

The Ramsey County Board of Commissioners met in regular session with the following members present: Bennett, Haigh, McDonough, Ortega, Rettman, Wiessner and Reinhardt – 7. Absent: - 0. Also present were Terry Speiker, Acting 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 Haigh moved approval of the Agenda of the June 15, 2004, Board Meeting, seconded by Commissioner Ortega. Roll Call: Ayes – McDonough, Ortega, Rettman, Wiessner, Bennett, Haigh, Reinhardt – 7. Nays – 0.

MINUTES

Commissioner Haigh moved approval of the Minutes of the June 8, 2004, Board Meeting, seconded by Commissioner Bennett. Roll Call: Ayes – McDonough, Ortega, Rettman, Wiessner, Bennett, Haigh, Reinhardt – 7. Nays – 0.

PROCLAMATION

Chair Reinhardt thanked Commissioner McDonough for his suggestion to acknowledge the extra effort Cameron Mahlum, Judith Parin and Keif Svendsen, American Government teachers in the White Bear Lake Area School District, have taken to provide students with information on local governments, and making it a requirement for those students to observe two public meetings.

Chair Reinhardt and Commissioner Bennett presented a proclamation to the school board last night.

Chair Reinhardt presented the proclamations on behalf of the three teachers to Judith Parin, who was present at the County Board meeting. The proclamation was then read into the record. Chair Reinhardt said Ms. Parin was the person who began this program.

Ms. Parin thanked the County Board for the proclamation. She said that in textbooks, county government is seen as a hidden level of government, until the students realize that things they are already using are at this level of government – hockey rinks, parks, and golf courses. She thanked the County Board for welcoming the students who have been and will continue to attend County Board meetings.

Commissioner Bennett said this shows the students who may have felt that government has no interest in them, what government does and how it affects them. A good example is the golf course.

PUBLIC WORKS – Joint Powers Agreement Establishing Xcel Energy Transformer Haul Route

Commissioner McDonough introduced the following resolution and moved its adoption, seconded by Commissioner Rettman. Roll Call: Ayes – McDonough, Ortega, Rettman, Wiessner, Bennett, Haigh, Reinhardt – 7. Nays – 0. (2004-234)

WHEREAS, Several years ago, the Bruce Vento Trail was installed in abandoned rail right of way from the City of St. Paul to Beam Avenue in Maplewood; and

WHEREAS, Further abandonment and continuation of the trail northward was blocked by Xcel Energy's need for rail service; and

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WHEREAS, An alternative route for Xcel Energy use has been established utilizing a combination of existing and temporary roads; and

WHEREAS, A Joint Powers Agreement Between the Cities of Maplewood, Vadnais Heights, Gem Lake and White Bear Lake, White Bear Township, Ramsey County and the Minnesota Department of Transportation (Mn/DOT) has been prepared to set up the alternative route; and

WHEREAS, There is no present or future cost to Ramsey County associated with this Joint Powers Agreement; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners hereby approves the Joint Powers Agreement Between the Cities of Maplewood, Vadnais Heights, Gem Lake and White Bear Lake, White Bear Township, Ramsey County and the Minnesota Department of Transportation (Mn/DOT) establishing Xcel Energy's transformer haul route; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners authorizes the Chair and Chief Clerk to execute the Joint Powers Agreement on behalf of Ramsey County.

COMMUNITY CORRECTIONS – Pre-design Services for the Ramsey County Correctional Facility

Commissioner Wiessner introduced the following resolution and moved its adoption, seconded by Commissioner Haigh.

Commissioner Rettman asked Jolly Mangine, Director, Property Management, if his staff would be involved in the pre-design services.

Mr. Mangine responded that Carol Morphew has been the representative from Property Management working as a specialist and a consultant with Art Cavara, Community Corrections.

Commissioner Rettman asked if this includes the potential for adding Woodview Residence.

Mr. Cavara responded it does to some degree. Basically, staff are looking at getting a handle on the population numbers and projections to see what might be done in the event the population increases so much that some kind of expansion might be needed. It probably would include the women.

Commissioner Rettman said during the budget process, Carol Roberts, Director, Community Corrections, put forward not only a funding solution but also a proposal that would eventually do some things to close out the VOA site at some point in time, and move to the Correctional Facility. She would like to amend the draft resolution. If it is not clear that that has to be a part of this, it must be added. That was the direction back to Ms. Roberts' request for advice during the budget process.

Mr. Cavara said if expansion is needed to some degree, staff were looking to remove the women from the present facility into a different type of structure, not requiring the security discussed in the past.

Chair Reinhardt said the item before the County Board today is just the study to figure out what the numbers are. She had contacted Ms. Roberts because this states "...for the expansion of..." when in fact, it is for the potential improvement and/or expansion.

Commissioner Rettman said the documentation addresses establishing a baseline for where the department, what would be needed, etc. If Woodview or the VOA are not included as part of that baseline that must be accommodated, then another study would need to be done. That is not good government.

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Commissioner Wiessner said she had the same question. Her assumption was that the purpose in looking at any changes was to find a more economical way of housing both women and men prisoners. The whole situation has to be looked at, which she supports, but she is not interested in just an expansion of the current facility that is going to end up costing the County more.

Mr. Cavara agreed. They are focusing on economy of scale, what type of population there might be 5-9 years from now and figuring out the best approach to deal with that. Female offenders from VOA have been taken in due to budgetary concerns, and the department is running out of money. It hasn't really affected the operating budget at the Workhouse, but their projections were sky-high for this coming year in terms of male and female population, and yet they are about 20 inmates per day less than last year. How do you project some of those types of things? They are averaging 348, with an average of 368 in 2003, and this is with the women included. The thought is that much of that is due to the jail inmates that are no longer there.

Chair Reinhardt suggested adding the word possible on line 24 of the draft resolution: "...for the possible expansion of Ramsey County Correctional services Facility". That would include all correctional services that Ramsey County provides, not just limiting it to the Workhouse Facility.

Commissioner Haigh said her concern is if the Request For Proposals (RFP) went out and the response was to design services for the expansion of correctional facilities, this would imply the male inmates. The agreement may need to be amended asking staff to go to the project proposer because the scope of services does not include that. This may need to be laid over for the discussions with the project proposer.

Mr. Cavara said in the pre-proposal conference, women offenders were included in the discussion to examine the entire spectrum of correctional services for sentenced adults.

Chair Reinhardt said that was her understanding from her discussion with Ms. Roberts, but the documentation is not stated that way.

Commissioner Wiessner moved for a layover, seconded by Commissioner Haigh.

Commissioner Ortega agreed with Commissioner Rettman's concern, which was the discussion about the VOA and the fact that it will have to be closed. There may be another scope of work that may come forward. This item is just a small piece of the whole.

Commissioner Wiessner renewed the motion for a layover.

Roll Call: Ayes – McDonough, Ortega, Rettman, Wiessner, Bennett, Haigh, Reinhardt – 7.
Nays – 0. This item will return to the County Board at a future Board date.

COMMUNITY HUMAN SERVICES – Federal Funding for Resettlement from Wat Tham Krabok Camp – Resolution of Support

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

Commissioner Wiessner asked how the \$10 million would be spent; what is the estimated total cost; and what would it pay for.

Chair Reinhardt pointed out that this revised resolution is to support the efforts of all three delegation members, Senators Mark Dayton and Norm Coleman and Congresswoman Betty McCollum.

Monty Martin, Director, Community Human Services, said the department doesn't know, nor has it been able to calculate a bottom-line figure. Adding up different parts of the resettlement costs, each family would receive an initial \$400 in federal assistance. They don't know how many of the families might end up in the public assistance system, how many might end up receiving some sort of housing assistance, or how many families/individuals might have mental health needs. While some of those needs are being projected, no bottom-line figure can be calculated.

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Commissioner Wiessner asked if the department has seen the proposal, and if money would come to Ramsey County, or go to the federal agencies such as HUD.

Dave Haley, Community Human Services, responded that it is \$10 million nation-wide; it wouldn't come specifically to Ramsey County or Minnesota. It is to go through the Office of Refugee Resettlement. Not all of the details have been seen, but he is assuming it will be similar to what the other refugee assistance programs are at the federal level.

Commissioner Wiessner said in the past, the money has followed the individual, and it is important that happen. Communities who get more refugees should get more of the funds.

Rob Fulton, Director, Public Health, said the Department of Public Health has already received some additional funding to hire some staff. That staff would take some of the responsibility away from what Ramsey County would have to do here, which would be a big help. For example, every refugee comes in with immunization records, to be entered into the State registry so they will all be in the registry and can go to school immediately. A clerk is being hired to do that. It is going to cost Ramsey County – somewhere between \$300,000 and \$400,000. Final costs will be available in a week or so. Because the Medical Assistance reimbursement rates are so much lower than what the costs of providing the services are, Ramsey County could lose anywhere between \$150-\$200 per refugee at the outside. The Public Health Department is planning on tapping the fund balance to handle that shortfall because the fund balance is set aside for time limited emergency conditions. They are going from 463 to almost 4,000 screenings in one year.

Commissioner Bennett referred to the \$300,000-\$400,000. He asked if this affects just the Public Health Department.

