January 8, 2014

MESB Board
MEETING NOTICE

The next meeting of the Metropolitan Emergency Services Board will be held on Wednesday, January 8 at 10:30 AM

at the Board Offices
2099 University Avenue West
St. Paul, MN 55104

Please call 651-643-8381 to confirm your attendance.
Board Meeting
January 8, 2014
***10:30 AM***

1. CALL TO ORDER (Wolf)
   A. Election – 2014 Officers of the Board (Moody)

   B. Oath of Office / Policy 16 (Higgins)

   C. Thank you to the 2013 Chair (Higgins)

   D. Letter of Representation / Policy 17 (Moody)

2. CONSENT AGENDA
   A. Approval of previous meeting minutes (November 13, 2013)

   B. Appvl – 2014 9-1-1 TOC Chair & Vice Chair

   C. Treasurer’s Reports:
      • October Treasurer’s Report
      • November Treasurer’s Report

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3. REPORTS / SRB Appointments
   A. Statewide Radio Board Reports
      1. SRB Finance (Comm. Huffman)
      2. SRB Legislative (Comm. Egan)
      3. SRB OTC (Rohret)
      4. SRB Steering (Comm. LeDoux)
      5. SRB (Comm. McMahon)

   B. 2014 SRB Committee Appointments (Moody)

   C. Legislative Session Preview (Johnson/Vesel)

4. MESB TOC ISSUES and ACTION REQUESTS
   A. Radio TOC
      1. None

   B. EMS TOC
      1. HSEM Grant Acceptance

   C. 9-1-1 TOC
      1. Shared CPE RFP and NG9-1-1 Transition Planning Overview
         (Jeff Nelson of PSC)

5. OLD BUSINESS
   A. Executive Director’s Performance Review Status

6. NEW BUSINESS
   A. None

7. ADJOURN
METROPOLITAN EMERGENCY SERVICES BOARD

RECOMMENDATION
It is recommended the following officers be elected in accordance with the Joint Powers Agreement, the By Laws of the Board and governance policies established by the Board:

Chair - Hennepin County (Linda Higgins)
Vice Chair - Anoka County (Rhonda Sivarajah)
Secretary - Ramsey County (Blake Huffman)
Treasurer - Chisago County (George McMahon)

Background
The following members of the Metropolitan Emergency Services Board were (or are expected to be) appointed to the Executive Committee of the Board by their respective County Boards or Council for 2014:

Anoka - Rhonda Sivarajah
Carver - James Ische
Chisago - George McMahon
Dakota – Tom Egan
Hennepin – Linda Higgins
Isanti – Greg Anderson
Ramsey – Blake Huffman
Washington – Ted Bearth
City of Minneapolis - Kevin Reich

The Metropolitan Emergency Services Board governance policies regarding election of officers is as follows: All officers are elected for one year and each member can serve only one term in the office to which elected with the understanding that each member elected as an officers will move to the next elected position at the end of the term. Normal succession will be Treasurer, Secretary, Vice-Chair, Chair.

Officers at the end of 2013 were:

Chair - Scott
Vice Chair - Hennepin
Secretary - Anoka
Treasurer - Ramsey

Article III. Section 5 of the Joint Powers Agreement prescribes the following representation by Board officers.

"Section 5: Membership in Executive Offices. Ramsey County shall have one representative in any of the four executive offices provided for in Sections 3 and 4 of this Article. Hennepin County and the City of Minneapolis shall alternate every four years having a representative in any of the four executive offices provided in Sections 3 and 4 of this Article. Officers will serve successively in the offices of Treasurer, Secretary, Vice Chair and Chair. Representatives from all other members will serve as officers on a rotating basis."

MOTION BY: ________________________________ SECONDED BY: ________________________________ MOTION APPROVED: YES NO
## MESB Officer Rotation

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<th>Year</th>
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Background
In accordance with Minnesota Statute, Chapter 358, Oath of Office, each County appointed Commissioner representative or City Council representative to the Metropolitan Emergency Services Board shall swear an oath to the Metropolitan Emergency Services Board affirming their support of the Constitution of the United States and the Constitution of the State of Minnesota, and that they will faithfully execute and discharge the duties of the office of member of the Metropolitan Emergency Services Board to which they are appointed by the Board of Commissioners of their respective County according to the law and to the best of their ability and understanding.
OFFICIAL OATH OF OFFICE

STATE OF MINNESOTA)
    )
COUNTY OF RAMSEY )

I, _____________________________, do solemnly swear, that I will support the constitution of the United States and the Constitution of the State of Minnesota, and that will faithfully execute and discharge the duties of the office of representative to the Metropolitan Emergency Services Board, to which I was appointed by the Board of Commissioners of _____________ County, Minnesota, according to the law and to the best of my ability and understanding.

_______________________________________________
(signature of commissioner)

Subscribed and sworn to before me this _______ day of ________, 2014

_______________________________________________
(signature of Chair or person administering oath)
Chair, Metropolitan Emergency Services Board
BACKGROUND

To document awareness of (and compliance with) Minnesota Statute Section 471.87 (Public Officers, Interest in Contract; Penalty) and Section 13D.01 (Minnesota Open Meeting Law) and related legislation, our auditors are requesting all elected officials of the MESB to sign the Letter of Representation. The signed letter will be retained on file to document MESB’s awareness of (and compliance with) Minnesota Statutes Section 471.8 and Section 13D.01 and related legislation.

