

The Ramsey County Board of Commissioners met with the following members present: Carter, McDonough, Ortega, Reinhardt, Rettman and Chair Parker – 6. Absent: - Bennett – 1. Also present were Julie Kleinschmidt, 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 April 21, 2009, Board Meeting, seconded by Commissioner Ortega. Roll Call: Ayes – Rettman, Carter, McDonough, Ortega, Reinhardt, Parker – 6. Nays – 0.

MINUTES

Commissioner Reinhardt moved approval of the Minutes of the April 14, 2009 Board Meeting, seconded by Commissioner McDonough. Roll Call: Ayes – Rettman, Carter, McDonough, Ortega, Reinhardt, Parker – 6. Nays – 0.

COMMUNITY HUMAN SERVICES – Medical Assistance Claims Processing

Commissioner Rettman introduced the following resolution and moved its adoption, seconded by Commissioner Reinhardt. Roll Call: Ayes – Rettman, Carter, McDonough, Ortega, Reinhardt, Parker – 6. Nays – 0. (2009-129)

WHEREAS, In September 2003, following a Request for Proposals process, the Department recommended and the Board approved a purchase of services agreement with United Wisconsin Proservices, Inc. (PROSERVICES), now known as Misys Healthcare Systems, LLC dba Allscripts, to provide HIPAA compliant Medical Assistance claims processing; and

WHEREAS, With the name change, we are technically entering into a new agreement, requiring a new approval by the Board; and

WHEREAS, The Department anticipates having the capability to perform its own HIPAA compliant billing in about two years; and

WHEREAS, In the meantime, the Community Human Services Department requires the continued purchase of these services to process approximately thirty (30) million in Medical Assistance (MA) claims annually; and

WHEREAS, For the past five plus years, the Community Human Services Department has been very satisfied with services provided by the current vendor; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners approves amending the purchase of service agreement for processing of Medical Assistance claims by Misys Healthcare Systems, LLC dba Allscripts, for the period beginning January 1, 2009 through December 31, 2010, at the flat rate of \$2,380 per month for up to 14,000 electronic claims monthly, 40 cents per electronic claim for each claim beyond 14,000 in any given month, 52 cents per paper claim and additional services at \$175.00 per hour, at an estimated annual cost of \$28,560; and Be It Further

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RESOLVED, The Board authorizes the County Manager to execute the amendment, any other related agreements or amendments and approve any necessary budget adjustments.

INFORMATION SERVICES/PROPERTY MANAGEMENT – Disaster Recovery Computer Center Project at the Sheriff Patrol Station

Commissioner Rettman introduced the following resolution and moved its adoption, seconded by Commissioner Reinhardt. Roll Call: Ayes – Rettman, Carter, McDonough, Ortega, Reinhardt, Parker – 6. Nays – 0. (2009-130)

WHEREAS, The Departments of Information Services and Property Management presented the needs analysis, site options considered, and cost estimates for a Disaster Recovery Computer Center project at a County Board Workshop on February 24, 2009; and

WHEREAS, Information Services, working with Property Management, submitted a 2010 Capital Improvement Program (CIP) Major Project Request for the construction of a new County Disaster Recovery Computer Center in Arden Hills at the Sheriff's Patrol Station; and

WHEREAS, By Resolution 2009-135, dated April 21, 2009, the County Board amended the 2008-2009 Capital Improvement Program Budget and approved the allocation of \$1,553,400 from Potential Projects to the Disaster Recovery Computer Center Project; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners accepts and approves the Disaster Recovery Computer Center Project Preliminary Schedule and Estimated Budget and Financing Plan dated April 7, 2009; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners authorizes the issuance of a Request for Proposals for a design/build team for the Disaster Recovery Computer Center Project, in a form to be approved by the County Attorney's Office, in accordance with the County Board policies and procedures on issuance of Requests for Proposals and evaluation of proposals, with direction to staff to return to the Board with a recommendation for selection of a design/build team.

PUBLIC HEALTH – Support for Continuation of Federal Funding for Public Health Advanced Practice Centers

Commissioner Rettman introduced the following resolution and moved its adoption, seconded by Commissioner Reinhardt. Roll Call: Ayes – Rettman, Carter, McDonough, Ortega, Reinhardt, Parker – 6. Nays – 0. (2009-131)

WHEREAS, The Saint Paul - Ramsey County Department of Public Health, Hennepin County Human Services and Public Health Department, and the City of Minneapolis Department of Environmental Health have collaborated since 2004 as partners in the Twin Cities Advanced Practice Center (APC) with funding from the National Association of County and City Health Officials (NACCHO); and

WHEREAS, NACCHO receives funds to administer the Advanced Practice Center grant program from the Centers for Disease Control and Prevention (CDC), which is appropriated funds by Congress for this program; and

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WHEREAS, The APC administered by NACCHO has provided for the development of a broad array of practical tools available to local public health agencies; and

WHEREAS, The Twin Cities Advanced Practice Center has provided a number of important tools, training and activities for environmental health preparedness, useful locally and nationally; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners hereby includes in the federal legislative package for 111th Congress, support for continuation of federal funding to the National Association of County and City Health Officials (NACCHO) for Public Health Advanced Practice Centers; and Be It Further

RESOLVED, The Board authorizes submittal of this item to members of Ramsey County's Federal Legislative Delegation with request for support and assistance in seeking enactment; and Be It Further

RESOLVED, The Board authorizes the Director of Public Health to send a letter to Congresswoman Betty McCollum, urging inclusion of level funding of \$5.3 million in the upcoming federal budget for Advanced Practice Center grants.

