

**Dakota Communications Center (DCC)  
Board of Directors  
Minutes of Meeting: 12.17.09**

**Members Present:** Apple Valley – John Bergman; Dakota County – Nancy Schouweiler; Eagan – Gary Hansen; Hastings – Mike Slavik; Inver Grove Heights – George Tourville; Mendota Heights – Ultan Duggan; Rosemount – Bill Droste; South St. Paul – Micky Gutzmann; West St. Paul – Darlene Lewis

**Members Absent:** Burnsville – Elizabeth Kautz; Farmington – Todd Larson; Lakeville – Laurie Rieb

**Alternates Present:** Burnsville – Charlie Crichton

**Others Present:** Executive Committee Chair – Dave Osberg; DCC – Kent Therkelsen, Diane Lind, Jenny Hildebrandt; Dakota County Attorney’s Office – Jay Stassen

**Call the Meeting to Order:** There being a quorum Vice-Chair Tourville called the meeting to order at 8:00 am.

**Roll Call:** Members in attendance are noted above.

**1. Announcements:**

Therkelsen (DCC) informed members that Director Rieb would not be present and was not sure if her alternate would be in attendance.

**2. Additions to Agenda:**

**CONSENT AGENDA**

**3.**

- a. Approve the minutes of the regular Board meeting of September 17<sup>th</sup>, 2009.**
- b. Adopt and ratify the Executive Committee’s approval of 09/01/2009 – 09/30/2009 and 10/01/2009 – 10/31/2009 paid claims.**
- c. Approve the September, 2009 and October, 2009 financial reports.**

**4. Consider approval of contract extension with City of Lakeville for fiscal agent services.**

**5. Consider approval of contract extension with Abdo, Eick and Meyer for audit services.**

**6. Consider approval of contract with Northland Services for logging recorder support services.**

**7. Receive modifications to 2010 Employee Benefit Summary, Compensation Policy and Handbook.**

**Discussion:**

**Action:** Motion by Droste (Rosemount) to approve the consent agenda. Second by Slavik (Hastings). Motion passed unanimously.

**8. Cost Allocation/JPA Work Group****Discussion:**

Tourville (Inver Grove Heights) informed member that there were two choices on the table. The first would be to take no action and the second would be to consider the resolution provided.

Osberg (Executive Committee Chair) reminded members that the Board Chair had appointed a work group to review the issue at hand and report back on what their findings were. Osberg stated that he, Executive Director Therkelsen and Directors Duggan, Hansen and Slavik were appointed to the work group and directed to work with Staff and Legal Counsel to review if the action the Board took in May, 2009 was appropriate. Osberg continued that the group met in October and reviewed a variety of documents which were a compilation of options that legal counsel had put together. Osberg stated that after much discussion, the group agreed to have staff and legal counsel work together to develop a resolution articulating that the Board of Directors had the authority to approve a modification to the cost allocation formula for 2010. Osberg stated that the decision of the work group was reviewed by the Executive Committee at their December 2<sup>nd</sup> meeting and the Committee didn't think there was need for anything but supported the resolution if the Board of Directors felt there was a need to take action.

Droste (Rosemount) agreed with the opinion of the Executive Committee that there was no need for action. Droste stated that the Directors were a policy board and to have a sub-committee make a recommendation directly back to the Board was very unusual. Droste continued that when the Board votes, they speak. Droste closed stating that if there were a desire to legally contest how the Board voted, the work of the sub-committee would be immaterial.

Hansen (Eagan) stated that he participated on the work group and one of the options presented at that time was to do nothing but that the ultimate decision was to support a resolution. Hansen added that the farther this issue is taken, the more legal opinions will be presented and the more action taken will result in confusion.

Tourville (Inver Grove Heights) asked legal counsel if there was a need for a motion to not support any further action. Stassen (DCC Legal Counsel) responded that since the item was on the agenda, there should be action taken.

Duggan (Mendota Heights) commented that he was the Director who raised the issue but not in terms of the legality of the action taken but more to address the perceived discrepancy between sections 5.3 and 9.4 of the JPA.

