

PART I
FORM AND STRUCTURE OF THE MINNESOTA COUNTY

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1. Counties with additional statutory powers

Out of 87 counties in Minnesota, only Ramsey County has a home-rule charter. However, out of Minnesota's six counties with a population over 200,000 as of the 2000 Census, five are given additional powers by statute:

[Minn. Stat. ch. 383A.](#) **I. Ramsey County**

[Minn. Stat. ch. 383B.](#) **II. Hennepin County**

[Minn. Stat. ch. 383C](#) **III. St. Louis County**

[Minn. Stat. ch. 383D.](#) **IV. Dakota County**

[Minn. Stat. ch. 383E](#) **V. Anoka County**

Washington County is the only county with a population over 200,000 that does not have a separate chapter devoted to it in the statutes.

This chapter will examine the statutes regarding each of the five statutory chapters above. Only a brief overview of the powers and responsibilities given by these statutes is presented here; for more detail, refer to the statutes or to county officials.

I. Ramsey County

A. Home Rule Charter

[Ramsey County
Home Rule Charter](#)

Home rule municipalities can exercise any powers in their locally adopted charters as long as they do not conflict with state laws. Conversely, charter provisions can specifically restrict the powers of a county or city. Consequently, voters in Ramsey County have more control over the county's powers. Although many cities have home rule charters, Ramsey County is the only county in Minnesota with home rule.

[Ramsey County
Home Rule Charter](#)

Ramsey County's home rule charter clearly specifies the difference between ordinances and resolutions. It mandates that all ordinances receive two readings; at the first reading, a date will be set for the public hearing which shall be held no sooner than 10 days after the first reading. The second reading shall be at the public hearing and the ordinance may be passed at this meeting. The charter specifically identifies the following acts of the board which must be enacted by ordinance:

Ramsey County
Home Rule Charter

- Establish, structure, merge, or abolish any county department, office, agency, board or commission, except as provided for in this charter.
- Establish the annual salary for county board members.
- Authorize the bonding and borrowing of money.
- Authorize emergency appropriations as defined in this charter.
- Provide for a fine or other penalty or establish a rule or regulation for violation of which a fine or other penalty is imposed.
- Grant, renew or extend a franchise.
- Convey or lease, or authorize the conveyance or lease of any park lands of the county.
- Adopt, with or without amendment, ordinances proposed under the initiative power.
- Amend or repeal any ordinance previously adopted, except as otherwise provided in Chapter 8 of this charter with respect to repeal of ordinances reconsidered under the referendum power.
- Propose amendments to this charter.

Ramsey County
Home Rule Charter

Each ordinance or resolution shall relate to a single subject which shall be expressed clearly in its title.

Ramsey County
Home Rule Charter

The Ramsey County charter also provides for initiative, referendum, and recall.

Ramsey County
Home Rule Charter

Any state laws regarding counties, which are not addressed by the charter, shall be applied as if it were included in the charter.

B. Organization and Administration

1. Officers

Minn. Stat. §
383A.20 subd. 2

The offices of county auditor, county treasurer, court commissioner, and county recorder must be either abolished or made appointive.

Minn. Stat. §
383A.33

The board must appoint the county assessor. The assessor will serve a four-year term.

Minn. Stat. §
383A.42

The board must appoint a county surveyor.

2. Board

Minn. Stat. §
383A.26

In addition to the election of a vice-chair as prescribed by the general laws of this state, the county board shall elect a second vice-chair, who shall perform the duties of the chair and vice-chair in their absence.

Minn. Stat. §
383A.27

The board must meet at least twice each month at the times and dates established at the first meeting in January of each year. The board shall provide that a journal of its official proceedings be kept as a public record.

3. Administrator

Ramsey County
Home Rule Charter

Ramsey County has a county manager who serves at the pleasure of the board. The manager may appoint, review, transfer, suspend or remove all appointive department heads, and authorize the department heads to manage personnel in their departments.

See Handbook, ch. 3

The county manager also has powers equivalent to the County Manager plan reviewed in chapter 3.

4. Departments, agencies, and commissions

The following departments, agencies, and commissions are established in the statutes regarding Ramsey County:

Minn. Stat. §§
383A.551-556

- Charter Commission

Minn. Stat. §
383A.12

- Health department.

Minn. Stat. §
383A.91

- In 1986, control over the Ramsey County hospital was transferred to Ramsey Health Care, Inc. In 1994, Ramsey Health Care, Inc. was given authority to incorporate as a nonprofit corporation. Upon incorporating, it ceased to be a public corporation, and its employees ceased to be public employees.

