beneficial to the park; and

WHEREAS, Ramsey County Home Rule Charter, Section 2.02L, authorizes the County Board to acquire property; and

(Continued)

WHEREAS, Ramsey County Parks and Recreation Department cost and fees for obtaining a deed for this tax forfeit property (PIN #11-28-22-21-0007) is \$180.70; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners hereby authorizes the Ramsey County Parks and Recreation Department to acquire tax forfeit parcel #11-28-22-21-0007 in fee title from the State of Minnesota, for park and open space use, for the amount of \$180.70 inclusive of purchase price and fees.

PUBLIC HEALTH – Adjustment of Public Health budget complement by an additional 2.0 FTE Nutrition Assistant, starred positions, for the WIC program

Commissioner Rettman introduced the following resolution and moved its adoption, seconded by Commissioner Reinhardt. Roll Call: Ayes – Rettman, Carter, McDonough, Ortega, Parker, Reinhardt, Bennett – 7. Nays – 0. (2007-053)

WHEREAS, Ramsey County supports efforts to improve the health of Ramsey County residents; and

WHEREAS, Public Health provides WIC services to eligible women, infants and children in Ramsey County to improve their nutritional and overall health status; and

WHEREAS, The Ramsey County WIC client caseload has significantly increased over the past year and funding for WIC services has also increased; and

WHEREAS, In order to provide the required services to the increasing number of clients, additional staff is needed; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners authorizes an increase of 2.0 FTE Nutrition Assistant, starred positions, in the Public Health complement; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners authorizes the County Manager to make the necessary adjustments to the 2007 Public Health Budget to fund these positions and related operating costs.

PUBLIC HEALTH – Renewal of contract with Advanced Practice Solutions, Inc. for nurse practitioner services

Commissioner Rettman introduced the following resolution and moved its adoption, seconded by Commissioner Reinhardt. Roll Call: Ayes – Rettman, Carter, McDonough, Ortega, Parker, Reinhardt, Bennett – 7. Nays – 0. (2007-054)

WHEREAS, Improving the health of children and citizens of Ramsey County is a high priority; and

WHEREAS, The Refugee and Immigrant Health Program and the Women's Health Program (Family Planning, Breast and Cervical Cancer Control Program, Colposcopy Program) are core Public Health functions; and

WHEREAS, Advanced Practice Solutions has the expertise for medical services for The Refugee and Immigrant Health Program and the Women's Health Programs; Now, Therefore, Be It

(Continued)

RESOLVED, The Ramsey County Board of Commissioners hereby approves a rate-setting agreement with Advanced Practice Solutions, Inc., 14790 119th Street, Stillwater, MN 55082, in an amount not to exceed \$82,000, for the period January 1, 2007 through December 31, 2008, for nurse practitioner services for Public Health clinic programs; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners authorizes the County Manager to execute the agreement in a form to be approved by the County Attorney; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners authorizes the County Manager to amend the agreement, in the event of decreased or increased funding availability, and make necessary budget adjustments.

PUBLIC WORKS – Addendum #1 to Design Agreement PW 2004-05 for County Road E at TH 61

Commissioner Rettman introduced the following resolution and moved its adoption, seconded by Commissioner Reinhardt. Roll Call: Ayes – Rettman, Carter, McDonough, Ortega, Parker, Reinhardt, Bennett – 7. Nays – 0. (2007-055)

WHEREAS, The Ramsey County Board approved Agreement PW 2004-05, by Resolution 2004-396, between Ramsey County and the Cities of Vadnais Heights and Gem Lake, for the design of intersection improvements and geometric revisions on County Road E at TH 61, S.A.P. 62-615-26; and

WHEREAS, The City of Gem Lake retained the services of a professional engineering consultant, Short Elliot Hendrickson (SEH), to develop plans and specifications for the design of County Road E at T.H. 61; and

WHEREAS, As the work of the project progressed, items not anticipated in the initial scope and fee of services were needed in order to provide plans and specifications for bidding. The consultant agreed to incorporate these additions into the plans and specifications; and

WHEREAS, Addendum #1 to PW 2004-05 summarizes the additional work and compensation required of the consultant; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners approves Addendum #1 to PW 2004-05 with the Cities of Vadnais Heights and Gem Lake; and Be It Further

