

**Dakota Communications Center
Executive Committee
Meeting Minutes: 10.07.09**

Members Present: Tom Lawell – Apple Valley; Craig Ebeling – Burnsville; Tom Hedges – Eagan; Peter Herlofsky – Farmington; Dave Osberg – Hastings; Joe Lynch – Inver Grove Heights; Steve Mielke – Lakeville; Dwight Johnson - Rosemount; Stephen King – South St. Paul; John Remkus – West St. Paul

Members Absent: Brandt Richardson – Dakota County; Jim Danielson – Mendota Heights

Alternates Present: Don Gudmundson – Dakota County

Others Present: Kent Therkelsen, Jen Hildebrandt, Diane Lind – DCC; Jay Stassen – Dakota County Attorney's Office; Eric

Call the Meeting to Order

Chair Osberg called the meeting to order at 1:35 p.m.

1. Announcements

Osberg (Hastings) introduced Eric Stoneberg. Eric is a graduate from ASU and will be shadowing Osberg in his administrator position for a couple of weeks.

2. Additions to the Agenda

Consent Agenda

3.

- a. **Approve minutes from the September 2nd, 2009 Executive Committee meeting.**
- b. **Approve August, 2009 Paid Claims.**
- c. **Receive August, 2009.**
- d. **Receive Minutes from Operations Committees.**
 - o **Law Enforcement Minutes from September 3rd meeting.**
 - o **Fire/EMS Minutes from September 8th meeting.**
 - o **Joint Ops Minutes from September 24th meeting.**

Action: Motion by Ebeling (Burnsville) to approve the consent agenda. Second by Herlofsky (Farmington). Motion passed unanimously.

Regular Agenda

4. Financial Services Agreement

Discussion:

Therkelsen (DCC) reminded members that in 2006 the DCC established a financial services agreement with the City of Lakeville that was set to expire at the end of 2009. Therkelsen directed attention to a handout listing the City of Lakeville's scope of work in the role of DCC Fiscal Agent.

Therkelsen (DCC) informed members that the DCC has been extremely satisfied with the fiscal agent services provided by the City of Lakeville to date and acknowledged that the role has required quite a bit more time to perform than originally anticipated in 2006. Therkelsen stated that there is a significant increase in cost on the proposed renewal. Therkelsen clarified that the

current rate is \$3087/month and the proposal quotes an increase to \$4950/month for 2010. Therkelsen directed attention to the handout that shows the hourly estimated time to perform the services provided. Therkelsen added that the proposal allows for automatic renewals and inflationary increases unless one of the parties were to exercise their termination rights. Therkelsen stated that estimated yearly time required to provide the service are 1422 hours which calculates out to approximately \$41.75/hour. Therkelsen continued that the increase would be approximately \$22,000 for 2010 and cited the learning curve from when the agreement was first bid, which was 1 year prior to the doors opening.

Action: Motion by Herlofsky (Farmington) to approve the Financial Services Agreement as presented. Second by Ebeling (Burnsville).

Further Discussion:

Lynch (Inver Grove Heights) commented that although he didn't disagree with the amount of time needed and the hourly calculation to perform the services needed, he did question Exhibit B as it reflected hourly rates that didn't seem to calculate out. Lynch then questioned if the Exhibit needed to be adopted as part of the agreement. Mielke (Lakeville) clarified that Schedule B reflected two times the hourly rate and would only be charged for services outside of the scope of work. Mielke added that the City of Lakeville never charged the DCC for additional work and would be willing to eliminate Exhibit B in its entirety. Mielke clarified that any work outside of the scope could then be bid on and the DCC could decide to accept or not.

Herlofsky (Farmington) modified the motion to eliminate Exhibit B from the agreement. Motion further modified to approve the agreement absent any reference to Exhibit B. Ebeling (Burnsville) agreed with the modified motion

Further Discussion:

Mielke (Lakeville) asked if DCC staff was comfortable with rate negotiation for any out of scope work. Therkelsen (DCC) confirmed and stated that an out of scope situation may lead to a standalone agreement.

Motion passed. Members present voted in favor of the motion except Mielke (Lakeville) who abstained. No members were opposed to approval of the agreement.

