

**ALABAMA 9-1-1 BOARD MEETING**  
Minutes of 1/20/2021

Prior notice of this regularly scheduled meeting of the Alabama 9-1-1 Board was given in accordance with the Alabama Open Meetings Act. The minutes were recorded by Ms. Michelle Peel, Administrative Assistant.

Ms. Evelyn Causey, Chair for the Board, called the meeting to order at 10:00 a.m.

The roll was called as follows by Ms. Michelle Peel, Administrative Assistant for the Board:

Alan Campbell, Vice Chair	<input checked="" type="checkbox"/> Present <input type="checkbox"/> Absent (virtual)
Evelyn Causey, Chair	<input checked="" type="checkbox"/> Present <input type="checkbox"/> Absent
Melissa Dove	<input checked="" type="checkbox"/> Present <input type="checkbox"/> Absent (virtual)
Wayne Hutchens	<input checked="" type="checkbox"/> Present <input type="checkbox"/> Absent (virtual)
Fred Johnson	<input checked="" type="checkbox"/> Present <input type="checkbox"/> Absent (virtual)
John Nettles	<input checked="" type="checkbox"/> Present <input type="checkbox"/> Absent (virtual)
Robert Smith	<input checked="" type="checkbox"/> Present <input type="checkbox"/> Absent (virtual)
Brandon Wallace	<input checked="" type="checkbox"/> Present <input type="checkbox"/> Absent (virtual)
Tim Webb	<input checked="" type="checkbox"/> Present <input type="checkbox"/> Absent
Jeremy Williams	<input checked="" type="checkbox"/> Present <input type="checkbox"/> Absent (virtual, joined at 10:51)

A quorum was established.

Ms. Causey called for the unanimous consent for the approval of the agenda. It was unanimously approved with no objections. She then called for the unanimous consent for approval of the minutes from the November 19, 2020 Board meeting. There were no changes or objections, and the approval of the minutes was ordered. Guest introductions were made.

### **Committee Reports**

Ms. Causey turned to floor over to Ms. Leah Missildine for committee reports. Ms. Missildine started with the report from the Technical Committee meeting held on January 12, 2021 in Pelham, Alabama. The purpose for the meeting was to discuss the progression of the ANGEN Build-out and GIS/Federal Grant projects. All Committee members were present with Vice Chair Alan Campbell attending in-person and Mr. John Nettles and Mr. Brandon Wallace attending via video conference bridge. During the meeting Ms. Missildine provided the members with an update on the migration of PSAPs to ANGEN. She outlined the reasons why Lauderdale County, Lee County, Lowndes County, and Perry County were not yet on the network. Lowndes County is ready, but several positive COVID-19 tests have caused multiple delays. Ms. Missildine updated the Board on new information from Lauderdale County. As of January 14,

2021, the 911 Board in Lauderdale County met and authorized the purchase of new CPE. That was the biggest obstacle as attempts have been made to bring them on the network previously but were unsuccessful as they have an end-of-life CPE. As of this past Friday and yesterday, they had purchase orders cut but that does not mean it will happen quickly as there are still a number of obstacles to overcome. There is a communication problem in Lee County that has been difficult to overcome. The director there has been unavailable due to health reasons and no one else has been deemed appropriate to make final decisions at this time. This has been an issue for over a year. It does not seem to be technical or financial but only logistical. Perry County was discussed at the November board meeting. As a reminder, there are technical and financial issues preventing them from being brought on the network. After a lot of discussion, Ms. Missildine recommended to the committee that that the ECDs not migrated to ANGEN have their calls delivered to MEVO beginning March 1, 2021 and that the Board consider withholding District funding at the March Board meeting if adequate progress toward PSAP migration has not occurred by then. The Committee's Chairman Alan Campbell entertained the motion; Mr. Nettles so moved with Mr. Brandon Wallace seconding. The motion passed unanimously.

Next, General Counsel to the Board on a recommendation from the Executive Director suggested that the committee grant approval to offer Board and staff assistance to Perry County regarding both fiscal and technical support including ANGEN conversion issues. The Committee's Chairman Alan Campbell entertained the motion; Mr. Wallace so moved with Mr. Nettles seconding. The motion passed unanimously.