RESOLVED, This seven (7) page Addendum #1 is made part of this resolution by reference and is kept on file with the Chief Clerk; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners authorizes the Chair and Chief Clerk to execute Addendum #1 on behalf of the County; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners approves the following budget adjustment:

INCREASE ESTIMATED REVENUE

2004 17304 550880 00000 314617 CSAH Engineering Fee Reim.P033205 \$23,026

(Continued)

INCREASE APPROPRIATION

2004 17304 550880 00000 442109 County Rd E @ HWY 61 P033205 \$23,026

and Be It Further

RESOLVED, The Ramsey County Board of Commissioners approves a temporary cash loan, not to exceed \$23,026, from the County General Fund to the Road and Bridge CIP fund until participating funds are received.

COMMUNITY HUMAN SERVICES – Detoxification Services – Information and Referral

Commissioner Rettman introduced the following resolution and moved its adoption, seconded by Commissioner Reinhardt. Roll Call: Ayes – Rettman, Carter, McDonough, Ortega, Parker, Reinhardt, Bennett – 7. Nays – 0. (2007-056)

WHEREAS, The Ramsey County Community Human Services Department issued a Request for Proposals to re-bid contracts with providers of intervention and referral with detoxification client services; and

WHEREAS, Five agencies submitted proposals; and

WHEREAS, Three vendors are being recommended; and

WHEREAS, Of the vendors not being recommended – one did not have Licensed Alcohol and Drug Counselors on staff and the other did not have experience or demonstrated ability to work with various cultural communities; and

WHEREAS, The new agreements will have expanded hours and weekend coverage; and

WHEREAS, The new agreements are structured as “fee-for-service reimbursement” to be paid for the actual hours of service provided; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners authorizes the County Manager to approve rate-setting agreements with:

- African American Family Services, 2614 Nicollet Avenue South, Minneapolis, MN 55408,
- Juels Fairbanks Chemical Dependency Services, 806 North Albert, St. Paul, MN 55104, and
- Leslie A. Sparks, LADC, 1117 Goodrich Avenue, St. Paul, MN 55105,

at a rate of \$40 per hour during the week and \$60 per hour for the weekends, for the period January 1, 2007 to December 31, 2011;

and Be It Further

RESOLVED, The Board authorizes the County Manager to sign the agreements, following approval by the County Attorney and Budgeting and Accounting.

BOARD OF RAMSEY COUNTY COMMISSIONERS – Cancellation of Board Meeting

(Continued)

Commissioner Reinhardt introduced the following resolution and moved its adoption, seconded by Commissioner McDonough. Roll Call: Ayes – Carter, McDonough, Ortega, Parker, Reinhardt, Bennett – 6. Nays – Rettman – 1. (2007-057)

WHEREAS, On Tuesday, March 6, 2007, a majority of Ramsey County Board members will be in Washington, D.C. for the annual National Association of Counties (NACo) Legislative Conference; and

WHEREAS, The Ramsey County Home Rule Charter states that the Ramsey County Board must meet at least two times per month; and

WHEREAS, Ramsey County Board meetings are scheduled for March 13, March 20 and March 27, 2007; and

WHEREAS, It is therefore requested that the Ramsey County Board of Commissioners cancel the Board Meeting of March 5, 2007; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners hereby cancels the March 6, 2007, Ramsey County Board Meeting so that Commissioners are able to attend the annual National Association of Counties (NACo) Legislative Conference in Washington, D.C.

PUBLIC HEALTH – Ramsey County support for Protect Minnesota Campaign

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

Commissioner Rettman said the proposed legislation was not included in the Board documentation.

Commissioner Reinhardt explained that the Board is requested to support the PROTECT Minnesota Campaign in efforts to educate Minnesotans on ways to prevent gun injuries and deaths, especially among children and teenagers.

Sue Fust, Executive Director, Citizens for a Safer Minnesota Education Fund, said the legislation is still being worked on. Two pieces of legislation are being proposed; one for a requirement to report stolen guns; and the second to conduct background checks on all private sales of handguns and assault weapons. A resolution is being proposed to support PROTECT Minnesota – a campaign developed to bring a stop to the illegal gun market and to educate Minnesotans on how to prevent gun injuries and deaths and to keep them safe in the home.

