

**Dakota Communications Center  
Executive Committee  
Meeting Minutes: 09/06/2017**

**Members Present:** Tom Lawell – Apple Valley; Heather Johnston – Burnsville; Matt Smith – Dakota County; Dave Osberg – Eagan; Melanie Mesko-Lee – Hastings; Joe Lynch – Inver Grove Heights; Justin Miller – Lakeville; Mark McNeill – Mendota Heights; Logan Martin – Rosemount;

**Members Absent:** David McKnight – Farmington; Steve King – South St. Paul; Ryan Schroeder – West St. Paul

**Alternates Present:** BJ Battig – Dakota County; Bill Messerich – South St. Paul

**Others Present:** Tom Folie, Cheryl Pritzlaff, Jen Hildebrandt – DCC; Mike Meyer – Fire/EMS Sub-Committee Co-Chair

**1. Call the Meeting to Order**

Observing a quorum, Chair Miller called the meeting to order at 3:01.

**2. Roll Call**

Members in attendance noted above.

**3. Approve Agenda**

**Discussion:** None

**Action:** None

**Consent Agenda**

**4.**

- a. **Approve minutes from the August 2<sup>nd</sup>, 2017 Executive Committee meeting.**
- b. **Approve paid claims.**
  - **July 1<sup>st</sup> – 31<sup>st</sup>, 2017**
- c. **Receive Financial Reports**
  - **July, 2017 Unaudited Financial Report**
- d. **Receive report on Contracts & Service Agreements executed by Executive Director between June 14<sup>th</sup> and July 26<sup>th</sup>, 2017.**
- e. **Operations committee meeting minutes**
  - **August 31<sup>st</sup>, 2017 Fire/EMS Ops Sub-Committee**

**Discussion:**

**Action:** Motion by McNeill (Mendota Heights) to approve the consent agenda. Second by Martin (Rosemount). Motion passed unanimously.

***REGULAR AGENDA***

***Action Items***

None

***Information Updates/Discussion Items***

**5. Management Control Agreement – FBI-CJIS**

**Discussion:**

Folie (DCC) reviewed events leading up to the current update and reminded that the group had requested a breakdown of options along with the pros and cons of each. Folie revisited the three options with the group.

1. Multiple Agency Management Control Agreements

Folie explained this option would require MCAs with each of the law enforcement agencies. Folie added that it would also require the DCC to adhere to each of those agencies individual CJI security policies. Folie commented that in this situation, each jurisdiction would have veto power. Folie added that it would be highly desired for each MCA to be the same to ensure DCC practices adhered to all. Folie speculated that this could be a difficult route.

2. Lead Agency Management Control Agreement

Folie explained this option would require an MCA with one law enforcement agency who would be tasked with the review/decision making as it related to CJI security. Folie noted that there would be need for agreements between this lead agency and the other member law enforcement jurisdictions that the lead agency is performing the oversight function on their behalf.

3. One Law Enforcement Agency taking control over the DCC

Folie explained that the third option would be for one agency to take over control of County-wide dispatch operations. Folie noted that this option would give total control of the dispatch center to that one jurisdiction. Folie added that in this scenario, there would be no need for a MCA, as the DCC would become part of a Law Enforcement agency so compliance with the FBI CJIS rule would no longer be an issue.

Johnston (Burnsville) asked if there was a DCC opinion on which options would be the least problematic. Folie (DCC) responded stating that option 2, identifying a lead agency who the DCC would have an MCA with, was preferred. Folie noted that issues could continue to be worked through the collaborative and DCC staff would only have to deal with one jurisdiction on CJI security topics.

Miller (Lakeville) asked if the DCC had received the results of the audit yet. Folie (DCC) responded that it had not yet received audit results. Pritzlaff (DCC) commented that she had expected to have them back already. Pritzlaff reminded the group that the BCA had not inquired about an MCA in their audit. Pritzlaff speculated that might come in 2018 as part of the FBI audit of the BCA, but reminded that it was not certain the DCC would be one of the selected participants in that audit.

Battig (Dakota County) referred to the possible issues with variations in CJI security rules among the member agencies and asked if there was any idea how varied the agency rules were. Folie (DCC) responded that all the agencies had to follow the same set of rules so he believed they were likely consistent.