- We need a signed copy of the attached Letter of Representation for the MESB files and the MESB audit.
- We also need a copy of the Statement of Economic Interest form that you fill out for the State of Minnesota in your County/City as an “Elected Local Official in a Metropolitan Governmental Unit” under Minnesota Statute § 10A.01, subd. 22; and 10A.09, subd. 6a. AFTER it is signed by you in April.
LETTER OF REPRESENTATION

To document awareness of (and compliance with) Minnesota Statute, Section 471.87 (Public Officers, Interest in Contract; Penalty) and Section 13D.01 (Minnesota Open Meeting Law) and related legislation, our auditors are requesting all elected officials of the Organization to sign this letter. We will retain this letter on file to document Organization awareness of (and compliance with) Minnesota Statutes, Section 471.8 and Section 13D.01 and related legislation. We have attached excerpts of Minnesota Statutes for your reference.

________________________________________
I have read the attached Minnesota Statutes, Section 471.87, 471.88, 471.881, 471.89, 412.311, 16C.28 and 365.37. I understand that the term "contract" includes the purchase of goods and services.

Please Check A or B

A. □ To the best of my knowledge, during the preceding calendar year, I or a direct member of my family, have not voluntarily had a personal financial interest in the making of a sale, lease and/or contract of the Organization nor have I or a direct member of my family, personally benefited from any such transaction.

OR

B. □ To the best of my knowledge, during the preceding calendar year, I or a direct member of my family, have (had) a personal financial interest in the making of a sale, lease and/or contract of the Organization and/or have personally benefited financially from such a transaction. The circumstances and statutory exception (authority) for all such financial interest are described as follows:

________________________________________

Signed

Title

Date

________________________________________

I have read the attached Minnesota Statute Sections 13D.01 and 13D.03.

To the best of my knowledge, during the preceding calendar year, all meetings of the Board and any committees of the Organization complied with the Minnesota Open Meeting Law, except as described below:

________________________________________

Signed

Title

Date
471.87 PUBLIC OFFICERS, INTEREST IN CONTRACT; PENALTY.

Except as authorized in section 471.88, a public officer who is authorized to take part in any manner in making any sale, lease, or contract in official capacity shall not voluntarily have a personal financial interest in that sale, lease, or contract or personally benefit financially therefrom. Every public officer who violates this provision is guilty of a gross misdemeanor.

History: 1951 c 379 s 1; 1955 c 41 s 1; 1986 c 444

471.88 EXCEPTIONS

Subdivision 1. Covernge. The governing body of any port authority, seaway port authority, economic development authority, watershed district, soil and water conservation district, town, school district, hospital district, county, or city, by unanimous vote, may contract for goods or services with an interested officer of the governmental unit in any of the following cases.

Subdivision 2. Bank or Savings Association. In the designation of a bank or savings association in which the officer is interested as an authorized depository for public funds and as a source of borrowing, no restriction shall apply to the deposit or borrowing of any funds or the designation of a depository by such authority or governmental unit in any bank or savings association in which a member of an authority or officer of a governmental unit shall have an interest if such deposited funds are protected in accordance with chapter 118A; provided, however, that any member or officer having such an interest shall disclose that the member is a director or employee of the bank or savings association, which disclosure shall be entered upon the minutes of the authority or governmental unit, such disclosure shall be made when such bank or savings association is first designated as a depository or as a source of borrowing, or when such member or officer is elected whichever is later, and such disclosure shall serve as notice of such interest and need not be made with each successive transaction.

Subdivision 3. Official Newspaper. The designation of an official newspaper, or publication of official matters therein, in which the officer is interested when it is the only newspaper complying with statutory or charter requirements relating to the designation or publication;

Subdivision 4. Cooperative Association. A contract with a cooperative association of which the officer is a shareholder or stockholder but not an officer or manager.

Subdivision 5. Contract with no bids required. A contract for which competitive bids are not required by law.

Subdivision 6. Contract with Volunteer Fire Department. A contract with a volunteer fire department for the payment of compensation to its members or for the payment of retirement benefits to these members;

Subdivision 6a. Contract with Volunteer Ambulance Service. A contract with a volunteer ambulance service for the payment of compensation to its members or for the payment of retirement benefits to these members;

Subdivision 7. Contract with Municipal Band. A contract with a municipal band for the payment of compensation to its members;

Subdivision 8. [Repealed, 1992 c 380 s 8];
Subdivision 9. Import, Export, Trade; Port Commissioner. When a port authority commissioner or economic development authority commissioner is engaged in or employed by a firm engaged in the business of importing or exporting or general trade, it shall be lawful for the authority to do business with the commissioner or the commissioner's employer provided that in the fixing of any rates affecting shippers or users of the terminal facility, said commissioner shall not vote thereon.