Commissioner Parker said the County Board is being requested to support this campaign, not their legislative initiative.

Ms. Fust responded affirmatively.

Commissioner Reinhardt said the resolution before the County Board includes one piece – background checks for gun sales and transfers; the other is not before the County Board. The primary purpose is to support the campaign. Resolutions of support will be taken to the legislature.

Commissioner Rettman asked about the legislation because she doesn't want to come into the "back door" of a legislative proposal by support of something, and she tries to be diligent in her votes in making sure this is not a gratuitous vote. If this is just on what Commissioner Reinhardt cited, she could support the continuation of education, which she believed the County Board supported several years ago. She asked if this is redoing that?

Ms. Fust believed that the County Board had copies of the PROTECT Minnesota resolution, which talks about education.

(Continued)

Commissioner Reinhardt said the Board is being asked to approve the resolution in the Board documentation that supports the PROTECT Minnesota Campaign in their efforts to educate Minnesotans on ways to prevent gun injuries and deaths, especially among children and teenagers, “RESOLVED, The Ramsey County Board of Commissioners supports the PROTECT Minnesota Campaign in their efforts to prevent illegal access to guns, do background checks for gun sales and transfers, to identify the source of crime guns, and to stop the illegal trafficking of guns in our community”.

Chair Bennett requested clarification that this support does not include the legislation.

Commissioner Reinhardt responded affirmatively.

Commissioner Rettman asked if the word “education” could be added so that it reads “PROTECT Minnesota education Campaign”.

The amendment was accepted as friendly.

Commissioner Reinhardt said she did not want to mislead anyone either, but the fact is, this resolution would be taken to the Capitol.

Roll Call on the resolution as amended: Ayes – Rettman, Carter, McDonough, Ortega, Parker, Reinhardt, Bennett – 7. Nays – 0. (2007-058)

WHEREAS, All Minnesotans – adults, children and teenagers -- have the right to be safe at home, at school, and in their communities; and

WHEREAS, Those who own or sell guns have a responsibility to make them inaccessible to those who would not or cannot use them responsibly; and

WHEREAS, It is too easy for prohibited persons, including teens, to illegally obtain handguns on the street, through ads in the newspaper, internet, and at gun shows from unlicensed dealers; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners supports the PROTECT Minnesota education Campaign in their efforts to educate Minnesotans on ways to prevent gun injuries and deaths, especially among children and teenagers; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners supports the PROTECT Minnesota education Campaign in their efforts to prevent illegal access to guns through background checks for gun sales and transfers, to identify the source of crime guns, and to stop the illegal trafficking of guns in our communities.

PUBLIC HEALTH – Authorization to enter into Contractual Agreement with Hennepin County for computerized population-based immunization registry services

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

Commissioner Rettman said she would continue to vote against this immunization registry service until there is an automatic opt-in rather than opt-out process.

Roll Call: Ayes – Carter, McDonough, Ortega, Parker, Reinhardt, Bennett – 6. Nays – Rettman - 1. (2007-059)

WHEREAS, Participating in the metro immunization registry provides a tool to increase immunization rates, decrease over-immunization, and decrease vaccine preventable diseases; and

(Continued)

WHEREAS, Hennepin County serves as the metro liaison for MIIC (Minnesota Immunization Information Connection), the statewide immunization registry; and

WHEREAS, Funding to support Ramsey County's participation in the metro immunization registry is available from the Minnesota Department of Health and Minnesota Department of Human Services, Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners approves the agreement for \$49,614 with Hennepin County for participation in the metro immunization registry for the period of January 1, 2007 through December 31, 2007; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners authorizes the County Manager to execute the Agreement, in a form to be approved by the County Attorney; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners authorizes the County Manager to approve addendums should additional funds become available.

