

**Dakota Communications Center  
Executive Committee  
Meeting Minutes: 12.03.08**

**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; Rosemount – Dwight Johnson; Stephen King – South St. Paul; West St. Paul – John Remkus

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

**Alternates Present:** Don Gudmundson – Dakota County

**Others Present:** Kent Therkelsen, Diane Lind, Jen Hildebrandt – DCC; John Roszak – Ratwik, Roszak & Maloney

**Call the Meeting to Order**

Chair Osberg called the meeting to order at 1:30p.m.

- 1. Announcements**
- 2. Modifications to/Approval of the Agenda**

*Consent Agenda*

- 3.**
  - a. Approve minutes from the November 5<sup>th</sup>, 2008 Executive Committee meeting.**
  - b. Approve October, 2008 Paid Claims.**
  - c. Receive October, 2008 Financial Reports.**
  - d. Receive Minutes from Operations Committees.**
    - **Fire/EMS Minutes from November 12<sup>th</sup>.**
    - **Law Enforcement Minutes from November 6<sup>th</sup>.**
- 4. 2009 Dental Insurance Renewal**
- 5. 2009 Dispatch Console Support Agreement**

**Discussion:**

No discussion.

**Action:** Motion by Hedges (Eagan) to approve the consent Agenda. Second by Lynch (Inver Grove Heights). Motion passed unanimously.

*Regular Agenda*

**6. 2009 Wage Adjustment Recommendation**

**Discussion:**

Osberg (Hastings) informed members that staff had received the arbitration award back and John Roszak was present to review the award and answer questions.

Rozsak (Ratwik, Roszak & Maloney, P.A.) informed members that the arbitrator made the

following awards.

- 1) The union prevailed in their request for a 2 year contract duration (2008 – 2009)
- 2) Neither party prevailed in their salary structure requests. The arbitrator stated there will be no salary schedule, no wage ranges, no performance increases for 2008 & 2009. The arbitrator directed to give the union a 3% increase retro to the beginning of 2008 and a 3% increase at the beginning of 2009.
- 3) The DCC prevailed in their request for no uniform allowance.
- 4) The DCC prevailed in their request for no shift-differential pay.

Roszak reminded members that the option of forcing the arbitrators hand by using the last best package as the concern was it was too risky.

Osberg (Hastings) asked if Roszak had spoken with the union representative, Jack Chambers since the award. Roszak (Ratwik, Roszak & Maloney, P.A.) has left the representative a message shortly after receipt of the award but has not yet heard back.

Ebeling (Burnsville) clarified that each union member gets a 3% raise at the beginning of each year and that is it. Roszak (Ratwik, Roszak & Maloney, P.A.) confirmed and added that some union members will be busting through the range maximums, currently observed in the DCC's wage policy. Roszak added that people at the lower end of the range will suffer with the reward as the 3% is not at the calculation point, but on their actual wage. Mielke (Lakeville) asked what the award means in terms of the current compensation system and performance pay. Roszak (Ratwik, Roszak & Maloney, P.A.) clarified that the performance pay cannot be given. Roszak (Ratwik, Roszak & Maloney, P.A.) reminded members that in August or September, the DCC proposed the range with steps to get through it and the union rejected it not wanting a range where employees can cap out.

Roszak (Ratwik, Roszak & Maloney, P.A.) directed attention to a summary sheet developed by the fiscal agent reflecting the way the DCC proposal was costed and how the arbitration award costs. Roszak stated the arbitration award was slightly less expensive for the DCC than the DCC's own proposal. In terms of dollars it came out well for the DCC but it isn't the pay system the DCC nor the Union wanted.

Mielke (Lakeville) asked what the next step is. Osberg (Hastings) responded this would now be rolled into a collective bargaining agreement that the Board would ultimately have to approve. Roszak (Ratwik, Roszak & Maloney, P.A.) confirmed and added that the DCC has had a draft of all issues tentatively agreed to into LELS for months. Roszak continued that with the award in hand, the DCC only has to append the names and wage rates of all dispatch staff for 2008 and 2009.