Subdivision 10. Import, Export, Trade; Seaway Port. When a seaway port authority commissioner is engaged in or employed by a firm engaged in the business of importing or exporting or general trade, it shall be lawful for the authority to do business with the commissioner or the commissioner's employer provided that in the fixing of any rates affecting shippers or users of the terminal facility, said commissioner shall not take part in the determination of, except to testify, nor vote thereon.

Subdivision 11. Bank loans or trust services. When a commissioner of any public housing, port authority, or economic development authority is employed by a bank engaged in making loans or performing trust services involving real or personal property affected by any plan or such housing or port authority, no restriction shall apply to any such loans made or trust services performed by said bank if the commissioner shall disclose the nature of such loans or trust services of which the commissioner has personal knowledge, which disclosure shall be entered upon the minutes of such authority.

Subdivision 12. Population of 1,000 or less. An officer of a government unit may contract with the unit to provide construction materials or services, or both, when the sealed bid process is used and the unit has a population of 1,000 or less according to the last federal census. The officer may not vote on the question of the contract when it comes before the governing body for consideration.

Subdivision 13. Rent. A public officer may rent space in a public facility at a rate commensurate with that paid by other members of the public.

Subdivision 14. Local development organization. (a) For the purposes of this subdivision:

(1) "local development organization" means a housing and redevelopment authority, economic development authority, community action program, port authority, or private consultant; and

(2) "government unit" has the meaning given in section 471.59, subdivision 1.

(b) When a local development organization administers a loan or grant program for individual property owners within the geographical boundaries of a government unit by an agreement entered into by the government unit and the local development organization, an officer of the government unit may apply for a loan or grant from the local development organization. If an officer applies for a loan or grant, the officer must disclose as part of the official minutes of a public meeting of the governmental unit that the officer has applied for a loan or grant.

Subdivision 15. Franchise agreement. When a home rule charter or statutory city and a utility enter into a franchise agreement or a contract for the provision of utility services to the city, a city council member who is an employee of the utility is not precluded from continuing to serve as a city council member during the term of the franchise agreement or contract if the council member abstains from voting on any official action relating to the franchise agreement or contract and discloses the member's reason for abstention in the official minutes of the council meeting.
Subdivision 16. Renumbered. 123B.195

Subdivision 17. Federal or state grant programs. The governing body may apply for and accept a state or federal grant for housing, community, or economic development in which a public officer may benefit, if the public officer abstains from voting on measures related to the grant.

Subdivision 18. Small cities in St. Louis county; certain federal funding programs. If a city with a population of 5,000 or less in St. Louis county administers a loan or grant program with community development block grant funds or federal economic development administration funds for property owners within the geographic boundaries of the city, the city may make a grant or loan from these funds to a public officer of the city who applies, if the public officer first discloses, as part of the official minutes of a meeting of the city, that the public officer has applied for the funds and the public officer abstains from voting on the public officer’s application.

Subdivision 19. Loan for HRA officer, if disclosed. If a city or county housing and redevelopment authority, or an agency having powers of a city or county housing and redevelopment authority, administers a loan or grant program with state or federal funds, the authority may make a grant or loan from these funds to a public officer of the authority who applies, if the public officer first discloses, as part of the official minutes of a meeting of the authority, that the public officer has applied for the funds and the public officer abstains from voting on the public officer’s application.

Subdivision 20. Township supervisor is employee of contractor. A township may enter into a contract governed by section 471.345, even if a township supervisor is an employee of the contractor as long as the supervisor had no role in preparing the contractor’s bid or negotiation for the contract with the township. The supervisor is not precluded from continuing to serve as a township official during the term of the contract if the township supervisor abstains from voting on any official action relating to the contract and discloses the supervisor’s reason for the abstention in the official minutes of the township meeting.

History: 1961 c 651 s 1; 1965 c 806 s 1-4; 1969 c 26 s 1; 1973 c 123 art 5 s 7; 1977 c 55 s 1-3; 1978 c 651 s 1; 1979 c 20 s 1; 1986 c 399 art 2 s 38-40; 1986 c 400 s 38-40; 1986 c 444; 1Sp1986 c 3 art 2 s 41; 1991 c 65 s 1,2; 1992 c 380 s 7; 1992 c 522 s 42, 43; 1993 c 224 art 9 s 43; 1996 c 471 art 7 s 18; 1998 c 269 s 1; 2001 c 7 s 90; 2001 c 132 s 1,2; 2002 c 356 s 1; 2003 c 119 s 1; 1Sp2003 c 23 s 27; 2004 c 139 s 1; 2005 c 80 s 1

471.881 EXCEPTIONS; APPLICATION.

The exceptions provided in section 471.88 shall apply notwithstanding the provisions of any other statute or city charter.

History: 1967 c 18 s 1

471.89 CONTRACT, WHEN VOID.

Subdivision 1. Procedure followed. A contract made pursuant to section 471.88, subdivision 5, is void unless the procedure prescribed by subdivisions 2 and 3 is followed.

