



January 22, 2026

To: Ramsey/Washington Recycling & Energy Board
From: Trista Martinson, Executive Director; Zack Hansen, limited duration staff; Leigh Behrens, Planning Manager; Melissa Finnegan, Strategic Partnerships Manager
Re: **Preliminary Analysis of Solid Waste Management Governance**

This report and its attachments present a preliminary analysis of solid waste management governance options available to Ramsey and Washington Counties and the Ramsey/Washington Recycling & Energy (R&E) Board. Both 2024-2042 Ramsey County and Washington County Solid Waste Management Plans (SWMPs) provide this policy direction on waste governance: *“The R&E Board will continue to evaluate and implement appropriate changes to its governance structure and size to ensure effectiveness.”*

In response to those policies, the 2025-2030 R&E Strategic Plan includes this strategic initiative: *“The R&E Board will continue to evaluate and implement appropriate changes to its governance structure and size to ensure effectiveness.”* In addition to work specific to Ramsey and Washington Counties, the Association of Minnesota Counties (AMC) has created a solid waste working group. Commissioners on that working group have expressed significant interest in waste governance. R&E Board member Commissioner Bigham co-chairs this committee.

Background & History

There is a history of successful partnerships between Ramsey and Washington Counties for solid waste issues. A summary of that history is found in **Attachment 6**. Joint solid waste governance by the two Counties dates to the 1970s, when the Counties jointly owned and operated the first MPCA-permitted landfill in Minnesota, called the Lake Jane landfill (SW-1). Following the discovery of groundwater contamination at SW-1 and prompted by state legislation, the Counties engaged in joint work to examine landfill alternatives. Since the early 1980s, there has been a series of joint powers agreements (JPAs) and amendments related to solid waste management. These JPAs were structured to:

- Explore waste-to-energy (early 1980s)
- Manage long-term resource recovery facility contracts with Northern States Power Company (NSP) and several subsequent owners (1980s to 2015)
- Include joint efforts other than waste processing, such as outreach and education, food waste management and business recycling (beginning 1990s)
- Own and operate the Ramsey/Washington Recycling & Energy Center (R&E Center) with expanded joint program efforts (since 2015)

Since the purchase of the R&E Center in 2015, the current JPA has worked well to complete its *original* purpose, which was the start-up of R&E. That governance structure, a joint powers entity of Ramsey County and Washington County, was established to facilitate the purchase of the R&E Center, convert the facility from private to public operation, modernize old technology and coordinate existing programs that had been jointly operated. It was not designed to foster a scaling-up of R&E to meet the challenges presented in the current SWMPs.

There are several reasons to consider a change in the current governance structure:

- **Structural limitations:** R&E's responsibilities have expanded as new opportunities for efficiency through collaboration have emerged. This is evident in the substantial increase in SWMP alignment of policies and strategies. In the past several years, R&E has been assigned increased responsibility for managing the Counties' solid waste; taken on new initiatives at the local, state and federal level; and realized that progress toward the Counties' goals and the R&E vision requires major system changes in the east metro's management of solid waste.
- **Efficiency challenges:** The current joint powers governance structure is designed for the two Counties and R&E to coordinate similar work. While each county may administer projects and programs that address unique needs, R&E is responsible for programs (joint activities) that address shared priorities for both Counties. Over time, these R&E programs have been implemented collaboratively by R&E staff along with as many as 30 staff from each county. As programs have grown, and county staff are redirected to other initiatives, this collaborative approach has created challenges in managing competing priorities and expectations. To improve efficiency, R&E has added staff in recent years to make these programs less reliant on a larger number of county staff. While this has improved aspects of R&E program implementation, it has also created new challenges to the collaboration between the counties and R&E.
- **Nimbleness:** R&E's agility and flexibility are not fully realized under the current structure. Since its inception in 2015, R&E has operated "light on its feet," anticipating system needs and pivoting to meet them, with well-informed decisions made in a very timely fashion. This attribute is critical to continue to engage with partners and seize new opportunities.
- **Changes in governance are not new:** Examining solid waste governance has occurred in the past, when changes in solid waste management have called for it. Over time, a series of JPAs and amendments have changed the form of governance to adapt to evolving legislation, state policy expectations, public input and court decisions. For example, research into alternate governance structures occurred when purchase of the facility was considered. At that time, there was strong interest in solid waste management district formation and altering the Joint Powers Agreement. Because the current statutes related to district formation were unworkable and time-consuming, the JPA option was selected.