5. Mass Telephone Notification Opt Out Policy

Discussion:

Therkelsen (DCC) informed members that since implementation of the system in September there had been 18,500 self-registrations submitted by the public. Therkelsen added that during that time, there were less than a dozen people who had contacted the DCC to inquire about opting out of the system. Therkelsen informed members that nationally there were CodeRed user agencies who did allow an opt out option. Therkelsen stated that prior to implementation the desire to not offer an opt out policy was discussed with CodeRed and led to the implementation of a policy that did not allow this option as staff felt there was a duty to warn residents in the event of certain types of emergencies. Therkelsen added that staff anticipates very infrequent notifications. Therkelsen then directed attention to Legal Counsel Jay Stassen who reviewed the legalities of offering an opt out option.

Stassen (Dakota County) commented that in his opinion, allowing opt outs could open the DCC to potential liability issues. Stassen directed attention the two different possible opt out forms. Stassen stated that the first form was a form that CodeRed offered to user agencies. Stassen added that he had some concern as it allowed for one signature, and with most households having more than one adult in them, he wasn't comfortable with the concept of one adult in the household deciding for all members in the house that they would not be receiving notification of an emergency. Stassen added that there would also be no certainty

that the signer was the actual holder of the account with the phone company. Stassen then stated that concern led to the development of another form, which was more robust and required signatures from all adults residing in the home.

Stassen (Dakota County) stated that when it comes down to it, offering an opt out option was a policy decision that needed to be made and if it was decided to allow residents to opt out, he would recommend the use of the multiple signature form.

Remkus (West St. Paul) commented that statistically, the people complaining about being called were very few and that he would vote in favor of not offering an opt out option. Lawell (Apple Valley) agreed and asked for more information on those desiring an opt out option. Therkelsen (DCC) informed that most of the callers were repeat callers and were extremely angry. Therkelsen clarified that after speaking at length with one upset resident, and explaining the intent of the system, the resident stated that although he was not happy with the decision to not offer an opt out option, if the system was used as described, he would be a bit more comfortable with it. Therkelsen stated that others voiced concern about invasion of privacy.

Mielke (Lakeville) asked how numbers got into the CodeRed system in the first place. Therkelsen (DCC) responded that landlines were downloaded from the Qwest 911 database which includes unpublished/unlisted numbers. Therkelsen added that people were also added to the database through self registration. Mielke asked if unlisted numbers had an opt out option for 9-1-1 services through the phone provider. Therkelsen (DCC) responded that they did not and that it was considered private data under state statute. Stassen (Dakota County) added that all land lines must be included in the enhanced 9-1-1 system by law.

Johnson (Rosemount) asked if there was any concern about the CodeRed system delivering messages into lines used to deliver medical data that could interfere with medical related needs. Lind (DCC) responded that there were special provisions for people needing to call in but that she wasn't aware of any issues related to CodeRED calls interfering with outgoing calls.

Herlofsky (Farmington) commented that he didn't feel people should have an opt out option as it is only used for emergency notification. Therkelsen (DCC) informed members that he wrote a letter to one of the angry residents stating that he was free to not answer the phone and free to not heed the warnings.

King (South St. Paul) commented that he supported not offering an opt out option and didn't agree with the abstract notions of personal liberty as the notifications were going to be for emergency use only.

Osberg (Hastings) commented that he was a bit torn by this issue. Osberg stated that he questioned if it was appropriate for the agencies to tell people what is best for them and what the harm was in offering an opt out option.

Lawell (Apple Valley) stated that the issue comes back to how the system is used and the necessity to be very cautious.

Mielke (Lakeville) stated that he was leaning towards not allowing an opt out option but asked what would happen if a opt out form were submitted, but staff failed to process it? Stassen (Dakota County) responded that any legal action would be very minimal.

Battig (Dakota County) asked how staff can ensure that each time the system is updated, those opt out numbers would be removed. Battig questioned how quickly this function would become a job for such a small amount of opt out requests. Therkelsen (DCC) confirmed that it would be

a manual process not only looking through the database for the number but also any numbers associated with the address as numbers are reassigned.

Gudmundson (Dakota County) asked if there were opt out issues in Eagan. Hedges (Eagan) responded that there really weren't.

Remkus (West St. Paul) commented that if he had to field a call from an angry resident, he'd be willing to do that.