Osberg (Executive Committee Chair) asked if the Board could reaffirm the recommendation of the Executive Committee saying the Board agrees with the Executive Committee that there is no further action needed.

**Action:** Motion by Schouweiler (Dakota County) not to approve the resolution presented and take no action on the item. Second by Duggan (Mendota Heights).

**Further Discussion:** Hansen (Eagan) commented that at the work group meeting there was a suggestion to take a broader look at the JPA in the future. Duggan (Mendota Heights) agreed and suggested possibly sometime on 2010.

Motion passed unanimously.

## **9. Ancillary Benefits**

### **Discussion:**

Therkelsen (DCC) directed attention to the Ancillary Benefits handout and informed members that it illustrated Dental, Life, Long Term Disability and Short Term Disability costs for 2010. Therkelsen informed members that the dental rates accounted for the bulk of the expense and reflected an increase of 2 to 2.05%. Therkelsen added that as in past years, the policy on the premium splits remained constant. Therkelsen continued that Long Term Disability rates increased 10% due to the end of the two year guarantee and increase of average age of work force. Therkelsen reminded that Long Term Disability was an employer funded benefit. Therkelsen stated that life insurance premiums remained flat and that the base plan was employer funded but supplemental elections were employee funded.

Therkelsen (DCC) updated that the total proposal for ancillary benefits was \$1804 over the line item on the 2010 budget but that because ancillary benefit proposals come in later than health insurance proposals, the increases were included in the line item titled HR Benefit Contingency so there would be adequate funds available in the budget. Therkelsen closed stated that the Executive Committee reviewed the proposal at their December 2<sup>nd</sup> meeting and recommended approval.

Lewis (West St. Paul) directed attention to the contingency fund and asked if the use of funds from the contingency depletes the fund for the year. Therkelsen (DCC) responded that the main part of the fund was a wage contingency that was budgeted prior to the Board adoption of the 2010 wage freeze.

**Action:** Motion by Duggan (Mendota Heights) to approve the 2010 ancillary benefits as proposed. Second by Lewis (West St. Paul). Motion passed unanimously.

## **10. Delegation of Contract Authority**

### **Discussion:**

Therkelsen (DCC) informed members that delegation of contract authority was an administrative policy staff was hoping to put in place. Therkelsen stated that staff worked with legal counsel to craft a resolution giving some authority to the Executive Director to conduct certain contracting tasks without specific Board approval. Therkelsen clarified that most authority fell within the category of routine renewals of technical support agreements. Therkelsen continued that the resolution included direction to staff to develop an administrative policy incorporating the

resolution and the previously approved purchasing policy. Therkelsen assured that both Legal Counsel Stassen and Fiscal Agent Feller agreed that the resolution would not conflict with the purchasing policy but that merging the two documents into one administrative policy would be a good idea. Therkelsen assured that at their December 2<sup>nd</sup> meeting the Executive Committee reviewed the resolution and recommended approval with the resolution but requested two additions to the document. The first addition was clarification that the contract delegation language in the resolution refers to the current year budget and the second was clarification that Board approval would still be required for any grants obligating the DCC to matching funds not already approved in the budget.

Gutzmann (South St. Paul) asked if simply stating “in accordance with law” was enough or if it should be broadened to say “in accordance with state and federal law”. Stassen (DCC Legal Counsel) responded that it would be in reference to all laws as there are several different statutes that apply to the different sections in the resolution but that he had no objection to the suggested modification.

Droste (Rosemount) asked for clarification on the section of the resolution that refers to giving authorization for anything under \$50,000 but that is followed by JPA reference of \$25,000. Therkelsen (DCC) responded that when the resolution was discussed, participants had the sense that if the cost involved a Joint Powers Agreement, the Board may be more comfortable with a lower threshold because of the involvement of other entities. Stassen (DCC Legal Counsel) stated that the distinction, while working on the policy, was to allow the director authority to acquire hardware or software or services needed to keep operations going for under \$50,000. Stassen added that the JPA reference of \$25,000 would be used when one or more government entities were to enter into an agreement jointly or one was to act on behalf of another. Stassen stated that this would be especially significant if the Board were to move to decrease meeting frequency, which was an item later on the agenda. Stassen added that if an item needed to come before the Board, it may be on either the consent or regular agenda.