Mr. Fulton responded that is just for Public Health, for the screening and assessments based upon the reimbursement – about \$313 for every screening, plus other costs, totaling \$350.

Commissioner Bennett asked if this is a mandate.

Mr. Fulton said this is an obligation; it is not a mandate. They are working to develop other clinics to do some of the work, but the bulk would fall to Public Health.

Commissioner Wiessner asked if any of the \$10 million would be going to Public Health.

Mr. Fulton said he didn't know. Public Health has never gotten money from the Office of Refugee Resettlement. However, there is a program at the State level that if there isn't money to cover this under Medical Assistance, the State would reimburse Public Health, and they reimburse at a rate of \$500. Since most of these people would be eligible for Medical Assistance, those rates have to be accepted. The State could raise those rates for refugees, but that would take legislative action.

Commissioner Wiessner said this is an opportunity to find out what this is going to cost, and asked the federal government for as much as it might cost our community. If just supporting this \$10 million, and it is not nearly enough, that might not be the right thing to do. It implies that Ramsey County supports the \$10 million when maybe it should be \$100 million.

Commissioner Haigh said in the past, some of the money from the Office of Refugee Resettlement has gone to resettlement agencies working with the individuals settling here. She asked if that is one of the other sources of revenue as opposed to direct payments to refugees.

Mr. Fulton said there is a payment made to the volunteer agencies by the federal government. He wasn't sure whether it comes through this Office of Refugee Resettlement. They do get a payment for 90 days of service.

Commissioner Haigh supports this resolution, but agreed that there needs to be a better stance for what some of the financial impacts are going to be on Ramsey County, in addition to the one mentioned by Mr. Fulton. She hoped that some information could be provided by September 2004, as the County Board deliberates the budget for 2005.

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Commissioner McDonough said the documentation identifies the \$10 million for education and other needs. He understands Commissioner Wiessner's concern about just supporting the \$10 million. He suggested adding some language that Ramsey County supports the \$10 million, identify all the costs associated with this, and continue to pursue dollars that would help the communities impacted by this. This would make it clear that Ramsey County doesn't know whether the \$10 million is enough.

Chair Reinhardt asked if the resolution would be amended to state that Ramsey County would need to identify the costs and any potential shortfalls.

Commissioner McDonough responded affirmatively.

Commissioner Wiessner asked if this should be laid over for an estimate of the costs.

Commissioner McDonough said that could be months out.

Commissioner Wiessner said Public Health came up with a number. She assumed the other departments are looking at what the range would be.

Commissioner Haigh said she would not support laying this over because the legislators need to be encouraged to move as quickly as possible. She agreed with making the point that Ramsey County is not sure the \$10 million would cover the entire amount. She would rather have good information provided. This is such a fluid process and she would not want to delay it.

Commissioner McDonough said the reality is that this is a resolution to support legislation that Senators Dayton and Coleman and Congresswoman McCollum have initiated on their own through their process. Ramsey County would be expanding on that. This resolution should be passed today in support of the \$10 million, with additional language that it may not be enough, and let the federal delegation know that Ramsey County would ask for continued support in that.

Commissioner Rettman said she is in support of adding a final resolved that Ramsey County acknowledges that the \$10 million nationwide is not going to cover all these additional costs, and would be seeking further appropriations in subsequent time, and Ramsey County continues to support the money following the individual.

Commissioner Wiessner seconded that amendment.

Mr. Fulton said the refugees are coming here with a debt. They have to repay the airline tickets. Money that follows individuals may end up going back to the federal government, and that concerns him.

Commissioner Rettman said the decision was made for Minnesota and the other states. Ramsey County is supporting the Minnesota federal delegates. She pointed out that there are other folks with debt.

Chair Reinhardt for clarified that the additional Resolved deals with identification of additional costs, and if there is a shortfall, seeking subsequent appropriation, with the money following the individual.

Commissioner Bennett said the first Resolved should address the additional money. It is important to get all the money needed so this will not cost Ramsey County \$400,000 in Public Health, followed by a bill from Human Services at \$4-5 million. The 2005 budget is coming up and the County Board has to deal with a nursing home, parks, and other important issues. This is not Ramsey County's doing.

Commissioner Ortega concurred with the other Commissioners, and pointed out that it is not just the costs for Ramsey County -- \$10 million is not the total number. An assessment is needed for pots of dollars. An additional request to the \$10 million is adding on to some base that might already be there, not just for Hmongs. Refugees come in from all over the

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world on an annual basis. Information is needed in terms of federal dollars across the board, rather than reacting just to the \$10 million. He asked what is the State's role in this. He is more interested in identifying where the money comes from across all the departments – cost is one thing. He suggested that someone such as Senator Moua, representing this community, ask about legislation at the State to help with this piece.

Mr. Martin said the Human Services Department is not expecting substantial local human services costs. For example, in employment services relating to the welfare program, some families would apply. This year there are some under-expended state and federal funds relating to the MFIP employment services program. They are expecting to put on some temporary help later in the year, without incurring any additional local dollars for that purpose, or any ongoing local dollars. Similarly, in mental health, Ramsey County Human Services is in discussions with the State Department of Human Services about some funding that they might have. There are no commitments from them right now.

Mr. Martin did not want anyone to be unduly alarmed that there are huge local costs relating to the Human Services system resulting from the expected migration from Thailand. The department is not expecting that, and is working with sources that Commissioner Ortega referred to, to try to maximize the federal and state government responsibility for any costs that are incurred.

Commissioner Wiessner said housing has been one of the concerns. She asked if the City of St. Paul is working on housing. Who is responsible for housing?

Mr. Martin said he understands that housing is quite limited. He suspects that there aren't many solutions in the housing area. There basically isn't any subsidized housing available. The families are going to be moving in with the sponsor families for the most part. The County doesn't have an active initiative to create housing for these families, nor to fund housing for these families.

Commissioner McDonough explained that the discussion on the funding following the individuals, and that these refugees are coming with debt, might give the impression that the County Board is supporting these dollars going right to the individuals. When saying funding follows the individuals, it is divvied up based on how many people are settling in the community, and the County would meet the needs of that – not pots of money going to individuals.

Roll Call on the resolution as amended: Ayes – McDonough, Ortega, Rettman, Wiessner, Bennett, Haigh, Reinhardt – 7. Nays – 0. (2004-235)

WHEREAS, The United States Government is working with the officials in Thailand to close the Wat Tham Krabok camp and enable individuals and families in that camp to relocate to the United States; and

WHEREAS, An estimated 80-85% of these families will choose to live in Minnesota, Wisconsin, and California; and

WHEREAS, While those individuals will be joining family and friends there will be additional supports needed to ensure the transition to a new life is a successful one; and

WHEREAS, These supports include learning a new language, securing and maintaining employment, and finding safe homes to live in; and

WHEREAS, The current level of federal funding available through the Refugee Assistance program is projected to be insufficient to support local agencies in extending these services to new families in Minnesota and Ramsey County; and

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WHEREAS, Steps should be taken to avoid imposing added financial strain on the communities in Minnesota that these new families will call home; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners acknowledges that the projected number of individuals who will relocate to the United States is still uncertain, making it difficult to calculate the overall cost; and Be It Further

RESOLVED, The Board recognizes that \$10 million will likely not cover all the additional costs to be incurred and that Ramsey County may need to seek additional appropriations as the relocation process continues; and Be It Further

RESOLVED, The Board requests that the funding follow individuals and that dollars go to communities based upon the number of individuals settling there; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners supports the efforts of Senators Mark Dayton and Norm Coleman and Congresswoman Betty McCollum for \$10 million in additional funding for the resettlement of Hmong families from the Wat Tham Krabok camp; and Be It Further

RESOLVED, The Board urges members of Congress to join with Senators Dayton and Coleman and Congresswoman McCollum, plus the sponsors of this legislation from other states, to provide this financial support to make this transition to life in the United States successful.

COMMUNITY HUMAN SERVICES – Companion Services for Adults with Traumatic or Acquired Brain Injuries and Seniors

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

Commissioner Haigh said this is an important level of service to be accessible for seniors and people with traumatic brain injury. She said this companion service is something new for the County, and these vendors have been identified primarily through Living at Home/Block Nurse Program (LAH/BNP), Lutheran Social Services. Once the vendors are identified, what role does Ramsey County have in assuring quality of care, or does someone else license them?

Melody Bialke, Community Human Services, said they are not licensed by anybody. They are required to have training, and the County has the responsibility to monitor anybody they would contract with through the waiver programs. Case managers see people at least semi-annually and have frequent contact with them. The agencies are held accountable; but there is no specific licensing.

Commissioner Haigh said she raises this question because the County is doing more and more care in community-based settings for seniors that would have been done in long-term care facilities that are highly regulated and highly licensed and highly scrutinized. At a certain point, as a community, the question should be asked if there are adequate safeguards in the types of folks providing the services to people in the community so that someone is watching the quality of care and regulating the quality of care. These are all good organizations, as concerned about the quality of care as is Ramsey County, but these people are in very vulnerable situations and it would be extremely easy to take advantage of people.

