

The Ramsey County Board of Commissioners met with the following members present: Bennett, Carter, McDonough, Ortega, Reinhardt, Rettman, and Chair Parker – 7. Absent: None. 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 November 24, 2009 Board Meeting, seconded by Commissioner Reinhardt. Roll Call: Ayes – Bennett, Carter, McDonough, Ortega, Reinhardt, Rettman, Parker – 7. Nays – 0.

#### MINUTES

Commissioner Reinhardt moved approval of the Minutes of the November 17, 2009 Board Meeting, seconded by Commissioner Carter. Roll Call: Ayes – Bennett, Carter, McDonough, Ortega, Reinhardt, Rettman, Parker – 7. Nays – 0.

#### MOMENT OF SILENCE

Commissioner Ortega said his former assistant, Fran Sontag, passed away. Chair Parker requested a moment of silence in memory of Ms. Sontag.

#### HUMAN RESOURCES – Amendments to Agreement with HealthPartners, Inc. for Workers' Compensation Managed Care and Bill Review Services

Commissioner Bennett introduced the following resolution and moved its adoption, seconded by Commissioner McDonough. Roll Call: Ayes – Bennett, Carter, McDonough, Ortega, Reinhardt, Rettman, Parker – 7. Nays – 0. (2009-395)

WHEREAS, By Resolution 2004-018, the County Board authorized the Chair and Chief Clerk to execute agreements with HealthPartners, Inc. for Workers' Compensation Managed Care and Bill Review services for a period of one year and authorized the County Manager to execute contract renewals for four additional years; and

WHEREAS, By Resolution 2008-363, the County Board approved amendments to the Agreements with HealthPartners to extend the terms for an additional 12-month period through December 31, 2009, during which time Human Resources intended to reassess the cost/benefit for outsourcing the services provided by HealthPartners after completion of a new workers' compensation computer software installation; and

WHEREAS, Due to a change in the implementation date of the new workers' compensation computer software installation, the assessment of the need for these services cannot be completed before the end of this current contract period; and

WHEREAS, Human Resources is requesting authorization to extend the term of the agreements with HealthPartners, Inc. through June 30, 2010; and

*(Continued)*

WHEREAS, HealthPartners, Inc. has agreed to a six-month extension of the current agreements with no increase in its fee structures, resulting in a cost not to exceed \$46,674 for Workers' Compensation Managed Care Services and a rate of \$1.94 per line for outpatient Bill Review Services for the period January 1, 2010 through June 30, 2010; and

WHEREAS, There are sufficient funds in the County's 2010 proposed budget to cover the cost for these services; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners approves amendments to the agreements with HealthPartners, Inc., 8170 33<sup>rd</sup> Avenue South, Bloomington, MN 55425 for Workers' Compensation Managed Care and Bill Review Services extending the term of each Agreement for an additional six-month period, January 1, 2010, through June 30, 2010, at a cost not to exceed \$46,674, with all other terms and conditions remaining unchanged.; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners authorizes the County Manager to execute the amendments to the agreements with HealthPartners, Inc. for Workers' Compensation Managed Care and Bill Review Services, subject to prior approval by the County Attorney's Office.

**BOARD OF RAMSEY COUNTY COMMISSIONERS – Appointments to Minnesota Landmarks Board of Directors**

Commissioner Bennett introduced the following resolution and moved its adoption, seconded by Commissioner McDonough. Roll Call: Ayes – Bennett, Carter, McDonough, Ortega, Reinhardt, Rettman, Parker – 7. Nays – 0. (2009-396)

WHEREAS, According to a provision in the Minnesota Landmarks By-laws, appointments to the Board of Directors of Minnesota Landmarks need to be approved by the Ramsey County Board of Commissioners; and

WHEREAS, At a meeting of the Minnesota Landmarks Board of Directors held September 10, 2009, appointments recommended by the Nominating Committee were made; and

WHEREAS, A letter dated October 30, 2009, was sent to Chair Parker requesting the Ramsey County Board of Commissioners approve the appointments; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners hereby ratifies the appointment of individuals to the Minnesota Landmarks Board of Directors, for terms as indicated:

