

**MINUTES**

**RAMSEY COUNTY CHARTER COMMISSION**

**November 7, 2005**

**7:00 p.m.**

The Ramsey County Charter Commission met on Monday, November 7, 2005 at 7:00 p.m. at the Ramsey County Public Works Facility, 1425 Paul Kirkwold Drive, Arden Hills, MN.

**MEMBERS PRESENT:**

District 1: James Speckman  
Sharon Klumpp  
District 2: John Gulbranson  
Robert Bell  
District 3: Franklin Gurney  
District 4: Christopher Leifeld  
District 6: A. L. Brown  
  
At Large: Mike Fratto  
Minoka Kitto

**MEMBERS ABSENT:**

District 3: Charles Aguirre  
District 5: Kristin Dawkins  
District 6: Tienne Linden  
District 7: Robert Berry  
Mary Nepper

**OTHERS PRESENT:**

Commissioner Jan Parker  
Commissioner Victoria Reinhardt  
Jack Rhodes, Ramsey County Attorney's Office  
Mark Pettit, Ramsey County Sheriff's Department  
Harry McPeak, County Attorney's Office  
Bonnie Jackelen, County Manager's Office  
Victoria Dahlquist, Secretary

**CALL TO ORDER:**

Chair Christopher Leifeld called the meeting to order at 7:00 p.m.

**APPROVAL OF MINUTES:**

A MOTION was made and SECONDED to approve the minutes of the October 3, 2005 meeting of the Ramsey County Charter Commission. Motion CARRIED by unanimous vote.

**CITIZEN INPUT/COMMENTS:**

None.

**OLD BUSINESS:**

Commissioner Reinhardt was present at this meeting and her comments are summarized as follows:

She stated she believes both the county attorney and sheriff should be elected because making the offices appointed means less representation and letting the voters decide who should be the chief prosecutor for the county and who should be the chief law enforcement officer is a positive thing. Commissioner Reinhardt went on to say that the County Board is responsible for the levy and the departmental budgets and the fact that both the county attorney and the sheriff have the right to sue the Board over their budgets has been a source of frustration for the Board. The sheriff did sue over his budget once during Commissioner Reinhardt's tenure and the cost to the taxpayers was well over \$100,000 for something that would have likely ended in a compromise.

Commissioner Reinhardt stated that if the Charter Commission's issue is with the county attorney and sheriff's ability to sue over their budgets, there are other ways to accomplish that goal other than changing the elected status of the offices. Commissioner Reinhardt suggested that one way to resolve the issue would be creating a line item on tax statements showing how much of the levy is directed to the county attorney's office and the sheriff's department. Another option would be to create some guidelines as to when suing would be appropriate. For example, not having the ability to sue over a relatively small amount of money.

Mike Fratto inquired as to input the Board receives from departments in setting the budget.

Commissioner Reinhardt replied that the County Manager meets with all of the department heads. Each department is provided with a target or guidelines to follow as they prepare their budgets. Once the County Manager receives the department budgets, he presents that information to the Board. The only difference between other county departments and the county attorney and sheriff is that once their budgets are set, they have the authority to spend the money as they want. However, if departments do not use their budgeted funds for what they intended, the funding could be lost the next year. Currently, the sheriff and county attorney came in with their budgets within or close to the guidelines, in the range of what the other departments have done. The sheriff also included a list of addendums to his budget that the Board considered. His list included several hundred thousand dollars of what he stated were necessary positions, but they are not included in the budget right now.

Harry McPeak, Assistant County Attorney, spoke to the issue of changing the elected status of the county attorney and sheriff positions and if that change would eliminate their right to sue over their budgets. He stated that it would not. The county attorney and sheriff have that right by statute so in order for that to change, the law would have to change.