Action: Motion by Remkus (West St. Paul) to implement the DCC as recommended. Second by Lynch (Inver Grove Heights). Motion passed unanimously.

6. Appoint Contract Negotiation Team

Discussion:

Therkelsen (DCC) informed members that the contract between the DCC and LELS Local #36 was set to expire on December 31st, 2009. Therkelsen stated that during the 2008-2009 negotiations, Dave Osberg, Tom Lawell and Steve Mielke participated on a Contract Negotiation Team with Operations Director Diane Lind and legal counsel John Roszak. Therkelsen stated that staff would be looking to convene the committee for the upcoming 2010 negotiations. Therkelsen clarified that John Roszak would be handing the DCC account to Kevin Rupp for 2010.

Osberg (Hastings) asked if staff wanted a team again or if the desire was to have one person from the Executive Committee sit on the team. Therkelsen (DCC) responded that the desire was to have a team of Executive Committee members similar to the previous year. Therkelsen clarified that the team would participate in strategy development but that it wasn't necessary to have all representatives at the negotiations table.

Osberg (Hastings) commented that he was the representative who sat at the negotiations table the previous year. Osberg added that it was a very interesting experience but it was very time consuming. Lawell (Apple Valley) and Mielke (Lakeville) both agreed to continue their participation on the team if no other members wanted to do it. Lynch (Inver Grove Heights) also voiced interest.

Mielke (Lakeville) commented that he would hope that the team would have some meetings with the attorney prior to start of negotiations.

Chair Osberg suggested Tom Lawell (Apple Valley), Joe Lynch (Inver Grove Heights) and Steve Mielke (Lakeville) to participate on the negotiation team with Operations Director Diane Lind and Legal Counsel. Suggestion was made that the decision on which Executive Committee member sat at the table during negotiations could be made in the team meetings.

Therkelsen (DCC) informed members that the first meeting of the negotiations team was tentatively scheduled for Tuesday, October 20th at 8:00 am in the DCC Conference Room.

Action: Motion by Mielke (Lakeville) to appoint Tom Lawell, Joe Lynch and Steve Mielke to the negotiation team. representatives to the contract negotiation team. Second by Osberg (Hastings). Motion passed unanimously.

7. RMS/DCC Issues

Discussion:

Osberg (Hastings) informed members that with the LOGIS CAD/MOBILE RMS decisions that

were in process, there would be some agencies opting out of LOGIS for the Records Management System (RMS). Osberg questioned what the consequences would be to the DCC. Osberg stated that this topic would continue to be an item on the Executive Committee agenda. Osberg clarified that there were no decisions needed at this meeting.

Therkelsen (DCC) informed members that seven (7) agencies currently dispatched by the DCC have indicated that they are opting out of the LOGIS RMS program. Therkelsen stated that although there is no immediate impact, the CAD Mobile and RMS systems must work together to optimize benefit to the field users.

Therkelsen (DCC) stated that there are a couple of implications resulting from the opt out elections that need to be addressed. First, there needs to be a discussion on the interface requirements between RMS and the DCC CAD system. Therkelsen stated the discussion would need to include who would be responsible for equipment, development and support costs. Therkelsen stressed the need to have the policy level work done soon. Therkelsen stated that the second need is for a discussion on data sharing policies between users of the different systems. Therkelsen clarified that this topic would not be totally driven by the DCC or its users as there are provider involvement needs in those discussions as well.

Therkelsen (DCC) informed members that the DCC currently had only one interface which was from Printrak CAD to ImageTrend RMS for fire agencies. Therkelsen clarified that was a one-way push of data. Therkelsen acknowledged that a bi-directional interface had been discussed originally but wasn't currently happening anywhere as it is complex and possibly cost prohibitive.

Therkelsen drew the Member's attention to a handout which consisted of the interface policy adopted by the DCC Board on 6/16/06 and an associated matrix summary of the policy. The current policy does not authorize additional interfaces and states that if additional interfaces are approved, it will be the responsibility of the local agency to fund and support them.

Therkelsen (DCC) updated that the next generation CAD system requires all current interfaces be established. Therkelsen stated that the ImageTrend interface would be maintained and that there may be an interface need between the CAD system and non-LOGIS RMS users.