This preliminary analysis is the first step in evaluating governance options. It outlines the dimensions of joint governance, proposes desired elements of a governance structure, outlines available alternative governance structures and suggests next steps for board consideration.

Previous Governance Analyses

From 2013 to 2015, the two Counties, through the Ramsey/Washington Resource Recovery Project (RRP) Board (predecessor to R&E), spent considerable time evaluating whether to purchase the current R&E Center from its private owner. Governance was among several dimensions of that analysis.

As part of the policy evaluation related to purchase of the R&E Center, the Counties opted to pursue a JPA. Leading up to this decision were several presentations and documents, as well as considerable board discussion. All the reports are available on the R&E website. These historical documents related to governance were reviewed for this analysis. Three key elements were:

- February 2014:** Background information on governance was provided in "[Waste Processing Governance Policy Study](#)" (pages 45-57). That document cited information from a previous Solid Waste Management Coordinating Board study on regional governance, as well as work by Resource Recovery Project consultants and county staff. Four types of governance systems were cited: joint exercise of powers, intergovernmental service agreements, legislatively created entities and waste management districts.
- April 2014:** A memorandum titled "[Policy Evaluation – Direction on Technology and Policy Evaluation](#)" (pages 116-129) was transmitted to the board. Of note on pages 124-125, the evaluation focused on two governance options: joint exercise of powers and waste management districts, ruling out intergovernmental service agreements and a legislatively created entity.
- September 2014:** Legal counsel presented "[Future Governance Approaches](#)" (page 150-162) which, on page 150, provides a comparison of joint exercise of powers and waste management districts. The result of the discussion that followed and future action was the selection of governance using a joint powers agreement. While there was appeal to a waste management district, the existing state legislation related to creating a district was (and remains) unworkable. A JPA was the only viable option for proceeding with the purchase within the available time.

Governance Dimensions

Evaluating a change in governance is a multi-faceted, multi-level process. Issues range from broad, high-level matters to more nuanced details. Prior to purchasing the R&E Center, the governance discussion focused on identifying the structure and function of an organization that would assume public ownership of an existing private facility. The pending governance discussion will have a different focus. As with the previous analysis, classifying issues into dimensions clarifies a complex process.

Dimensions are the high-level topics requiring attention when evaluating governance changes. Dimensions frame the research and policy analysis and assure all bases are covered. Seven dimensions have been identified in the graphic below for the potential upcoming analysis of governance.

Governance Dimensions			
Governance Structure	Legal	Finance	Risk Management
Evaluate optimal structures for east metro waste management, considering policies and strategies in county plans	Review legal issues associated with a governance change, including a legal risk analysis	Identify and evaluate financial issues associated with a change in governance	Identify and evaluate risks associated with a new governance structure and consider risk mitigation alternatives
Administration		Community Engagement	Strategic Partnerships
Identify administrative elements and a scope of change for each (e.g. IT, human resources, finance, procurement, etc.)		Identify interested parties and communities, plan for engagement, seek dialogue and input	Advocate for governance legislation as needed; engage cities, townships and other partners during governance evaluation

Alternative Governance Examples

The current analysis examined various governance models in Minnesota and the United States. R&E's consultant HDR evaluated 12 regional solid waste entities across the country and interviewed five of them (**Attachment 2**). R&E staff also reviewed several types of regional governing structures in Minnesota, including waste-related joint powers boards (**Attachment 3**).

Key Takeaway: There is great variation in waste governance, but there are some common threads. The most effective waste management systems are governed locally in a structure that best fits local needs. To ensure accountability, a governing board with elected officials is important to direct the work. An organization needs to have the tools available to meet its mandates, including personnel, regulatory, financial, operational and so on. There also needs to be a way for a governing entity to expand or contract by onboarding or offboarding nearby communities.