Johnson (Rosemount) asked for clarification on how the negotiating of hiring rates would be handled. Roszak (Ratwik, Roszak & Maloney, P.A.) responded that new hires could be offered a position but cannot be guaranteed a starting wage. Hedges (Eagan) asked about if the new hire has experience and if that would be something to offer to LELS; hiring at a comparable wage to someone already on the schedule. Therkelsen (DCC) commented that if staff could get LELS to agree to the language in the personnel policy that allows discretion for market and skills, staff would like to retain that ability but it is something that needed to be discussed with LELS. Mielke (Lakeville) asked if the DCC was in need of hiring staff soon. Therkelsen (DCC) confirmed that there were two applicants currently in the background investigation phase and 3 additional vacancies that staff was conducting 2<sup>nd</sup> interviews on 12/6 with hopes of filling. Roszak (Ratwik, Roszak & Maloney, P.A.) confirmed that the next logical step is for the Executive Director to talk to the stewards and then the business representative that based on the policy, staff desired to start new hires at the entry level wage. Lawell (Apple Valley) asked how staff memorializes the agreement with LELS. Roszak (Ratwik, Roszak &

Maloney, P.A.) confirmed that it could be through an MOU or through an exchange of emails that would then be printed out and placed in personnel files. Roszak continued that the process did not need to be extremely complex.

Ebeling (Burnsville) asked if the arbitration award is immediately binding. Roszak (Ratwik, Roszak and Maloney, P.A.) confirmed. Osberg (Hastings) asked about posing inquiries to the arbitrator. Roszak (Ratwik, Roszak & Maloney, P.A.) responded that the only reason we should pose questions to the arbitrator is if the LELS business representative were to come up with some wild interpretation of the award. Therkelsen (DCC) questioned if the starting wage negotiation is for each occurrence. Roszak (Ratwik, Roszak & Maloney, P.A.) confirmed stating it is consistent with no salary schedule or wage range. However, the union may be open to language that provides for an on-going policy approach to future hires.

Therkelsen (DCC) asked if the Executive Committee needed to make a recommendation on the arbitration or if the contract needed to be obtained in final form before acting. Roszak (Ratwik, Roszak & Maloney, P.A.) responded that the union needed to act first. Roszak continued that there is nothing in law that dictates one way or another and the DCC has no choice but to accept the award but the Executive Committee should recommend ratification of an entire bargaining document. Mielke (Lakeville) commented that he was comfortable taking the recommendation to the board and ratifying the wage rates for both union and non-union employees, allowing the Board to act on them right away.

**Action:** Motion by Mielke (Lakeville) to recommend acceptance of the arbitration award. Motion also to inform the Board of the impact the award makes on union represented wages. Motion finally to inform the Board staff has to negotiate new hire salaries with union representation on an individual basis.

**Further Discussion:** Therkelsen (DCC) asked if the motion is to take just the portion of what will be the total union contract package. Mielke (Lakeville) clarified that the motion is to accept the award only. Roszak (Ratwik, Roszak & Maloney, P.A.) commented that the whole agreement is available. Mielke (Lakeville) clarified the motion stating staff should wait for the union to act on the remainder of the agreement, approve the 3% for non-union members, accept the arbitration award and implement the existing wage system for the non-union employees.

Second by Herlofsky (Farmington).

**Further Discussion:** Lawell (Apple Valley) commented that the DCC has personnel policies that assume there is no union agreement at all. Therkelsen (DCC) confirmed and clarified that most of the terms and conditions would be contained in the contract that is forthcoming. Roszak (Ratwik, Roszak & Maloney, P.A.) commented that the compensation policy specifically refers to the dispatchers with a wage range. Roszak continued that this portion of the compensation policy should be removed. Osberg (Hastings) clarified that the personnel policy is taken as rule if it is not addressed in the collective bargaining agreement.