Subdivision 2. Resolution by governing body. Except in an emergency making such procedure impracticable, the governing body of the governmental unit shall authorize the contract in advance of its performance by adopting a resolution setting out the essential facts and determining that the contract price is as low as or lower than the price at which the commodity or services could be obtained elsewhere. In case of an emergency when the contract cannot be authorized in advance, payment of the claims shall be authorized by a like resolution in which the facts of the emergency are also stated.
Subdivision 3. Claims, affidavits filed. Before such a claim is paid, the interested officer shall file with the clerk of the governing body an affidavit stating:

(a) The name of the officer and the office held by the officer;
(b) An itemization of the commodity or services furnished;
(c) The contract price;
(d) The reasonable value;
(e) The interest of the officer in the contract; and
(f) That to the best of the officer's knowledge and belief the contract price is as low as, or lower than, the price at which the commodity or services could be obtained from other sources.

History: 1951 c 379 s 3; 1965 c 45 s 64-66; 1967 c 125 s 1,2; 1978 c 651 s 2,3; 1986 c 444

412.311 CONTRACTS.

Subdivision 1. Lowest responsible Bidder. Except as provided in sections 471.87 to 471.89, no member of a council shall be directly or indirectly interested in any contract made by the council. Whenever the amount of a contract for the purchase of merchandise, materials or equipment or for any kind of construction work undertaken by the city is estimated to exceed the amount specified by section 471.345, subdivision 3, the contract shall be let to the lowest responsible bidder, after notice has been published once in the official newspaper at least ten days in advance of the last day for the submission of bids. If the amount of the contract exceeds $1,000, it shall be entered into only after compliance with section 471.345.

Subdivision 2. Best value alternative. As an alternative to the procurement method described in subdivision 1, a contract for construction, building, alteration, improvement, or repair work may be awarded to the vendor or contractor offering the best value under a request for proposals as described in section 16C.28, subdivision 1, paragraph (a), clause (2), and paragraph (c).

History: 1949 c 119 s 38; 1951 c 378 s 11; 1951 c 379 s 5; 1953 c 735 s 5; 1957 c 429 s 1; 1965 c 175 s 1; 1973 c 123 art 2 s 1 subd 2; 1976 c 44 s27; 1992 c 380 s 2; 2007c 148 art 3s24

16C.28 CONTRACTS; AWARD.

Subdivision 1. Award requirements. (a) All state building and construction contracts entered into be or under the supervision of the commissioner or an agency for which competitive bids or proposals are required may be awarded to either of the following:

(1) the lowest responsible bidder, taking into consideration conformity with the specifications, terms of delivery, the purpose for which the contract is intended, the status and capability of the vendor or contractor, other considerations imposed in the call for bids, and, where appropriate, principles of life-cycle costing; or

(2) the vendor or contractor offering the best value, taking into account the specifications of the request for proposals, the price and performance criteria as set forth in section 16C.02, subdivision 4a, and described in the solicitation document.

(b) The vendor or contractor must secure bonding, commercial general insurance coverage, and workers' compensation insurance coverage under paragraph (a), clause (1) or (2). The commissioner shall determine whether to use the procurement process described in paragraph (a), clause (1), or the procurement process described in paragraph (a), clause (2), and paragraph (c). If the commissioner uses the method in paragraph (a), clause (2), and paragraph (c), the head of the agency shall determine which vendor or contractor offers the best value, subject to the approval of the commissioner. Any or all bids or proposals may be rejected.

(c) When using the procurement process described in subdivision 1, paragraph (a), clause
(2), the solicitation document must state the relative weight of price and other selection criteria. The award must be made to the vendor or contractor offering the best value applying the weighted selection criteria. If an interview of the vendor's or contractor's personnel is one of the selection criteria, the relative weight of the interview shall be stated in the solicitation document and applied accordingly.

Subdivision 1a. Establishment and purpose. (a) The state recognizes the importance of the inclusion of a best value contracting system for construction as an alternative to the current low-bid system of procurement. In order to accomplish that goal, state and local governmental entities shall be able to choose the best value system in different phases.

(b) "Best value" means the procurement method defined in section 16C.02, subdivision 4a.

(c) The following entities are eligible to participate in phase I:
(1) state agencies;
(2) counties;
(3) cities; and
(4) school districts with the highest 25 percent enrollment of students in the state.

Phase I begins on July 1, 2007.

(d) The following entities are eligible to participate in phase II:
(1) those entities included in phase I; and
(2) school districts with the highest 50 percent enrollment of students in the state.

Phase II begins two years from July 1, 2007.

(e) The following entities are eligible to participate in phase III:
(1) all entities included in phases I and II; and
(2) all other townships, school districts, and political subdivisions in the state.

Phase III begins three years from July 1, 2007.

(f) The commissioner or any agency for which competitive bids or proposals are required may not use best value contracting as defined in section 16C.02, subdivision 4a, for more than one project annually, or 20 percent of its projects, whichever is greater, in each of the first three fiscal years in which best value construction contracting is used.

Subdivision 2. Alterations and erasures. A bid containing an alteration or erasure of any price contained in the bid which is used in determining the lowest responsible bid must be rejected unless the alteration or erasure is corrected in a manner that is clear and authenticated by an authorized representative of the responder. An alteration or erasure may be crossed out and the correction printed in ink or typewritten adjacent to it and initialed by an authorized representative of the responder.