Messerich (South St. Paul) speculated on behalf of the law enforcement group stating that if the direction were to go with an MCA with one single agency, he believed there would then be some sort of agreement where the other member agencies would defer to the one controlling agency document on issues related to CJI security. Johnston (Burnsville) commented that there were some elected officials that had strong opinions on this topic and that she wasn't convinced one controlling agency was the way to go. Messerich (South St. Paul) acknowledged and commented that he believed it would be much easier. Messerich reminded that this was a discussion on how to come into compliance with the FBI regulation, not giving total control of the DCC operations. Messerich noted that it would be a matter of reviewing the hiring/background/discipline actions and allowing the agency to have oversight on only the CJI security area of the operation. Messerich likened the matter to any current law enforcement agency where the Chief had final review, but left the efforts to his staff.

Folie (DCC) noted that he didn't think the agencies were very anxious to take on the responsibility of oversight of DCC CJI security. However, it was something that was necessary to come into compliance. Messerich (South St. Paul) agreed.

Miller (Lakeville) commented that it seemed if the decision was to go with one MCA with a lead agency, their oversight would be audited. Folie (DCC) acknowledged stating that down the road it could become more of an audit of how the MCA actually worked, but because this was just newly being enforced by the BCA, he believed it could be as simple as making sure the document was in place.

Lawell (Apple Valley) asked if there were a training and recertification requirement. Folie (DCC) confirmed stating that was already being done. Folie noted that all CJI security was being followed already. This was just a matter of having the oversight that would confirm it was being done.

Smith (Dakota County) acknowledged that there had been some discussion about either the County becoming the lead agency who would hold the MCA with the DCC. Smith also acknowledged that there had been discussions about the County taking over the dispatch operation. Smith commented that in his discussions with Sheriff Leslie, Leslie expressed interest in obtaining feedback from member chiefs on what these options would look like. Smith noted that he hadn't had a chance to meet with Sheriff Leslie since that discussion.

Messerich (South St. Paul) noted that there was a chiefs meeting on Friday morning where this could be discussed. Messerich clarified, however, that the Sheriff was not going to attend as he was at a conference. Messerich commented that his personal opinion was that if the decision were to go with one controlling agency, it would be cleaner for that agency to be the sheriff's department. Messerich reminded the group that this was not talking about changing any aspect other than what was controlled under the CJI security rules, which would involve review of DCC staff decisions on employee ability to access CJI.

Osberg (Eagan) agreed that if the direction was to have a lead agency enter into an MCA with the DCC, it seemed natural that fell with the sheriff's office. Osberg then noted that if the County were to become the lead agency, it may be a good lead-in to discussions whether or not the County took over total control of the DCC. Lawell (Apple Valley) cautioned that would be a much larger discussion with many more people. Lawell commented that he would like to address this non-compliance issue before getting into that discussion. Osberg (Eagan) understood and agreed. Miller (Lakeville) agreed that it could be a good lead-in to that discussion down the road.

Osberg (Eagan) asked what the potential consequences were for non-compliance. Folie (DCC) clarified that the BCA had already stated that they would not shut off Anoka County access to the CJI Data because it is a law enforcement safety issue. However, when the FBI comes to MN to do their audit, they could threaten that the BCA either shut off Anoka County access, or risk being shut down themselves.

McNeill (Mendota Heights) asked if there had been any feedback from the Board of Directors. Folie (DCC) reported that the Board of Directors met on August 17<sup>th</sup> where they received the same presentation the Executive Committee received on August 2<sup>nd</sup>. At that time, they also received copies of the memo prepared by Legal Counsel, Jay Stassen. Folie commented that there wasn't really any indication of Board desires other than to have the Executive Committee work through the process.

Lawell (Apple Valley) commented that he would like to get this topic addressed and fixed before receipt of non-compliance. Lawell stated that passing of data handling and training agreements

was something that councils have done in the past and he didn't think this would be that difficult to address. Lawell suggested that if the Sheriff was willing to help the consortium out by doing an MCA with the DCC, it could be done and then the larger discussion of potentially taking over the dispatch center could be held at a later date. Folie (DCC) acknowledged the suggestion and asked that members please visit with their police and fire chiefs.

Miller (Lakeville) noted that members of the Executive Committee should engage their chiefs and Board Members as they saw fit and bring feedback to the October 4<sup>th</sup> meeting for further discussion.

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

## **6. Strategic Planning Update**

### **Discussion:**

Folie (DCC) acknowledged that this effort had been stalled as the result of the FBI CJIS discussion. Folie informed members that when this item was brought to the Board, there were a few grammatical edits made but other than that, there were no reported issues with the revised JPA document presented. Folie (DCC) proposed receiving the revised document from the Dakota County Attorney's office and then having a meeting with the governance committee for approval to send back to the Executive Committee.