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Ms. Bialke said although it is a minimum, and not required by State standards, the department is requiring that all volunteers that provide the companion service have to pass a criminal background check. There is required training and standards they must have.

Commissioner Haigh said Ramsey County requires that of the vendors, but the vendors have to have the background checks and training.

Ms. Bialke responded affirmatively. The training is actually a State requirement; the background checks are a Ramsey County requirement.

Commissioner Haigh asked if anyone goes in to look at the service to see if it is good service.

Ms. Bialke said a case manager visits with a consumer and has regular contact. There are also consumer satisfaction surveys for all the services under the waiver for feedback. There is also a complaint process in place. This is a very low-level service, low reimbursement, for reducing isolation.

Commissioner Haigh said it is an incredibly important service.

Commissioner Rettman said it is her understanding that occasional spot-checks are done on all the vendors to ensure the quality of service being provided. That is the reason additional staff were added.

Monty Martin, Director, Community Human Services, said primarily, the staff added are the case managers that Ms. Bialke referred to. Those people have significant caseloads and are seeing clients at least twice per year. The broader implication of the question is that the department is not staffed to do the work the Board and department would like to see in checking out vendor performance. There are about 450 contracts with eight contract managers. They are almost completely overwhelmed by simply doing the contract paperwork process to have all the approvals in place and to deal with issues when they do come up. They rely on the case managers who are assigned to individual clients throughout the system to pick up on issues they might identify.

Commissioner Rettman said she is talking about the case managers that go in to see the individuals, which is part of the job. The block nurse programs that she has been aware of would be the first ones on the phone if they saw any concerns. She is comfortable with this, but said it needs to be addressed further.

Commissioner Haigh said once this service has been provided for one year, she would like the opportunity to hear of any quality issues that may have been identified. As long as this is a new area, she would like to hear how it is being evaluated.

Commissioner Wiessner said these are not County dollars paying for this; it is part of the elderly waiver dollars. She asked how far the money would go. There are 16 agencies. She asked if there is an estimate for how many individuals are expected to receive the service.

Ms. Bialke said the RFPs included an estimate of 50 people. Although the LAH/BNP provides this service in addition to a vast array of other services – transportation, chore, homemaker, etc., she doesn't know if all these folks are on the elderly waiver or alternative care program. In the past, Ramsey County had a contract with Lutheran Social Services to provide this service, but they lost all their volunteers and the contract ended. Although these are a lot of agencies, they are very localized and provide services in a very small community. What is here now should meet the needs.

Commissioner Wiessner asked if it is the expectation that all the direct service will be provided by volunteers, or if some would be paid staff.

Ms. Bialke responded that agencies could do either, though she thought all these agencies would use volunteers because the reimbursement is so low.

Roll Call: Ayes – McDonough, Ortega, Rettman, Wiessner, Bennett, Haigh, Reinhardt – 7.
Nays – 0. (2004-236)

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WHEREAS, The Community Human Services Department issued a Request for Proposals seeking agencies to provide companion services to adults with brain injuries and seniors; and

WHEREAS, Companion services consist of tasks such as meal preparation, laundry, light housekeeping, and accompanying an individual into the community; and

WHEREAS, Companion services are provided in accordance with a therapeutic goal in the plan of care; and

WHEREAS, The Review Committee has recommended contracting with sixteen agencies; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners approves the following recommended vendors to provide companion services for adults with brain injuries and seniors, at the medical assistance rate, for the period August 1, 2004 to July 31, 2006:

- Como Park LAH/BNP, 1376 Hoyt Ave., West St. Paul, MN 55108
- Conway-Battle Creek LAH/BNP, 1730 Old Hudson Road, St. Paul, MN 55106
- Falcon Heights LAH/BNP, 1376 Hoyt Ave., West St. Paul, MN 55108
- Hamline-Midway LAH/BNP, 1514 Englewood Ave., St. Paul, MN 55104
- Highland LAH/BNP, 1926 Norfolk, St. Paul, MN 55116
- Lutheran Social Service of MN, 2414 Park Ave., Minneapolis, MN 55404
- Macalester-Groveland LAH/BNP, 1600 Grand Ave., St. Paul, MN 55105
- Merriam Park LAH/BNP, 1895 Laurel Ave., St. Paul, MN 55104
- North End-South Como LAH/BNP, 727 Front Ave., #118, St. Paul, MN 55103
- Payne-Phalen LAH/BNP, 1280 Arcade Street, St. Paul, MN 55106
- Roseville LAH/BNP, 1910 W. County Road B, #210, Roseville, MN 55113
- St. Anthony Park LAH/BNP, 2200 Hillside Ave., St. Paul, MN 55108
- Summit Hill LAH/BNP, 900 Summit Ave., St. Paul, MN 55105
- Summit University LAH/BNP, 732 Holly Ave., St. Paul, MN 55104
- Sunshine, Inc., 990 Aurora Ave., St. Paul, MN 55104
- West 7th LAH/BNP, West 7th Community Center, 265 Oneida, St. Paul, MN 55102

COMMUNITY HUMAN SERVICES – Children’s Mental Health – Early Identification and Intervention

Commissioner Haigh introduced the following resolution and moved its adoption, seconded by Commissioner Wiessner.

Commissioner Haigh said with the expanded screening for children’s mental health for those kids on the child protection caseloads and at the Juvenile Justice Center (JJC), 8400 kids have been identified for screening. She asked with that screening, would there be an expanded net of more kids coming into the system, and would there be resources there for the system to provide them service. She is assuming that if they are identified with a mental health need as part of this screening, then they can access mental health services under Medical Assistance (MA) levels.

Joel Hetler, Community Human Services, said this is structured so that the screening would be done by existing line staff in both Corrections and Human Services: child protection workers and probation officers. When screening identifies the need for a follow-up, the additional staff being requested would provide the follow-up assessments. Staff are hoping to contract with health plans for reimbursement there as well as from MA. The only costs borne directly by Ramsey County

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should be for the uninsured. When the assessors see a need for service, they would work with the health plans or the other insurers to make referrals to the appropriate service provider. Ramsey County doesn't expect a huge increase of direct services provided by the department, although an increase in the number of assessments done by the department is expected.

Commissioner Haigh reiterated that existing staff in child welfare and the JJC would do the initial screening; no health plan reimbursements would be made for that. She asked if people are referred for further assessment after the screening. Is that when the reimbursement is sought from the health plans or from MA?

Mr. Hetler said the Department of Human Services would reimburse Ramsey County for the screenings.

Commissioner Haigh asked if that grant program is part of MA or separate.

Mr. Hetler responded it is separate.

Commissioner Haigh said it is separate and created when this new screening requirement was adopted.

Mr. Hetler responded affirmatively.

Commissioner Bennett said he is glad to see the cooperation between the two departments. He said a lot of these children move from county to county. How does that work if somebody moved to Ramsey County from another county, when they were already screened in the previous county?

Mr. Hetler said staff are in contact with the people doing the screening in Hennepin County. Legislation is written that a new screening is required if one hasn't been done in the last 180 days.

Commissioner Bennett said this is statewide. He asked if someone moved to Ramsey County from another county, is there a way to use the previous screening.

Mr. Hetler said that hasn't been addressed. It could be. There is no reimbursement if a new screening is not done.

Commissioner Bennett said there might be more state dollars available if the service were not duplicated. That should be looked at.

Mr. Hetler said that would be added in.

Commissioner Rettman said it is stated in the County Manager comments, and elsewhere in the documentation, that this money could continue to escalate in dollars coming from the State. She pointed out that this is one of those mandates; if this comes true, that the dollars continue to escalate, they could later begin slipping away. Approval is being requested with non-starred positions. She believes the positions should be starred because she would not lay odds on the optimism that the dollars would continue.

Mr. Martin said the State has said the funding is in the base. Once funding gets into the base, it is all subject to being reduced.

Commissioner Rettman said if the money begins to erode, then other ways would need to be looked at.

Chair Reinhardt said if it is truly grant money, as indicated here, they are starred positions. If it is direct appropriation, then it would have to be dealt with as part of the base.

Mr. Martin said this is an unusual grant. It is called a grant – normally grants go to a particular county or jurisdiction – this is statewide money that was awarded on a formula basis. While it is called a grant, it actually evolves in the third and fourth year to a reimbursement of expenses rather than a grant. The grant is the upfront money to get this started, and then it becomes a reimbursement of expenses as the County reports expenses to the State.

Commissioner Rettman asked that the final Resolved include that the County Board approves this based on the continuation of reimbursables from the State.

Commissioner Haigh, as maker of the motion, accepted the amendment as friendly.

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Mr. Hetler said he tried to be as conservative as he could be about the amount of money being committed now. This was budgeted with almost no third-party reimbursement from the health plans, and only budgeted at the level of funding the State is offering during the grant period. Statewide, the budget for this program is going to be doubling in the future. Staff only planned for what is known right now. Staff would return to the County Board if there should be a windfall, and the State comes through, and the County earns a lot of money from the health plans.