Minn. Stat. §§
383A.281 - 301

- Personnel department

Minn. Stat. §
383A.32

- Purchasing department

Minn. Stat. §
383A.40

- Social services agency

- The county board is the local social services agency.

Minn. Stat. §§
383A.404 - 405

- Community corrections department

- Elections department

Minn. Stat. §
383A.62

- In 1993, the City of Saint Paul elections department was given authority to merge with the Ramsey County elections department.

C. Additional Powers

Minn. Stat. § 383A.03

Ramsey County is authorized by the legislature to levy taxes for:

- Construction, operation, and maintenance of Saint Paul-Ramsey Hospital;
- Operation and maintenance of detention and correction facilities;
- Bonds issued for the park and open space system;
- Acquisition and construction of nine artificial ice arenas and a golf course
- Operation and maintenance of Aldrich Arena;
- Educational, artistic and scientific interests;
- Operation and maintenance of the health department; and
- Group insurance for retired employees and elected officials.

[Minn. Stat. § 383A.80](#) The board may also impose a mortgage registry and deed tax; the mortgage registry tax equals .0001 of the principal; the deed tax equals .0001 of the amount.

[Minn. Stat. § 383A.08 subd. 2](#) The county may maintain, operate and manage a detention facility, workhouse, workfarm and/or juvenile detention facility

[Minn. Stat. § 383A.13](#) The county may maintain a staff of paramedics.

[Minn. Stat. § 383A.322](#) Notwithstanding the laws about competitive bidding in [Minn. Stat. § 471.345](#), the county may annually set aside a percentage of the value of the county's anticipated total procurement of goods and services to award to small businesses. The county must use either a negotiated price or bid contract procedure to award a procurement contract under the set-aside program.

[Minn. Stat. § 383A.39](#) The Saint Paul City Hall and Ramsey County Court House building is in charge of a joint committee of seven members: the mayor of Saint Paul, three Saint Paul council members appointed by the council president, and three members of the Ramsey County board appointed by the board chair. The mayor of Saint Paul is the chair of the committee.

The committee has entire charge of the building and may appoint the janitor, custodian and other employees that it considers necessary for the proper care and management of the building.

D. Additional Responsibilities

[Ramsey County Home Rule Charter](#)

The county board is responsible for coordinating county-wide operational services, strategic planning, tactical planning, and public data and information systems planning.

- The county must produce a “county plan” which shall set forth the county board's policy regarding the coordination of service delivery with other units of government, including recommendations for:
- A system of thoroughfares, highways, streets and other public ways;
- A system of public open spaces, parks, and playgrounds;
- The location, relocation, and improvement of public buildings of county-wide significance;
- A transit system;
- The availability and location of public and elderly housing;
- An adequate system of drainage facilities and control;
- A solid waste management system;
- An integrated law enforcement system;
- An emergency services system;
- A human service delivery system;
- A public health service system; and
- Such other matters as may, in the judgment of the county board, be beneficial to the county.

[Minn. Stat. § 383A.06](#) Ramsey County is responsible for all welfare programs within the county, including any costs which are not met from federal, state or private sources.

[Minn. Stat. § 383A.16](#) Ramsey County shall divide \$100,000 annually amongst the municipalities who do not receive state-aid street funds, to aid these municipalities in the maintenance of former county roads and county state-aid highways that have been transferred to their jurisdiction.

[Minn. Stat. § 383A.81](#) Money collected from the mortgage registry and deed taxes (see above) must be deposited in an environmental response fund used for the following purposes:

- acquisition of lands or property which are polluted or contaminated with hazardous substances;
- paying the costs associated with indemnifying the entity taking title to lands or property from any liability arising out of the ownership, remediation, or use of the land or property;
- paying for the costs of remediating the acquired land or property;
- paying the costs associated with remediating polluted properties; or
- paying for the costs associated with improving the property for economic development, recreational, housing, transportation or rail traffic.

II. Hennepin County

E. Organization and Administration

1. Officers

[Minn. Stat. § 383B.025](#)

The positions of auditor, treasurer, and recorder must be either abolished or made appointive.

2. Board

[Minn. Stat. § 383B.031](#)

If a vacancy occurs in a seat on the board more than six months before the general election in which a commissioner will next be selected to occupy such seat, the vacancy may not be filled by appointment in Hennepin County. Instead, the county auditor must call a special election within the affected district to fill such vacancy. The special election must be called within seven days of the vacancy's occurrence.

3. Administrator

[Minn. Stat. § 383B.101](#)

The office of the Hennepin County administrator is created by statute. The administrator is the chief administrative officer of the county.

