



# Board of County Commissioners Agenda Request

**7A**  
Agenda Item #

**Requested Meeting Date:** July 27, 2021

**Title of Item:** Data Recovery Fee

<input checked="" type="checkbox"/> REGULAR AGENDA	<b>Action Requested:</b>	<input type="checkbox"/> Direction Requested
<input type="checkbox"/> CONSENT AGENDA	<input type="checkbox"/> Approve/Deny Motion	<input type="checkbox"/> Discussion Item
<input type="checkbox"/> INFORMATION ONLY	<input checked="" type="checkbox"/> Adopt Resolution (attach draft)	<input type="checkbox"/> Hold Public Hearing* <i>*provide copy of hearing notice that was published</i>

<b>Submitted by:</b> Rich Courtemanche	<b>Department:</b> Land
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<b>Presenter (Name and Title):</b> Rich Courtemanche - Land Commissioner	<b>Estimated Time Needed:</b> 10 min
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**Summary of Issue:**  
On August 25, 2020, the County Board reaffirmed the data recovery fee for its parcel datasets. There has been recent discussion regarding this data for economic development and broadband projects. Aitkin County Land Dept. seeks a resolution from the County Board to remove the data recovery fee and to provide this information on a public facing data storage such as MNGeo or other public data server. (See attached Metro GIS fact sheet). Carlton and Itasca Counties have adopted similar resolutions.

History: Aitkin County has invested \$76,455.60 in direct staff time in creating the county-wide parcel mapping (approx. \$1.91/parcel). Aitkin County has also spent an additional \$85,999 in creating its 911 system (approx. \$4.51/address). In order to recoup costs of creating this dataset, individuals requesting the data are able to obtain this information by paying a data recovery fee of \$0.10/parcel for the GIS shape file and \$0.04/parcel for the accompanying tables and data associated with the feature. Note: MN law states that data from requests from state, federal, and tribal agencies are to be free of charge.

Housing data on such servers provides some protection from liability (Chapter 466.03, Sud. 21), reduces staff time, increases entrepreneurship, and provides government transparency. There is support of the attached resolution to allow open and free access of GIS data from the Aitkin County GIS Coordinator, County Surveyor, County Attorney, Land Commissioner, Economic Development Coordinator, and the Economic Development Committee.

**Alternatives, Options, Effects on Others/Comments:**  
a) Continue with current practice of providing data with a data recovery fee, or  
b) Approve a resolution to support the open and free access of GIS data.

**Recommended Action/Motion:**  
Approve a resolution to support the open and free access of GIS data.

**Financial Impact:**  
Is there a cost associated with this request?  Yes  No  
What is the total cost, with tax and shipping? \$  
Is this budgeted?  Yes  No *Please Explain:*

# Making Public Data Open and Freely Available

This fact sheet is provided by the **MetroGIS Data Producers Work Group** to assist policy makers and elected officials understand the benefits of making non-sensitive, publicly-produced data freely available to the public.

## What are the benefits to a County Government in making its data open and freely available?

### (1) Transparency of government and improved public service;

*Making non-sensitive geospatial data publicly available helps demonstrate the transparency of government operations and a willingness to provide good public service; Geospatial data that is a byproduct of government business processes should be part of the public record;*

### (2) Better use of county staff time and resources;

*Publishing digital geospatial data in standardized forms for Internet download reduces County staff time required to process and manage numerous individual requests for data;*

### (3) Fostering entrepreneurship and open development;

*Private usage of public data is becoming integral to the development and advancement and growth of the of the 'digital economy'; better data availability enables businesses to make quicker decisions on investments and enhancements in the community;*

### (4) The authoritative data becomes the default 'norm';

*Providing consistently available authoritative data ensures that all derivative products, maps, services, analyses and publications accurately reflect current conditions;*

### (5) Pro-actively meeting demand for data;

*The demand from the general public, private sector and other sectors of society for accurate and readily consumable data continues to increase along with availability of GIS tools and other analytical tools;*

### (6) Indirect Benefits and "Thinking Beyond The Horizon"

*Making public data easily available in readily consumable format to a wide variety of audiences enables them to query and utilize the data in ways not in common practice, yielding new tools, applications, analyses and understanding;*