PUBLIC WORKS – Construction Status Report for the period January 1, 2009 through March 31, 2009

Commissioner Rettman introduced the following resolution and moved its adoption, seconded by Commissioner Reinhardt. Roll Call: Ayes – Rettman, Carter, McDonough, Ortega, Reinhardt, Parker – 6. Nays – 0. (2009-132)

WHEREAS, County Board Resolution 91-061 requires the Public Works Department to submit periodic reports on the financial status of each project and any modifications that have been authorized within the limits set by County Board Resolution 2001-93; and

WHEREAS, The contract modifications include items such as cost quantity changes, change orders, and supplemental agreements; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners accepts the Construction Status Report for the January 1, 2009 through March 31, 2009.

COUNTY MANAGER/BUDGETING & ACCOUNTING – Monthly Report of contracts and final payments and grant submissions that were approved during the month of February 2009

Commissioner Rettman introduced the following resolution and moved its adoption, seconded by Commissioner Reinhardt. Roll Call: Ayes – Rettman, Carter, McDonough, Ortega, Reinhardt, Parker – 6. Nays – 0. (2009-133)

WHEREAS, Administrative Code 3.40.37 authorizes the County Manager to approve contracts, within certain limits; and

WHEREAS, Administrative Code 4.30.50a requires a monthly report on all contracts and final payments approved by the County Manager; and

WHEREAS, Administrative Code 4.30.39d requires the County Manager to report grant submissions, amendments, renewals, and acceptances along with the monthly contract report; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners hereby accepts the Report of Contracts and Final Payments and Grants for the month of February 2009.

COUNTY MANAGER – City of Arden Hills (TCAAP) TIF Bill

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

Commissioner Rettman stated that this property is already off the tax rolls. She added that if this special law is enacted, the City and County would be required to approve the special legislation and would therefore return to the County Board.

Roll Call: Ayes – Rettman, Carter, McDonough, Ortega, Reinhardt, Parker – 6. Nays – 0. (2009-134)

WHEREAS, The Ramsey County Board of Commissioners has reviewed a number of proposals and initiatives for inclusion as support items in its 2009 State legislative package; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners hereby authorizes submission of the following support item for inclusion in the County's 2009 State legislative package:

- City of Arden Hills (TCAAP) TIF Bill;

and Be It Further

RESOLVED, The County Board authorizes its representatives to work with members of the Legislature and other interested parties to seek the necessary legislation for this proposal.

COUNTY MANAGER/BUDGETING & ACCOUNTING – Capital Improvement Program 2008-2009 Budget Amendment

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

Commissioner Ortega requested clarification that after this action, approximately \$1.1 million would remain as 'potential projects' in the CIP 2009 budget.

Julie Kleinschmidt, County Manager, responded affirmatively and said the funds would remain as 'potential projects' until a specific project is identified by the Board.

Commissioner Ortega said a Board Workshop was held regarding five potential County projects. Within the next few weeks he wants to bring forward a proposal for the mental health crisis center and flag the \$1.1 million for that project. He is not making any motions at this time, but wanted to remind the Board that the mental health crisis center fulfills a huge need by merging the commitment court and detox along with some of our mental health services from 1919 University Avenue. Ramsey County has good partners in Anoka, Chisago and Washington Counties who want to buy services from us, along with Regions Hospital, and at a time when we need to put people to work, it is a perfect project, which might be built with substantial savings -- flagging the \$1.1 million with \$800,000 for design and \$600,000 for parking related issues.

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Commissioner Rettman said there might be several other requests for that money. She asked if there had been an appropriations request for the mental health crisis center from the federal government.

Commissioner Ortega said there may be, but the issue is to go forward with the design, and the mechanics could be worked out if there are federal dollars. It is important to move ahead and hopefully get this project started as early as possible. He wanted to start it this year with the design and parking related issues.

Commissioner Reinhardt said even through the Recovery Act, because this would be a joint proposal, which is highly preferred, there would still be a requirement for some money coming from the partners. This would not cover the entire project, and there may be other proposals to come forward. As Ramsey County puts in requests, especially for the Recovery Act money, there is a commitment that we make on our part. She agreed with Commissioner Ortega that the crisis center project would save the County and the region a lot of money and improve the quality of services.

Chair Parker said that would come back to the County Board.

Roll Call: Ayes – Rettman, Carter, McDonough, Ortega, Reinhardt, Parker – 6. Nays – 0.
(2009-135)

WHEREAS, County Board Resolutions 2007-413 and 2008-394 both approved \$2,655,000 in the 2009 Capital Improvement Plan as Potential Projects; and

WHEREAS, The 2009 Capital Improvement Program Bond issue of \$6,100,000 includes \$2,655,000 for Potential Projects; and

WHEREAS, The Disaster Recovery Computer Center has been a potential project and has been discussed at County Board meetings and most recently at the Major Capital Projects Workshop; and

WHEREAS, The County Manager recommends amending the Capital Improvement Program 2008-2009 Budget by allocating \$1,553,400 of the \$2,655,000 Potential Projects dollars for the construction of the Disaster Recovery Computer Center; and

WHEREAS, The remaining \$1,101,600 will remain as Potential Projects until specific projects are identified, Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners hereby amends the 2008-2009 Capital Improvement Program Budget and approves the allocation of \$1,553,400 from Potential Projects to the Disaster Recovery Computer Center Project.

PARKS AND RECREATION – Regional Parks Foundation of the Twin Cities

Greg Mack, Director, Parks and Recreation, introduced Peter Bell, Chair of the Metropolitan Council, present today in his role as Chair of the Regional Parks Foundation of the Twin Cities, a project he has taken on to promote regional parks. Mr. Mack said as an implementing agency, we appreciate the effort Mr. Bell is taking to move this through the legislature, to get the stakeholders, and to work on this initiative.

Mr. Bell said it is a pleasure to come before the County Board to address something other than transit.