PARKS AND RECREATION – Renewal of Agreement for Golf Professional Services at the Ponds at Battle Creek Golf Course

Commissioner Reinhardt introduced the following resolution and moved its adoption, seconded by Commissioner Parker. Roll Call: Ayes – Carter, McDonough, Ortega, Parker, Reinhardt, Bennett – 6. Nays – Rettman - 1. (2007-060)

WHEREAS, On February 25, 2003, the County Board approved an Agreement between Ramsey County and Bradley R. Behnke, d/b/a BRB Golf Management, for Professional Golf Services at The Ponds at Battle Creek Golf Course for the five-year period from March 3, 2003 through December 31, 2007; and

WHEREAS, The Agreement includes a five-year renewal option by mutual consent; and

WHEREAS, Bradley R. Behnke has demonstrated his ability to provide quality services to The Ponds at Battle Creek Golf Course patrons; and

WHEREAS, Bradley R. Behnke has an interest in renewing the Agreement; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners approves an amendment to the Agreement with Bradley R. Behnke, d/b/a BRB Golf Management, 19918 Birchwood Lane, Elk River, MN 55330, for golf professional services at The Ponds at Battle Creek Golf Course, for the period from January 1, 2008 through December 31, 2012; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners authorizes the Chair and Chief Clerk to execute the amendment to the Agreement with Bradley R. Behnke.

COUNTY MANAGER – Second Amendment to Consultant Agreement for the Property Tax Study Project

Commissioner Parker introduced the following resolution and moved its adoption, seconded by Commissioner Carter. Roll Call: Ayes – Carter, McDonough, Ortega, Parker, Reinhardt, Bennett – 6. Nays – Rettman – 1. (2007-061)

WHEREAS, Since 1998, Ramsey County has entered into agreements with Jeffrey Van Wychen (“Contractor”) to provide consulting services to the Property Tax Study Project (“Project”); and

WHEREAS, On December 13, 2005, the County Board approved an Agreement with the Contractor for consulting services for the Project for 2006; and

WHEREAS, On June 28, 2006, the County and the Contractor executed a First Amendment to the Agreement to modify the cost and payment provisions due to expanded membership of the Project; and

WHEREAS, The current member agencies of the Project, Hennepin County, Ramsey County, and St. Louis County; the Cities of Duluth, Minneapolis, and Saint Paul; and the Duluth, Minneapolis, and Saint Paul School Districts, have recommended an extension of the current contract with the Contractor for 2007; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners hereby authorizes Ramsey County’s participation in the Property Tax Study Project for the period from January 1, 2007, through December 31, 2007; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners approves the Second Amendment to the Agreement with Jeffrey Van Wychen, 140 Melbourne Avenue SE, Minneapolis, Minnesota 55414, for consulting services for the Property Tax Study Project for 2007, in the amount of \$96,000, of which Ramsey County’s portion is \$10,500; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners authorizes the County Manager to execute the Second Amendment with Jeffrey Van Wychen, on behalf of the Property Tax Study Project, subject to prior approval by the County Attorney’s Office and Budgeting and Accounting; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners authorizes Ramsey County to act as Project Manager/Fiscal Agent for the Project for 2007, and to bill the other eight Project members for their portions of the cost for the services of Mr. Van Wychen in 2007 under the terms of the Second Amendment to the Agreement.

COMMUNITY CORRECTIONS – Juvenile Detention Alternative Initiative/Disproportionate Minority Contact Legislative Proposal in Ramsey County’s 2007 State legislative package

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

Commissioner Rettman appreciated the work done on this by Commissioner Carter and Commissioner McDonough. She said the documentation does not explain if, based upon compiled data, systemic changes would be made without asking for continuing dollars from the legislature. It just states that the County wants to do this with this money, we want the legislation, but it doesn’t

(Continued)

say what we are going to do with it – it is a systems change without asking for additional long-term dollars. That continues to be her concern on this. She feels the County cannot continue to ask for more and more pilots with those becoming an on-going financial request instead of changing what we are doing internally.

Commissioner Carter said she understands that concern. A proposal was crafted that limited itself to both time period and dollars, but that it was not a pilot requesting additional dollars in the future; it is a focus on data collection and data knowledge. They have been working with partners to come up with a proposal for a future implementation; this is not that future implementation. This would come before the County Board in the future with a more specific idea. Citing the last page of the proposal, there is a paragraph that states the expectation for systemic change in the future based on what can be identified as needed alternatives to allow youth/juveniles who can remain in the community, and focus the detention resources on those who may be at risk of re-offending, and/or those who are at-risk of not appearing in court.