Subdivision 3. Special circumstances. The commissioner may reject the bid or proposal of any vendor or contractor who has failed to perform a previous contract with the state. In the case of identical low bids from two or more bidders, the commissioner may use negotiated procurement methods with the tied low bidders for that particular transaction so long as the price paid does not exceed the low tied bid price. The commissioner may award contracts to more than one vendor or contractor in accordance with subdivision 1, if doing so does not decrease the service level or diminish the effect of competition.

Subdivision 4. Record. A record must be kept of all bids or proposals, including names of bidders, amounts of bids or proposals, and each successful bid or proposal. This record is open to public inspection, subject to section 13.591 and other applicable law.

Subdivision 5. Preferences not cumulative. The preferences under sections 16B.121, 16C.06, subdivision 7, and 16C.16 apply, but are not cumulative. The total percentage of preference granted on a contract may not exceed the highest percentage of preference allowed for that contract under any one of those sections.
365.37 CONFLICTS, BIDS, EMERGENCIES, PENALTY, REMOVAL

Subdivision 1. **No conflicts; exceptions.** Except as provided in sections 471.87 to 471.89, a supervisor or town board must not be a party to, or be directly or indirectly interested in, a contract made or payment voted by the town board.

Subdivision 2. **To lowest responsible bidder.** A contract let on bid must be let to the lowest responsible bidder.

Subdivision 2a. **Best value alternative.** As an alternative to the procurement method described in subdivision 2, a contract for construction, building, alteration, improvement, or repair work may be awarded to the vendor or contractor offering the best value under a request for proposals as described in section 16C.28, subdivision 1, paragraph (a), clause (2), and paragraph (c).

Subdivision 3. **Notice.** Before a contract is let on bid, ten days' public notice of the time and place of receiving bids must be given. The notice must be posted in the three most public places in the town or published for two weeks in a newspaper generally circulated in the town.

Subdivision 4. **Special emergency exception.** If a special emergency comes up, a contract may be let without notice or competitive bidding. A special emergency is a situation requiring immediate action essential to the health, safety, or welfare of the town.

Subdivision 5. **Violation; misdemeanor and removal.** A contract made or payment voted or made contrary to this section is void. A town officer who violates this section is guilty of a misdemeanor and must leave office.

**History: (1096) RL s 688; 1913 c 164 s 1; 1951 c 74 s 1; 1951 c 379 s 4; 1957 c 76 s 1; 1984 c 562 s 15; 1985 c 169 s 8; 15sp1985 c 16 art 2 s 11; 1987 c 90 s 3; 1987 c 229 art 8 s 1; 2007c148artI8s20**

13D.01 MEETINGS MUST BE OPEN TO THE PUBLIC; EXCEPTIONS

Subdivision 1. **In executive branch, local government.** All meetings, including executive sessions, must be open to the public:

(a) of a state:
   (1) agency,
   (2) board,
   (3) commission, or
   (4) department,

when required or permitted by law to transact public business in a meeting;

(b) of the governing body of a;
   (1) school district however organized,
   (2) unorganized territory,
   (3) county,
   (4) statutory or home rule charter city,
   (5) town, or
   (6) other public body;
(c) of any:
   (1) committee,
   (2) subcommittee,
   (3) board,
   (4) department, or
   (5) commission,

of a public body; and

(d) of the governing body or a committee of:
   (1) a statewide public pension plan defined in section 356A.01, subdivision 24; or
   (2) a local public pension plan governed by section 69.77, sections 69.771 to 69.775, or chapter 354A, 422A, or 423B.

Subdivision 2. Exceptions. This chapter does not apply:

   (1) to meetings of the commissioner of corrections;
   (2) to a state agency, board, or commission when it is exercising quasi-judicial functions involving disciplinary proceedings; or
   (3) as otherwise expressly provided by statute.

Subdivision 3. Subject of and grounds for closed meeting. Before closing a meeting, a public body shall state on the record the specific grounds permitting the meeting to be closed and describe the subject to be discussed.

Subdivision 4. Votes to be kept in journal. (a) the votes of the members of the state agency, board, commission, or department; or of the governing body, committee, subcommittee, board, department, or commission on an action taken in a meeting required by this section to be open to the public must be recorded in a journal kept for that purpose.

   (b) The vote of each member must be recorded on each appropriation of money, except for payments of judgments, claims, and amounts fixed by statute.

Subdivision 5. Public access to journal. The journal must be open to the public during all normal business hours where records of the public body are kept.

Subdivision 6. Public copy of members' materials. (a) In any meeting which under subdivisions 1, 2, 4, and 5, and section 13D.02 must be open to the public, at least one copy of any printed materials relating to the agenda items of the meeting prepared or distributed by or at the direction of the governing body or its employees and:

   (1) distributed at the meeting to all members of the governing body;
   (2) distributed before the meeting to all members; or
   (3) available in the meeting room to all members;

shall be available in the meeting room for inspection by the public while the governing body considers their subject matter.

   (b) This subdivision does not apply to materials classified by law as other than public as defined in chapter 13, or to materials relating to the agenda items of a closed meeting held in accordance with the procedures in section 13D.03 or other law permitting the closing of meetings.