Mr. Bell provided an historic overview of the Regional Parks Foundation, the goals and aspirations, and said this is a very exciting initiative. The Regional Parks Foundation was established

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primarily to provide assistance to the ten implementing agencies in acquisition of land. We have 53,000 acres of parkland across the seven-county region in the ten implementing agencies, with 177 miles of trails. In the parks system plan, it is the intention to grow from 53,000 acres of parkland to 70,000 acres of parkland; to go from 177 miles of trails to over 880 miles of trails.

The existing tools to finance that are inadequate, primarily from bonding done by the State, bonding done by the Met Council using lottery and other dollars, and we will fall short of the goal. The goal to increase the acreage in the parkland and to add to the inventory of trails is just to keep up with population growth. The population in the seven-county region is now at 2.7 million, with estimates of 3.7 million by 2030, and the increase in acreage is about one-third, and we want to grow commensurate with that. It was advisable to bring private dollars into the mix and the Metropolitan Council came up with the idea of developing the Regional Parks Foundation.

Because the Metropolitan Council is categorized in law as a municipality, statutory authority was sought in 2007 to establish the Regional Parks Foundation. A feasibility study was done with the Trust for Public Lands, obtaining a substantial grant from the McKnight Foundation to get a sense of how the public viewed our park system, as well as to find out if the public would be receptive to supporting this. The report was mostly positive, but it was mixed – strongly on the plus side with how people loved our parks system. He said it is a bi-partisan issue – everyone uses and enjoys our parks system; the system is very well run. If there is any concern as a result of the study, it was that it didn't have a sense of urgency, because collectively, we may be doing our jobs too well – it wasn't compelling like K-12 inner-city education, or the foreclosure problem. It was felt we could capitalize on the visibility and the public support for the parks so they went forward in developing the foundation getting a resolution from the Metropolitan Council, filed articles of incorporation and by-laws on November 7, 2008, and currently have a web site under construction.

Why a Regional Park Foundation? First and foremost, it is to bring resources into the parks system, primarily for land acquisition. Some of the dollars are likely to be raised for operating costs, and perhaps some for building construction. A second major issue is to heighten the public's awareness of our regional system. Although awareness is fairly high, it could be built upon. A third reason is that within the ten implementing agencies, there are 49 separate entities that could raise money, and one of the compelling reasons to do this is for the philanthropic community largely, but to some extent for the general public, where they don't have to pick and choose where the needs are the greatest. The Metropolitan Parks and Open Space Commission does exactly the same thing. Representatives from the ten implementing agencies are there and make a determination of where to build a new building, where to do a land reclamation project, where to acquire land. This would operate on a similar model. And, of course, there are efficiencies.

The Parks Foundation is to be made up of a board of directors, with the chair of the Metropolitan Council serving as chair. Mr. Bell would be in that role for another 1.5 years. There would be three ex-officio members; two council members and the chair of the Parks and Open Space Commission; three conservation partners will serve as well --Trust for Public Lands, Parks and Trails Council, and a third as yet to be determined. The implementing agencies will all have representatives on the board. Greg Mack serves on the board, and they had their first meeting about one week ago. The implementing agencies are the key to this effort. They've got to feel ownership of this, and their participation is of paramount importance. There will also be nine community members.

The initial organizing structure of the Parks Foundation will have a board and a staff person. Jane Johnson, who was the head of the Minneapolis Library Board Foundation, and worked for the University of Minnesota Foundation, was hired to run the organization. One or two additional staff persons may be hired. The structure is also to include three standing committees: Audit & Finance, Stakeholders, and Executive. The Stakeholders Committee will be comprised of the ten implementing agencies. This may change depending upon the needs of the organization.

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Regarding the board of directors' member perspectives, it is hoped that the chair will be a liaison to the Metropolitan Council, offer a regional parks system perspective, and provide oversight -- and that the Parks and Open Space Commission Chair will hopefully coordinate with the Minnesota Parks and Open Space Commission and overall parks system needs. The reason for putting the chair of the MPOPC on the board is that quite likely some funding will come from the Parks and Open Space Commission to acquire a piece of land and some funding may come from the foundation as well. The three conservation members would be from Trust for Public Lands, one from the Parks and Trails Council and the third yet to be determined, where there might be some close working relationship on land acquisition.

Mr. Bell noted that the Met Council is underwriting this effort. \$1.5 million is being put into bootstrapping this, some of which has been expended setting it up. He hopes that we will have "about a three-year burn rate" where we can organize the effort, get the fundraising up and running so that the Foundation has a little breathing room. It is anticipated that the fundraising will be two types. One source of fundraising he calls "wholesale", going to the philanthropic community, both locally and nationally, to foundations and corporations, developing partnerships with the Park Nicollet, the Blue Cross Blue Shield type entities that have a strong interest in healthy living to partner with them. The second source of fundraising he terms "retail" would go to the general public and direct mail solicitations and different events we may have. It has yet to be determined which of those two will yield the largest amount of resources. Both will be sought initially to make a determination what will provide the biggest yield.

The park implementing agencies also will serve on the board. They have been told that this has to be an organization that is run for the benefit of the implementing agencies. They have to feel ownership of it. The term he has used is that "the Met Council gave birth to this entity, but the implementing agencies really need to adopt it", they have to feel ownership of this. If they don't feel ownership of it, it is not going to work. That is why it will not be housed at the Metropolitan Council, and it make be looked at as to whether the Council should chair this. This needs to be seen as something by and for the implementing agencies. The community representatives will be very important as well. Any suggestions are welcomed as to who those community representatives should be.

The board of directors' tasks are to develop a strategic plan, provide a link to the community, and assist with awareness-raising. It is also the task to provide oversight, develop policy and provide advice and counsel. Those are the three roles of most non-profit boards, and will principally be here in providing fiscal oversight of the dollars and how they are spent and supervising staff, providing advice and counsel, and strategic direction.

The executive director's tasks are initially to recruit members and donors, implement the strategic plan, plan fundraising events, coordinate grant requests, and develop foundation support. At the first meeting, the initial list of tasks was developed for the executive director.