Duggan (Mendota Heights) directed attention to the section of the resolution that refers to conflict of interest and asked who would know if there was a conflict of interest? Therkelsen (DCC) responded that was something that staff relied on legal counsel to point out as conflict of interest was a standard request in the review of every contract before signing. Duggan (Mendota Heights) suggested any agreements entered into be brought before the Board on a periodic basis. Schouweiler (Dakota County) agreed that was good practice. Therkelsen (DCC) suggested that explicit language be put in the administrative policy stating that the Executive Director will report contracts that fall under the threshold to the Board on a regular basis.

**Action:** Motion by Gutzmann to approve the Contract Authority Delegation Resolution with modifications referencing “in accordance with State and Federal Law”. Motion further that the administrative policy reflect that the Executive Director will report contracts that fall under the approved threshold to the Board of Directors on a regular basis. Second by Hansen (Eagan). Motion passed unanimously.

## **11. EOC Designation Request from Dakota County**

### **Discussion:**

Therkelsen (DCC) informed members that Dakota County Risk and Homeland Security Manager, BJ Battig had requested designation of the DCC Training Room as backup Emergency Operating Center for all of Dakota County. Therkelsen stated that the designation would allow the DCC to receive grants through the County to upgrade the room. Therkelsen assured that staff was confident in the ability to keep the EOC separate from communications floor operations.

**Action:** Motion by Bergmann (Apple Valley) to designate the Dakota Communications Center Training Room as Backup Emergency Operating Center for all of Dakota County. Second by Droste (Rosemount). Motion passed unanimously.

## **12. IES Managed Services Agreement**

### **Discussion:**

Therkelsen (DCC) reminded members that at their September Board meeting they authorized the Executive Director to initiate a software support agreement with IES. Therkelsen stated that part of the agreement called for managed services totaling approximately \$44,000 and that staff felt there was in-house capabilities to provide some of the managed support items listed in the agreement. Therkelsen stated that after analyzing services, staff concluded that the remote monitoring service was still very much needed.

Therkelsen (DCC) informed members that the Executive Committee did not have the opportunity to review the revised agreement at their December meeting but it was sent out to them via email and there was little response other than one member saying they didn't have a problem with it and others asking if there were other options. Therkelsen clarified that staff didn't feel there were other options and that it was quite proprietary. Therkelsen stated that staff was requesting that the Board approve the expenditure amount, which was included in the 2010 budget. Therkelsen added that staff requested authorization of the Executive Director to negotiate and execute the agreement for services. Gutzmann (South St. Paul) asked if it would be considered a sole source procurement. Therkelsen (DCC) confirmed. Gutzmann (South St. Paul) asked if it should be documented as such. Stassen (DCC Legal Counsel) acknowledged that would be appropriate.

Droste (Rosemount) asked if the DCC had interfaces to alarm companies so the info on their screens could be transferred to the DCC. Therkelsen (DCC) responded that the DCC did not currently have the capability but that APCO had specified an interface standard so alarm companies could deliver that information. Therkelsen acknowledged that would be a big element going forward.

**Action:** Motion by Schouweiler (Dakota County) to approve the agreement with the inclusion of the sole source procurement. Second by Gutzmann (South St. Paul). Motion passed unanimously.

## **13. Executive Director's 2009 Performance Appraisal**

### **Discussion:**

Osberg (Executive Committee Chair) directed attention to the Executive Director 2009 Performance Appraisal handout. Osberg state that it was a compilation of member feedback forwarded to him over the previous several weeks. Osberg stated that the handout included

evaluation on 6-8 categories of performance and was followed by general member comments and finally, Therkelsen's commentary/goals. Osberg stated that Therkelsen had requested no compensation adjustment so the official action being requested was simply approval of the performance evaluation. Osberg added that at their December 2<sup>nd</sup> meeting the Executive Committee recommended approval of the performance evaluation and recognition that there would be no change to Director Therkelsen's financial compensation.