[Minn. Stat. § 383B.102](#)

For more information on county administrators, see Handbook, ch. 3.

The powers and duties of the Hennepin County administrator, as laid out in [Minn. Stat. § 383B.102](#), are the same as those under the County Administrator plan. The administrator is appointed by the board of commissioners, and serves at the pleasure of the board. S/he serves as the administrative head of the county and performs all duties of an executive nature. S/he may serve as the head of any department, if so resolved by the board. The county administrator must also prepare an annual budget and a long-range capital expenditure program.

The county administrator has the right to participate in board discussions, but not to vote. Similarly, s/he requires board approval to appoint, suspend, or remove personnel.

4. Departments and boards

The county has the following departments and boards:

[Minn. Stat. §§ 383B.121 et. seq.](#)

- Corrections

[Minn. Stat. §§ 383B.141 et. seq.](#)

- Purchasing

[Minn. Stat. §§ 383B.211 et. seq.](#)

- Health

[Minn. Stat. § 383B.213](#)

- The county board may act as the board of health, or may appoint board members.

[Minn. Stat. §§ 383B.901 et. seq.](#)

- In 2005, the operation of Hennepin County Medical Center was transferred to a newly-created corporation, Hennepin Healthcare System, Inc. The structure, powers, and duties of the corporation are laid out in [Minn. Stat. §§ 383B.901 et. seq.](#)

[Minn. Stat. §§ 383B.239 et. seq.](#)

- Library
 - The county board acts as the library board.

[Minn. Stat. §§ 383B.26 et. seq.](#)

- Human resources

[Minn. Stat. §§ 383B.611 et. seq.](#)

- Probation and investigation

[Minn. Stat. §§ 383B.68 et. seq.](#)

- “Three Rivers” (suburban Hennepin) park district

[Minn. Stat. § 383B.77](#)

- Housing and redevelopment authority

[Minn. Stat. § 383B.251](#)

The Hennepin County License Bureau has the following duties: issue and process marriage licenses and records, record veterinary licenses, record optometry licenses, record chiropractic licenses, record podiatrist licenses, record osteopathic licenses, record medical doctor (M.D.) certificates, record basic science certificates, record ministerial credentials, record notary commissions, record trade names, issue jurats and acknowledgments, issue and process birth and death records, and issue certified copies of any of the above as applicable.

F. Additional Powers

[Minn. Stat. §§ 383B.121 125](#)

The county may operate a corrections facility, and may operate at the corrections facility a factory for the manufacture, processing, repairing, and production of goods.

[Minn. Stat. § 383B.158](#)

The county is authorized to engage in design-build contracts, in which a construction project is begun while the later stages of the project are still being designed. This authority originally expired December 31, 2007, and was restricted to contracts for the Northwest busway and the Lowry Avenue bridge. It was extended in 2007 for the reconstruction of the I-35W bridge into Minneapolis, and it does not appear that new restrictions were created.

[Minn. Laws 2007 ch. 70](#)

[Minn. Stat. §§ 383B.217; 383B.219](#)

Hennepin County may establish a medical center to provide hospital and medical services to the general public, as well as other clinics throughout the county.

[Minn. Stat. § 383B.603](#)

In order to provide information on the location of county highways and county state-aid highways, the board may file maps or plats for record in the office of the county recorder and registrar of titles. These maps may be filed without compliance with the provisions of [Minn. Stat. ch. 505](#)

[Minn. Stat. § 383B.71](#)

The Three Rivers Park District is authorized to acquire, establish, operate, and maintain trail systems.

[Minn. Stat. § 383B.73](#) The county board may veto or modify an item contained in the park district budget.

[Minn. Stat. § 383B.80](#) The board may impose a mortgage registry and deed tax; the mortgage registry tax equals .0001 of the principal; the deed tax equals .0001 of the amount.

G. Additional Responsibilities

[Minn. Stat. § 383B.257](#) The county may establish a central mobile equipment division under the supervision of the county highway engineer. All mobile, maintenance and construction equipment owned by the county or any department thereof shall be transferred to the central mobile equipment division, and any county department, town, city, school district, or other public corporation within the county that may require the use of the equipment may requisition for its use to the central mobile equipment division.

[Minn. Stat. § 383B.565](#) Each subdivision plat or registered land survey plat shall be approved by the Hennepin county surveyor before recording. The proprietor of such plat shall be charged a fee for such service in accordance with a schedule established by the board.