There are some unresolved issues. The constitutional amendment just passed provided 3/8ths of a cent sales tax, with some of it coming to the implementing agencies in various forms. How that will be integrated with this has yet to be determined. There are some existing initiatives by the implementing agencies – how will we dovetail the existing philanthropic fundraising activities of the implementing agencies with this? Can we have clear lines of demarcation between the various fundraising activities that are going on? This is a difficult, important, and meddlesome question to be addressed. The scope of foundation-balancing acquisition and operating costs – when providing capital the operating costs have to be considered. There may be more controversial issues, for example, will naming rights be allowed. There are important questions that will be asked primarily of the Stakeholders group or the implementing agencies to answer because this will affect them directly.

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A report was provided to the Legislature in January 2009, Jane Johnson was hired as Executive Director, letters to potential supporters or corporate members will be sent soon, a case statement is being developed (a grant template that will go to the philanthropic community), and a fundraising event is hoped for some time this year.

Commissioner Reinhardt asked if the Foundation itself will become an owner of property.

Mr. Bell responded negatively. The Foundation will provide dollars for the implementing agencies to acquire property, though in some cases for conservation partners, money may be provided to hold property for a period of time as an intermediary before it goes to the implementing agencies.

Commissioner Reinhardt asked how this Foundation would interact with the Friends of the Ramsey County Parks and Open Space. Other counties or entities have to have the same type of structure that may be variable between the cities and counties.

Mr. Mack said that is an area to be worked through but in terms specifically with the Friends of the Parks, they are a membership advocacy group, typically not a fundraising group. That would be the Friends of St. Paul and Ramsey County Parks. The Como Park Conservancy would be more where the lines will have to be more clearly delineated. If this Foundation focuses on land acquisition, there is very little land acquisition that Como or the St. Paul conservancies are working on.

One of the issues to be sorted through is what the relationship is with this Foundation and the potential fundraising effort with Tamarack Nature Center. In a Board Workshop, it was discussed that one of the approaches is to form a Friends group that could have 501(c)(3) fundraising capability. The question to ask the Regional Park Foundation of the Twin Cities is whether they could fulfill a fiduciary role there and receive funds on behalf of that, and we could focus on membership and Friends that are specifically related to the Tamarack Nature Center Destination for Discovery Project. All that needs to be more clearly defined.

At the table with the other implementing agencies are the City of St. Paul with two foundations; the Minneapolis Park and Recreation Board has a foundation that does fundraising; the Three Rivers Park District has a foundation that does fundraising, so there are these lines that need to be sorted through. For the acquisition, none of those he mentioned have been engaged in major land acquisition efforts, although there was a predecessor to this foundation that was active throughout the metropolitan area – the Metropolitan Area Parks Foundation that raised money for several park areas, holding the money until an implementing agency could take them – Cleary Lake Regional Park in Scott County was one; outlying parks that passed through a foundation. This Foundation could pick up that role on the acquisition side, but is an item that needs to be sorted through, and it is very important to us as we embark on fundraising for Tamarack Nature Center, we want to understand the relationship between this Foundation and any fundraising efforts that we would have.

Commissioner Reinhardt said not having 49 different organizations doing fundraising is a good way to do this. She assumes that if somebody wants to provide funding for a specific park or project that there would be a mechanism built in to allow for that.

Mr. Bell responded affirmatively. It is his sense to allow that with one proviso. The dollars to be raised have to be used for the regional parks system plan. Someone might say, and he didn't think it was the intent of Commissioner Reinhardt's question, that they have a piece of land behind their house that they want to give for a park. If they have an affinity for a particular regional park and there are capital needs there and they want to focus that, it would be his intent to allow for that.

Mr. Bell said land acquisition is the Foundation's initial focus but we may have to recalibrate that slightly because there is much more land acquisition opportunity in the rural parts of the seven-county region than in Minneapolis or St. Paul proper or the first-ring suburbs, so they might allow for a bit of expansion of the initial mandate. Having said that, to acquire land within Minneapolis, St. Paul, or the first-ring suburbs, is much more expensive so there might be fewer acquisition opportunities, but those opportunities that exist across the land might be more so they are going to have to look at that.

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Chair Parker said it is important to find alternative sources of revenue because the tax support is limited and we can't do everything we'd like to do. We get involved in a lot of different services and hear these suggestions come up in order to support a variety of functions that government provides. When our libraries wanted to establish a foundation, there were very specific laws that walls had to be set up between the County operation, the County staff, and the foundation, to make sure it was totally separate. How is this blending working with this Foundation, with Mr. Bell serving as the chair, because it seems it would not be permissible under what she had understood effected all governments in the foundations they create. She asked if anyone had raised that issue, or if anyone had looked into it.

Mr. Bell said they have, though Chair Parker brings up a different level of urgency to that question. Pat Plunkett, hired as legal counsel to work on the structure of the Foundation, is considered as one of the best attorneys regarding non-profit law. It is clearly a separate entity from the Met Council; even though Mr. Bell serves as chair of the Regional Parks Foundation that has to be his focus. He would have a fiduciary responsibility as the ex-officio members. It is very clear that it is separate and distinct but for the firewalls referenced, while Mr. Plunkett was very clear about this needing to be separate and distinct, in Mr. Bell serving as chair, he did not raise a particular concern. Mr. Bell would address that question to Mr. Plunkett using the Ramsey County Library system as an example.

Chair Parker said it would be worth checking in with legal counsel. She would be interested in the answer because that would inform us on some of the efforts for Ramsey County and those we may need to get a different interpretation of the law as well.

Commissioner Rettman said even though this Foundation is a separate entity from the Met Council, there is a 2030 plan that has some missing links in the trail system, some in the North End of St. Paul. She asked how much Mr. Bell's chairmanship of the Met Council is helping to make some of the decisions on this Foundation for some of the gaps.