**Appointments - Three-year terms to expire in 2012:**

Richard Nicholson  
Lana Hire

**PUBLIC HEALTH – Recovery Act: Go and Grow Ramsey County – HHS: “Communities Putting Prevention to Work”**

Commissioner Bennett introduced the following resolution and moved its adoption, seconded by Commissioner McDonough. Roll Call: Ayes – Bennett, Carter, McDonough, Ortega, Reinhardt, Rettman, Parker – 7. Nays – 0. (2009-397)

**(Continued)**

WHEREAS, The National Center for Chronic Disease Prevention and Health Promotion (NCCDPHP) has adopted an awareness of the need to reduce risk factors, prevent and or delay chronic disease, and promote wellness, through creating healthier communities and environmental changes in communities and schools; and

WHEREAS, Congress has appropriated funding specific to state and local public health departments to meet this need; and

WHEREAS, The Center for Disease Control (CDC) has funding available through the American Recovery and Reinvestment Act available to support and enhance intense community approaches to reduce risk factors, prevent and/or delay chronic disease prevention, and promote wellness in selected communities (urban and rural) to achieve preventive outcomes to increase physical activity, improve poor nutrition by increasing fruit/vegetable consumption, and to decrease overweight/obesity prevalence; and

WHEREAS, The Ramsey County Board of Commissioners has affirmed the goals of local government through the Active Living Ramsey County (ALRC) initiative; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners authorizes the County Manager to execute and submit the “Communities Putting Prevention to Work” application for Nutrition to the Centers for Disease Control through the Healthy Community Section of the Saint Paul Ramsey County Department of Public Health.

PROPERTY RECORDS AND REVENUE – Repurchase of single-family dwelling located at 688 Sherburne Avenue in the City of St. Paul by the prior owner, Stewardship Fund LP

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

Commissioner Carter said her question applies to all the repurchase items today, about information on the law and requirement to either approve or deny repurchase. She had spoken with the County Manager about these items to gain an understanding. She asked for a statement from staff about the action the County Board would take, the background for the actions, as well as what the County is required by law to do. We work collaboratively with the City of St. Paul. There is a recommendation from the City and a recommendation from the Property Records and Revenue Department in contrast with that recommendation. She asked how the County is guided by principle and by law in these cases.

Mark Oswald, Director, Property Records and Revenue Department (Department), said the recommendation from the City cited violations by each of the properties. In review of those actions, the violations were done by former owners of the property. The current owners are the banks and there have been no issues since the banks have taken over. The properties are not problem properties for the City at this point, which is the reason for the Department’s recommendation to approve the repurchase.

Commissioner Rettman said the role of the Department is to return the properties to the tax rolls, and that is the law. She asked staff to explain that.

Mr. Oswald said the Department makes every effort to make sure the residents, the properties, and the County are taken care of. They make sure the tax money is collected, that the residents have every opportunity to keep their property, and will go to great lengths to do that.

*(Continued)*

Commissioner Rettman said for the four properties in District 3, that the current owners are banks that bought these properties in bulk and now prepared to pay all the existing assessments and/or taxes, and put them back on the tax rolls immediately.

Mr. Oswald said the Department's goal is to make sure they get back with owners and that they are on the tax rolls.

Commissioner Rettman asked if it is correct that the same bank does not own all these properties.

Mr. Oswald responded affirmatively. The Department did a lot of work investigating each property to make sure there is no connection between these properties.

Commissioner Rettman said, in looking at the background of each of the properties and the violations cited by City Departments, the violations did not occur while in ownership of the banks.

Mr. Oswald responded affirmatively.

Commissioner Reinhardt said the properties went back to the banks; they did not seek to buy properties that had taxes owed. That is why they are the most recent prior owner. The County Board stated they wanted City staff to look at these properties and make recommendations, and they did that. But, the difference between this and some we've had in the past is the repurchase by the bank that held the mortgage have not had the problems since that time. That is a critical point. The other part of state statute is that the County is not allowed to deny it unless there is a legitimate reason in statute for us to deny it. We have looked at troubled properties being repurchased by those that had problems with the property when they had it, and have denied because of bigger issues; there had been a basis on which to deny. In these particular cases coming to us at one time, the most recent previous owners have not had those problems. She appreciates what the City had done, which is an important part of the process. The most recent previous owner is not responsible for those violations or problems; therefore, there is no legal basis upon which to deny these. These banks intend to turn these properties around, and have already taken positive action because there been no problems with them, and they intend to get the properties back on the tax rolls as quickly as possible.