## Q: Do county governments lose revenue?

*Revenue from geospatial data is lower than might have been expected and continues to decrease. Costs incurred by business units to develop and maintain geospatial data to meet the needs of the larger organization and the public must be seen as strategic investments by the entire organization and treated as a long-term form of core infrastructure.*

*Organizations need to evaluate their associated costs from a broad perspective with the added understanding of the public benefits realized. Data fees limit the use of data to only those who can justify or afford the expense.*

## Q: Does making the data available open the county up to liability?

*City and county governments in Minnesota are protected from liability for the geospatial data they produce under state statute (Chapter 466.03, Subd. 21) so long as they provide disclaimer language about what the data contains.*

## Q: Is this becoming a common practice in information technology?

*Government agencies are increasingly freeing up their data for public use. Public data developed and funded to support internal business processes, subject to open public record laws, are increasingly forming the basis of core economic activities outside of government. Examples range from development of on-line map services, navigation systems, environmental work, planning and physical infrastructure management.*

## Key Themes

Transparency of Government Operations

Improved Public Service

Efficient Government

Ease of Data Access

Fostering Entrepreneurship

Staff Time Savings

The Authoritative Data Being Fully Available Becomes The 'Norm'

Pro-Actively Meeting Public Demand and Expectations for Data

Improved Inter-Agency Work Relationships

Data is Infrastructure; Created to Serve the Greater Public Good

Faster Decision Making

Maximizing Public Investment



### Contact:

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CERTIFIED COPY OF RESOLUTION OF COUNTY BOARD OF AITKIN COUNTY, MINNESOTA

ADOPTED July 27, 2021

By Commissioner: xxxx

20210727-xxx

Data Recovery Fee

**WHEREAS**, the County of Aitkin creates, maintains, and possesses valuable geographic information systems (GIS) data to support its various business purposes; and

**WHEREAS**, the County of Aitkin recognizes that this GIS data is also a public resource and there are significant benefits to making this data freely and openly available; and

**WHEREAS**, the emergence and continued refinement of new information technology has dramatically changed the way citizens search for and expect to find, consume and utilize information, and such technology can aggregate ever larger quantities of data and allow government to provide information to the public with increasing efficiency; and

**WHEREAS**, the County of Aitkin can leverage this technology to meet the public demand for information, enhance public access to government data and make government processes transparent in order to promote public trust; and

**WHEREAS**, ensuring the quality, consistency and availability of such data is a core function of government and is essential to maintaining the data's value and utility;

**NOW, THEREFORE, BE IT RESOLVED**, that the Aitkin County Board of Commissioners hereby authorizes the Aitkin County Land Department to publish its public geospatial data on a public available website in a commonly recognized and easily produced form, available for download by anyone at no cost, subject to accepting the terms of the data disclaimer GIS data usage agreement; and

**BE IT FURTHER RESOLVED**, that the Aitkin County Board of Commissioners hereby reserves the right for county/city business units to charge fees for GIS data provided in other forms and to accommodate special requests for maps, data, and analysis under the applicable rules and statutes that govern said requests; and

**BE IT FURTHER RESOLVED**, that the Aitkin County Board of Commissioners hereby authorizes qualified members of its staff to coordinate with other counties, cities, governments and agencies through the MetroGIS collaborative or through state agencies to share and publish its GIS data in common formats through common websites and public data portals to increase public awareness of its availability and promote its use.

Commissioner xxxx moved for adoption of the resolution and it was declared adopted upon the following vote

FIVE MEMBERS PRESENT

All Members Voting

STATE OF MINNESOTA}  
COUNTY OF AITKIN}

I, Jessica Seibert, County Administrator, Aitkin County, Minnesota do hereby certify that I have compared the foregoing with the original resolution filed in the Administration Office of Aitkin County in Aitkin, Minnesota as stated in the minutes of the proceedings of said Board on the 27<sup>th</sup> day of July, 2021 and that the same is a true and correct copy of the whole thereof.

Witness my hand and seal this 27<sup>th</sup> day of July, 2021

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Jessica Seibert  
County Administrator