Mr. Bell said the dollars are intended to assist us in acquiring the land in the 2030 plan, and that is the exact focus. The core reason he started this Foundation is that it became clear that the current sources of revenue are not going to be adequate to acquire the land needed and that it is in our system. The more difficult part of the question is how to decide which dollars go where; when do we use the bonding dollars from the Parks and Open Space Commission; and when do we use dollars that might come in from this philanthropic effort. That hasn't been fully determined yet. The chair of the Parks and Open Space Commission is going to be serving on this Foundation and might be a part of the Stakeholders Committee, which is going to work through that. It could reflect itself in influencing the priority matrix used in the Parks and Open Space Commission. Some of this is going to be influenced with how successful this effort is. If large sums of money are raised, it would be approached differently for a whole host of reasons than if we are not able to raise large sources of dollars. Those questions are yet to be determined, and will largely be influenced by the dollar amounts raised. The first part of the answer is that it is to implement our parks system plan, and it is to help fill in the gaps.

Commissioner Rettman said that makes sense because the Stakeholders or implementing agencies are already on-board on that.

Mr. Bell said that is right, and they also have representation on the Parks and Open Space Commission and on this Foundation so it is integrated in that sense.

Commissioner Rettman said she serves on one of the foundations and asked if contact has been made with those currently doing fundraising?

Mr. Bell responded affirmatively. He has talked to the representatives of the Three Rivers Park District, St. Paul, and Minneapolis in their philanthropic efforts. Their discussions are around where the line of demarcation should be. Some of the individuals he has spoken with have indicated that their

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fundraising efforts are more focused toward programming rather than land acquisition. He would prefer if everyone would rally around this philanthropic effort in part because of the confusion in the marketplace. His sense from foundations and corporations is that they want to go to one place and not have to pick where to fund; they want entities something like the Parks and Open Space Commission that will go through a regional process of prioritization for the use of dollars. We have to prove ourselves. If he were the head of an implementing agency, he would want to know what would bring the most resources to his area, and where he would put his time, attention and energy. He has been candid with the implementing agencies and said that is where he anticipates their position would be, accepts that as a challenge, and move forward with that understanding.

Commissioner Rettman asked Mr. Bell to comment on the constitutional amendment.

Mr. Bell said about 20% of the constitutional amendment is going to come from the 3/8ths sales tax. It cannot be used to supplant existing funds. He predicted that there would be litigation on that question. It has not been clearly determined. They plan to use the Parks and Open Space Commission to allocate those dollars that come to the metropolitan area. His position is that we have a vehicle for making those decisions; we have all the stakeholders at the table; and by and large, set up a system that changes from time to time, but something that everyone can live with. The implementing agencies always view the criteria by virtue of what it yields for them as he would if he were the head of an implementing agency.

Commissioner Carter asked Mr. Bell if he has a sense of what the beliefs from the philanthropic community might be for the total funding that goes into our regional parks at this time.

Mr. Bell said if the question is -- what is the existing dollar amount that currently foundations are giving -- he did not have an answer.

Commissioner Carter asked the question wondering if Mr. Bell's sense is that funding that comes from the philanthropic community because of the focus such as this might be increasable and if that would be the goal.

Mr. Bell said it is his hope that it would increased, and to tap national foundations as well, which has not happened at all.

Commissioner Carter said she appreciates Mr. Bell's vision, and understands that coordination of this effort can elevate this for all of us.

Chair Parker thanked Mr. Bell for his presentation and said it is refreshing to hear him talk about something other than transit.

Commissioner Reinhardt pointed out that when talking about multi modal transit and transportation systems that bicycling and pedestrians are part of that.

COUNTY MANAGER – Tax Information, State Legislative Concepts and Bill Proposals

Nick Riley, Intergovernmental Relations, provided an update on the Local Option Sales Tax. The House bill came out, and will go to the floor in the next day or two. The Senate tax bill will come out this morning but does not have this tax provision included. Jeff Van Wychen has put together attachments. An updated version of the "County Revenue Reform Initiative" was cited, which is Representative Marquardt's provision of the ½-cent county option.

Mr. Riley explained what happened with the Local Option Trust Fund, enacted in 1991, how it fell to the wayside in three years, and why there is apprehension around this Local Option Sales Tax provision. The County will be asked to implement this ½-cent sale tax countywide with a "stick and a carrot"; the stick being the State will take away the County Program Aid (CPA) and the carrot is the County would get some of it back, plus it would get the ½-cent excess revenues back. It is supposed to go directly to the County, not to a local government trust fund like it did last time. Referencing handwritten page 14 of the documentation, it shows that Ramsey County would "net" about \$15 million – "net" meaning from what the County was previously getting with the CPA.

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Commissioner Carter asked Mr. Riley to explain the differences; there is a 2010 Governor's reduction assuming no earn-back and then a CPA cut if sales tax is enacted there. Does this say that the Governor's reduction would be \$10,797,628? Mr. Riley responded affirmatively.

Commissioner Carter asked for clarification about the CPA cut, if the sales tax is enacted, is \$18,284,006 so that all the sales tax would be cut. Mr. Riley said the County would lose all of its CPA.

Commissioner Carter asked if it would be defeased. Mr. Riley responded affirmatively.

Mr. Riley said Hennepin County is in a similar situation. They would lose theirs, but would gain with the ½-cent sales tax. Everything is fluid at the Legislature; it is hard to tell what is real and what would be in the final bills. Staff wanted the Board to be aware of this provision because these things tend to get legs when everything else fails. Like all the big omnibus bills coming up, if the Governor follows through on his no new tax pledge, the Legislators will have to go back to find deeper cuts in all the omnibus bills and the tax committees would be in a bind for all the new taxes they have implemented in their tax bills. The Governor might say it is a local option and approve it.