The discussion then moved to the statewide text-to-911 deployment and the possibility of language translation services being offered over the network, pushing the cost up to the Board. There was discussion on both services but there were no actionable items entertained by committee members to prioritize these services at this time. Mr. Wallace questioned whether the Board needed to take action on the deployment of Texty. Ms. Missildine stressed that we cannot advertise statewide deployment if it is not utilized statewide by districts and that there is a difference of opinion as to whether a text is the same as a voice call. Other states have faced legal battles as it can be an accessibility issue. The Board does need to recommend a best practice in the future.

Finally, the DATAMARK sub-entity use and license acknowledgement form was reviewed by Board staff. The purpose of the form is to collect user points of contact from local Districts for the GIS software and the rules of engagement for said software access because the Districts are the sub-entity to the Board's contract with DATAMARK. There was also discussion on the number of Districts that may need support from DATAMARK to correct deficiencies in their datasets. Anderson Brooms, GIS Program Manager, responded that a solid number was difficult to give because of the unresponsiveness of many of the Districts. The Chairman of the committee requested a scope of work and pricing be obtained from DATAMARK and brought back to the committee.

Mr. Alan Campbell made the motion to accept the Technical Committee's report and recommendations to the Board. Mr. Robert Smith seconded the motion. There were no objections. Motion passed unanimously. Ms. Missildine urged the Board to please consider the decisions that will need to be made at the March board meeting and that the Board staff and General Counsel are available for more information and to answer questions.

Ms. Missildine moved on to the report of the Education and Outreach committee meeting held in Montgomery on January 12, 2021. The only topic for discussion was the contract with Virtual Academy negotiated with General Counsel. Mr. Adam Brown ran point with the assistance of Ms. Dana Nation. The contract negotiation points were intellectual property of Virtual Academy, transition of current ECD customers of Virtual Academy to the Board's contract, and the appendices outlining the scope of work for the contract and final pricing for all telecommunicators in Alabama. The recommendation of the Committee to the Board was to authorize staff to submit the presented contract to the Governor's office for approval and begin preparation for the implementation of the Virtual Academy Learning Management System to all 9-1-1 personnel in Alabama. Mr. Fred Johnson made the motion to accept the Education and Outreach Committee's report and recommendation to the Board. Mr. Alan Campbell seconded the motion. There was no further discussion. There were no objections, motion passed unanimously.

## **Staff Reports**

### **Director's Report**

Ms. Missildine began the director's report by updating the Board on the Board appointments. The recommended appointments are still in the Governor's office. She confirmed that expired members can continue to serve until appointment by the Governor is made.

Ms. Missildine continued her report with a proposed amendment to Rule 585-X-2.08. The purpose of the amendment is to give the Board more discretion with the grant cycle schedule and to outline the process for entertaining a hardship grant. The Board has a statutory duty to offer hardship grants so the rule needs to address them. Ms. Melissa Dove moved to authorize the staff to proceed with Administrative Rule amendment procedures of filing the notice of intended action. Mr. Robert Smith seconded the motion. There was no further discussion. There were no objections, motion passed unanimously.

Ms. Missildine moved on to the upcoming ECD Annual Certification deadline. She provided the Board with an update on the compliance of Districts to date. She reminded the Board that all the information requested in this expanded certification is information that has been requested in the past over several different requests. Responsiveness by Districts in submitting this certification as well as other requested information has been a problem. She explained that the information is needed from the Districts for reports the Board is required to submit to other governmental bodies as well as for the success of the Board's projects. Ms. Missildine recommended that the Board authorize staff to send a letter to non-compliant Districts on February 1<sup>st</sup> stating that the Board will hold their distribution in escrow until the form is submitted. This has been done in the past by the Wireless Board. There was discussion among the Board members. Ms. Evelyn Causey asked how long it takes to complete the form. Mr. Tim Webb said it took him around 30 minutes. Ms. Causey asked for clarification on when the withholding would begin. Ms. Missildine stated that it would begin with the February distribution on February 12. Mr. Tim Webb made the motion to authorize staff to send a letter to non-compliant ECDs on February 1 stating that the board will hold their monthly distribution in escrow until the completed form is submitted. Mr. Fred Johnson seconded the motion. Ms. Causey asked for discussion. Mr. Johnson posed a question to Ms. Missildine regarding how likely is it that their appointing