Commissioner Haigh referred to the County Manager's comments: "Ramsey County's share of the statewide allocation is likely to increase with the change from grants to earnings based on the number of completed screenings." She asked if that means the total net of people for whom the screening would be done. It is probably not going to double. What is being anticipated is based on the actual results of those screenings moving into an assessment; once the experience is established, there would be an expanded number of people to be assessed. She is trying to understand the rationale about the doubling of the money.

Mr. Hetler said he is not sure that the money to the County would double. It would be several years before the State reimbursement stream would stabilize. The amount of money Ramsey County would earn from the State in 2006 would be based on the number of screenings done in 2005. Ramsey County is far ahead of most other counties in terms of organizing and implementing this. In 2006, Ramsey County would get a fairly large amount of money because we would be doing more than our percentage of statewide reimbursement. He doesn't intend to base future budget on that. It is expected that Ramsey County would get an increase from what is earned from the health plans, and would be a steady growth; not erratic like the number of screenings would be.

Commissioner Haigh asked if the health plans are on board with this; they know what is going on, and are committing resources for this.

Mr. Hetler said discussions have begun with them; they say they are on board. As far as formally committing resources or having contracts signed, they are not there yet because the program is not up and running at this point.

Roll Call on the resolution as amended: Ayes – McDonough, Ortega, Rettman, Wiessner, Bennett, Haigh, Reinhardt – 7. Nays – 0. (2004-237)

WHEREAS, In 2002, recommendations from the Children's Mental Health Citizens Committee called for the Community Human Services Department to "develop and implement early intervention strategies"; and

WHEREAS, The 2003 Minnesota Legislature passed a requirement that counties implement mental health screening for all children entering the child welfare and juvenile justice system by July 1, 2004; and

WHEREAS, Staff from the Community Human Services Department have been working with staff from the Community Corrections Department to develop a plan for implementation of the new state requirement; and

WHEREAS, Due to the need for coordination between County departments, other services such as public education and community agencies, the recommendation is for the additional screening work to be performed through the Project Assist program; and

(Continued)

WHEREAS, The advantage is that Project Assist is an existing children's mental health collaborative effort between the two County departments that already works closely with public schools and community agencies; and

WHEREAS, To fully implement the state requirement it is projected that 8400 children will be screened each year; and

WHEREAS, To accomplish this will require the hiring of five new staff; and

WHEREAS, The revenue for these positions will be covered by a combination of a State of Minnesota Grant and insurance billings for children with coverage; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners hereby authorizes the County Manager to accept the grant from the Department of Human Services, in the amount of \$133,570 for 2004 and \$320,610 for 2005, and execute the necessary budget adjustments to implement the grant; and Be It Further

RESOLVED, The Board approves an increase in the complement of the Community Human Services Department of 1 FTE Clinical Psychologist, 2 FTE Clinical Social Workers, 1 FTE Clerk Typist, and 1 FTE Clinical Social Worker Supervisor, based on continued receipt of reimbursables from the State.

COUNTY MANAGER – Public Safety Communication System/800 MHz Contractors

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

Commissioner Wiessner said she wanted to make sure that action is not in any way dependent upon how many PSAPs there are; that these are contracts that would have to be in place regardless of how this ends up.

Paul Kirkwold, Project Manager, responded that is correct.

Roll Call on the revised resolution: Ayes – McDonough, Ortega, Rettman, Wiessner, Bennett, Haigh, Reinhardt – 7. Nays – 0. (2004-238)

WHEREAS, On February 10, 2004, the County Board of Commissioners approved the issuance of a Request for Qualifications and Interest (RFQI) for specialized services needed for the Public Safety Communication System/800 MHz Project; and

WHEREAS, A Request for Proposals (RFP) was issued on May 3, 2004 for the following categories of services: civil engineering; electrical engineering; microwave tower engineering; radio engineering; architectural; radio consulting; project planning and management; and training; and

WHEREAS, The RFP outlined a two-step evaluation and selection process, with step one being a qualifying process which would result in development of a short list of proposers from whom detailed proposals for specific Project tasks would be solicited as Step 2; and

WHEREAS, Thirty-eight (38) proposals were received from 14 contractors; and

(Continued)

WHEREAS, An Evaluation Team reviewed the proposals in accordance with the process, and using the criteria, outlined in the RFP, and recommended selection of 7 proposers for contracts for seven of the categories, as and when needed for the project; and

WHEREAS, Due to the tight timeframe for the PSCS/800 MHz Project, authority for the County Manager to approve and execute contracts up to \$50,000 each with the seven contractors has been requested; Now, Therefore, Be It

RESOLVED, The Ramsey County Board of Commissioners authorizes the County Manager to negotiate contracts with the following as and when needed to perform engineering, architectural, radio consulting, and project planning and management services for the Ramsey County Public Safety Communications System/800 MHz Project: AEC Engineering, 400 1st Avenue North, Suite 400, Minneapolis, MN 55401; Ronald Vegemast Engineering, Inc. Interchange Tower, Suite 180, 600 South Highway 169, Minneapolis, MN 55426; The Ostberg Architects, 475 Cleveland Avenue North, Suite 202, Saint Paul, MN 55104; Alliant Consulting, 555 W. 7th Street #101, Saint Paul, MN 55102; Edwards & Kelcey, 7300 Metro Boulevard, Suite 400, Minneapolis, Minnesota 55439; Elert & Associates, 140 Third Street South, Stillwater, MN 55082; and TKDA, 1500 Piper Jaffray Plaza, 444 Cedar Street, Saint Paul, MN 55101; and Be It Further

RESOLVED, The negotiated contracts in excess of the County Manager's previously approved authority shall be brought to the County Board for approval.

HUMAN RESOURCES – Ramsey County Commissioners' Salary Ordinance for 2005

Commissioner McDonough introduced the following resolution and moved its adoption, seconded by Commissioner Haigh. Roll Call: Ayes – McDonough, Ortega, Wiessner, Bennett, Haigh, Reinhardt – 6. Nays – Rettman – 1. (2004-239)

WHEREAS, The provisions of the Ramsey County Home Rule Charter relating to compensation for the Board of Commissioners state that:

- a) The Board may determine the annual salary of its members by passage of a salary ordinance; and,
- b) The salary ordinance must be passed by July 1 of the year prior to the effective date of the ordinance; and,
- c) The ordinance shall not become effective until the first business day of the following year (January 1, 2005); and

WHEREAS, The Charter requires that per diem payments be made to the County and that, with the exception of fees, payments and other compensation paid to an officer of the Association of Minnesota Counties, the County will not add these payments to the Commissioners' salary when payments are received from the various boards, committees and other governmental agencies; and

WHEREAS, The current annual salary of the Board of Commissioners is \$59,500 for County Board Members, and \$61,500 for the County Board Chair; and

WHEREAS, Over the period of January 1, 2003– December 31, 2003, the consumer price index (CPI-U) for the Minneapolis/St. Paul metropolitan area increased by 1.7%; and

(Continued)

WHEREAS, It is the intent of the Ramsey County Board of Commissioners that the salary rates for the Board of Commissioners should be adjusted by between 50% and 100% of the change in the Consumer Price Index (CPI-U) for the Minneapolis/St. Paul metropolitan area for the most recent year for which the CPI-U information is available; and

WHEREAS, An increase of 1.7% for the Board of Commissioners will result in a salary increase equal to 100% of the change in the Consumer Price Index (CPI-U) for the Minneapolis-St. Paul Metropolitan Area for the period of January 1, 2003 – December 31, 2003; Now, Therefore, The Board of Commissioners for the County of Ramsey Does

ORDAIN, That the annual salary for the Ramsey County Board of Commissioners for calendar year 2005 shall increase by 1.7% to \$60,512 for County Board Members and by 1.7% to \$62,546 for the County Board Chair; and Be It Further

ORDAINED, With the exception of fees, payments and other compensation paid to an officer of the Association of Minnesota Counties, the Board voted to decline fees, payments and other compensation paid to County Board members in exchange for representing the County on outside boards, committees and other governmental agencies and any subcommittees thereof, and that any funds received by the County would remain within the County's General Fund; and Be It Further

ORDAINED, That the Commissioners are eligible to receive fees, payments and other compensation paid from the following boards, committees and other governmental agencies and any subcommittees thereof, such amounts to be remitted to County Treasury and thereafter paid to board member;

Association of Minnesota Counties (if serving as an Officer)

and Be It Further

ORDAINED, That all appointments of County Commissioners to various boards, committees and other governmental agencies shall be ratified by County Board resolution before per diem shall be paid; and Be It Further

ORDAINED, That any subsequent new appointments or changes in appointments to new or existing boards, committees or governmental agencies, and any subsequent establishment of new per diem rates or increase in current per diem rates shall be ratified by County Board resolution before per diems shall be paid; and Be It Further

ORDAINED, That any increase in per diems or new per diems which are approved by the above described process, shall be included in the next annual salary ordinance, and Be It Further

ORDAINED, That the Ramsey County Board of Commissioners shall be allowed to receive actual and necessary expenses for attendance at conferences, seminars, etc., in connection with their official County Commissioner duties as do all other Ramsey County employees; and Be It Further

ORDAINED, That unless a valid referendum petition is filed within 30 days after the publication of this ordinance, this ordinance shall:

(Continued)

- a) Become effective on January 1, 2005 and replace the previous salary ordinance (Ordinance 2003-197); and,
- b) Continue in effect throughout calendar year 2005 and subsequent years until changed by a subsequent County Board ordinance.