History: 1957 c 773 s 1; 1967 c 462 s 1; 1973 c 123 art 5 s 7; 1973 c 654 s 15; 1973 c 680 s 1,3; 1975 c 271 s 6; 1981 c 174 s 1; 1983 c 137 s 1; 1983 c 274 s 18; 1984 c 462 s 27; 1987 c 313 s 1; 1990 c 550 s 2,3; 1991 c 292 art 8 s 12; 1991 c 319 s 22; 1994 c 618 art 1 s 39; 1997 c 154 s 2; 1Sp2001 c 10 art 4 s 1
13D.03 CLOSED MEETINGS FOR LABOR NEGOTIATIONS STRATEGY

Subdivision 1. Procedure. (a) Section 13D.01, subdivisions 1, 2, 4, 5, and section 13D.02 do not apply to a meeting held pursuant to the procedure in this section.

(b) The governing body of a public employer may by a majority vote in a public meeting decide to hold a closed meeting to consider strategy for labor negotiations, including negotiation strategies or developments or discussion and review of labor negotiation proposals, conducted pursuant to sections 179A.01 to 179A.25.

(c) The time of commencement and place of the closed meeting shall be announced at the public meeting.

(d) A written roll of members and all other persons present at the closed meeting shall be made available to the public after the closed meeting.

Subdivision 2. Meeting must be recorded. (a) The proceedings of a closed meeting to discuss negotiation strategies shall be tape-recorded at the expense of the governing body.

(b) The recording shall be preserved for two years after the contract is signed and shall be made available to the public after all labor contracts are signed by the governing body for the current budget period.

Subdivision 3. If violation claimed. (a) If an action is brought claiming that public business other than discussions of labor negotiation strategies or developments or discussion and review of labor negotiation proposals was transacted at a closed meeting held pursuant to this section during the time when the tape is not available to the public, the court shall review the recording of the meeting in camera.

(b) If the court finds that this section was not violated, the action shall be dismissed and the recording shall be sealed and preserved in the records of the court until otherwise made available to the public pursuant to this section.

(c) If the court finds that this section was violated, the recording may be introduced at trial in its entirety subject to any protective orders as requested by either party and deemed appropriate by the court.

History: 1957 c 773 s 1; 1967 c 462 s 1; 1973 c 123 art 5 s 7; 1973 c 654 s 15; 1973 c 680 s 1,3; 1975 c 271 s 6; 1981 c 174 s 1; 1983 c 137 s 1; 1983 c 274 s 18; 1984 c 462 s 27; 1987 c 313 s 1; 1990 c 550 s 2,3; 1991 c 292 art 8 s 12; 1991 c 319 s 22; 1994 c 618 art 1 s 39; 1997 c 154 s 2
METROPOLITAN EMERGENCY SERVICES BOARD

MEETING MINUTES

NOVEMBER 13, 2013

Commissioners Present:

<table>
<thead>
<tr>
<th>ANOKA</th>
<th>Rhonda Sivarajah-Carol LeDoux</th>
<th>HENNEPIN</th>
<th>Randy Johnson-Linda Higgins</th>
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<tr>
<td>CARVER</td>
<td>Jim Ische-Gayle Degler</td>
<td>ISANTI</td>
<td>Greg Anderson</td>
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<td>CHISAGO</td>
<td>George McMahon</td>
<td>RAMSEY</td>
<td>Blake Huffman - Absent</td>
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<td>Janice Rettmam - Absent</td>
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<td>Jim McDonough - Absent</td>
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<td>Mary Jo McGuire</td>
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<td>City of Minneapolis</td>
<td>Kevin Reich</td>
<td>SCOTT</td>
<td>Dave Menden – Absent</td>
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<td>Tom Wolf</td>
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<td>DAKOTA</td>
<td>Tom Egan-Chris Gerlach</td>
<td>WASHINGTON</td>
<td>Ted Bearth</td>
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<td>Fran Miron</td>
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Staff Present: Martin Moody, Kelli Jackson, Pete Eggimann, Jill Rohret, Ron Robinson, Martha Ziese, Jay Arneson, MESB Board Counsel

Guests Attending: Jeff Nelson, PSC Alliance, Chris Weldon, Scott County

1. CALL TO ORDER - Meeting was called to order at 10:30 by MESB 2013 Chair, Commissioner Tom Wolf. Election of Vice-Chair Linda Higgins.

   Motion made by Commissioner Bearth, seconded by Commissioner McGuire to elect Hennepin County Commissioner Linda Higgins Vice-Chair, previously held by Hennepin County Commissioner Jeff Johnson. Motion Carried. Commissioner Higgins will assume Chair seat January 2014.

2. CONSENT AGENDA
   A. Approval: Previous Meeting’s Minutes (July 10, 2013)
      Note: September Board meeting was cancelled
      Motion made by Commissioner Egan, seconded by Commissioner Bearth to approve July 10, 2013 MESB minutes.