authorities know about such actions or would they find out by reading about it in the paper. Ms. Missildine confirmed that there are some that would not find out about it until they read about it in a paper. She also stated that one of the requests on the certification form being discussed is for a list of the District's board members. Currently, the Board does not have information on how to contact many of the local boards' members to notify them of such things and we do not know if anyone is informing them. Mr. Alan Campbell asked about the exact timeline if the letter goes out February 1, when would the funds be withheld. Ms. Missildine stated the funds would be withheld in the February distribution. Mr. Ron Cooley confirmed that date would be the first Friday after the 10<sup>th</sup> of the month, February 12. Mr. Campbell expressed concern over the timing. Mr. Jeremy Williams also expressed concern about not giving the districts 30 days' notice. There was discussion among the Board members on timing of the notification and withholding. Mr. Campbell and Mr. Williams discussed what is the proper warning and amount of withholding. Mr. Campbell said that he would prefer to withhold a portion, not the whole amount. He suggested 10%. Mr. Ron Cooley asked General Counsel if the Board is in violation by giving them funds if they have not submitted the certification. Mr. Scott Barnett provided an explanation about what the Districts are statutorily required to do. Ms. Causey asked about giving them a 30-day notice. Mr. John Nettles asked about the procedure to fill out the form. Ms. Missildine explained the form and that the Board staff has provided a webinar and has walked through the form with some of the directors. Mr. Williams expressed that there is a little bit of effort that must be put into it. There was more discussion on the amount and timing. Ms. Missildine appealed to the board stating she is not making this recommendation lightly. Without the essential information requested in the form, the performance of herself and her staff is impacted. The ability to do what the Board has tasked her to do is limited. The board also needs some of this information to verify the network is operating properly. The information is required to be reported to other government entities to make the board eligible for federal grant funding. She stated that sharing this information to the Board is beneficial for the Districts. Mr. Barnett emphasized that the Districts are statutorily required to submit this certification. Mr. Campbell reiterated that he is not opposed to some withholding but not all. Mr. Fred Johnson expressed the concern of proper notification. He stated he felt that 10% was generous. He recommended a letter be sent via certified mail. He asked if he needed to make an amendment to the original motion. Ms. Causey verified the current motion wording. Mr. Johnson asked if the February 1<sup>st</sup> date was needed or is 30 days' notice satisfactory. He also asked if 10% was enough withholding. Mr. Williams said it was not enough. Mr. Campbell suggested 20%. Mr. Johnson moved to amend the motion for the Board to authorize withholding up to 20% of a monthly distribution upon 30 days' written notice by certified mail. Mr. Webb and Mr. Williams seconded the motion. Ms. Causey asked for any additional discussion. Mr. Williams asked if these was going to be revisited in the March meeting. Ms. Causey verified that was the intent of the motion. Mr. Johnson clarified that their next distribution would be impacted. Ms. Causey agreed with that and stated it would impact the March distribution. Ms. Causey verified that this is not a forfeiture, but the money is held in escrow until the form is submitted. Once the form is submitted, the money would be sent. The amendment to the motion stated for the Board to authorize withholding up to 20% of the March distribution in escrow upon 30 days' written notice by certified mail. There were no objections, motion passed unanimously. The original motion put forth by Mr. Webb as amended by Mr. Johnson was voted on. There were no objections, motion passed unanimously. Mr. Williams asked that Board staff notify him and the other board members of any non-compliant Districts in their area so they can reach out to them. Ms. Missildine stated that the Board would get regular updates.

Ms. Missildine continued her report with an update on the legacy 9-1-1 cost reimbursement program. Eighteen districts submitted for reimbursement in January. The process is working well. There were deficiencies in some of the submissions that were corrected. Payments totaling \$304,950.54 will be sent out at the end of January.