COUNTY MANAGER/BUDGETING & ACCOUNTING – Ordinance approving the 2004 Capital Improvement Program Bond Levy Allocation

Commissioner Haigh introduced the following resolution and moved its adoption, seconded by Commissioner Ortega. Roll Call: Ayes – McDonough, Ortega, Rettman, Wiessner, Bennett, Haigh, Reinhardt – 7. Nays – 0. (2004-240)

ORDINANCE NO. 2004-240

AN ORDINANCE RELATING TO THE AREA TAXED TO PAY
LIBRARY BONDS ISSUED IN 2004

A. WHEREAS, by Ordinance No. 2004-094 adopted on February 24, 2004, Ramsey County, Minnesota (the "County"), has authorized the issuance of \$31,960,000 of capital improvement plan bonds, \$750,000 of which is for the new construction of a library in North St. Paul; and

B. WHEREAS, by Ordinance No. 2004-157 adopted on April 13, 2004, the County has authorized the issuance of \$9,750,000 of library bonds; and

C. WHEREAS, said ordinances contemplate that the bonds shall be paid from ad valorem taxes levied on all taxable property in the County, but the Board of Commissioners prefers that levies for library bonds be in the same portion of the County which is taxed for library service; and

D. WHEREAS, under its Home Rule Charter the County has the power and authority to make library bonds payable from taxes on the portion of the County which is taxed for library service:

NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF THE COUNTY OF RAMSEY DOES ORDAIN as follows:

1. Finding. The Board of Commissioners hereby finds, determines and declares that the Home Rule Charter of the County confers the power and authority to make library bonds payable from taxes on the portion of the County which is taxed for library service, rather than on all taxable property in the County.

2. Taxing Area. The portion of the County's capital improvement plan bonds issued in 2004 which finances the library in North St. Paul shall be identified and the debt service thereon shall be paid from ad valorem taxes levied upon all of the taxable property in the County which is outside the City of Saint Paul. The debt service on the library bonds issued in 2004 shall be paid from ad valorem taxes levied upon all of the taxable property in the County which is outside the City

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of Saint Paul. Said taxes shall be appropriated and credited to the debt service funds for the bonds, and shall reduce the taxes for the payment of the bonds otherwise required to be levied on property in the entire County. The bonds shall be general obligation bonds, and if ad valorem taxes levied upon all of the taxable property in the County which is outside the City of Saint Paul are not sufficient to pay the bonds, any deficiency shall be a general responsibility of the County and shall if necessary be paid from ad valorem taxes levied on all taxable property in the entire County.

3. Amendment. Ordinance No. 2004-094, particularly paragraph 3 thereof, and Ordinance No. 2004-157, particularly paragraph 3 thereof, are both hereby amended and supplemented to the extent necessary to incorporate and give effect to paragraph 2 of this Ordinance. If any of the bonds affected by paragraph 2 of this Ordinance are issued prior to the effective date of this Ordinance, the levy required by paragraph 2 to be made on property outside the City of Saint Paul shall contain a contingency that the levy will be made on all property in the entire County if this Ordinance is not effective by December 20, 2004.

4. Referendum Upon Petition. This Ordinance is subject to the ordinance procedure of the County's Home Rule Charter, including the holding of a referendum if a sufficient petition is filed within thirty (30) days after its publication. Among other conditions to be met, a sufficient petition must be signed by registered voters of the County equal in number of ten percent (10%) of those who voted in the County for the office of President of the United States in the last general election.

5. Effective Date. If no petition is filed, this Ordinance shall be effective thirty-one (31) days after its publication. If a petition is filed, it shall suspend the operation of this Ordinance as provided in the County's Home Rule Charter, and the procedures set forth therein shall be applicable.

COMMUNITY HUMAN SERVICES – Implementing fees charged to child care providers

Commissioner Haigh said there is a new law that passed last year allowing the County to charge licensing fees to child care providers.

Monty Martin, Director, Community Human Services, said during the 2003 legislative session, Dakota County initiated a position relative to what was an unfunded mandate within the law – that counties were required to license family child care providers or to register family child care providers. The legislation was passed in 2003, giving counties the option of doing no fees, or charging a maximum fee.

Mr. Martin said this item is coming to the County Board as a policy discussion with two very significant issues. One is the fact that the work in this area is an unfunded mandate that costs local County taxpayers levy dollars. The other piece of this is that the child care system is extremely important for the County, and having a good supply of quality child care within the community is critically important in a number of different ways. It is important for the families in the Minnesota Family Investment Program (MFIP), trying to get off assistance, that child care is available. It is important to families that are in low wage jobs receiving a basic sliding fee child care subsidy, and the availability of child care that enables them to stay in the workforce. That is similar to anyone who is working who doesn't have another means to care for their children. The child care system is critical to keep them working so they don't end up in the public assistance system. Mr. Martin said it is not easy for the department or the Commissioners to weigh those different and competing issues.

Deborah Schlick, Planner, Community Human Services, said the information and options came from a staff group in the department called the Child Care Management Team, which included a

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managing supervisor of licensing, manager and supervisor from the child care system subsidy program, accounting, contract management and planning.

During the last session of the legislature, authority was given to counties to charge up to \$100 for a criminal background check on someone applying for work as a licensed child care provider, and up to \$150 a year for doing the visit, which is part of the licensing process. In addition, counties could charge legal and licensed providers up to \$100 for a criminal background check for registering them. There are three types of child care situations: child care centers, which are State-licensed; in-home family day care providers, which the counties license; and those unlicensed providers who have to be registered, only if they are going to be caring for children whose cost of care is paid for by the subsidy program. There can be unlicensed providers who are not registered, because they are working in the private-pay market. Counties and the State have no roles in those child care situations.

Commissioner Rettman asked if the State charges for licensing the child care centers.

Ms. Schlick responded affirmatively. She doesn't know the specifics of the charge. It is her understanding that the State charges a basic licensing fee. That fee was raised in the last legislative session, and there's been concern that it was raised too high. One thing that didn't get finished during the legislative session was the possibility of reducing those fees.

Commissioner Rettman said for baseline purposes, she would like to have that information.

Ms. Schlick said staff would make sure information is provided for how much of the fee is charged and what it is charged for.

Commissioner Ortega asked for an example of a child care center. Those the County oversees tend to be smaller.

Ms. Schlick said centers people might be familiar with are either chain centers such as New Horizons or Right Start, or centers people may know in their neighborhood. These are centers for children of different ages, organized in classrooms. Ramsey County licenses child care done in individual homes, with mixed ages of children, and the numbers of children are limited depending on the license status; it would be much smaller numbers than found in a child care center.

Commissioner Haigh asked if it would be a fewer numbers of kids -- under 10 kids.

Ms. Schlick said they could be licensed for as high as 14.

Commissioner Ortega asked if the child care services Ramsey County licenses are critical to the Welfare to Work Program, more so than the centers.

Ms. Schlick said there are about 1,000 licensed homes in Ramsey County, which is a type of child care chosen by many families. The answer about them being critical is that there continues to be a diversity of types of child care available. It is a personal choice, and families can come at that choice from very different perspectives; choice should continue to be maintained. Families on welfare usually start child care by choosing a friend or relative, and move into more licensed options over time. The strength of that diversity of choice is critical for the families served.

In going through the internal process, staff conferred with organizations in the community that understand and work closely enough with child care to help them focus on child care, to test their assumptions, and provide feedback on the possible impact of some of the options. That includes the Family Child Care Network funded and run out of Wilder; Resources for Child Caring; Child Care Works; the Children's Defense Fund; and Ramsey County's Low Income Committee of the Citizens Advisory Council. Comments from those organizations are contained in the documentation.

Ms. Schlick said an assumption of the staff assignment was both to consider reasonable revenue sources at a time when the County is facing significant budget difficulties, but wanting to stay true to the mission that the primary function of the child care area is to make sure there is a good supply of child care and that it doesn't become a factor that causes people to leave the child care field.

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The four options for the County Board's consideration are:

Option 1

Charge a sliding fee for the licensing visit and criminal background checks based on household income. Staff does not recommend charging that fee for new applicants. Just as people are going into the business, is not a time to charge a fee that might add to many other fees that are associated with the start-up of a child care business. The fee charged for the licensing visit and background check would total \$250, the maximum total allowed per year under State law. In registering a provider, there is no home visit done to charge a fee. The registration process begins simply by someone saying they want to do child care for a friend or relative; criminal background and child protection checks are conducted, and are either approved or denied. A lower fee would be charged for the registered provider. There are no income levels on either the licensed or unlicensed providers. The revenue projections are very soft. Until fees are actually collected and information is provided on income levels, staff won't know how much revenue would be raised. Because registered providers are likely to be friends and relatives, and that a system is being provided for families at below or below poverty, most of those doing unlicensed child care are also very low income.

Commissioner Ortega asked if staff will be looking not at the income of child care providers, but rather the income of the family.

Ms. Schlick responded yes, they would be looking at the household income, not the net income earned by the child care provider.