Julie Kleinschmidt, County Manager, said in these instances, Ramsey County is acting as an agent of the state. When these properties went tax forfeit, the state technically owns them now. The County is administering the laws of the state. The County Board is required to make a determination of whether or not an undue hardship or injustice from the forfeiture could be corrected. Staff's recommendation at this point is that allowing the repurchase by these mortgage companies would correct the injustice that occurred when the property went forfeit.

Mr. Oswald agreed. These properties were not sought out by the lending institutions. The real estate market has been in a horrid situation for years now. Many lending institutions have gone out of business so some of the mortgages have been picked up by other companies. There are a variety of things happening. This is not an investment corporation trying to grab these low-ball properties.

Commissioner Carter asked if these are properties where the most recent owner is the bank who had the properties prior to the individual who owned it going into forfeiture.

Kris Kujala, Property Records and Revenue, said she would explain the ownership of each property. For 688 Sherburne Avenue, the original owner was Pang Kou Yang who purchased the property in 2006. The original mortgage company was Paragon Home Lending. It was serviced by Homecomings Financial. They assigned the mortgage to Stewardship Fund in April 2008. This is the mortgage company where the officer's office was so full of paperwork that it took almost eight months to find the paperwork for this particular property. Once it forfeited and it was determined that they did own it, they were a totally different mortgage company that originally held the mortgage during the time that Pang Yang owned it. They are the applicant for this repurchase.

*(Continued)*

Commissioner Rettman asked if on 688 Sherburne that the moment they found it was transferred they contacted the Department immediately and that there were no violations since.

Ms. Kujala said she does not have information on the exact time that contact came in. They did make contact with the Department, mainly because of the fall-out of all the mortgage companies going belly-up and selling off packages of bad debt. All the files were in a terrible mess. By the time they found the information on what they owned and who to contact, it could have been months down the road.

Chair Parker requested clarification that the Department's recommendation on 10.3 is to approve the repurchase. Ms. Kujala responded affirmatively.

Commissioner Carter asked if anyone was present from the City to speak on their recommendation that the item be denied. Is there consideration in the undue hardship of public purpose?

Ms. Kujala said she spoke with an individual from the City yesterday. The City was aware that these properties were coming to the County Board, and that the Department was recommending their approval.

Roll Call on approval of the repurchase of 688 Sherburne Avenue: Ayes – Bennett, Carter, McDonough, Ortega, Reinhardt, Rettman, Parker – 7. Nays – 0. (2009-398)

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

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

Lot 3, Block 2, of Syndicate No. 1 Addition  
Commissioner District 3  
PIN: 35-29-23-14-0184; and

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

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

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

WHEREAS, The City of St. Paul considers the property to be a municipal problem and recommends the County Board deny the application; and

WHEREAS, The Ramsey County Board of Commissioners has determined that by allowing the repurchase, any injustice or undue hardship caused by the forfeiture will be corrected or the repurchase will promote the use of the lands that will best serve the public interest; Now, Therefore, Be It

**(Continued)**

RESOLVED, The Ramsey County Board of Commissioners hereby approves the repurchase of the following tax-forfeited property in the name of the prior owner, Stewardship Fund, LP:

Commissioner District 3  
PIN: 35-29-23-14-0184  
Address: 688 Sherburne Avenue, St. Paul, MN 55104  
PRICE: \$6,673.49, plus applicable fees and costs.

PROPERTY RECORDS AND REVENUE – Repurchase of a vacant lot located east of 1384 Westminster Street in the City of St. Paul by the prior owner, Bank of New York

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

Commissioner Rettman said this property is a vacant lot adjacent to a property with a house. This will take care of an existing problem property and combine the two properties. The purchaser is the Bank of New York that had written a request to the Department to combine the two lots. This was a non-buildable lot that had languished for lack of care, costing the County money to maintain it.