Carol Roberts, Director, Community Corrections, assured Commissioner Rettman that this proposal is about systems change. It is the swing money needed to experiment and to help us decide exactly what we need to do. We can't revamp part of the system while we are doing that, but the intention is, once we know which direction we are going in, once we have a solid understanding of what we need to put in place, that we will be neutral in refiguring what we are doing in Corrections. The idea is not to continue to ask for more money, it is to do exactly what she believes Commissioner Rettman's intention is – to do systems change.

Commissioner Rettman said several priorities in Community Corrections needed additional dollars and sometimes something else has to fall off the table – it is not getting a high return on the dollar. She is trying not to give mixed messages. She believes there are times when we keep adding to a system rather than changing the system and making the hard decisions needed. When the hard decisions come, we can't just say there might be other funding we need to secure.

Roll Call: Ayes – Carter, McDonough, Ortega, Parker, Reinhardt, Bennett – 6. Nays – Rettman – 1. (2007-062)

WHEREAS, Ramsey County Community Corrections is currently collaborating with city, county, and state partners in an effort to reduce reliance on secure detention for juveniles and reduce disproportionate minority contact within the juvenile justice system; and

WHEREAS, The effort has received partial support from the Minnesota Department of Public Safety and technical assistance through the Annie E. Casey Foundation; and

WHEREAS, Future funding is needed to advance the project to its next stage; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners authorizes inclusion of the Juvenile Detention Alternative Initiative/Disproportionate Minority Contact Legislative proposal in Ramsey County's 2007 State legislative package; and Be It Further

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

(Continued)

COUNTY MANAGER/BUDGETING & ACCOUNTING – First Reading of the proposed 2007 Capital Improvement Program Bond Ordinance

Commissioner McDonough introduced the following resolution and moved its adoption, seconded by Commissioner Reinhardt. Roll Call: Ayes – Rettman, Carter, McDonough, Ortega, Parker, Reinhardt, Bennett – 7. Nays – 0. (2007-063)

WHEREAS, Ramsey County will be issuing bonds in accordance with provisions of Ordinance No. 93-292, adopted on July 29, 1993, which sets forth a procedure for issuing bonds in compliance with the Home Rule Charter of Ramsey County; and

WHEREAS, The Ramsey County Home Rule Charter states that every proposed Ordinance or Amendment to an Ordinance shall receive two readings: first, at the time it is presented; and second, at the time of the public hearing; and

WHEREAS, The full reading of the proposed Ordinance or Amendment may be waived if a copy of the proposed Ordinance or Amendment is supplied to each member of the County Board prior to its introduction; and

WHEREAS, The Ramsey County Board of Commissioners has received a copy of the proposed 2007 Capital Improvement Program Bond Ordinance; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners hereby waives the first reading of the proposed 2007 Capital Improvement Program Bond Ordinance.

COUNTY MANAGER/BUDGETING & ACCOUNTING – 2007 Capital Improvement Program Bond Ordinance

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

Commissioner Rettman thanked staff for the additional information on the Capital Improvement Program Bond, which was very clearly laid out.

Commissioner McDonough said the Nursing Home Transitional Care Project of \$2.5 million is being included, and his concern is that there has not yet been a policy discussion about how to move forward with that.

Commissioner Reinhardt believes this establishes the date for a Public Hearing on the Proposed 2007 Capital Improvement Program Bond Ordinance.

David Twa, County Manager, said the Board would also be setting the maximum amount of the 2007 Capital Improvement bonds. The amount can always be decreased, but not increased. Staff included those projects that are under discussion. The Nursing Home discussion would not be held until later today, but in order to make the time requirements, it was included. There would always be the opportunity to eliminate any of these projects.

Commissioner Reinhardt appreciated the clarification on the action.