Representative Marquardt made a presentation at the Association of Minnesota Counties (AMC) meeting on Friday. AMC took no position because they did not want to put themselves in a box by opposing it. Representative Marquardt is trying to give counties another option in case this falls apart and there is no new revenue coming in.

Commissioner Reinhardt said Representative Marquardt was straight-forward about recognizing that in a better world, one where the Governor would sign a positive revenue impact, they would try to get this done on a statewide level. One thing Representative Marquardt stressed over and over was that the cuts to CPA are going to happen, regardless. If this passes, we are going to zero. It was clear at AMC's Legislative Committee meeting that when it comes to the metro area counties that we were all of the same opinion, and that was not to do this. We are trying to deal with the transit and transportation issue that the State palmed off on us, and are now being critical of, but they didn't have the political will to do what they should have, and finding that they are doing the same thing here, is very difficult, especially in the metro area. The AMC chose not to take a position, primarily because the counties still want to be part of the conversations. If taking a negative position, then we would not be part of the discussion. To the general public, it sounds like this is a carrot with additional revenue, but that is not what this is. This is a stick because it negatively impacts CPA for the counties, and for Ramsey County it is zero, no matter how you look at it. It also has an impact on the school districts, the cities, all the other entities within the County, but the vote on this is here, even though our vote to not go forward with it has a negative impact on all our partners. We need to look at this for what it is. This is not a boon for us; it is more of a stick. Especially for the metro counties, the issue of this being property tax relief was something that was very important. If it is just additional income that is very different in the message that is given than is trying to reduce property taxes because we need a more diversified revenue source coming for the counties. In this particular case, when looking at the net revenue gain relative to current law making up for CPA, we would potentially be looking at reducing property taxes by \$15 million. This is very complicated. The discussion at AMC was a good in-depth discussion looking at all aspects. She wanted the Board to know how the discussion moved forward and why the position was taken by AMC.

Commissioner Rettman said in terms of the Trust Fund and of discussions at the Joint Property Tax Advisory Committee, in some ways this \$15 million is a great ado about nothing; it makes a good sound-bite. There is the appearance that there is a diamond in this when it is doing just the opposite. The Trust Fund failed because it had no staying power, and the disparity it created was enormous; it was basically a "bait and switch". We became the purveyors of doing the Legislative duty rather than those elected to do that. The Commissioners are more than willing to do the work they were elected to do but we were hired to do other types of legislation than this.

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Mr. Riley said those comments reminded him that the last three times the sales tax had been raised, it wasn't done by the Legislature. In 1991, a half-cent tax was raised by counties; then it was raised for transportation by counties; then it was raised for the 3/8ths-cent for the environment and arts by the general public; but the Governor has not had the fortitude to do that, but rather lets everybody else do it for them, and now asked us to do it again.

The reason the Trust Fund failed was that they put everything in a big fund. Counties at that time had Local Government Aid (LGA). There was no CPA at that time; it was called HACA (Homestead and Agricultural Credit Aid) – all put into this big formula. As soon as they saw that this sales tax was growing by so much, they took the growth out of it, capped the fund, and then allocated out each year a smaller amount of growth in each of the aids. The formulas and fighting went on and on, and after two years of this, the counties decided to get out of it. They felt the State was being disingenuous by asking the counties to increase it with the carrot that we would get the growth, decided to get out and the Legislature took it over putting it into the general fund, allocating out aid basically on the same formula. Commissioner Reinhardt had mentioned that CPA was put in place for specific reasons, for social service programs, and they are now making it sound like it is just general purpose aid, which we could cut here and there. There are a lot of reasons not to like this proposal. The Trust Fund, when first put in place, had some nice things about it. It created a council of State and local officials to talk about these issues, but that disappeared right away. This fund might sound good, that we would get the money directly, but this would be statutory, and could be changed.

When the update is provided on the House tax bill, a provision will be related that the State is looking to get into the County's property tax levy for another program, the Maintenance of Effort (MOE) that counties would be required to do. The State would take it over but take property taxes to do it.

Commissioner Ortega agreed with Commissioners Rettman and Reinhardt and Mr. Riley on these issues. Language is so important, and there is no property tax relief in this. Even if we did a sales tax and got \$15 million of "net revenue gain", that just offsets the \$15 million we would have to raise in the budget. It is not transparent, and if anything, we are in a better position than any local government to be as honest and transparent with our constituents than to buy into the State government not doing their job. He didn't even want to talk in those terms. He would rather they do their job and see what the impact is on Ramsey County, deal with it, and be honest with the constituents about what is going on. Other than that, the County will be just like everybody else.

Commissioner Reinhardt said this was brought back separately because this has legs, there is so much information, and there has been a picture painted about what a wonderful diversifying revenue stream idea this is. The intent was for the County Board to have as much information as possible because if this moves, it will move quickly and everyone needs to be up to speed, especially about the negative impacts. On the surface, Legislators originally thought counties would think this is a great idea, and are now shocked when we asked if they know what this means. It was important that Representative Marquardt came to AMC to walk through this and tried to highlight the same issues we are talking about. The message was clear at AMC that this is not the way to do it. We have to view this as a stick; it is not a carrot.

Commissioner Carter said this is an interesting way to go about creating this option for counties. Her question is about the cities' sales tax obligations because this takes over all cities' sales tax obligations and eliminates the cities' sales tax. Does that assume that cities can no longer levy sales tax and would be dependent upon the same level of that obligation funding years out?

Mr. Riley said that excludes those cities of the first-class – St. Paul, Minneapolis, and Duluth. They would keep their sales taxes and we would not take over their obligations. For any other cities, including Roseville and some others, the obligations would be taken over by Ramsey County, but they could no longer do their own optional sales tax.

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Commissioner Reinhardt said she thought they would keep them until that particular bond requirement was paid off; that it would not go on forever.