Ebeling (Burnsville) asked if anywhere in the contract there is a "me too" clause on insurance. Roszak (Ratwik, Roszak and Maloney, P.A.) clarified that there was no "me too" clause in the Agreement and that there is a fixed dollar amount for the duration of the agreement. Roszak continued that the union agreed to insurance rates for 2008 but did not agree to the DCC insurance proposal for 2009/2010 meaning staff could say the 2008 contribution levels remain constant for 2009. Roszak stated that staff wanted to demonstrate good faith and try to obtain the concept that the union folks would get whatever the Board awarded to the non-union folks by creating that piece as an agreement.

Motion passed unanimously.

### **Non-Union 2009 Wage Adjustment**

Therkelsen (DCC) informed members that at the December 18<sup>th</sup> meeting the Board needed to adopt a general adjustment and performance adjustment for the 12 non-union employees.

Mielke (Lakeville) asked what staff was recommending. Therkelsen (DCC) responded that staff was recommending a 3% general adjustment and a 3% performance increase contingent on a satisfactory performance evaluation. Therkelsen added that the 2009 operating budget allowed for the recommendation.

Osberg (Hastings) commented that the performance increase can be either 0% or 3%. Mielke (Lakeville) clarified that a satisfactory review equated to a 3% increase. Lawell (Apple Valley) Asked if a 3% performance increase is tracking consistently with the other psaps and if there were any comparables. Therkelsen (DCC) responded that the county is the primary comparable and for 2009 the County approved a 2% base wage increase for performance and a 1% lump sum. Therkelsen (DCC) stated that for non-union Dakota County employees it was a 6% total increase with a 5% base and 1% lump sum combining the general and performance increases. Lawell (Apple Valley) commented that sounded like a lot. Osberg (Hastings) agreed stating he has no problem with the 3% general increase but the additional 3% seemed like a lot. Therkelsen (DCC) clarified that in looking at most organizations a 3% general adjustment, or cost of living increase, is normal and typically there is some process where employees move through defined steps in their range every year in addition.

Mielke (Lakeville) commented that usually there is a 4-5% span within ranges and the ranges would be adjusted on an annual basis. Mielke added that in addition to that, employees would get a cost of living increase. Mielke continued that the difference with the DCC is once you reach the top, you are eligible for a lump sum but you no longer move within the range until the range moves. Therkelsen (DCC) confirmed and added that the employees do not effectively receive a 6% increase unless they start on January 1<sup>st</sup>.

Mielke (Lakeville) commented that the problem with the system is that it isn't common and is difficult to understand. Mielke continued unless staff goes through an annual education process, it feels like 3% +3%=6%, which is not the case. Ebeling (Burnsville) commented that a number of employees would get the 6%. Therkelsen (DCC) clarified that the performance increase only applies to the 12 non-union employees. VanOverbeke (Eagan) asked if the budget contemplates a 6% increase. Therkelsen(DCC) responded that the budget contemplated a 3% general increase for all staff and then a 3% increase based on the performance date for all employees. However, only 12 employees are now eligible.

Herlofsky (Farmington) asked if there is a top to each range. Therkelsen (DCC) assured that when employees reach their range maximum they no longer receive the performance increase. Remkus (West St. Paul) commented that he would like to know what the lump sum increase is and how it is determined. Mielke (Lakeville) asked Therkelsen to provide an example.

King (South St. Paul) asked if when hiring a new employee, staff can put them anywhere in their salary range. Therkelsen (DCC) confirmed for the 12 non-union employees. King (South St. Paul) asked if the Board is committed to adjust the top end of the range on an annual basis. Therkelsen (DCC) responded that is not the case. Therkelsen added that it is not stated specifically in the policy but the understanding is that the range would be reviewed as the market directs, every 2-3 years. Therkelsen stated in contract negotiations, every 4 years was discussed.