Roll Call: Ayes – Rettman, Carter, McDonough, Ortega, Parker, Reinhardt, Bennett – 7. Nays – 0. (2007-064)

WHEREAS, Ramsey County will be issuing bonds in accordance with provisions of Ordinance No. 93-292, adopted on July 29, 1993, which sets forth a procedure for issuing bonds in compliance with the Home Rule Charter of Ramsey County; and

(Continued)

WHEREAS, The Ordinance process requires setting the date for the public hearing, publishing the notice of public hearing at least 10 days in advance, official publication of the Ordinance, and a 30 day waiting period after passage before the Ordinance becomes effective; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners hereby establishes a public hearing on February 27, 2007, to be held in the Council Chambers, 3rd floor of the Ramsey County Court House, 15 West Kellogg Boulevard, St. Paul, MN, at 9:00 a.m. or as soon thereafter as possible, to afford an opportunity for comment on the proposed 2007 Capital Improvement Program Bond Ordinance.

PARKS AND RECREATION – Review of Parks and Recreation encroachment policies and proposed Ordinance Amendment

Chair Bennett said no action would be taken on this item as it is a review of the Parks and Recreation encroachment policies and proposed Ordinance amendment.

Commissioner Rettman said the proposed Ordinance amendment doesn't change when enforcement happens; it doesn't identify what happens if there is encroachment. The matrix included in the documentation states that the Sheriff could issue the citation. She asked if that would be a misdemeanor?

Greg Mack, Director, Parks & Recreation, responded affirmatively.

Commissioner Rettman asked what the penalties would be.

Mr. Mack said it would be \$750, which is a part of the current Ordinance. The current Ordinance has penalties, but what is proposed is a clarification of specific language that pertains to encroachments. About six different clauses have been used at various times of encroachment.

Commissioner Rettman cited the proposed language, "may issue a citation for violations", but she did not see within the documentation what happens on the enforcement side. Normally, the way Ordinances work, a penalty matrix is established, or if the Parks & Recreation Department (Department) has to remove something that could be billed back, criteria are laid out. She asked if that is in the current Ordinance.

Mr. Mack said the Department investigated the issue of whether the property owner could be assessed for an encroachment, and found it cannot. The encroachment is on Parks property.

Commissioner Rettman said she is not talking about the enforcement of the encroachment, but rather the cleanup of the encroachment – those things that the County could charge to the person doing the encroaching.

Mr. Mack said that could be done through a restitution process but not as an assessment directly against the property because the infraction is actually on Parks property, not their property. The Ordinance, as proposed, could be used, and one of the provisions is that there could be an assessment, that they would have to pay for the cleanup, but it would be up to the Courts.

Commissioner Rettman asked if that is already in the current Ordinance.

Mr. Mack responded affirmatively; the problem is that it is not clear.

Commissioner Rettman said she would like to see that language. If we are only correcting one part of it without the enforcement, or enforcement with no teeth, are we accomplishing anything? One goal is to educate people, but for that finite number of people that this is going to apply to, what is going to happen? It is unclear to her in this documentation that that has been corrected to give the effective remuneration to the County for any cleanup, or to hold people accountable for any encroachments.

(Continued)

Mr. Mack said he did not believe the County could prescribe to the Courts what to do. The County would have a citation issued, but the fines levied would be at the Court's discretion.

Chair Bennett said the County couldn't just charge people for putting things on the Parks property without proving they were on Parks property.

Mr. Mack responded affirmatively. When dealing with these issues in the past, the Department sought restitution and corrective actions through the Courts, and that was honored in some cases. The Department may have incurred costs because of cleanup, but the Courts didn't necessarily recognize the Department's expenses.

Commissioner Parker said she had similar concerns when reading through the materials. She believes a statement such as "violations are subject to penalties" is missing in the letters and other communications that are sent out. The communications state "please comply" but don't say "or else". It should state "violations are subject to penalties" and state what it is.

Mr. Mack said that could be done up to whatever the penalty would be for a misdemeanor. It could be stated as whatever that threshold is, up to \$1,000 or \$750.

Commissioner Parker said all that needs to be stated is "violations will be subject to a misdemeanor".

Mr. Mack said that could be done, he thought the Commissioners were looking for something more specific in stating exactly what the amount would be.

Chair Bennett said he thought this would come under the littering clause, which may be a more severe penalty.

Mr. Mack said if that a citation is written under the County's Ordinance, then it is subject to penalties as prescribed, but they could also be billed for a municipal Ordinance or other Ordinances on County property. Specifically, the County's Ordinance says it is a misdemeanor.

Commissioner Rettman asked if a misdemeanor is a certain dollar amount, and/or 90 days in jail.