Mr. Riley said it is not now on forever, but they keep coming back like TIF districts for extensions. It is hard to take that away from a city.

Commissioner Reinhardt said as far as the proposed Legislation, the way she understood from Representative Marquardt, and this is important for Minneapolis and St. Paul, that for example, the stadium issue, once that bond was paid for that the option would go away. St. Paul is a little different because it is not just one project – the STARR project is ongoing, if it was even allowed that to continue without some special Legislation that it move forward. Representative Marquardt was saying that ultimately, it will be consistent across the State of Minnesota, which is contrary to having it in a local option for the County.

Commissioner Ortega referenced the chart on page 14 prepared by Jeff Van Wychen, and said when it comes to Ramsey County, we should be looking at the obligations of Roseville, and other big cities in the County, and subtract those amounts. The \$15 million in net revenue might be \$2 million, and at that stage, we could open a foundation just like the Met Council and make that much money.

Commissioner Ortega said that several years ago there was a survey and county commissioners were the local officials that people felt were most honest about providing information. People see us as providing honest evaluations and assessments.

Mr. Riley said that those obligations are figured; our net would still be \$15 million, but that is only if there is an optional sales tax in place. That doesn't mean that they won't come back in a future legislative session and make a change.

Commissioner Ortega asked staff to make certain that all the obligations for all Ramsey County municipalities have been netted out.

Mr. Riley said it is his understanding that this number is what Ramsey County would net after everything else is out of it. He will check on it, however.

Commissioner Reinhardt said that question was also asked at AMC and the response was that it is a net figure.

Chair Parker said on the surface it sounds quite simple and is property tax relief. It is important that all information be known.

Mr. Riley said this will be discussed at next week's Joint Property Tax Advisory Committee (JPTAC) meeting. They will also look at impacts the schools and cities feel they have coming from the tax bills. The two big tax bills will be going through this week; staff will then have a better handle on where things stand.

LEGISLATIVE UPDATE

Nick Riley, Intergovernmental Relations, said the summary of the House Tax Bill is 56 pages. Staff from AMC, MICA, and the County have all been analyzing the summary. The bill includes a provision put in by Representative Loeffler that would have the state get into the counties' property taxes at 3.45% of the levy, which would go to the state. However, they would take over the Maintenance of Effort (MOE) in several areas, but mainly in health and human services. For Ramsey and Hennepin it is a positive; for most of the other counties it is a negative. This is only on the House bill.

Commissioner Rettman asked if it would be MOE only in health and human services area.

Mr. Riley said those are the main areas but it would be broader than that.

Commissioner Rettman asked if the analysis done is inclusive of everything.

Mr. Riley said he is not sure how big the net is on this.

Commissioner Ortega asked about corrections as well.

Commissioner Rettman said all that information is needed.

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Mr. Riley said the summary was just provided last night and will take some time to analyze.

Commissioner Reinhardt said Representative Loeffler was at the AMC meeting and gave a presentation; she did not get the impression that it is going to be all-inclusive. It was difficult to get specific answers because it was not yet known what would be included or not included.

Mr. Riley said that Representative Loeffler's area of expertise is in the area of human services. He assumes most of her aim is in that area, and may not even include corrections. Staff have found that every time a bill comes up that includes MOE all the advocates testify about how badly they will be hurt by it; so that piece is then excluded.

Claudia Brewington, Intergovernmental Relations, said there is only one bill that has a significant possibility of lowering Ramsey County's costs, which is in the mental health MOE. The mental health MOE, if you add up all the other large MOEs, don't equal what the mental health MOE is.

Commissioner McDonough said he sees two flaws in this approach; the take back of property taxes is consistent throughout the state but the affect on MOEs is very different in each county. Some take backs will be more than is paid and others will be dramatically less. The other flaw is that it doesn't deal with the policy issue of MOEs. Whether we pay them or the state pays them they are avoiding the entire conversation. It is structured to be just like the court takeover; where they take it and just keep shifting it back, and the money doesn't come back.

Commissioner Reinhardt said that Representative Loeffler expressed some of that frustration and how to make it more of a level playing field. The basic premise of the bill is that someone else pays for it rather than fixing it. She said there are legislators who are trying to elevate the issues that AMC and counties have brought forward.

Chair Parker asked if Ramsey County staff have done a fiscal impact of our own.

Ms. Brewington said they are aware of what some of the human services MOEs individually are, and she will send it to the Commissioners. She knows that the mental health MOE is between \$10-12 million. According to one measure that is moving along in the House, we would be able to decrease that figure if there is a significant decrease in the federal and state funding that is available. It sunsets after a couple of years but would give some relief in this economic downturn if it became law.

Mr. Riley said the other onerous thing about this is that they are putting it on the property taxes; the County gets blamed for raising property taxes. They already have their foot in our property taxes with the tax on businesses and seasonal recreation property and no one knows that the state gets part of the property tax.

Commissioner Rettman said it starts at 3.45% but there is no provision that it couldn't go higher in future years.

Mr. Riley said it is statutory; anything can happen. He said they raise about \$1.5 billion in new revenue through new taxes; they have a new 9% rate on income taxes that starts at an income of \$300,000. They make a major change by disallowing the mortgage interest deduction; however it is offset by giving an automatic deduction in that category so that people who do not itemize deductions would get that benefit as well. They also make other changes that close loopholes that affect higher income earners more than the general public, including estate and gift taxes. The alcohol tax is increased, along with taxes on cigarettes. He believes they need to raise about \$2 billion so they will probably increase sales taxes statewide.