Osberg (Eagan) commented that he felt the strategic planning effort should be put on hold until the discussion about the County taking over dispatch operations was held and either pushed forward or put to rest. Osberg noted that he didn't want to bring the revised document before the councils with this potential impacting discussion was held.

Mesko-Lee (Hastings) commented that she was comfortable with pausing the strategic planning effort for the time-being.

Battig (Dakota County) recognized that the folks who participated in the strategic planning effort had identified a need for a more structured organization effort. Battig also recognized that if the effort of the consortium was greater than that, and involved funding mechanisms and overall governance restructuring, it seemed the strategic planning group didn't need to meet as it was a much larger discussion that all members of the current group would likely want to be part of. Miller (Lakeville) given the topic discussed over the past few months, there were larger changes than tweaking the governance model. Lawell (Apple Valley) agreed and suggested the whole group should be involved.

Osberg (Eagan) commented that he didn't see the value in amending the JPA at this point, until the CJIS and a potentially entirely different model were sorted out.

Group consensus was to pause the strategic planning effort until after CJI Security and the whole DCC structure could be revisited.

Mesko-Lee (Hastings) expressed some concern about tabling efforts made towards streamlining the operational decision making process and how the chiefs would respond to it. Messerich (South St. Paul) noted that there had only been one law enforcement sub-committee meeting this year and stated that things had calmed down. Messerich stated that he didn't think how things were operating was a huge concern from the law enforcement perspective at this point. Messerich clarified that moving forward, there was a need to have less layers and make it easier to get things accomplished. Meyer (Fire Ops Chair) agreed stating that while things were

better, it was important that the group not lose sight of streamlining the governance structure

as originally recommended by the strategic planning group.

Smith (Dakota County) referred to the recent managers meeting where he agreed to have some analysis done in response to questions about the County assuming financial responsibility for the DCC. Smith distributed a handout clarifying that it was not a proposal, but merely data point to

help put the impact of this consideration to paper. Smith briefly reviewed the document with members stating that it displayed how the fee distribution would look based on tax capacity from

community to community. Johnston (Burnsville) thanked Smith and his staff for putting this information together. Johnston noted that if the decision were to go in the direction of the County taking over the dispatch center and implementing a levy, it would address some of the issues including the concerns with the current funding formula and folks receiving services that they weren't necessarily paying for.

Smith (Dakota County) noted that realistically, he didn't think the Board would be anxious about creating tax shifts around the County. Smith commented that there would need to be a displayed transition path that would help equalize member fees w/o any dramatic tax shifts. When asked if there would be consideration of a levy by township, Smith noted that he looked at that and it would be a greater impact than the 2.084% represented on the handout. Smith acknowledged that there was much more that went into it than what was put to the paper, but he wanted to provide an interpretation of what it might look like if the County were to take over DCC operations.

Messerich (South St. Paul) commented that there were chiefs in the county who were pushing for a public safety levy to pay for collaborative efforts. Smith (Dakota County) acknowledged that could be a good multi-year strategic effort.

Lawell (Apple Valley) noted that when the strategic planning effort started, it was in recognition of the operations committee concerns that they weren't being heard. Lawell noted that he would like to see the focus be more operational than administrative/governance. Lawell commented that he would like the ops group to tell the executive committee what DCC 2.0 looked like.

Osberg (Eagan) suggested that each member go back to their Fire Chief/Law Chief and Board member and visit about the following topics:

- a. Consideration of a change in the governance model.
- b. How they felt about the County entering into an MCA with the DCC.
- c. If they felt the County should take over DCC operations entirely.

Osberg suggested it was on the executive committee members to have these discussions in their agencies and then bring that back for direction at the October meeting.

Johnston (Burnsville) agreed and added that if there was expressed discomfort with the different options, ferret out the reasons behind the discomfort and ask what sort of agreements would need to be in place to address them.

McNeill (Mendota Heights) commented that the discussion kept coming back to the Sheriff's Office being the lone agency for the MCA or taking over control of the DCC and that he didn't really see any other option. Johnston (Burnsville) acknowledged and then suggested the topic would turn to how it would be financed.

Messerich (South St. Paul) commented that as a member of law enforcement he was pleased to hear the discussions considering the possibility of the Sheriff's Office taking over control of

dispatch. Messerich stated that he appreciated the flat tax base across the member agencies because right now it was too easy for member agencies to play games with their CAD costs.

Johnston (Burnsville) speculated that there were some Dakota County politics that came into play. Johnston noted that if the sheriff's office took over DCC operations, it seemed as though the sheriff would operate the organization and consult a committee of fire and law enforcement members as a steering committee. Member cities would then work through their representation on that steering committee. Johnston noted that there may need to be service level agreements, but it would be more public safety than administrative.