[Minn. Stat. § 383B.75](#) The Hennepin County Courthouse and Minneapolis City Hall Building shall be under the exclusive care of a "municipal building commission," which shall be comprised of the chair of the Hennepin County board, the mayor of Minneapolis, a person appointed by the county board, and a person appointed by the city council of Minneapolis, who shall serve at its pleasure. The person appointed by the county board shall be the secretary of said commission and as such shall keep the records and accounts thereof.

[Minn. Stat. § 383B.81](#) Money collected from the mortgage registry and deed taxes (see above) must be deposited in an environmental response fund used for the following purposes:

- acquisition of lands or property which are polluted or contaminated with hazardous substances;
- paying the costs associated with indemnifying the entity taking title to lands or property from any liability arising out of the ownership, remediation, or use of the land or property;
- paying for the costs of remediating the acquired land or property;
- paying the costs associated with remediating polluted properties; or
- paying for the costs associated with improving the property for economic development, recreational, housing, transportation or rail traffic.

III. St. Louis County

H. Organization and Administration

1. Board

[Minn. Stat. § 383C.09](#) The county board may elect, for a term of one year, two of its members to serve on any commission or any other board, except the civil service commission and board of education for the unorganized territory.

[Minn. Stat. § 383C.093](#) The board must print and bind in permanent form copies of the board's meeting minutes, the county's financial statements, and the official proceedings of the canvassing board.

2. Boards and commissions

Three boards and commissions are established by statute:

[Minn. Stat. § 383C.072](#) Land investment board

- This board has the responsibility to accelerate the county's forestry land management program and to provide operational support and supervision to a broad range of forest projects.

[Minn. Stat. § 383C.081](#) Housing and redevelopment authority

- The board may, by resolution, provide that it will constitute the authority, or it may provide for the appointment of members.

[Minn. Stat. § 383C.03](#) County civil service commission for county employees

3. Officers

[Minn. Stat. § 383C.136](#) The duties and functions of the county treasurer shall be transferred to and be performed by the county auditor, and the office of county treasurer is abolished.

Effective in 1991, the county board shall appoint a county recorder to serve at its discretion. The position is no longer elective.

I. Additional Powers

[Minn. Stat. § 383C.094](#) Where the state of Minnesota holds title to at least 30 percent of all the land in any one district of a drainage system subject to chapter 103E, the county board may clean or make repairs on any drain or ditch in any one district in said system when said drain or ditch, due to lack of repairs or cleaning, has caused or is causing great damage to county roads, property, crops or lands.

[Minn. Stat. §§ 383C.16 - 163](#) The board is authorized to make annual appropriations for improving and maintaining the county fairground, and to community fair associations and the county agricultural society.

- [Minn. Stat. § 383C.19](#) The county may establish an emergency employment program to meet the needs of its unemployed residents. Limits imposed by civil service rules shall not apply to the emergency jobs program. Service in they emergency jobs program shall be noncovered employment for the purposes of unemployment insurance under [Minn. Stat. ch. 268](#), and St. Louis County shall not be liable for contributions to the unemployment insurance program trust fund for participants of an emergency jobs program.
- [Minn. Stat. ch. 268](#)
[Minn. Stat. § 268.035, subd. 20](#)
- [Minn. Stat. § 383C.235](#) Notwithstanding [Minn. Stat. § 163.06, subd. 4](#), the road and bridge fund tax money collected from unorganized townships in St. Louis County need not be set apart in separate funds for each township.
- [Minn. Stat. § 383C.293](#) The board may issue seasonal on-sale licenses for the sale of intoxicating liquor. Not more than one license shall be issued for any one premises during any consecutive 12-month period.
- [Minn. Stat. § 383C.451 et. seq.](#) Whenever it shall be made to appear to the satisfaction of the county board that any section post or quarter-section post or other monuments have been destroyed or are becoming obscure, the county board may employ a competent surveyor or may direct the county surveyor to relocate and reestablish the same. A new survey may also be ordered at the request of a township or at least two taxpayers owning land in one section. The expense for the survey may be assessed against the land surveyed.
- [Minn. Stat. § 383C.555](#) St. Louis county may annually levy any amount necessary for maintenance and support of county extension work.
- Notwithstanding [Minn. Stat. § 471.345](#) or other law, St. Louis County may contract for the acquisition, construction, improvement, maintenance, or management operation of solid waste facilities or property or property rights for solid waste facilities by any means available and in any manner determined by the St. Louis County Board, with or without advertisement for bids.