Ms. Brewington said the fourth committee deadline is tomorrow; all the omnibus bills are supposed to be on the floor. However, the Senate bill for health and human services is not out yet. There are many rumors but no indication of the direction has yet been seen. The targets are double what they have in the House. The health and human services bill is 305 pages. Counties come out decently as far as direct cuts, but the clients served through our human services programs are the ones that will feel the pinch, as are the providers that deliver the services. In some instances the provider

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rates are frozen; in others they are decreased. There are caps on some waived programs; the state will take over negotiating the rates for chemical dependency. Left intact are health care eligibility guidelines, with the exception of single childless adults. There are no rate reductions for nursing homes but they do delay the rebasing. The hospitals would see a 50% ratable reduction but no rebasing changes. They supplant with TANF funds where they can and there are some specifications that draw down for the federal stimulus funds. They are trying to use those in ways where we are not going to hit the cliff in two years. Once people get on that program they are eligible until their income goes up to a certain level. Where we have people on that program and there aren't state funds, the counties would end up picking that up. There is \$6 million additional money put into basic sliding fee which is significant and will help families on the waiting list. Last week there was a workshop on homelessness and there was a request to find out the status of some of the bills on homeless funding. In the House bill there is \$1 million provided for runaway and homeless youth. There is \$2 million included for long term homeless services. It has just been one biennium but there is some funding there. There was also the possibility of some alcohol taxes going into chemical dependency and homeless services, but that is not going to happen. The alcohol tax will go into the general fund.

There is no split up of the CCSA which is the large block grant for human services. There had been an initiative to split up those funds. They did include the re-design. The Governor started out with 15 districts where counties would have to combine. That would not affect the larger counties including Ramsey. Included was the AMC/MACSSA (Minnesota Association of County Social Service Administrators) compromise which phases things in and creates a council and starts to encourage more carrots and sticks and encouraging counties to combine services. Staff have been educating legislators about how much work is already done with other governmental entities in combined efforts. This bill still has a long way to go; there is nothing scheduled this week on the Senate side. There are problems getting fiscal notes from the Department of Human Services. They are also trying to get local fiscal notes and the sense of impact.

The other committees are meeting their deadlines. In the area of public safety, there is a proposed takeover by the state for the short term offenders; this is in the House bill and the Governor's proposal, but not in the Senate bill. The Senate actually takes it a step in a different direction – they give a lot more judicial discretion with minimum sentencing guidelines, which has the potential effect of creating a lot more short term offenders, for which the County would be responsible.

In parks and trails, we are on a good course – the House is more specific in the ways they spend money – they would take care of operations and maintenance, along with the constitutional funding and determining how that money would go out through Met Council. AMC has been working diligently on that.

OUTSIDE BOARD AND COMMITTEE REPORTS

Commissioner Reinhardt reported:

- On a forum sponsored in part by Active Living Ramsey County and Blue Cross/Blue Shield. A person from the national bicycling center that helps make communities more pedestrian and bicycle friendly was present. There were discussions about some basic things that are not costly. Connie Bernardy spoke of the activities within Active Living Ramsey County, which, among other things promotes use of the trails, signage, and some parking related items, such as reverse angle parking. This is where you have to back into a parking spot, which has to do with public safety. There was new terminology, including the word chicane, which is taking a straight road and adding just a few slight curves which would slow traffic. Some of the things for pedestrians include an extension of

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the walkway, which alerts a driver that someone is coming into the crosswalk. The biggest thing about it was the impact on the local economy. When communities are made a destination rather than trying to get people through the community, it has a huge positive impact on the economy. There are some positive impacts coming out of Active Living Ramsey County.

- Attended the Clean Water Council meeting
- Attended the CAPRW meeting
- JDAI had it quarterly meeting and talked about proposed alternatives
- She and Commissioner Carter attended an event for “Rebuild, Resources” which has provided job training for over 1000 individuals who are recovering from drug or alcohol addiction and trying to get them skills to become sustainable members of the community.

Chair Parker reported:

- A public hearing held by Congresswoman Betty McCollum on her high priority appropriations. Chair Parker and Ken Haider, Director, Public Works, testified about four specific intersections that are being proposed for that specific pot of money: Highway 36/Rice Street; Rice Street/I-694; White Bear Avenue/I-694; and I35-E/Highway 96.
- The Friends of the Library had a very successful book sale this past weekend. The new transition library in Roseville is in the process of being opened. It is located just west of the intersection of County Road C and Fairview Avenue.

Commissioner Reinhardt said that the groundbreaking for the new library and the Grand Opening for the temporary library are scheduled for Saturday, May 2.

- Met with the Board Chairs from Washington and Dakota Counties and talked about joint efforts with the federal recovery bill. Ramsey County staff has worked hard getting a web site up and running.

Commissioner Carter:

- Said she was at the old library just before it closed, and asked staff to make certain that an address and map to the temporary location are available to the public.
- Michelle Walker, from St. Paul Public Schools, was the guest presenter at last week’s JDAI stakeholder’s meeting.

ADJOURNMENT

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

EXECUTIVE SESSION

An Executive Session was called to order at 11:49 a.m. with the following members present: Carter, McDonough, Ortega, Reinhardt, Rettman and Chair Parker – 6. Also present were Julie Kleinschmidt, County Manager; Susan Gaertner, Ramsey County Attorney; Darwin Lookingbill, Director, Civil Division, County Attorney’s Office; Tom Ring; Assistant County Attorney; and John St. Germain, Deputy Ramsey County Sheriff.

Re: Owens v. Ramsey County and Moder v. Ramsey County

Commissioner Reinhardt introduced the following resolution and moved its adoption, seconded by Commissioner Carter. Roll Call: Ayes – Carter, Ortega, Reinhardt, Rettman, Parker – 5. Nays – McDonough – 1. (2009-136)

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NOW, THEREFORE, BE IT RESOLVED, that the Board of Ramsey County Commissioners authorizes the Ramsey County Attorney to proceed with the settlements discussed in this Executive Session

The Executive Session was adjourned at 12:10 p.m.

Bonnie C. Jackelen, Chief Clerk – County Board