Therkelsen (DCC) informed members that this information was being brought before the group to make members aware of what discussion were currently being held and to also inform that the opt out members were starting to organize in an effort to acquire a separate system and establish funding for it. Therkelsen stated there would be policy issues that needed to be addressed to help assure that field users have access to good, timely data, no matter which records system choice they made.

Therkelsen (DCC) stated that all users would probably continue on the PrinTrak RMS until early 2011. Therkelsen continued saying that the agencies who opted out would then either stay on the system until they were ready to move to a new system or LOGIS stopped support of the system.

Mielke (Lakeville) asked how Hastings' system was currently handled stating he thought there was an interface used there. Therkelsen (DCC) responded that Hastings had no interface with CAD and that Hastings users query their RMS system through a separate process.

Lawell (Apple Valley) commented that decisions may be eased by how the contract between LOGIS and Motorola is written. Lawell added that if CJIIN were to do an RFP, ask for proposals and get contracts, that contract may also ease decisions. Lawell stated that whatever contracts are drawn, they can't reverse progress. Mielke (Lakeville) agreed.

Osberg (Hastings) asked what the status of the LOGIS/Motorola contract was. Hedges (Eagan) responded that they were very close to an agreement and that they were anticipating having three demos running in Hennepin County within about four months. Lawell (Apple Valley) stated that the project award to Motorola was scheduled to be approved by the LOGIS Board on October 22nd.

Hedges (Eagan) informed members that there had been a meeting earlier in the day and there was discussion about how the process could continue to progress with some agencies using LOGIS and other agencies using another system. Hedges added that no one was interested in compromising current capabilities and that he hoped this wouldn't get personal.

Osberg (Hastings) commented that this item was a significant topic that needed to stay on both the DCC Executive Committee and the County Managers agendas. Hedges (Eagan) agreed and added that members cannot allow the DCC to be compromised because of the desire for two different systems. Therkelsen (DCC) stated that he had met with Tom Folie from LOGIS and discussed the bottom line; users in the field need to have access to all the information available. Therkelsen added that there would be policies and the hope was that no agencies would be disadvantaged as an outcome.

Mielke (Lakeville) suggested a meeting with Mike Garris of LOGIS, DCC and the Cities using LOGIS as he would like to hear LOGIS concerns as well as have the opportunity to emphasize the public safety issues. Mielke added that he thinks this topic has already become personal between the two primary vendors and member role will be to mitigate for public safety purposes. Lawell (Apple Valley) agreed with scheduling a meeting of LOGIS RMS users cities in Dakota County and LOGIS. Johnson (Rosemount) agreed. Hedges (Eagan) agreed to schedule the meeting.

Action: No action. Discussion only.

8. Director's Report

Discussion:

Fund balance resolutions – Therkelsen (DCC) reminded members who had not yet submitted their fund balance resolutions to do so by October 15th.

November Executive Committee Meeting – Therkelsen (DCC) informed members that the Board of Directors October meeting was moved up and held in September as there were some time sensitive items that needed to be addressed. Therkelsen stated that the Board would not be meeting again until December and questioned if the Executive Committee felt the need to meet in November.

Action: Motion by Mielke (Lakeville) to cancel the November Executive Committee meeting subject to a call from the Chair in the event an issue were to present itself. Second by Hedges (Eagan). Motion passed unanimously.

2010 Executive Committee Chair and Vice Chair Appointments – Therkelsen (DCC) reminded members that the Committee is required to elect a chair and vice-chair at the first meeting of even numbered years. The appointment then goes into effect at the end of that meeting. Therkelsen informed members that in January of 2008 Jamie Verbrugge was elected chair and Dave Osberg was elected vice-chair. Therkelsen further informed members that when Verbrugge left his position in Rosemount, Osberg stepped into the role of chair and Joe Lynch was elected as vice-chair. Osberg (Hastings) stated that if Lynch was eager to fill the position of chair, or another member desired either position for the 2010 – 2011 appointment,

the Committee could entertain that request. However, he would be willing to serve another two year term if the Committee so desires.