J. Additional Responsibilities

- [Minn. Stat. § 383C.027](#) A record of every appropriation shall be kept by the county auditor, or by an officer, agent, or employee designated by rule, which will at all times show the amount of any appropriation which has been expended, contracted, or obligated, and the remaining unencumbered amount which is available for expenditure.
- [Minn. Stat. § 383C.232](#) The board may by resolution provide a suitable method of numbering or otherwise describing the state, county, and town roads within its boundaries, erecting and maintaining an adequate system of road signs thereon and preparing and causing to be circulated an accurate road map of said county.
- [Minn. Stat. § 383C.392](#) The social services board shall award grants each year for St. Louis County School District No. 710 to carry on a nutrition program in the schools and to provide hot lunches for needy school children.

IV. Dakota County

K. Organization and Administration

1. Boards and commissions

[Minn. Stat. § 383D.41](#)
[Minn. Stat. §§ 469.001 to 469.047 and 469.090 to 469.1081](#) apply to the Dakota County Community Development Agency.

The Dakota County Community Development Agency has all of the powers and duties of a housing and redevelopment authority and all powers and duties of a county housing and redevelopment authority. For these purposes, the county has all of the powers and duties of a municipality, the county board has all of the powers and duties of a governing body, the chair of the county board has all of the powers and duties of a mayor, and the area of operation includes the area within the territorial boundaries of the county.

The board may create a planning advisory commission composed of two appointees from each Dakota County commissioner district, without being bound by the limit of 11 members in [Minn. Stat. § 394.40](#). Such appointments shall be annual.

2. Officers

[Minn. Stat. § 383D.09](#)

The offices of county treasurer and county auditor are merged in Dakota county. The board has also provided that the offices of county recorder and treasurer/auditor shall be filled by appointment. These offices will be referred to as treasurer/auditor and property records.

[Minn. Stat. § 383D.095](#)

In Dakota county the county administrator, rather than the auditor, is the clerk of the county board.

L. Additional Responsibilities

[Minn. Stat. § 383D.65](#)

Each subdivision plat or registered land survey plat which is contiguous with any existing or proposed county road shall be approved by the Dakota County board before building permits are issued by the municipalities in which the subdivision or land survey is located.

[Minn. Stat. § 383D.48](#)

Dakota county may provide financial and accounting services, including payroll management and records, to the Minnesota Inter-county Association and the Dakota County Agricultural Society. Agricultural Society employees may be considered county employees for the purpose of providing group health insurance benefits.

[Minn. Stat. § 383D.49](#)

M. Intergovernmental Relations

[Minn. Stat. § 383D.73](#)

The governing body any city or town in Dakota County may transfer the duties of the city or town board of review or board of equalization under [Minn. Stat. ch. 274](#) to the county board of equalization.

V. Anoka County

N. Organization and Administration

- [Minn. Stat. § 383E.03](#) Anoka County has the power to abolish and/or make appointive the officers of treasurer, auditor, and recorder.
- [Minn. Stat. § 383E.28](#) The board may provide procedures for the payment of all or any county obligations by the county auditor without presentation to the board. The procedures shall include regular and frequent review of the auditor's action by the board.
- [Minn. Stat. § 383E.17](#) The Anoka County Housing and Redevelopment Authority has all of the powers and duties of a housing and redevelopment authority. For these purposes, the county has all of the powers and duties of a municipality, the county board has all of the powers and duties of a governing body, the chair of the county board has all of the powers and duties of a mayor, and the area of operation includes the area within the territorial boundaries of the county.

O. Additional Powers

- [Minn. Stat. § 383E.10](#) Ordinance regulating the protection and use of parks supersede any conflicting provisions cities and towns within Anoka County.
- [Minn. Stat. § 398.34](#)
- [Minn. Stat. § 383E.15](#) Notwithstanding section [Minn. Stat. § 282.18](#), Anoka County may sell certain tax-forfeited lands that border public waters in the cities of Andover, Coon Rapids, East Bethel, and St. Francis and the towns of Burns and Oak Grove.
- [Minn. Stat. § 383E.23](#) The Anoka County Board may levy a tax of not more than .01 percent of the taxable market value of taxable property located within the county excluding any taxable property taxed by any city for the support of free public libraries.

P. Intergovernmental Relations

- [Minn. Stat. § 383E.13](#) The county assessor shall examine the assessment appraisal records of each local assessor on or about March 1, as opposed to December 1 for most counties.
- [Minn. Stat. § 383E.25](#) Cities in Anoka County are responsible for dangerous dog registration pursuant to [Minn. Stat. § 347.51](#). The county shall continue to enforce that section for towns in the county.
- [Minn. Stat. § 383E.26](#) The board may, by resolution, delegate to the town board of towns located within the county, powers possessed by the county to issue liquor licenses.

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