Roll Call on approval of the repurchase of the vacant lot east of 1384 Westminister Street: Ayes – Bennett, Carter, McDonough, Ortega, Reinhardt, Rettman, Parker – 7. Nays – 0. (2009-399)

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

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

Lot 16, Block 2, Morton's Subdivision of Lots 4, 5, 6 and 7 of J. M. Warner's Acre Lots, except the North 57 feet

Commissioner District 3,  
PIN: 20-29-22-32-0014; and

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

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

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

WHEREAS, The City of St. Paul considers the adjoining property to be a municipal problem and recommends the County Board deny the application; and

(Continued)

WHEREAS, The Ramsey County Board of Commissioners has determined that by allowing the repurchase, any injustice or undue hardship caused by the forfeiture will be corrected or the repurchase will promote the use of the lands that will best serve the public interest; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners hereby approves the repurchase of the following tax-forfeited property in the name of the prior owner, Bank of New York as Trustee, c/o Bank of America:

Commissioner District 3

PIN: 20-29-22-32-0014

PA: Vacant lot east of 1384 Westminster Street, St. Paul, MN 55130

PRICE: \$239.35, plus applicable fees and costs

PROPERTY RECORDS AND REVENUE – Repurchase of a vacant lot located at 539 Charles Avenue in the City of St. Paul by the prior owner, Wells Fargo Bank NA

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

Roll Call on approval of the repurchase of 539 Charles Avenue: Ayes – Bennett, Carter, McDonough, Ortega, Reinhardt, Rettman, Parker – 7. Nays – 0. (2009-400)

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

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

Lot 21, Block 2, H. M. Ranney's Subdivision Block 11, Stinson's Division to St. Paul, Minn.

Commissioner District 3,

PIN: 36-29-23-23-0055; and

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

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

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

WHEREAS, The City of St. Paul considers the adjacent property to be a municipal problem and recommends the County Board deny the application based on the history of that property; and

*(Continued)*

WHEREAS, The Ramsey County Board of Commissioners has determined that by allowing the repurchase, any injustice or undue hardship caused by the forfeiture will be corrected or the repurchase will promote the use of the lands that will best serve the public interest; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners hereby approves the repurchase of the following tax-forfeited property in the name of the prior owner, Wells Fargo Bank NA:

Commissioner District 3

PIN: 36-29-23-23-0055

PA: 539 Charles Avenue, St. Paul, MN 55103

PRICE: \$3,868.45, plus applicable fees and costs

PROPERTY RECORDS AND REVENUE – Repurchase of single-family dwelling located at 530 Charles Avenue in the City of St. Paul by the prior owner, Carrington Mortgage Services, LLC

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

Roll Call on approval of the repurchase of 530 Charles Avenue: Ayes – Bennett, Carter, McDonough, Ortega, Reinhardt, Rettman, Parker – 7. Nays – 0. (2009-401)

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

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

Lot 8, Block 2, Michel's Subdivision of Block 14 of Stinson's Division of Section 36, Town 29, Range 23.

Commissioner District 3

PIN: 36-29-23-23-0067; and

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

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

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

WHEREAS, The City of St. Paul considers the property to be a municipal problem and recommends the County Board deny the application; and

*(Continued)*

WHEREAS, The Ramsey County Board of Commissioners has determined that by allowing the repurchase, any injustice or undue hardship caused by the forfeiture will be corrected or the repurchase will promote the use of the land that will best serve the public interest; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners hereby approves the repurchase of the following tax-forfeited property in the name of the prior owner, Carrington Mortgage Services, LLC:

Commissioner District 3  
PIN: 36-29-23-23-0067  
PA: 530 Charles Avenue, St. Paul, MN 55130  
PRICE: \$6,887.57, plus applicable fees and costs

Commissioner Rettman said she appreciates the questions raised by Commissioner Carter and the discussion. She had spent time with Department staff because the properties in Frogtown and the East Side are part of the beginning of trying to replenish the housing stock to fruitful ownership. Staff took copious amounts of time to assure what is best for Frogtown, the East Side and St. Paul, is best for Ramsey County in terms of their fiduciary and legal responsibility as agents of the state, and she appreciates that.