2010 Board of Directors Appointments – Therkelsen (DCC) informed members that the cities of Apple Valley, Burnsville, Eagan, Lakeville and Dakota County would be required to appoint named elected officials as primary and alternate DCC Board representatives in January of 2010. Therkelsen added that other agencies may have internal policies that also require appointment of representatives. Therkelsen assured that appointment letters would be sent out in November as a reminder to Administrators/Managers as appointment reminders.

Operations Committee Update – Therkelsen (DCC) updated the Executive Committee on a 3-1-1 discussion held at the Law Enforcement Operations Committee meeting on October 1st. Therkelsen stated that members of the committee expressed a sense that the addition of an information line would reduce traffic on the 911 system. Therkelsen added that committee members had residents that refused to call 911 in accordance with the DCC's all-response protocol. Therkelsen stated that the outcome of that discussion was a review of the protocol as well as investigation of current 3-1-1 systems. Therkelsen reminded members that offering a 3-1-1 system could have significant resource issues and that he would update members at upcoming meetings. Mielke (Lakeville) commented that Lakeville was one of the cities pushing for more information on the 3-1-1 system and that they were interested in getting more information on it. Mielke stated that there would not only be a need for review of the possible financial impact but also a review of workload/staffing statistics if the two systems were to be combined.

Legal Issues Work Group – Therkelsen (DCC) updated people that at the last Board meeting there was discussion about the potentially conflicting information in sections 5.3 and 9.4 of the JPA. Therkelsen reminded members that earlier in the summer the Cost Allocation Work Group, while discussing cost allocation formulas, was presented with two different legal opinions regarding Board's authority to modify the funding formula for 2010. Therkelsen stated that ultimately the legal issue never came about but the potential conflict was raised at the September Board meeting and Chair Kautz appointed a group made up of Eagan Councilmember Gary Hansen, Hastings City Administrator Dave Osberg, Hastings Councilmember Mike Slavik and Mendota Heights Councilmember Ultan Duggan to work with Executive Director Therkelsen and Legal Counsel Jay Stassen to develop a summary of the issue and possible resolution alternatives and report back to the Board at the December Board meeting. Therkelsen stated that Jay Stassen would be preparing a written analysis of the issue that would be copied to work group members prior to their October 29th meeting.

Therkelsen (DCC) informed members that he would be out of the office from October 9th through October 20th. Therkelsen stated that if there were any needs during that time that members could contact Operations Director Diane Lind.

Pandemic Planning – Lind (DCC) updated the Committee on DCC pandemic planning. Lind stated that staff was approaching the planning from two different perspectives.

a. Service Provider – Lind stated that staff was working with other 911 centers to ensure that all centers are using the same response. Lind stated that in the event of a pandemic and there are limited resources, 911 response needs to be the same if centers are directed to deny ambulance service. Lind added that the MN Department of Health has stepped in and is working to contract with the Children's Physicians Network to provide a hotline that would assist in providing direction to people who are ill. If denied service, 911 callers could be given this 800 number as a resource for further triage.

- b. Employer. – Lind (DCC) informed members that staff is discussion internal procedures in the event there is a need to limit access to the building/dispatch floor. Lind added that staff was discussing at what point absenteeism requires cancellation of vacation time as well as alteration of current schedules. Lind stated that employees are being requested to sanitize their work stations and stay away from ill people.

Lind (DCC) informed members that the Department of Health had brochures available if anyone was interested.

Backup Emergency Operations Center – Therkelsen (DCC) informed members that at the December meeting Staff will be asking the Board to designate the DCC Training Room as a “Backup Emergency Operations Center” for DCC Member agency use. Therkelsen stated that the designation would make the DCC eligible for Homeland Security grant funding to establish EOC capabilities on-site. Therkelsen continued saying that Dakota County had agreed to approve the installation of video conferencing equipment in the room once the designation is approved. Therkelsen clarified that use would be primarily for incident management needs. Battig (Dakota County) added that after the recent emergency management course that representatives from the membership attended the question was raised, “Where do we go?” Battig stated that it made sense to formalize the process through board approval. Battig added that the video conferencing system would provide a useful tool for remote meetings.

Action: No action. Update only.

9. Adjourn

Action: Motion to adjourn by acclamation at 2:50 pm.

Next Regular Meeting:
Wednesday, December 2nd, 2009
1:30 pm – 3:00 pm
Location: DCC
2860 160th Street W
Rosemount, MN 55068