Ebeling (Burnsville) commented the current plan is a very innovative pay plan. Mielke (Lakeville) confirmed that staff budgeted for 3% & 3%. Therkelsen (DCC) confirmed. Osberg (Hastings) suggested a two-fold recommendation. 1) endorse the recommended 3% and 3% and then also recommend a task force revisit the pay plan. King (South St. Paul) commented that his concern is more the public perception aspect and how it would be presented and played out. King added that presenting an aggregate amount may be more palatable.

**Action:** Motion by Mielke (Lakeville) to recommend a 3% general increase and a 2% performance increase. Second by Johnson (Rosemount).

**Further Discussion:** Osberg (Hastings) suggested staff run numbers to illustrate what the recommended increases look like. Remkus (West St. Paul) commented that he was struggling with the nomenclature. Remkus added that if the information were to be given to the councils and public as step increases, it wouldn't be a problem because people are familiar with that. However, people may not be as receptive to performance increases. Mielke (Lakeville) commented that there may be the need for a task force who would reformulate the nomenclature. King (South St. Paul) agreed with Remkus' concerns stating that if you have someone performing outside their duties, they would be eligible for a 3% performance increase. Osberg (Hastings) commented that staff brings forward what the group adopted and the group is questioning it. Osberg then recommended approving the numbers and then following through with the recommended task force who would review the compensation policy. Lynch (Inver Grove Heights) commented that the group may be struggling with the policy that was originally adopted but then questioned if the increase is mandatory or discretionary. Lynch then stated that due to no reflection of the people in the 12 positions, maybe the group says there is no performance increase for 2009, giving the task force the opportunity to review the process. Osberg (Hastings) voiced concern that there may be a couple of issues including the fact that the increase has already been budgeted for. Lynch (Inver Grove Heights) clarified that the performance policy would still be in place. Membership would just choose not to fund it for 2009. Mielke (Lakeville) commented that if representatives believe in the system, the cut should be on the general adjustment and not the performance increase.

Motion passed. 11 in favor. 1 opposed.

## **7. Governance Policies**

### **Discussion:**

Mielke (Lakeville) commented that having filled in for a work group member at one of the meetings, he was very impressed. Mielke continued that his city council was going to be doing the same thing. Lynch (Inver Grove Heights) concurred.

Ebeling (Burnsville) pointed out a couple of clerical errors. 1) Page 11, item 5b had a parenthetical section that didn't seem to belong. Therkelsen (DCC) confirmed that it did not belong and should be removed. 2) Page 15, item 1e appeared to be the measure for item 1d. Therkelsen (DCC) confirmed that "1e" should be removed and the measure should be part of item 1d.

Lawell (Apple Valley) asked for clarification on page 6, item 3. Ebeling (Burnsville) commented that it simply meant the chair could not speak on behalf of the board unless the board itself has taken a specific position. Ebeling continued that any board member can speak as an individual. Herlofsky (Farmington) suggested changing the sentence around to say, "The Board Chair may not speak on behalf of the Board as a whole to the public or media unless action by the Board has been taken". Lynch (Inver Grove Heights) agreed.

Lynch (Inver Grove Heights) commented that he had some additional grammatical errors. Therkelsen (DCC) agreed to take grammatical errors and make corrections prior to Board presentation.

**Action:** Motion by Mielke (Lakeville) to recommend approval of the Governance Policies with discussed modifications. Second by Lynch (Inver Grove Heights). Motion passed unanimously.

## **8. EMS Resolution**

### **Discussion:**

Therkelsen (DCC) informed members that the EMS resolution was the result of an issue that was identified during discussions on the management of the ALF Ambulance service. Therkelsen informed members that HealthEast is licensed to service the Burnsville and ALF area so if someone were to call HealthEast directly, they have the right to provide service. However, the EMSRB indicates in areas where there is overlapping coverage, the PSAP may decide what service to contact.