PROPERTY RECORDS AND REVENUE – Repurchase of side-by-side duplex located at 1523-1525 Reaney Avenue in the City of St. Paul by the prior owner Tou J. Yang

Commissioner McDonough introduced the following resolution and moved its adoption, seconded by Commissioner Reinhardt to deny the repurchase of the property.

Mark Oswald, Director, Property Records and Revenue Department, said every property is different. This property is not owned by a bank, but rather by an individual. The Department provided every possible opportunity for the owner to make good on the forfeiture. The Department has worked for months with the owner right up to the time the Request for Board Action documentation was being prepared. The final decision was just made yesterday, at which time Mr. Oswald contacted Commissioner McDonough requesting that this be denied. The owner is not in compliance for what is needed and the Department is certain it would not be in the County's best interest to approve the repurchase. Mr. Oswald asked for Board consideration to deny the repurchase.

Commissioner McDonough said it is a drastic action to deny repurchase, especially to an individual. He is confident that the work staff put in has been to work with this owner to position him to repurchase the property and be a productive citizen, and good neighbor. The amount of effort the Department put in has been extraordinary in helping make that happen but it has not come to fruition. In the end, frustration for staff in not being able to get the owner to cooperate is at least as strong as the fact that we are going to deny the approval of the repurchase.

Commissioner Bennett said he interprets this that like the loan company wants to repurchase the property. The owner still has control because he hasn't foreclosed. Is that the reason it goes back to the bank?

Mr. Oswald said this one is extremely difficult and there is a lot involved. The repurchase application has been made by the homeowner.

Commissioner Bennett asked if that is because he would get a reasonable interest rate and reasonable loan. If he doesn't agree, the bank owns the property.

Mr. Oswald said in essence, that is correct.

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Roll Call to deny the repurchase of 1523-1525 Reaney Avenue: Ayes – Bennett, Carter, McDonough, Ortega, Reinhardt, Rettman, Parker – 7. Nays – 0. (2009-402)

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

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

Abstract: That part of Cruickshank's Garden Lots lying Easterly of the West line of the East half of Lot 4, Block 5, Defranchy's Division extended and South of the South line of alley of Block 3 of Homans Subdivision of Lot 2, Block 4 and in said Defranchy's Division, the East 20 feet of Lot 4, the West 33 feet of Lots 1, 2 and all of Lot 3, Block 5, Defranchy's Division

Torrens:

Parcel 1: The West 33 feet of Lot 2, Block 5, Defranchy's Division

Parcel 1: Lot 3, Block 5, Defranchy's Division

Parcel 1: Lot 4, Block 5, Defranchy's Division, except the West 20 feet.

Parcel 2: That part of Lot 2, Block 4, Cruickshank's Garden Lots, lying East of the extension North of the West line of the East half of Lot 4, Block 5, Defranchy's Division and South of the extension East of the North line of Lot 3, Blk 3, Homans Subdivision of Lot 4, Block 4 of Cruickshank's Garden Lots. Subject to a reservation for the State of Minnesota of all mineral and mineral rights as to said part of Lot 1 in Parcel 2 and all of Parcel 1.

Commissioner District 6,  
PIN: 27-29-22-34-0027; and

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

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

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

WHEREAS, The City of St. Paul considers the property to be a municipal problem and recommends the County Board deny the application; and

WHEREAS, The Ramsey County Board of Commissioners has determined that by allowing the repurchase, any injustice or undue hardship caused by the forfeiture will be corrected or the repurchase will promote the use of the land that will best serve the public interest; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners hereby denies the repurchase of the following tax-forfeited property in the name of the prior owner, Tou J. Yang:

**(Continued)**

Commissioner District 6  
PIN: 27-29-22-34-0027  
PA: 1523-1525 Reaney Avenue, St. Paul, MN 55106  
PRICE: \$13,751.59, plus applicable fees and costs

PUBLIC HEALTH – Recovery Act: Tobacco Grant – HHS: “Communities Putting Prevention to Work”