Commissioner Ortega asked if he would want to get child care, would his total household income be looked at in terms of the sliding fee to be charged.

Ms. Schlick responded affirmatively. Citing the comments from the community, and people have different ideas about that – should it be on the provider's income or the household income? Staff rationale for household income was twofold: 1) staff wanted this process administered as easily as possible so costs would not be incurred in administering the fee structure; and 2) the rationale behind a sliding fee was that those who could pay, would pay a fee. In some cases, child care is the second income and in other cases, it is the only income in a family.

Commissioner Ortega asked if the negative impact of this was reviewed. For example, is there a negative impact in getting out because fees are implemented? And, is the fee passed on to the individual who needs the child care, thus raising the costs of the parent? If someone wanted to get off assistance, moving on to working with child care costs, possibly starting with a neighbor, this becomes an income issue. As they make more income, they might look for better child care. Initially, how is that a value in not making it accessible? There would be a negative impact to that individual family, but it would also have a negative impact to the program Ramsey County is trying to assist people to get off.

Ms. Schlick said staff are very concerned about that potential disadvantage, and is part of the reason why there are four options for consideration of the County Board. They did not want the charging of these fees to be yet one more factor in encouraging people to leave the child care field. They felt the changes in the child care assistance program implemented in the last year may have caused some providers to leave the business. They see registered providers as people who were doing a favor for friends and relatives. The department reimburses at not quite \$2 per hour, and is one reason it was felt there should be a maximum fee of \$40 for a registered provider. The concern about people leaving the field is also why they do not recommend charging a fee when people enter the field and have not yet earned income from the business. Staff would recommend the fees be charged when someone is being re-licensed, or when the registration is being renewed, which occurs every three years. Staff does not think that the market with the low income families will bear the passing-on of costs.

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Commissioner Rettman said Dakota County initiated this legislation. She did not recall this ever being on Ramsey County's legislative agenda, and never took a stance on it.

Ms. Schlick responded that Ramsey County has not taken a stance on this.

Commissioner Rettman said a fifth option would be not to take a stance.

Ms. Schlick said that would be the fourth option, to charge no fees and leave things as is.

Commissioner Rettman asked if the criminal background check is done just on the individual providing the service, or everyone who is over the age of 18.

Ms. Schlick said since the last legislative session, anyone 13 and older in the household is checked, both in a licensed and unlicensed home.

Commissioner Rettman said when talking about a criminal background check, the dollar amount cited would not get to the whole group being checked on.

Ms. Schlick said it would not cover the whole group.

Commissioner Rettman asked if some of the people getting off MFIP may actually be some of the ones who create a day care to take care of someone else's kids and is the way of becoming employed.

Ms. Schlick said it may be a career choice of people moving off welfare, but it is a hard one to make; it is a hard one to prove if making minimum wage in this field. In looking neighborhood-to-neighborhood, more family child care in low income neighborhoods is found, because it is a career choice that families make as they can't pay the child care to keep them in a job somewhere else.

Commissioner Rettman asked the questions because this becomes another barrier.

Option 2

Ms. Schlick said the second option is to charge every licensed and registered provider a flat fee (not on a sliding fee scale) that is at a low enough level to be affordable to all. This addresses Commissioner Ortega's concern – how do you find a number to make sure it doesn't become too expensive for someone to be in or stay in the business? Staff felt \$50 would be a number that might raise about \$60,000 a year, charged only to people renewing their license or being registered. She cited a chart indicating some of the start-up costs associated with getting into the child care licensed business.

Option 3

Ms. Schlick said Option 3 is minimal, narrow and very specific. When doing the criminal background checks, if local or State records indicate there may be records out of State that need to be looked at through the FBI, fingerprints need to be done, at a cost of \$25. About \$1,000 a year is spent for the fingerprinting costs, and might be how much this option would bring in.

Option 4

Ms. Schlick said Option 4, which speaks to Commissioner Rettman's comments, is to charge no fees at all. The downside is that it raises no revenue. The benefit is that the County does not risk the concerns raised by Commissioner Ortega, of discouraging people from staying in the child care business. Staff recognize that child care services is a low paying field, and that unlicensed providers are doing this for short periods of time.

Commissioner Wiessner asked how it is determined whether fingerprinting is necessary.

Ms. Schlick said it is her understanding that the need for fingerprinting is determined when local or State records indicate there may have been a criminal record in another state.

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Commissioner Wiessner asked if there is an automatic check with those states if somebody moves into Minnesota.

Jenny Gordon, Manager, Child Care Licenses, Community Human Services, said a check is made with every state that a person has resided in the previous five years. If they have only been in Minnesota, they check with other counties in Minnesota. Some of those states charge \$5-\$10 to release criminal records. The fingerprinting issue is related to a very specific and separate situation. That is where the Bureau of Criminal Apprehension determines that there is a criminal record in another state. That record would have to be accessed through the FBI, and fingerprints are part of the requirement, at a cost of \$24 each.

Commissioner Wiessner asked what is the actual cost of the County doing the background checks, both criminal and child protection.

Ms. Gordon said it depends on the family. If it is a single adult household with no children over 13, and there is no criminal record, the cost involved is staff time in processing. If there are several parties in the household who are over 13, or a helper being used in the household, if criminal records are found, then the expenditure of staff is considerable. The staff person needs to evaluate the nature of the criminal charges, consult with the County Attorney, consult with licensing specialists at DHS, and make a determination about whether the criminal charge constitutes a bar to doing licensed care.

Commissioner Wiessner said all the County's fees should be based on actual costs, not just any number. If just to break even, how much would the average costs be for doing background checks?

Ms. Gordon said the number of hours involved would need to be determined. Page 3 indicates the overall cost at \$900,000.

Chair Reinhardt said what is being considered is not going to come close to covering the costs. Commissioner Wiessner asked what the \$900,000 includes.

Ms. Gordon said the \$900,000 includes the 9.5 Social Workers, 1.8 Clerical/Support Staff, and .66 Supervisor positions. It includes the total time invested in maintaining the license of a home, which includes the background check, the analysis of the background check if it turns out that there is a criminal record, the home visits to ascertain that the standards are being met in the home, and processing complaints about a home.

Chair Reinhardt said this is just staff time; there are additional out-of-pocket costs such as fingerprinting.

Ms. Gordon said out-of-pocket costs are currently about \$1,000 per year for fingerprints, with about \$9,000-\$10,000 on other miscellaneous expenses: advertising, recognition of providers, and purchasing numerous educational materials given to providers to enhance their level of competence.

Chair Reinhardt said that is potentially another \$20,000.

Ms. Gordon thought it would be another \$11,000.

Commissioner Wiessner asked if staff would be able to break down the cost for means testing. If there were a breakdown for income, would there need to be additional staff time for that?

Ms. Gordon said there would be additional staff time. The level of specificity and intensity of the means testing will determine how much additional time. If providers are asked on what amount they paid taxes last year, and staff accepts what they are told, it would not add much additional work to the process. If records are requested and someone has to study the records, for 900-1,000 homes a year, that would begin to add up.

Commissioner Wiessner felt there should be one cost for everything, regardless of ability to pay. There is enough challenge in trying to get people to become child care providers, no matter how much the cost. For now, she is not saying there should be an amount, only that there should be one

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fee, based somewhat on the County's costs, but not based on individuals' income. That seems irrelevant to why the County would charge a fee.

Commissioner Haigh said a couple counties have a flat fee but waive the fee if the income is 125% of poverty or less. She asked if there was a reason staff did not recommend that option.

Ms. Schlick responded that Option 1 waives the fee if providers are below 100% of poverty. For some of the counties, the standards aren't necessarily precise. It is staff discretion to decide if there is a hardship case. Staff felt that in a county the size of Ramsey County, it would be hard to administer, leaving it to a front-line decision about whether a provider pays a fee.

Commissioner Haigh asked if the other counties that have implemented the \$250 fee experience providers dropping out of the business.

Ms. Schlick said this has been a turbulent year for child care. The introduction of co-pays, and the change to the child care sliding fee program has significantly impacted the business of doing child care. Ramsey County had 13 child care centers close between July, when those changes came into effect, and December 2003. Staff have watched as economics in the labor market have reduced the number of people going into the licensed child care home business. At a planner level, it has been a hard year to sort out what has been a driver behind what has been going on in the child care market.

Commissioner Haigh said Ramsey County hasn't implemented fees and there have been people dropping out of the business. Staff are stating that there is not enough data to make any conclusions about people leaving the business.

Ms. Gordon said there is some anecdotal information, but it is spotty, and there is not enough data. Some counties have had to close people's licenses for lack of payment, and others may have chosen to withdraw.

Commissioner Haigh asked what percentage of the licensed home based providers are paid for by the subsidized child care payment.

Ms. Gordon thought about half of the providers have children on subsidized care.

Commissioner Haigh said this is a lot of fuss for not a lot of good results and almost no revenue. People are given a subsidy because they can't afford to pay for child care. Then the person providing the child care is told there would be a fee put on that, thereby allowing them to charge back to the people who receive the subsidy. This is not a regular business. Ramsey County is in the licensing business to ensure the health, safety and quality of care for kids in the community, which is a basic health and safety function. She doesn't like the idea of charging a fee. She favors charging no fees at all. What is the policy objective for this?