Smith (Dakota County) commented that he was hearing the current cost allocation was problematic. Smith added that he was hearing the group was in favor of using tax capacity as part of a potential longer term transition. Lawell (Apple Valley) agreed that a graduated approach maybe made more sense. Lawell cautioned, however, that Smith not let member agencies get too far ahead of his efforts.

Miller (Lakeville) directed members to go back to their chiefs and elected officials as they saw fit and have these discussions with them. Miller added that the group should be prepared to make an honest effort to move forward with a recommendation at the October meeting.

**Action:** No action.

## **7. Executive Director Update**

### **Discussion:**

Redundant Fiber Connect – Folie (DCC) reported that the State MNIT had installed the switch and was claiming that it was operational. Folie noted that if the DCC were to go down, it would be a manual cutover at this time. However, LOGIS was working to make that automatic and determine the actual route. Folie informed members that the U of M was picking up the \$24,000/year cost that was originally anticipated to be a DCC expense.

Staff Utilization – Folie (DCC) referred to the monthly statistical report and informed members that DCC management recently met to discuss more efficient staff utilization efforts to help combat statistics that were not meeting the standards. Folie noted that there were two efforts underway.

1. Currently, from 10am to 2am the DCC staffed two fire zones. Folie acknowledged that with the implementation of US Digital, staff believed that one fire dispatcher could typically handle both zones. As a result, and after discussion with the Fire/EMS Ops Committee Chair, when possible staff is going to combine fire zones, freeing up a resource to help with call-taking. Folie assured that if needed, staff would revert back to splitting the zones.
2. Folie commented that overnights during less activity, the supervisor may combine the three zones down to 2 or even 1 to help free up staff to assist in call taking.

Folie noted that he would report back in a couple of months on how these efforts were working.

Staffing & Hiring Update – Folie (DCC) informed members that there was one pending retirement and one new hire who resigned as she did not feel the DCC and her personal life were a good fit. Folie noted that staff had administered interviews on September 5<sup>th</sup> and he was pleased to report of the process was very successful. Folie noted that two candidates would be backgrounded and should be on board by November, bringing staffing to 52. Folie (DCC) commented that the law enforcement group, at their most recent meeting, suggested increased staffing by converting the two over comp positions to part of the dispatch staffing compliment. Miller (Lakeville) asked if there was any sort of trend that could be resolved by rearranging staff. Folie (DCC) noted that 4pm – 9pm was the peak time when even

the supervisors were picking up calls. Folie stated that with summer vacations, staffing was at minimums during that time which was proving to be difficult. Folie noted that he was hopeful the staffing utilization changes would help alleviate some of the issues.

Battig (Dakota County) referred to the two overcomp positions and asked for clarification. Folie (DCC) clarified that in referring back to the minutes where overcomp was discussed at the Executive Committee and Board levels, hiring of the two overcomp positions was allowed for anticipated departures. Folie noted, however, that because it takes 6 – 8 months to train, staffing was always behind. Battig (Dakota County) commented that this was different from his impression of how it should be and asked if it was worth revisiting. Battig suggested that looking at the budget may prove that hiring the over comp positions may not negatively impact the budget given the overtime and open FTE positions. Folie (DCC) commented that this discussion was held with the fiscal agent but they wanted to add additional dollars which would have bumped the budget to over a 3% increase and maybe closer to 4%. Folie acknowledged that there could still be salary savings and that he would greatly appreciate being authorized to staff to 54, especially now with the good candidates in this most recent interview process.

Osberg (Eagan) suggested this discussion be revisited and brought back to the group for consideration. Battig (Dakota County) agreed suggesting revisiting the data. Folie (DCC) agreed. Miller (Lakeville) suggested this topic be added to the next Executive Committee agenda.

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

## **OTHER BUSINESS**

Battig (Dakota County) reported that County staff was currently working with West St. Paul and St. Paul Regional Water on the Marie Avenue Water tank effort which would have a similar coverage impact with the 800 antennas located there as experienced with the Sperry Water Tank configuration. Battig assured that staff would be working to minimize the down time and meet needs as much as possible. Battig clarified the project was scheduled to take place in 2018.

## **Adjourn**

**Action:** Meeting adjourned at 4:13 by Chair Miller.

**Next Regular Meeting:**  
October 4<sup>th</sup>, 2017  
3:00pm  
Dakota Communications Center  
Training Room