Darwin Lookingbill, Director, Civil Division, County Attorney's Office, thought a misdemeanor is less than \$1,000.

Commissioner Rettman said the Board is establishing a public hearing on the policies of this Ordinance. She asked for two things to be provided to Commissioners before the second reading: what is being proposed in front of the Board; and a copy of the current Ordinance for the opportunity for additional language. The City of St. Paul has a parks Ordinance, which charges people. She heard a reluctance on the part of Parks Department staff to get into the enforcement realm. The problem is, if that is still a problem, how do we solve and correct it. If the Ordinance doesn't have teeth, how do we do that.

Mr. Mack said the Ordinance has teeth; the Department wanted to clarify the language so that when asking the Deputies to enforce it, that this is the provision they are working with. It can be stated clearly within the letter that it is punishable up to whatever that amount is. Copies of the Ordinance would be provided to the Commissioners, specifically what the penalties are. There would be one consolidated Ordinance that is a Parks Ordinance that identifies all these items. This would be an addition to what is being proposed, it would not eliminate the current provision.

Chair Bennett asked about the following two items on the agenda.

Mr. Mack said both items refer to the same Ordinance – the first item waives the first reading and the second item establishes the date of the Public Hearing.

Commissioner Rettman asked if any amendments to the Ordinance would have to be made at the time of the second reading.

Mr. Lookingbill said minor changes could be made at that time, but if substantive changes were made the process would have to start over.

(Continued)

Commissioner Rettman said she would not lay this over and is comfortable if that information is made available for the next reading. She wanted to work on the language that the County is not just creating an illusion of enforcement rather than true enforcement.

Mr. Mack said he would distribute a copy of the current Ordinance.

PARKS AND RECREATION – Waive the First Reading of the Proposed Amendment to the Park Ordinance

Commissioner Parker introduced the following resolution and moved its adoption, seconded by Commissioner McDonough. Roll Call: Ayes – Rettman, Carter, McDonough, Ortega, Parker, Reinhardt, Bennett – 7. Nays – 0. (2007-065)

WHEREAS, The Ramsey County Home Rule Charter states that every proposed Ordinance or Amendment to an Ordinance shall receive two readings: first, at the time it is presented, and second, at the time of the public hearing; and

WHEREAS, The full reading of the proposed Ordinance or Amendment may be waived if a copy of the proposed Ordinance or Amendment is supplied to each member of the County Board prior to its introduction; and

WHEREAS, The Ramsey County Board of Commissioners has received a copy of the proposed Amendment to the Ordinance for the Control and Management of Park, Recreation and Open Space Areas and Facilities Under the Jurisdiction of Ramsey County; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners hereby waives the first reading of the proposed Amendment to the Ordinance for the Control and Management of Park, Recreation and Open Space Areas and Facilities Under the Jurisdiction of Ramsey County.

PARKS AND RECREATION – Amendment to the Ordinance for the Control and Management of Park, Recreation and Open Space Areas and Facilities under the jurisdiction of the Ramsey County Board of Commissioners

Commissioner Parker introduced the following resolution and moved its adoption, seconded by Commissioner Carter. Roll Call: Ayes – Rettman, Carter, McDonough, Ortega, Parker, Reinhardt, Bennett – 7. Nays – 0. (2007-066)

WHEREAS, The Ramsey County Home Rule Charter states that every proposed Ordinance or Amendment to an Ordinance shall include a public hearing; and

WHEREAS, The Ramsey County Board of Commissioners has received a copy of the proposed Amendment to the Ordinance for the Control and Management of Park, Recreation and Open Space Areas and Facilities Under the Jurisdiction of Ramsey County; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners hereby sets the date of February 27, 2007, to be held in the Council Chambers, 3rd floor of the Ramsey County Court House, 15 West Kellogg Boulevard, St. Paul, MN, at 9:00 a.m., or as soon thereafter as possible, to afford an opportunity for the public to comment on the proposed Amendment to the Ordinance for the Control and Management of Park, Recreation and Open Space Areas and Facilities Under the Jurisdiction of Ramsey County.