Tourville (Inver Grove Heights) informed members that Chair Kautz reported less than desired response from directors. Osberg (Executive Committee Chair) acknowledged and suggested a different approach going forward. Osberg explained that the Executive Committee felt representation from each agency, Board Director, Executive Committee Member, Fire/EMS Committee Representative and Law Enforcement Representative should meet and discuss the evaluation and compile and submit their feedback jointly. General consensus agreed with the suggested process change.

Therkelsen (DCC) thanked members for the evaluation and stated the DCC was a great place to come to work. Therkelsen stated he was starting to see the DCC being acknowledged as a good model for others and that was truly an outcome of the foundation created by the Board of Directors. Schouweiler (Dakota County) agreed and stated that not only was the DCC being recognized as a good model by the Governor's Task Force report but there were compliments on the facility, the information and the participation of the Executive Director. Droste (Rosemount) added that had the members not consolidated, many enhancements would have been out of reach for the individual agencies. Tourville (Inver Grove Heights) closed stating that if people just look at the dollars and cents, they may not see the total value of the center. Droste (Rosemount) agreed saying the DCC was without boundaries. Droste added that had the County not fronted the money to get the project started, it would have never happened.

**Action:** Motion by Duggan (Mendota Heights) to approve the Executive Director's 2009 Performance Appraisal. Second by Slavik (Hastings). Motion passed unanimously.

#### **14. 2010 Board of Directors Meeting Schedule**

##### **Discussion:**

Therkelsen (DCC) reminded members that when the Board of Directors began, the meeting schedule was monthly due to the intensity of implementation. Therkelsen continued that in 2008, members decreased meeting frequency to bi-monthly. Therkelsen informed members that the Bylaws require the Board of Directors meet at least twice a year and after discussion with the Executive Committee, staff recommended the Board consider decreasing meeting frequency in 2010 to quarterly. Therkelsen stated that staff was recommending the first meeting be in February, 2001 and then be every three months after that allowing for all major actions to be addressed in a timely fashion.

**Action:** Motion by Duggan (Mendota Heights) to decrease Board of Directors meeting frequency to quarterly for 2010 using the February cycle as proposed by staff. Second by Hansen (Eagan).

**Further Discussion:** Osberg (Executive Committee Chair) informed members that the Executive Committee was currently meeting on a monthly schedule but was considering a decrease in meeting frequency pending the decision of the Board.

Motion passed unanimously.

## **15. Executive Director's Report**

### **a. Contract Negotiations**

#### **Discussion:**

Therkelsen (DCC) updated that the DCC was represented at Union negotiations by Kevin Rupp with Ratwik, Roszak and Maloney, Joe Lynch, Executive Committee Representative from Inver Grove Heights, and Operations Director Diane Lind. Therkelsen clarified that the negotiations team also included Executive Committee Representatives Steve Mielke from Lakeville and Tom Lawell from Apple Valley but that they didn't typically attend the negotiation sessions. Therkelsen continued that there had been three negotiation meetings at which issues lists were exchanged.

Therkelsen (DCC) reminded members that when the previous contract was settled, the arbitrator completely ignored the wage structure which was a two tier system offering general and performance increases. Therkelsen stated that because of that, Union represented employees received a flat general increase that offered no opportunity to move up through the system. Therkelsen informed that in the recent negotiation meetings, union representatives voiced interest in hearing more about the original DCC salary structure.

Therkelsen (DCC) informed members that there were two points that the Union was objecting to and that mediation had been filed for. Therkelsen stated that likely would begin in January.

### **b. Performance Measurement**

#### **Discussion:**

Therkelsen (DCC) directed attention to the section of the packet that addressed performance measurements and reminded that members received a monthly performance report. Therkelsen acknowledged that as member received the monthly reports, a couple of comments were made about how performance had come to a plateau in a couple of the performance areas. Therkelsen assured that performance was measured constantly and the measures being published were based on standards put into place six month prior to the opening of the DCC. Therkelsen addressed that there was not much information available to base the standards on so the standards adopted were very much based on a best guess in an effort to arrive at meaningful measures. Therkelsen stated that after two years of operations, it had been determined that a couple of the standards developed were probably not right and in an effort to rectify that issue, staff had been working with members of the Operations Committee to review current standards and develop a recommendation, which was anticipated to be presented in the 1<sup>st</sup> quarter of 2010.