Commissioner Reinhardt introduced the following resolution and moved its adoption, seconded by Commissioner Carter. Roll Call: Ayes – Bennett, Carter, McDonough, Ortega, Reinhardt, Parker – 6. Nays – Rettman – 1. (2009-403)

WHEREAS, The National Center for Chronic Disease Prevention and Health Promotion (NCCDPHP) has adopted an awareness of the need to reduce risk factors, prevent and or delay chronic disease, and promote wellness, through creating healthier communities and environmental changes in communities and schools; and

WHEREAS, Congress has appropriated funding specific to state and local public health departments to meet this need; and

WHEREAS, The grant will have a focus to increase the number of smoke free areas in places which are not currently regulated by Minnesota state law including county licensed foster homes, county building entrances, condominiums and apartments and private school grounds, and among other goals, the approach will be to encourage voluntary compliance to decrease smoking prevalence specifically targeting decreasing teen smoking initiation and exposure to secondhand smoke; and

WHEREAS, The Ramsey County Board of Commissioners has affirmed the goals of local government through the Active Living Ramsey County (ALRC) initiative; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners authorizes the County Manager to execute and submit the “Communities Putting Prevention to Work” application for Tobacco reduction to the Centers for Disease Control through the Healthy Community Section of the Saint Paul Ramsey County Department of Public Health.

PUBLIC WORKS – Amendments to Ramsey County Right-of-Way Ordinance – First Reading, Set Date of Public Hearing

Commissioner Ortega introduced the following resolution and moved its adoption, seconded by Commissioner Reinhardt. Roll Call: Ayes – Bennett, Carter, McDonough, Ortega, Reinhardt, Rettman, Parker – 7. Nays – 0. (2009-404)

WHEREAS, The Ramsey County Board of Commissioners adopted the Ramsey County Right-of-Way Ordinance on August 28, 2001 (Resolution No. 2001-287); and

WHEREAS, The County Board wishes to amend the Right-of-Way Ordinance to include erosion control and site re-establishment to ensure the Right-of-Way Ordinance is consistent with the Ramsey County Storm Water Pollution Prevention Plan and requirements of the National Pollutant Elimination Discharge System General Permit for Municipal Separate Storm Sewer Systems; and

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WHEREAS, Section 5.02 of the Ramsey County Home Rule Charter requires that every proposed ordinance and amendment receive two full readings: the first at the time the amendment is presented and the second at the time of the public hearing; and

WHEREAS, Section 5.02 of the Ramsey County Home Rule Charter further provides that the full reading may be waived if a copy of the ordinance or amendment is supplied to each member of the County Board prior to its introduction; and

WHEREAS, Section 5.02 of the Ramsey County Home Rule Charter further provides that the public hearing shall be held no sooner than ten (10) days after the first reading; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners hereby waives the first reading of the proposed amendments to the Ramsey County Right-of-Way Ordinance; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners hereby sets December 15, 2009 as the date of the public hearing for the proposed amendments to the Ramsey County Right-of-Way Ordinance.

#### OUTSIDE BOARD AND COMMITTEE REPORTS

Commissioner Reinhardt:

- Presented a proclamation from the County Board at National Adoption Day where 35 families participated. Judge Bastian and Judge Bohr performed the adoptions on Saturday.
- Participated in Partners in Policymaking, 27<sup>th</sup>-year event. This is the developmental disabilities community helping people to learn how to be their own advocates.
- Reported on the November 23 Joint Property Tax Advisory Committee meeting, where health care cost was discussed as driver of the County's budget. Staff from the City, the County and the School District pulled together data for comparisons.
- The Rush Line Corridor Task Force met. Bus service may start around March 1, 2010, going from Columbus, to Forest Lake, to White Bear Township and into St. Paul. All the counties had pledged and set aside funds for one-year of operations. The Met Council has said it would apply the same criteria for continuation of service as is done for all the other lines. If ridership is met or exceeded, the Met Council may take over the line, assuming it lines up with other bus lines.

Commissioner Carter:

- Participated in the interviews for the St. Paul Public Schools Superintendent. Valeria Silva, acting as chief academic officer for the St. Paul Public Schools, was selected.