Therkelsen stated the DCC consortium resolution makes that preference of Allina/ALF known. Therkelsen added that the DCC would continue to notify the City of Burnsville for calls in their area and Allina/ALF for calls in their service area. Therkelsen clarified that the service is not exclusive and there are currently mutual aid directives in place for both agencies. Therkelsen informed members that the copy that was originally presented in the agenda packet had some modifications to it and new copies were available in handout. Therkelsen assured that the DCC's fiscal agent and legal counsel had reviewed the resolution.

**Action:** Motion by Herlofsky (Farmington) to approve the EMS Resolution with modifications as provided in handout form at the meeting. Second by Ebeling (Burnsville). Motion passed unanimously.

## **9. Recognition Event**

### **Discussion:**

Therkelsen (DCC) informed members that staff was requesting some guidance from members on how to proceed with a possible recognition event. Therkelsen clarified that staff is interested in having a recognition of the 1 year anniversary of services that would be open to staff and member agencies and that the expense was not to exceed \$1,500.

Lawell (Apple Valley) asked how the open house associated with the building dedication in October 2007 was handled. Therkelsen (DCC) responded that the open house was put on primarily by the County as the facility owner and cost the DCC almost nothing.

Osberg (Hastings) asked if the public would be invited to tour the facility. Therkelsen (DCC) responded that staff is considering a public open house in April in correlations with National Telecommunicator's Week. Ebeling (Burnsville) Commented that if an agency has an employee recognition policy in place, it is perfectly acceptable.

**Action:** Motion by Ebeling (Burnsville) to instruct staff to formulate and construct an employee recognition policy that would embody this requested event and future employee recognition events. Second by Herlofsky (Farmington). Motion passed unanimously.

## **10. 2009 Executive Committee Meeting Schedule**

### **Discussion:**

Therkelsen (DCC) informed members that the 2009 Executive Committee Meeting Schedule was in the agenda packet. Therkelsen commented that the schedule was developed with the assumption that the meetings would stay on the same cycle of the first Wednesday of every month at 1:30 pm in the DCC Training Room. Osberg (Hastings) asked if everyone was ok with

continuing the current schedule into 2009. Members agreed.

**Action:** No action.

## **11. Director's Report**

### **Discussion:**

Allina - Therkelsen (DCC) informed members that DCC has begun meeting with Allina representatives in an effort to develop procedures for the ALF transition to Allina managed service. Therkelsen assured members that staff is confident processes will be ready for the February 1<sup>st</sup> effective date.

LOGIS – Therkelsen (DCC) informed members that the RFP project for the CAD/Mobile system is underway and representatives from both the Fire/EMS and Law Enforcement Committees are being appointed to participate in that process. Therkelsen added that the RFP was expected to go out in February of 2009 and responses were expected back in March, 2009.

CAD System Modifications – Therkelsen (DCC) informed members that staff was in the process of reconfiguring CAD for each community to recognize fire beats that would have their mutual aid recommendations built into the system based on the nature of the event and location of the event. Therkelsen informed members that the City of Eagan was the first to be reconfigured and they had an opportunity to use the new configuration at a house fire the previous week. Therkelsen reported that the fire chiefs seemed to be pleased with how the process was working.

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

## **12. Miscellaneous**

### **Discussion:**

Chair Osberg (Hastings) reminded that there were still a few representatives that needed to get their executive director evaluations turned in. Osberg requested receipt of them evaluations by Friday, December 5<sup>th</sup>.

**Action:** No action.

## **13. Adjournment**

**Action:** Osberg adjourned the meeting by acclamation at 3:21 pm.

**Next Regular Meeting:**  
Wednesday, January 7<sup>th</sup>, 2008  
1:30 pm – 3:00 pm  
Location: DCC  
2860 160<sup>th</sup> Street W  
Rosemount, MN 55068

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