   B. FYI – draft Executive Committee minutes (October 9, 2013)
   C. Accept: Treasurer’s Reports: May, June, July, August & September
   D. Approval: Amendments to Metro Std. 3.28.1 (Use of METEM)
   E. Approval: Amendments to Metro Std. 3.31.0 (Status Board)
   F. Approval: Metro Transit Request for Console Change
   G. Correspondence: 934th Airlift Wing PSAP
   H. Correspondence: Airport PSAP PAD Installation
I. Correspondence: Richfield PSAP Closure

3. REPORTS
A. Statewide Radio Board Reports (Jill Rohret)
   1. SRB Finance (Rohret for Huffman) Met on Sept. 12 and October 11.
      In September, the committee discussed the Funding Study Workgroup and its composition. The workgroup will be chaired by Bill Mund, St. Cloud Fire Chief. The committee also reviewed ECN's FY2014 budget for the SECB discretionary funds. Lastly, the committee discussed and recommended approval of an interoperability grant to the MESB, which will be discussed later in the MESB agenda.
      In October, the committee discussed a request to use SECB discretionary funds to pay for the legislatively mandated funding study. Previously the SECB approved the use of up to $50,000 to pay for the study. Once the RFP response was received, the cost was much higher than anticipated. The Finance Committee recommended the allocation of a total of $136,911 to pay for the funding study.

   2. SRB Legislative - Did not meet in September or October

   3. SRB OTC (Rohret) Met September 10 and October 8
      Sept—The OTC reviewed and recommended approval of Kittson County's participation plan; recommended approval of a Dakota County waiver and a Dakota Communications Center waiver with regard to some requirements implemented with the change management process; reviewed and recommended approval of a limited participation plan for the MN Department of Human Services. Lastly, the committee discussed changing the migration date for Status Board 2.
      Oct—The OTC reviewed and recommended approval of a Waseca County statewide access request, requests for IDs from Carver County and Houston County, and participation plan amendments from Life LinkIII and Metro Transit. The committee also reviewed and recommended approval of the White Earth Tribal Nation's participation plan, a Rice County request for a BDA and a Rice County request for use of excess microwave capacity.

   4. SRB Steering
      In September, the committee discussed a request to use the ARMER system from the Civil Air Patrol. The group is a volunteer group with military ties. They had requested over 100 radios; the Steering Committee recommended that they only be approved for 8.
      In October, the committee discussed how to deal with requests like the Civil Air Patrol and whether a policy needed to be made. The committee will continue to discuss this matter.

   SECB (McMahon/McGuire) Met on Sept. 26 and October 24.
   Sept—The Board approved the September OTC, Finance and Steering Committee items. The Board also pushed back the migration to Status Board 2 to November 5.
   Oct—The Board approved the October OTC and Finance Committee items.

4. MESB TOC Issues and Action Requests
   A. 9-1-1 TOC
      1. NG9-1-1 Transition Planning Overview (Jeff Nelson of PSC)
METROPOLITAN EMERGENCY SERVICES BOARD

B. Radio TOC
   1. Acceptance: 2013 SECB Grant (Jill Rohret)
      Staff recommended the Board accept the 2013 SECB Grant allocated among the following
      areas: Training $38,000.00, Interoperability Conference $7,500.00, Exercise $7,500.00,
      for a total of $53,000.00.

      Motion made by Commissioner Egan, seconded by Commissioner Bearth to accept the 2013
      SECB Grant. Motion Carried.

   2. Presentation: Communications Response Task Force (CRTF) (Jill Rohret)

C. EMS TOC
   1. Acceptance: EMSRB Grant (Ron Robinson)
      Staff recommended the Board accept a grant from the State of Minnesota EMSRB for fiscal
      years 2014-2015 in the amount $449,899.

      Motion made by Commissioner Johnson, seconded by Commissioner Egan to accept the grant
      from the State of Minnesota EMSRB. Motion Carried.

5. Old Business
   A. None

6. New Business
   A. Martha is to send a review form to Commissioner Wolf to circulate for Martin Moody’s
      review.

7. Adjourn
RECOMMENDATION

The 9-1-1 TOC recommends the Board approve Nancie Pass to serve as 911 Technical Operation Committee Chair for 2014, and approve Bob Dowd to serve as Vice-Chair for 2014.

BACKGROUND

According to the MESB by-laws, the 9-1-1 TOC must make a recommendation to the Board on the Chair and Vice Chair of the committee. At the November 9-1-1 TOC meeting, the committee voted to have Nancie Pass (Ramsey Co.) serve as Committee Chair, and Bob Dowd (Isanti Co.) serve as Vice-Chair.

ISSUES & CONCERNS

FINANCIAL IMPACT

None to the MESB.
TO: Metropolitan Emergency Services Board  
FROM: Ramsey County Commissioner Blake Huffman, MESB Treasurer  
RE: Treasurer’s Report – October 2013  
DATE: November 19, 2013  

As Treasurer for the Metropolitan Emergency Services Board it is necessary to review the following documents:  

- Monthly summary financial reports for Administration, 911, Radio and EMS  
- Explanation for significant variance from budget report for Administration, 911, Radio and EMS.  

The review was conducted on November 19, 2013.  

Sincerely,  

Blake Huffman, Commissioner  
Ramsey County  
Treasurer, Metropolitan Emergency Services Board
TO: Metropolitan Emergency Services Board

FROM: Ramsey County Commissioner Blake Huffman, MESB Treasurer

RE: Treasurer's Report – November 2013

DATE: December 20, 2013

As Treasurer for the Metropolitan Emergency Services Board it is necessary to review the following documents:

- Monthly summary financial reports for Administration, 911, Radio and EMS
- Explanation for significant variance from budget report for Administration, 911, Radio and EMS.