Commissioner Jan Parker was present at this Charter Commission meeting and her remarks are summarized as follows:

Commissioner Parker began by giving a little background on her career and experience. She is a former city administrator and as such is familiar with police departments and police chiefs who are typically appointed. She stated that she also teaches public administration at Metropolitan State University and enjoys discussing public policy issues, separation of powers and governance structures. She stated that with regard to the elected or appointed status of the county attorney and sheriff, there are pros and cons either way. To change the elected status of the county attorney and sheriff would be difficult because their elected status is nationally perceived as a right of the offices. Commissioner Parker stated that she supports keeping the county attorney as an elected office. This way the public can continue to have input into how the County handles crime. She stated further that the county attorney has a great deal of discretion in how the office is run. The sheriff, on the other hand, does not have nearly as much discretion because the sheriff's role is to abide by and enforce the law. Commissioner Parker stated that, in general, there is a different perception about sheriff's deputies and police officers in part because the sheriff's office is political. She stated that over the course of time in public policy, there has been a general shift toward professionalization of government by removing politics from decision-making. Commissioner Parker's opinion is that the sheriff should be appointed. She also stated that if the decision is made to change the status of the sheriff's office from elected to appointed that this should be done at some future point so that it is not about a particular person, but the office itself.

A question was raised as to how much of the sheriff's budget is income with contracts from other jurisdictions. Commissioner Reinhardt stated that, although she doesn't know the exact dollar figure, she is aware that the compensation received for patrolling contract cities does not cover the entire cost to the sheriff. The sheriff negotiates the agreements with the contract cities; the County Board is not involved. Mike Fratto stated that perhaps the sheriff could increase his budget without suing the County Board by increasing the reimbursement for patrolling the contract cities.

Mike Fratto made a motion to draft a question and hold public hearings with the possibility of placing it on a future ballot with regard to the sheriff's office. Jim Speckman seconded.

Discussion: Estimated cost of preparing question and public hearings is \$7,000, not including legal fees. The Charter Commission would have to hire private counsel. The budget is sufficient not including legal fees.

Motion passed with unanimous vote.

Mike Fratto made a motion to draft a question and hold public hearings with the possibility of placing it on a future ballot with regard to the county attorney's office. A.L. Brown seconded.

Votes: 5 aye, 4 nay. Motion carried.

A question was raised if the issues voted on were substantive or not because if the issues are substantive, the motions would need a vote of yes from 8 members of the Charter Commission to pass. The by-laws state that the Chair decides if an issue is substantive. Harry McPeak stated that his opinion was that the motions were substantive. However, Chair Leifeld determined that simply moving forward on an issue is not substantive and therefore the motions passed.

A.L. Brown then made a motion to appoint a subcommittee to begin drafting language with the advice of counsel. Mike Fratto seconded. Motion carried.

The subcommittee members are A.L. Brown, Mike Fratto, Frank Gurney and Bob Bell. A.L. Brown is the Chair of this subcommittee.

#### Nominating Committee

The nominating committee recommends Sharon Klumpp for Chair and either A.L. Brown or Mike Fratto for Vice Chair for 2006. Minoka Kitto made a motion to elect Sharon Klumpp Chair for 2006. A.L. Brown seconded. Motion carried by unanimous vote. Frank Gurney made a motion to elect Mike Fratto as Vice Chair for 2006. Minoka Kitto seconded. Motion carried by unanimous vote.

#### Removal of Members for Absences

Bonnie Jackelen stated that Tienne Otteson Linden has resigned from the Charter Commission and there are two additional vacancies at this time.

Kristin Dawkins of District 5 has been absent the majority of the meetings in 2004 and 2005. Mike Fratto made a motion to remove Kristin Dawkins from the Charter Commission due to repeated absences. A.L. Brown seconded. Motion carried by unanimous vote.

Bonnie Jackelen stated that another commission member, Charles Aguirre, may have to resign due to transportation issues. Minoka Kitto and A.L. Brown stated that they would help with transportation.

#### **SET NEXT MEETING DATE:**

Monday, February 6, 2006 at 7:00 PM, location to be determined.

#### **ADJOURNMENT:**

A MOTION was made, SECONDED and CARRIED to adjourn the meeting. There being no further business to come before the Charter Commission, the meeting was adjourned.