Commissioner McDonough:

- Reported on the celebration for St. Paul Youth Services, a 25-year celebration for the organization, and 20 years for Nancy Letourneau, as its executive director. Many recognized leaders in the non-profit world that provide services throughout our community attended to honor the association and Nancy. This was a fun event, with many stories during the time the non-profits were forming, and this was a well-deserved recognition. St. Paul Youth Services started out as a department in the City of St. Paul providing crises service to help support police officers in responding to calls in the community for

*(Continued)*

mental health, family issues, etc. The City couldn't continue to support it and spun-off as a non-profit. It has been a valuable asset to the St. Paul Police Department but expanded to areas working with youth. They are the providers for the ACE program, do great work with St. Paul Public Schools, with the behavior intervention program, eventually expanding to all junior high schools in St. Paul, and have been extremely successful working with the kids at critical times. They are on-call 24/7 in the community. County workers are stationed there, and work side-by-side with the non-profit folks. It is a great example of how we can work together to maximize the potential to meet needs and provide service in the community with limited resources. That relationship between government and non-profits is exemplified in this organization.

Commissioner Reinhardt said David Wilmes, Director of Services, celebrated ten years with St. Paul Youth Services. Kudos were given to Commissioner McDonough who was on a building funds committee. The building is an incredible asset to the community.

Commissioner McDonough said the building is located on the East Side by Sun Ray Shopping Center at 2100 Wilson Avenue, St. Paul.

Commissioner Rettman:

- Reported on H1N1 clinics held at Arlington High School and North Heights Lutheran Church. She spoke of the quality of the St. Paul Ramsey County Public Health Department staff, their intensity, personalities, and willingness to serve the people coming into the clinics. The original Department request for the mist was to have been for those who would not otherwise have been served when an ample supply was expected. This was designed for children 2-9 years old. There was incredible coordination at the clinics. 750 children were served at Arlington High School; another 450-550 were served at North Heights Lutheran Church. A second vaccination will be needed.

Commissioner Ortega:

- Attended the District Planning Council meeting for the West Side, where he was surprised by the number of 20+ year old individuals running for the board.
- Reported on the Riverview Economic Association, which sponsors and helps grow the Cinco de Mayo event.
- Attended a chamber event for elected officials.
- Reported on the presentation to the Union Depot Senate Bonding Committee for continuous support for the \$8.5 million needed by the County.

Commissioner Bennett:

- On the auction pre-sale conference held at the Whipple Building at Fort Snelling. Attending were the head of the GSA selling the TCAAP (Twin Cities Army Ammunition Property), their chief counsel, the regional director, head of all Army properties across the country, where they explained the procedure and answered questions. Greg Mack attended and spoke; the Mayor of Arden Hills also spoke. Sale is tentatively scheduled for September 10, 2010. Developers also attended the two-hour meeting.

*(Continued)*

BOARD CHAIR UPDATE

Chair Parker:

- Reported that meetings and discussions continue with neighbors of the new Roseville Library regarding landscaping and other issues. She thanked her assistant Sara Merz who has taken the lead with productive communication. There are some challenging conflicts there.
- She participated in the Martin Olav Sabo non-partisan transportation dialogue at the Humphrey Institute. A national committee has come out with performance measures to get people focused on outcomes.
- She modeled in the HealthEast Foundation Fundraiser style show with non-traditional models, including Chief Harrington, Fire Chief Tim Fuller, County Attorney Susan Gaertner.

EXECUTIVE SESSION

The Executive Session was called to order at 11:19 a.m. with the following members present: Commissioners Bennett, Carter, McDonough, Ortega, Reinhardt, Rettman, and Chair Parker – 7. Also present were Julie Kleinschmidt, County Manager; Darwin Lookingbill, Director, Civil Division, County Attorney's Office; Cliff Green, Counsel; Rob Fulton, Director, Public Works, and Carol Roberts, Director, Community Corrections.

Re: Robinson et al v. Ramsey County and McCaster v Ramsey County et al

A discussion of the above matter was held and the County Attorney was provided with direction on how to proceed. No formal action was taken.

The Executive Session was adjourned at 12:35 p.m.

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Bonnie C. Jackelen, Chief Clerk – County Board