Commissioner McDonough said he is on the opposite side. This is a business; it is not a public service being provided. There is no indication for what the revenue would be if charging the maximum fee of \$250.

Ms. Schlick said that wasn't calculated. The discussion when looking at the options was that if charging the maximum of everyone, a number of providers would decline to go through the process. Calculations would be a soft number because they couldn't forecast exactly the number of people who might drop out of the business rather than pay the fee.

Commissioner McDonough suggested calculations be made based on the current number, because staff are making the assumption people would drop out if this fee were charged, but there is no indication that would occur.

Ms. Schlick said that could be calculated and brought back to the Commissioners.

Commissioner Bennett said the amount would be \$262,500 based on 1,030 providers.

Commissioner McDonough said this should be made a smooth process, charging a flat fee

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across the board, whatever the appropriate amount might be. Part of this seems to be budget-driven, and part of it policy-driven. Commissioner Haigh feels this is a public issue. He believes this is a business, and the County has the responsibility to make sure that business is regulated and managed. He does not view this as a public health issue. This is a for-profit business.

Commissioner Rettman asked if renewal is every three years or every two years.

Ms. Gordon said the first re-license is done for everyone after one year. If there are no special problems after that time, it is every two years. If there are problems, a person can be licensed on an annual basis, so it is either one or two years.

Ms. Schlick said it is the difference between the licensing process and the registration of the unlicensed providers. Unlicensed providers, when they first apply to be covered by the subsidy program, are renewed every three years.

Commissioner Rettman asked if the unlicensed providers would get the same flat fee as the licensed providers.

Ms. Schlick said staff would look for direction from the Commissioners on that.

Commissioner Rettman cited the feedback on tax deductions. She asked if a fee is charged, could it be claimed by the provider as a tax deduction.

Ms. Schlick cited the feedback from Tom Copeland, whose business is to advise on taxes and legalities.

Commissioner Rettman commented that there are other fees charged by municipalities that can't be used when itemizing. She said she would like clarification about that.

Ms. Schlick said staff would get information on that.

Commissioner Rettman said she attended the dinner for the child care providers, and complimented Ms. Gordon on that work. While at the dinner, she overheard some of the providers discussing a possible fee to be charged. Ramsey County has not taken a stance on this, but she appreciated that staff spoke with some of the individuals and asked for their input. She has had contact with some of these individuals, who wish this would go away. They did express the hope that some of the grants and training remain intact. Commissioner Rettman said the objective needs to be made clear. Any fee that may be charged has to go to this provision of services.

Commissioner Bennett asked if everything done by staff involved in licensing is included in the \$900,000 -- \$11,000 had been cited for fingerprinting.

Ms. Gordon said she did not believe the \$11,000 was included in the \$900,000, so it would be \$911,000.

Commissioner Bennett said that totals to about \$860 for each licensed child care home. What is the County required to do per year for each licensed child care home for \$860?

Ms. Gordon said there is one activity that Ramsey County engages in the licensing program that is not specifically required. Every other step mentioned earlier is required. Since people are licensed every two years, and the visitation requirement is one per year, in the in-between years, an unannounced visit is made to try to get a picture for how things are going in the home. When there are problems or complaints, many more visits are made, and more activities conducted with the provider. The one visit per year is a minimal standard for some guarantee of quality in the home.

Chair Reinhardt stated that virtually all \$911,000 is mandated.

Ms. Gordon responded affirmatively, except for the off-year visit.

Commissioner Bennett said he is trying to determine why so much money is spent. He would like to have an outline put together for what is done each year with the costs.

Chair Reinhardt said the cost being discussed is an actual registration fee.

Ms. Gordon said it is a \$250 licensing fee.

(Continued)

Commissioner Bennett said this is about a business to some degree. Citing the start-up costs associated with a new licensed home, he asked if the furnace inspection is done every year.

Ms. Gordon said no, that is a start-up cost, to make sure the furnace is safe, as installed, and functioning.

Commissioner Bennett said that is a huge business cost. The \$250 maximum fee would not be annually because the homes would be licensed every two years. He asked if it would only be every other year if going to the maximum amount.

Mr. Martin said some homes would be licensed two years in a row, and if issues arose, licensing could be three years in a row. Some of those homes may go out of business with new ones coming in. It isn't as simple as saying \$250,000 the first year and half in subsequent years.

Commissioner Bennett asked if there are 30 new applications per month.

Ms. Gordon responded affirmatively. A fair number of people drop their license after one year and almost half after five years. The licensing and re-licensing process is the most labor intensive part of the job function, requiring 10-12 hours per home. The next most intensive function is a negative action for revocation or suspension of someone's license. It takes a disproportionate amount of time for that activity. There is a lot of activity focused about the date of the re-license or the initial license.

Commissioner Bennett said with that many people coming into this and dropping out, it may be top-heavy in the front. This is costing the County a lot of money if that many people are dropping out every year.

Commissioner Ortega said subsidies are also given to developers for infrastructure, and at times that is good business for the County. He could view this as a subsidy for the infrastructure for the County's social service safety net. The argument on business versus anything else is not the way this should be framed. He agreed with Commissioner Haigh on the point that a lot of time, energy, and money are being spent on this, on the part of staff and the Commissioners, to go on about this when it will bring in very little revenue, with more work for staff. This is about people who need the most help in the community, the low income people who need the service, who have no other options. Commissioner Bennett brought up great issues, but they have nothing to do with a fee. Those are good issues about the internal operations of licensing, with valid arguments, but they are irrelevant to the fees. If the Commissioners wanted to have more value added to how this operates, that is a separate issue.

Commissioner Ortega moved for a motion for no fee to see where the County Board stands on this. Commissioner Haigh said she would second that.

Commissioner Wiessner asked when a child care provider comes in for a license, is it for one year or two years.

Ms. Gordon said every person who comes for a license is initially licensed only for one year. If there aren't any problems after that, they are licensed for two years at a time.

Commissioner Wiessner asked if the investigations are done every year, or only the very first time they come in.

Ms. Gordon said they do the same types of background checks and assessments. What they don't have to do at re-licensing is orient the providers, which is a lengthy process, but they need to have an involved contact in the home to view the home, to walk through to look at the parts of the home used for day care, ask the provider in detail how things have gone, what the issues are, what types of training the provider has had during the previous year, and the background checks. A re-licensing process, on average, is about two-thirds of the length of the initial licensing process.

Commissioner Wiessner asked what is the difference between licensed and unlicensed child care.

(Continued)

Ms. Gordon responded that legal unlicensed child care has a small number of children.

Ms. Schlick said the number in that setting has changed back and forth in recent legislation. Right now, a provider can care for the children from one other unrelated family and be legally unlicensed. A license would be needed to care for children from two or more families that are unrelated to the provider. Once the home is licensed, there are standards about ages, staff ratio, and equipment. Registered unlicensed providers are those with a subsidy paid and there are no standards – only that the provider doesn't have a significant criminal record or child protection history. There are people doing unlicensed care when not paid by the subsidy program so there are no background checks, and there is no government intervention or oversight.

Commissioner Wiessner said from the perspective of a parent, there is a value in making sure there have been background checks. She suggested a certification or something that would be a value to help promote their business. There are people doing child care without being checked. She thought the County could help to encourage parents to go with a licensed child care home or one that has been registered.

Ms. Schlick stated that background checks are mandated and have been occurring for years; licenses cannot be obtained without them. Beginning last year, individuals can't become unlicensed providers without having a criminal background check. There are marketing campaigns funded by foundations and non-profit industries to help parents assess quality. The decision about whether to do criminal background checks would not be determined by the County Board's decision about whether to charge a fee.

Commissioner Wiessner said there is a value to the licensee in what the County is doing for them. She asked if it is fully tax deductible.

Ms. Schlick said that will be double-checked. Tom Copeland is both an accountant and attorney advising child care providers. The background checks are done through the Ramsey County Sheriff's Department, and Human Services is not charged for that.

Chair Reinhardt asked how much it costs the County in staff time.

Ms. Schlick said that they do not know.

Commissioner Haigh asked the Commissioners to think about the policy goals. The reason this is being considered is that it was permissive legislation created to say counties can deduct from property tax payments and instead use a fee system to fund the same service already funded with adequate funding streams, which are property taxes. She said while the County is in the business to encourage good quality child care for people who are on MFIP, it is also in the business of supporting subsidized child care because it keeps people off welfare. This doesn't make any sense. This isn't a business in the traditional sense. This is a service needed in the community as part of the Human Services infrastructure for people who will be on welfare, or they will not be able to go to work. She believes that there are things the County does for the good of the community. The idea of charging fees for every aspect of government takes the County in the exact opposite direction for pitching in for the good of the community. She supports sticking with the current system, with the funding source that allows for doing a good job in the licensing of child care homes, which is the property tax. She does not believe Ramsey County has to jump on the fee band wagon like every other county in the metropolitan area.

Chair Ortega pointed out that there is a motion and a second on the floor.