Additional key findings related to waste governance:

- **Variability:** There is wide variation in organizations governing waste. The scope of authority, governing oversight, range of duties, regulatory authority, financing and accountability is very different. This is understandable given the wide variety of approaches to solid waste management across the U.S. (and even within Minnesota). The form of regional government follows the assigned or assumed function of that entity.
- **Structure:** Form follows function in waste governance structures. Formal partnerships (such as joint powers agreements) are common in Minnesota, but with a wide range of duties delegated to joint boards. Elsewhere in the U.S., intergovernmental partnerships (joint powers, intergovernmental agreements and special districts) exist to serve local needs. In some areas, state laws require or frame local government waste structures, with less flexibility at the local level.
- **Boards:** Oversight of the reviewed regional governing structures is provided by boards of directors of some type. Board composition, authority, involvement and operations vary. In most cases, boards reviewed in this analysis were comprised of elected officials – appointed by another entity (county, city). Technical or policy advisory committees are also common.
- **Staffing:** The level and type of staffing varied with the responsibility of the governing entity. In some cases, there were large staff complements when the duties were wide-ranging and involved operating facilities. In other cases, where regional coordination, planning and/or reporting were the major duties, there were few staff. Most entities contracted with private sector service providers for some work.
- **Onboarding and offboarding communities:** Multiple entities provided information on member communities (cities or counties) choosing to leave or requesting to join the entity. Several entities recommended clear pathways for such transitions and changes.
- **Precedent for Minnesota regional governance:** There are examples of effective regional governance options beyond JPAs that can provide guidance in designing a regional model for waste governance. In several cases, a state government has created regional entities, and in others, authority is provided to local governments to do so.

Governance Alternatives

This discussion of governance alternatives draws heavily from Attachment C, a legal analysis from R&E's legal consultant, Husch Blackwell. This memo builds on governance previous analyses and examines in detail the enhanced joint powers option and the waste district option. The latter is discussed in two scenarios: existing law and the proposed legislation for waste management districts.

Four governance alternatives were evaluated during purchase of the R&E Center. At that time two options were ruled out: Intergovernmental Service Agreement and Legislative Established Entity. That narrowing continued in this analysis, with those two alternatives ruled out.

Alternatives ruled out:

- **Intergovernmental Service Agreement:** This form of cooperative agreement is generally used for the use of equipment or services between local units of government and is flexible. There is an absence of a formal organizational structure, which would make it difficult to deal with policy, planning and financing of projects.
- **Legislative Established Entity:** An authority or district created by the legislature can be designed to meet a variety of purposes. This approach can be used to define a consistent level of solid waste management. However, because the power to create the entity rests solely with the legislature, counties could have very little control in the outcome of the legislative process and the time it would take to create one.

Governance Alternatives to Explore

This analysis examined these alternatives:

- **Status quo:** The current JPA remains unchanged.
- **Enhanced joint powers agreement:** The Counties agree to expand the authority of the R&E Board to include additional solid waste responsibilities that are not held by the current Joint Powers Board.
- **Solid waste management district:** Obtain authorization from the state to allow counties to form a new unit of government that assumes certain solid waste responsibilities. Within this alternative, there are two scenarios considered:
 - Waste management district formed under **existing** law
 - Waste management district formed under **proposed** law

The alternatives of the status quo, an enhanced joint powers agreement and waste management districts (existing law and the proposed legislation) are outlined in **Attachment 5**. That table, based on the legal memo from Husch Blackwell, summarizes the differences between these three alternatives.

Governance Decision Process and Timeline

If the R&E Board and county boards decide to proceed with the governance analysis, the recommended decision-making process is found in **Attachment 7**, a flow-chart depicting the process.

Board Policy Question for Discussion

Should the R&E Board recommend that R&E and county staff work together to evaluate governance structures for joint solid waste management, including the status quo, an enhanced joint powers agreement and a solid waste management district?

If the Board says “yes” to this question, then the county boards will be requested to consider the same question. If both Counties agree to the evaluation, then R&E would lead the work to evaluate alternative governance options. If one or both Counties say “no” to the question, then the status quo will continue.

Next Steps: Scope of Further Evaluation

If the R&E Board and county boards agree to evaluate alternative governance structures, the next step would be for a workgroup of R&E and county staff to evaluate the selected alternate governance structures using dimensions of governance change, outline a transition plan and deliver reports to R&E Board. This work would inform decision number six on the flow chart in ***Attachment 7***.

That work would begin at a scoping level, identifying the specific topics requiring attention and action in each of the governance dimensions. It would frame the issues that need to be addressed, how to approach them, the level of effort needed and a timeline.

The evaluation would be structured around dimensions already identified. These are the high-level topics requiring attention when evaluating governance changes. Dimensions frame the research and policy analysis and ensure all bases are covered. For the upcoming analysis of governance, seven dimensions have been identified, shown in the **Governance Dimensions** section of this document.