(Continued)

LEGISLATIVE UPDATE

Terry Speiker, Director, Intergovernmental Relations, said with the action taken today on the detention alternative piece, all the outstanding items proposed have now come through the County Board. Revised booklets will be reprinted. Zack Hansen, Environmental Health, has been working with the St. Paul Port Authority and Rock-Tenn to look at some possibilities of bringing something forward to the Board having to do with stranded costs.

All the bills for Ramsey County's specific items are in process. The legislature is still holding oversight hearings on the Governor's budget and is starting to hear bills. The tracking sheet for Ramsey County's bills should be available next week.

The Prevention and Early Intervention funding item listed in the booklet has had a lot of interest from Senators Moua and Higgens, and Representative Paymar, for a policy discussion. Staff have been asked to have people available for testimony. This will be a "state of the state of children". Another policy item discussed at the Delegation meeting last night is on transit and transportation.

Nick Riley, Intergovernmental Relations, said all the bills have been introduced except for the Metro Transit Development Board (MTDB) bill, which was discussed at the Delegation meeting. That has yet to be drafted through Senator Murphy's committee.

Ms. Speiker said last week when this was discussed by the Board, the bill was to be drafted just to encompass transit. The bill now includes the MTDB policy statement, which talks about transit and transportation.

Mr. Riley said staff have heard from the Senate this week that they have now set a date of April 2 when all finance and tax bills have to be through their committees in the Senate; the House has not yet agreed on that date. Information on deadlines should be set by the end of this week. That is a change from previous sessions where first they worked through policy bills followed by the finance bills.

Ms. Speiker said Senator Moua, as Senate Chair, has created a master list of all the bills she is shepherding, which includes Ramsey County's bills.

Commissioner Rettman asked if staff have a list on what the Governor proposes to use on the transportation dollars – the one-time money of \$100 million – in meeting the budget? On I35E, the Cayuga project has been languishing for years. There had been discussion at the Transportation Advisory Board that that might be a project that would rise to the top of the list.

Ms. Speiker said Public Works staff indicated a list might be available on Friday.

Mr. Riley said the Crosstown project will be "let" mid-March at about \$220 million. Any new money might be restored by the Governor taken from the "devil's triangle" in Hennepin County, leaving less money for other projects. It is proposed to backfill the Met Council transit operation dollars from the general fund starting fresh with the MVET.

Chair Bennett asked for the total dollar amount for the Crosstown project.

Ms. Speiker said Public Works staff indicated \$280 million.

Commissioner McDonough said he would appreciate a list of all Ramsey County's requests for a sense of where we are at with the dollars.

Ms. Speiker said staff has a rough list and are attempting to refine a larger list for the counties in general, which will be provided to the Commissioners.

Mr. Riley said when tallying bonding requests for this year, it comes to \$52 million. If adding the I94 to Hudson request, that would bring that up to \$53 million.

Ms. Speiker said that does not include the prevention funding. That also doesn't include the work that might be done with Association of Minnesota Counties around replacing some of the County programming aid and some other things.

(Continued)

Commissioner Ortega pointed out that he would be testifying next Tuesday at 11:00 a.m., which would conflict with the County Board meeting, asking that the Board be sensitive to that for any votes at the meeting.

OUTSIDE BOARD AND COMMITTEE REPORTS

Commissioner Parker reported:

- The Ramsey County Library participates in the MELSA Program, which has been successful with the Museum Pass Program. Any library cardholder can “check out” a pass for four free admissions to any of the participating museums. This program is sponsored and advertisement paid for by Macy’s.

Commissioner Reinhardt added that the museums donate the normal admission fees.

- On the retirement party for Peter Wyckoff, a Ramsey County resident, founder and past director of the Minnesota Senior Federation. He was instrumental in starting this in 1970, which has expanded to a huge organization throughout Minnesota.

Commissioner Reinhardt reported:

- On her re-election as Vice Chair of the AMC Extension Committee.
- On her election as Chair of the Legislative Committee of the Metropolitan Counties Energy Task Force. There is potential legislation coming out of the rural task force. There has been discussion on two definitions for renewable energy in state statute, one includes solid waste and biomass, and one does not. It has been made clear that any definition include biomass and waste to energy for solid waste.

ADJOURNMENT

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

Bonnie C. Jackelen, Chief Clerk – County Board