

Meeting Notes
County Data Producer Work Group
Wednesday, July 2, 2003
MCIT Building

Members Present: Dave Drealan - Chair (Carver County), Jane Harper (Washington County), Randy Knippel (Dakota County), Bill Brown (Hennepin County), Jim Hentges (Scott County), and Gary Swenson (Anoka County)

Members Absent: David Claypool (Ramsey County)

Staff Present: Randall Johnson (MetroGIS) and Kathie Doty (MetroGIS/Metropolitan Council)

Summary of May 8, 2003 meeting:

The document was circulated before the meeting and is posted at

<http://www.metrogis.org/data/datasets/parcels/index.shtml#private2>. No changes were suggested.

1. License for Non-Government Access To Parcel Data

Each of the workgroup members commented on their organization's reactions to the draft license prepared by Anoka County:

- Anoka County – All comments that had been submitted have been forwarded to the County attorney. A meeting with the attorney and Gary is pending to discuss modifications following this meeting.
- Carver County – Section 6. Suggested adding the desired text to the document. Section 7. Suggested to drop the term “parties” and use Licensee and Licensor as referenced in the beginning of the document. No need for County Board approval since no funding involved.
- Dakota County – The attorney has not completed review but has spoken with Anoka County attorney and is confident an agreement among all seven will be reached.
- Hennepin County - The attorney has not completed review. The most important aspect to Hennepin County is making sure the license is “received” by the user in such a way that they can not dispute having received it. He does not expect major concerns with the content proposed by Anoka County.
- Scott County – Suggested adding a section to stipulate that Mn laws governs, given that some users are likely to be located in other states. Their attorney questioned why no term limitation but okay with no term as had been accepted as a drafting principle by the group last winter.
- Washington County –Their attorney can live with without changes if need be but would like changes submitted June 26 to Anoka County concerning:

-Termination/Cancellation

Licensee's right to have and use the dataset shall terminate if licensee fails to comply with the terms and conditions of this license. If Licensee no longer has the right to use the dataset, Licensee must destroy the dataset and provide proof of destruction to the county(ies).

In the event of termination, there shall be no adjustment to the fees paid as of that date.

-Severability

If any term or provision of this License or the application of this License or its provisions to any person or circumstance shall to any extent be declared or found invalid or unenforceable, the remainder of this License shall remain in effect and enforceable.

-Transfer of License

Licensee shall not assign or transfer this License in whole or in part to another party.

The MetroGIS Staff Coordinator commented that the license is not as broad as had been hoped but conceded that the best course of action to expedite the current project would be to implement this license for non-government access to parcel data and then use it as starting place to simplify the current license used for public sector access. The later effort will be a component of the next generation data sharing agreements.

The Staff Coordinator raised a concern about Section 1a regarding limiting hardcopy products to internal use. This comment led to a lengthy discussion of what constitutes a “derived product”. All agreed that clarification is needed but not necessary for Version 1 of the license.

It was agreed that Gary Swenson will amend to include the Mn Law governors and Severability sections requested by Washington County. Each member will provide Gary Swenson with the name of the attorney who worked on it from their respective counties. Once all of the counties are comfortable with the document, Gary Swenson or Chairperson Drealan will send the final version to the MetroGIS Staff Coordinator to post on the web site along with the order form, instructions, and fee schedule.

2. Fees Schedule for Collaborative Distribution Parcel Data to Non-Government Interests

Randy Knipple summarized the fee proposal that he developed and which the group agreed in principle to at the May 8th meeting. He reiterated that the proposed schedule is intended to promote more sales and less work to serve requests through more use of pre-built datasets. (See the May 8 meeting summary for the specifics.)

A complication was raised by the William Brown with Hennepin County given that the \$0.05/parcel for the regional parcel dataset (parcel boundaries and 25 normalized attributes) because the Assessor’s department is currently selling their data for \$.06/parcel. He noted that he would be speaking with county officials to seek approval as a pilot or in some other way seek permission to participate in the proposed fee schedule.

Staff explained he had meet with ESRI and had conformed that ArcIMS license for DataFinder Café can be used to distribute data for which a fee is charged, negating the earlier proposal to use DataFinder to support downloads when a subscription fee paid to enable access via the Internet whenever desired during the subscription period. Staff also explained that ESRI had offered to waive the “commercial use” license fee, which would be several times the current \$7,500 fee, for one-year during to allow the counties to identify the market. The workgroup unanimously concluded that no additional effort should be put into consideration of Café as a distribution tool. All recognized that distribution of data for which a cost recovery fee is associated would remain essentially a manual process at each county.

The group concurred with an earlier conclusion to approach the new fees as a one-year pilot. Randy Knipple agreed to draft a letter summarizing the purpose, philosophy and actual proposed fee schedule that staff would sent to all of the non-government contacts on MetroGIS’s mailing list for comment and to encourage them to forward to others who may have any interest. It was decided that providing an on-line fee calculator would be desirable. No decision was made as to who would build it or how much effort it might take to implement.

Kathie Doty agreed to review the letter once drafted by Knipple and William Brown agreed to draft a statement for the email cover. Knipple also agreed to speak with the Dakota County attorney to insure the message and fees are consistent with the Data Practices laws.

Staff agreed to send a copy of a study he had received from an acquaintance in California that documented price points of \$.01/parcel and \$.005/parcel.

3. Advertising Methods for New Non-Government Parcel Distribution Program

The group decided to rely on the same method defined in Item 2 to seek feedback on the proposed fee schedule..... send a letter to all non-government contacts on MetroGIS’s mailing list for comment summarizing the purpose, philosophy and actual proposed fee schedule as well as encourage them to forward the proposal to others who may have any interest.

4. Access to Parcel Data by Utility Companies

Chairperson Drealan commented that meeting is scheduled for July 10 with representatives of three utilities (Xcel, Centerpoint-Minneagasco, and Mn Valley Electric Cooperative) to investigate their interest in a exchanging utility infrastructure data for parcel data. Harper asked staff to keep the Producer Workgroup in the loop as this topic might be a way to interest the county’s transportation officials in using GIS technology. She also noted that some may be concerned that the value of parcel data is more than the value of data that would be received from the utilities. It was agreed that whatever comes from the talks,

implementation would have to be utility by utility because there is no centralized authorized to with which to negotiate an agreement.

5. Update on Budget Meeting with Chairperson Reinhardt

Staff mentioned that a meeting was scheduled with Chairperson Reinhardt on July 7 to follow-up on a recent meeting between Trudy Richter and Chairperson Reinhardt concerning guidelines for the next generation agreements. The goal is to reach agreement with Chairperson Reinhardt than schedule a meeting between Chairperson Reinhardt and Metropolitan Council Chairman Bell to reach agreement on the funding that would be involved. The details would them be worked out through the workgroup.

6. Next Meeting

It was agreed to meet from 2-4 p.m. the afternoon of July 30 to be in a position to provide the Policy Board with an update that evening. The primary topic of discussion will be the regional mailing label application.

7. Adjourn

The meeting adjourned at 12:45 p.m.

Submitted by,

Randall Johnson, AICP
MetroGIS Staff Coordinator