Therkelsen reviewed graphs in the agenda packet with members acknowledging that performance statistics had reflected some significantly improved numbers over October and November. Therkelsen commented that staff felt the improvement had to do with Operations Director Lind and supervisory staff working together to change the seating arrangement on the

communications floor. Gutzmann (South St. Paul) asked how that need was identified. Lind (DCC) responded that she held a weekly supervisory meeting and at that meeting, supervisors agreed to watch work flow on the floor, focusing on communications among the dispatchers, over a period of approximately three weeks. Lind stated at the end of the evaluation, the supervisory staff recommended modification to the seating chart involving moving all call takers to the middle of the room so they could hear each other better and identify duplicate calls. Lind continued that the call taker's radio counterparts were then seated back-to-back with them. Therkelsen commented that the process design change was a good sign of our evolution. Therkelsen added that staff received casual day passes as a result of the outstanding October 9-1-1 performance statistics.

Droste (Rosemount) suggested posting statistical measurements in the entryway as performance was such a significant part of the center. Tourville (Inver Grove Heights) added that showing pre and post consolidation numbers would be good. Tourville commented that he had heard that there were a lot more calls received when the centers were individual. Therkelsen (DCC) responded that it is important to distinguish between incoming phone calls and agency "calls for service". Therkelsen continued that the DCC is now, only reporting "assigned CAD" events as calls but there is another 10 – 15% of CAD events that have been historically included in many agency calls for service totals. Therkelsen clarified that during the funding allocation discussion earlier in the year, it was decided that assigned CAD events would be the basis for the cost allocation formula. This will result in what may appear to be lower call totals for some agencies than their historical figures.

Lewis (West St. Paul) stated that she was participating in an initiative focusing on the senior population and at one of the meetings an officer was present informing residents that any need for response should be directed to 911. Lewis commented that this concept is foreign to seniors and asked how to get the message out. Duggan (Mendota Heights) responded saying repetition, repetition, repetition. Therkelsen (DCC) acknowledged that seniors are the segment of the population that the DCC was having the hardest time with in terms of the "all response" 9-1-1 protocol, but added that was partly why staff felt directing to call 911 for any response made sense as it would be easier for people to remember than a 10-digit number. Therkelsen added that cell phone use had increased to 58% of all incoming calls and as people are driving, they aren't calling a 10-digit number, but 911. Therkelsen agreed that there is still a lot of work needed. Droste (Rosemount) suggested a possibly county-wide effort over the next year providing more standardized education.

### **c. Board Appointments**

#### **Discussion:**

Therkelsen (DCC) informed members that Board Appointment letters had been sent out mid-November to the Executive Committee. Therkelsen reminded that formal action needed to be taken by Apple Valley, Burnsville, Dakota County, Eagan and Lakeville designating Primary and Alternate Board representation. Therkelsen added that all members would be required to formally appoint their Executive Committee alternate. Therkelsen stated that the Operations Committee designations are done at the agency level. Duggan (Mendota Heights) asked if alternates receive the packets and Board information. Therkelsen (DCC) confirmed.

**d. 2010 Board Election**

**Discussion:**

Therkelsen (DCC) reminded that at the first meeting of 2010 the Board would need to elect a chair and vice-chair. Therkelsen stated that the elected person is limited to 2 consecutive 2-year terms and that Chair Kautz would not be eligible for re-election.

**Action:** No action. Update only.

**16. Miscellaneous**

**Discussion:**

Duggan (Mendota Heights) complimented the pagination of the agenda packet.

Tourville (Inver Grove Heights) complimented DCC participation on a rescue that happened recently in Inver Grove Heights.

**Action:** No action.

**17. Adjourn**

**Action:** Motion by Lewis (West St. Paul) to adjourn. Second by Schouweiler (Dakota County). Motion passed unanimously. Meeting adjourned at 9:21 am.

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Elizabeth Kautz, Board of Directors Chair

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Date

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Kent Therkelsen, Executive Director

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Date

**Next Meeting:  
Thursday, February 18<sup>th</sup>, 2010  
8:00 am  
Location: DCC**