Ms. Missildine next addressed the cost recovery plans submitted from carriers. She stated she does expect a few more reimbursement requests to come in for last year. They may be delayed due to the pandemic and many firms operating with limited staff. Ms. Missildine recommended to the Board the FY2021 cost recovery plans be approved as submitted. Mr. Robert Smith made the motion. Mr. John Nettles seconded the motion. Ms. Causey asked for discussion. There was none. There were no objections, motion passed unanimously.

Ms. Missildine explained the federal grant requirements the Board staff has working on. She also reviewed upcoming and ongoing deadlines and activities.

### **Financial Report**

Mr. Ron Cooley, the Financial Manager for the Board, provided the Board with the monthly financial statements for the month ending December 31, 2020. He highlighted asset comparison from FY2020 and FY2021 as well as year-to-date revenues. He then reviewed the allocation of the funds and the balances in the funds. He reported on the audit process with Warren Averett during a pandemic. Ms. Causey asked about the 911 fee remittance portal. Mr. Cooley responded that it is helpful. Only one non-compliant carrier remains despite a certified letter and multiple emails. Ms. Leah Missildine made a recommendation to the Board to accept the Financial Statements as presented. Mr. Brandon Wallace made a motion to accept the Financial Statements as presented; Mr. Robert Smith seconded the motion. No objections, motion carried unanimously.

### **Legal Report:**

Mr. Jeff Sherrer updated the Board on the lawsuit involving Morgan County ECD. Plaintiffs have filed an amended complaint. Morgan County filed an answer. Plaintiffs have filed a motion for summary judgment. The court has set this motion for a hearing on March 11. Morgan County has until three days prior to the hearing to file a response. The response has not been filed yet but that is not unusual. Mr. Sherrer does not expect a ruling prior to the next Board meeting. He said he expects the response from Morgan County will go into detail as to their reasoning in their response to the motion for summary judgment. Mr. Barnett provided an update on the ALERT Pledge of Support. Its purpose is to share resources/provide aide, help with liability providing the assisting District would take care of liability for their staff. Mr. Barnett then provided a little more information on the LMS contract. He offered kudos to Adam for his work on the contract saving the Board money on legal bills. Mr. Barnett confirmed that the vote earlier on the compliance of submitting the annual certification form was a vote to be in compliance with the Board's administrative rules.

## **ANGEN Report**

Mr. Joel McCamley presented the report for 911 Authority. He discussed their activities to support the Board on several projects. He stated that IV&V support and testing is to begin in May. This support is designed to provide confidence in the network.

Mr. Caleb Branch presented the report of INdigital. He expressed that if the board chose to do IV&V testing INdigital will help in any way required. He applauded the Board for their decision to make the network fully functional. He stated that Perry and Lauderdale Counties would probably be the only PSAPs on MEVO.

## **GIS Report**

Mr. Anderson Brooms, GIS Program Manager, presented the GIS report. He discussed the onboarding process and explained the progress maps. Ms. Causey expressed she was impressed with the progress made in just 14 weeks. Ms. Missildine commented that the vendor is pleased as well.

## **Old Business**

There are several committees with vacant seats. The Finance Committee has two open seats making it impossible to get a quorum. Ms. Evelyn Causey appointed Mr. Jeremy Williams to serve on the Finance Committee filling one of those vacancies. The other vacancies would be filled when the Governor makes appointments to the open seats on the Board.

## **New Business**

Ms. Missildine reported that the issue of 9-1-1 telecommunicators being reclassified as first responders was brought up by a state representative. Ms. Melissa Dove spoke with Mr. Singleton about this matter. A kick-off meeting was held to put together a working group to explore getting 9-1-1 telecommunicators categorized as first responders in Alabama. Mr. Williams asked if ACCA was on board with this at this time? Ms. Missildine responded that they were not for this session but were willing to discuss it for future sessions. Ms. Dove stated that anyone is welcome to join the working group. Ms. Missildine stated that any actions would be presented to the Governance Committee. Mr. Wallace asked if any action was required from the Board at this time. Ms. Missildine stated there was not.

Ms. Causey asked if there was any further new business. There was not.

## **Public Comments:**

There were no public comments.

**Adjournment:**

Meeting was adjourned at 12:16 p.m.

Approved this 17<sup>th</sup> day of March, 2021.

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SECRETARY/TREASURER

*Emily Causey*  
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CHAIR