The review was conducted on December 20, 2013.

Sincerely,

Blake Huffman, Commissioner
Ramsey County
Treasurer, Metropolitan Emergency Services Board
RECOMMENDATION
The MESB, acting as the Metro Regional Radio and 9-1-1 Boards, per the by-laws of the Statewide Emergency Communications Board (SECB), formerly the Statewide Radio Board (SRB), makes appointments to the SECB and the SECB Committees each year. The MESB needs to select Primary and Alternate appointees to the Statewide Emergency Communications Board, Finance, Steering and Legislative, OTC and Interop Committees.
We have the 2013 appointees that may be willing to continue. The MESB needs to approve and submit the list of appointments to the SECB in January.

BACKGROUND
The MESB as the Metro Regional Radio Board has had representation on all of the Statewide Radio Board committees since the SRB inception in 2005. The SRB function continues and the MESB as the Metro Regional 9-1-1 Board is now represented within the expanded role the Statewide Emergency Communications Board. Current topics within the SECB could have significant financial impacts on the ARMER users/MESB members:

- Many ARMER users face major infrastructure replacements over the next 8 years which will require additional substantial local investment. In 2016, the Statewide Radio Board is scheduled to implement a system upgrade that will require many agencies to replace their consoles. Affected agencies for the 2016 upgrade include: Allina Health EMS; Anoka County; Carver County; Cass County; Crow Wing County; Dakota County; Dodge County; Hennepin County; Hennepin EMS; Isanti County; Itasca County; Kanabec County; Lincoln County; Morrison County; North Memorial EMS; Ramsey County; Scott County; Stearns County/City of St. Cloud; Cities of Bloomington, Edina, Minneapolis, Minnetonka, Richfield, St. Louis Park, and White Bear Lake; Metro Transit; Ridgeview EMS; University of Minnesota.

- Though not yet scheduled, in 2019 an upgrade may occur which requires other infrastructure equipment to be replaced at many radio tower sites. In addition to the possible upgrade, much of the equipment was originally implemented in 2000 and will be reaching the end of its useful life at that time. It will need to be replaced regardless of the upgrade. Affected agencies for the 2019 upgrade include: Anoka County; Carver County; Chisago County; Dakota County; Goodhue County; Hennepin County; Isanti County; Itasca County; Olmsted County/City of Rochester; Ramsey County; Scott County; Sherburne County; Washington County; Wright County; City of Minneapolis; and the City of St. Cloud.

- Major changes to the infrastructure of the 9-1-1 system are taking place as the evolution to support a National Emergency Number Association (NENA) i3 aligned Next Generation 9-1-1 (NG9-1-1) architecture continues. Migration to a fully functional NG9-1-1 system is part of the Minnesota Department of Public Safety, Division of Emergency Communication Networks’ overall plan. Geographical Information System (GIS) data is the basis of call routing in a NG9-1-1 system. Both the infrastructure changes and GIS data requirements will have impacts on the MESB PSAPs.
Metropolitan Emergency Services Board

The current MESB appointees to the SECB and its committees:

**Statewide Emergency Communications Board – Primary:** Commissioner McMahon  
**Alternate:** Commissioner McGuire

**Steering Committee – Primary:** Commissioner LeDoux  
**Legislative Committee – Primary:** Commissioner Egan

**Finance Committee – Primary:** Commissioner Huffman  
**Alternate:** Ron Jansen

**Interop Committee – Primary:** Ron Jansen  
**Alternate:** Chris Kummer

Jill Rohret, Regional Radio Services Coordinator, will continue as the MESB alternate for the Steering, Legislative, and Finance Committees.

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MOTION BY:       SECONDED BY:       MOTION APPROVED:
               _____ YES       _____ NO
```
RECOMMENDATION
Staff and the MESB Executive Director recommend Board acceptance of the State of Minnesota Grant for the continuation of 3 ECHO regional training. The grant period is January 2nd through December 31, 2014. This grant of $100,000.00 is administered by the MN Homeland Security and Emergency Management (HSEM).

BACKGROUND
In 2009, the MESB-Metro Region EMS System was awarded Federal Metropolitan Medical Response System (MMRS) funds to develop a regional post-blast response plan. Early in the planning process, a larger multi-discipline active shooter response gap was uncovered. The planning team noted similarities to both active shooter and post-blast response strategies and incorporated them into what now is 3-ECHO Hostile Event training and response plan. Since 2009, the MESB-Metro Region EMS System has been awarded additional funding from various sources to continue 3-ECHO development and training. During the last five (5) years, the MESB-Metro Region EMS System and the 3-ECHO cadre of instructors have successfully trained over 3,000 first responders to use this unique response strategy. The Minnesota Department of Public Safety and HSEM have stated they are committed to continue funding 3-ECHO training and have stated that this program is looked upon by them and other states as a “best practice” response strategy.

ISSUES & CONCERNS
None.

FINANCIAL IMPACT
This grant provides funding for a minimum of five (5) twelve (12) hour 3 ECHO trainings.