Chair Reinhardt stated that the motion is to not charge a fee.

Commissioner Rettman said more information is needed. Her initial response was why the County is looking at this. She would be more comfortable in charging a fee for the background checks. There is a lot of time invested in those checks. For parents, there is the concern about safe people providing the service. Whether there is a charge, people want to know whether a child care

(Continued)

provider is licensed or not. Licensing is not only mandated, it is good business to do that. She would like to look at some of the options, as well as what the state has been doing in terms of licensing, what they are charging, both on backgrounds and licensing. Human Services and the other departments have been challenged to think out-of-the-box. This is one of those moments the County Board has to give due diligence to the concepts. It might have been better for the department to have asked the County Board if it wanted to look at this prior to having staff put in all the work.

Commissioner Ortega said he doesn't see anything creative about this. It is clear – the amount of revenue that comes in from fingerprinting, which would be done anyway, doesn't even pay for staff time – it is not a revenue stream. Common sense has to come into play. This is a critical component to the MFIP and Welfare-to-Work Programs, so why even take the risk on a very fragile service in the community to expend energy and money to make sure it is there to begin with. It doesn't mean that all the other issues can't be brought up in terms of the budgetary process to ask how operations can be enhanced.

Chair Reinhardt said for clarification, the intent of the motion is to provide direction to staff not to charge fees at this time, and nothing would return to the County Board next week for a vote.

Commissioner McDonough said Commissioner Bennett's estimate of \$860,000 (up to \$1,000 per provider) is what this is costing the County, all coming off the property tax dollars. This is an opportunity to move a portion of this to fee-based, which is appropriate. Even if the maximum fee of \$250 were instituted, 75% would still be subsidized on the property tax. This would be a good way to approach this.

Commissioner Bennett said he is concerned about the turnover, that people try this out for a year or two, at the expense of the County. Not everybody who uses child care receives a subsidy; otherwise Kindercare and similar places would not be open.

Commissioner Ortega said those are centers and not covered by this.

Commissioner Bennett cited the counties that charge \$100-\$250 fees; they are all in the metro county area, all with the same concerns. Revenues need to be found other than from property tax, and this would be one way to do that.

Chair Reinhardt reiterated that the motion is to provide direction to staff to not charge fees at this time. There has also been the request for more information to come back to the County Board about the actual costs of background checks.

Commissioner Rettman said she still would like more information and her vote on this would be to continue the discussion, which would mean a no on the vote.

Chair Reinhardt rephrased that the motion is for no fee to be charged, and that additional information would return to the County Board.

Roll call on the motion for no fee: Ayes – Ortega, Haigh - 2. No – McDonough, Rettman, Wiessner, Bennett, Reinhardt. Motion failed.

Commissioner McDonough moved for charging a flat fee of \$125, which is one-half of the potential fee, to monitor it for a year, and for staff to come back with a report to see what the impact would have on the community. Commissioner Haigh seconded the motion to get it on the table.

Commissioner Wiessner said the \$911,000 cited as staff costs does not include the Sheriff Department's costs for doing the background checks. She could justify charging for the background checks. If revenue could be brought in to do that piece, decreasing the Sheriff's budget by that amount makes some sense.

Commissioner Haigh said on the background checks, it is a computer system accessed by all law enforcement agencies. It is not as though the Sheriff's Department creates its own system.

(Continued)

Commissioner Rettman said it is what the staff does with the information that costs the time on the background checks.

Chair Reinhardt said there is the cost associated with the background checks, regardless where it is.

Commissioner Wiessner said there is a cost associated with the County doing any of the background checks, which would be a legitimate reason to have a fee. Sometimes when services are provided free, people don't value that they are getting a service from the County. She said she would have it stated on the bill that it is a \$1,000 bill, \$900 which is paid by the County, and \$100 by the provider, to clarify that they are getting a service from the County, and is a value to their customers. It should be the same for everyone, not income-based, but she doesn't know what that dollar amount should be.

Commissioner Ortega said in the interest of compromise, if the amendment was to charge a flat fee of \$25, he could support the motion, otherwise he would remain a no vote – it has a zero impact on the County's budget.

Chair Reinhardt said given the number of questions on this, it might have been better if this had been discussed in a workshop.

Commissioner Rettman said it would have been better just to have known that staff had been working on this to determine whether the County Board would have even wanted it brought forward.

Chair Reinhardt said there is a motion and a second on a flat fee of \$125, which could be amended when it returns to the County Board.

Commissioner Rettman asked if that is just for the background check.

Commissioner McDonough said it would be \$125 to stay within the Human Services Department.

Commissioner Rettman asked staff if the requested information would be available at the time this would return to the County Board.

Mr. Martin said staff felt the information could be provided at that time.

Commissioner Bennett said a lot of this hinges upon the people getting subsidized care. He asked if there is a way to determine of the clientele, how many served might be below the poverty level.

Ms. Gordon said that information is not currently gathered, and it might be difficult to gather.

Ms. Schlick agreed regarding licensed care. Regarding registered care, everyone is at below, or very near poverty, and why they are on the subsidy program.

Roll Call on a flat fee of \$125: Ayes – McDonough, Wiessner, Bennett – 3. No – Ortega, Rettman, Haigh, Reinhardt - 4. Motion failed.

Chair Reinhardt said there were a lot of questions regarding fees, costs, backgrounds checks, and the Sheriff's Department, and information should come back to the County Board.

Commissioner Bennett said that is a good idea. Budget hearings are coming up, and he would like to see some numbers at different scales up to the \$250, how much money that would mean, so the County would not have to supplement with property taxes.

Commissioner Rettman said whenever the information becomes available, it would be valid to have further discussion on this.

Commissioner Wiessner said the County routinely goes to the legislature to complain about unfunded mandates and how there is no flexibility. The legislature has provided one door here for one service – it is legitimate, it is tax deductible, and is something that is not going to hurt anybody.

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OUTSIDE BOARD AND COMMITTEE REPORTS

Commissioner Haigh reported:

- On a Solid Waste Policy & Planning Committee meeting and a meeting on the proposed budget for Solid Waste Management Coordinating Board (SWMCB). The fees from the metropolitan landfill abatement account are being reduced by 30%, so the budget for the SWMCB would be reduced by approximately 30%. The PCA and OEA have not taken a 30% in their share of the fees. That will be an issue for the metro counties with the two State agencies. The PCA has taken a cut off the top of that money. There will be a significantly scaled back work plan for the upcoming year for the SWMCB as a result of that. The waste processing issues will not be scaled back because those are important issues.
- There has been a series of meetings on contingency planning on the Central Corridor. If there isn't going to be a special session of the legislature, What would we do? What is the role of the Met Council? What is the role of the Ramsey County Railroad Authority? She will come back to the County Board about recommendations at a Railroad Authority meeting.

Chair Reinhardt commented on the metropolitan landfill abatement account. The formula as in Statute has to be based on receipts, and is very specific. It hasn't been figured out exactly how that results in a 30% reduction if it is not across the board, because it has to be based on receipts.

Commissioner Bennett reported:

- He is on the Minnesota AMC's County Futures Task Force as is Ramsey County Manager David Twa. A question raised at the recent meeting was: What is the most outrageous thing you would consider to guarantee the success of county government in 20 years? There was also a four-hour AMC Board meeting where a bill was passed that if a County Board wanted to discuss court house security, it could be done behind closed doors. There was also discussion about what Hennepin County would do with its hospital regarding indigent care. A dues increase was discussed. Last year AMC did not have one. The leadership conference is in the Ely area in August. Restructuring of committees was discussed at AMC, at least in the area of the Criminal Justice Committee, because of the amount of impact the criminal justice system is having on counties. It may become a task force or a freestanding committee other than just part of general government.

Commissioner Rettman reported:

- She and Commissioner McDonough were at Merrick where Ramsey County received compliments regarding its efforts with the apprenticeship program, project labor agreements, and the willingness to deal with brownfields.
- On a block club meeting, where teacher Judy Parin commented that the County is an unseen government. Commissioner Rettman was asked what exactly the County does. People recognize yard waste sites, compost sites, and shrub waste sites as County functions. She said she pointed out that the County is not just recognized by parks, jails, and human services.

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- On an Eastside meeting regarding two Level 3 sex offenders moving into the neighborhood. Information given out by the St. Paul Police Department was complimentary of the probation officers' supervision, as well the County for being willing to prosecute when necessary.

Commissioner Wiessner reported:

- The Public Works Department had recommended a change in the drainage from West Lake Vadnais into Lake Gervais. Because of potential flooding on Rice Street, Lake Vadnais doesn't have any outflow; this was a tremendous concern to residents around Lake Gervais, who feel they are already being flooded. There was a special meeting held with Ramsey County Public Works and the Watershed District, and the residents were assured that the size of the outflow is small enough that if it does create a problem, methods could be used to stop it.

Chair Reinhardt reported:

- She attended the Painters Union open house in Little Canada. They have a great new training facility.
- On the Governor's Council on Geographic Information Systems (GIS), which is dealing with homeland security.

ADJOURNMENT

There being no further business, Chair Reinhardt adjourned the meeting.

Bonnie C. Jackelen, Chief Clerk-County Board