

**ALABAMA 9-1-1 BOARD MEETING
AUM Center for Advanced Technologies
400 South Union Street, 4th Floor Conference Room
Montgomery, Alabama 36104**

Minutes of August 28, 2013 Meeting

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 roll was called and the following members were present:

Roger Wilson, Chairman
Riley Blount
Ernie Blair
Bill Brodeur
Mark Brown - Absent
Chris Heger -Late
Melissa Dove
Johnny Hart
Wayne Hutchens
Fred Johnson
John Nettles
Jerry Renfroe
Donnie Smith

A quorum was established and the meeting was called to order at 10:00 a.m. by Chairman Roger Wilson who acted as presiding officer of the meeting.

Upon motion by Jerry Renfroe and seconded by Bill Brodeur, the Agenda which was previously published on the Board's website was unanimously approved.

Upon motion by Ernie Blair and seconded by Jerry Renfroe, the Minutes of the July 24, 2013 meeting was unanimously approved.

Mr. Brodeur will give the Board Expense Report:

- Attorney Fee - \$4,690 and travel \$198.83
- Johnny Hart - \$336.45
- Bill Brodeur - \$318.37
- Ernie Blair - \$374.87
- Roger Wilson - \$298.92
- Melissa Dove - \$247.68
- Donnie Smith - \$121.99 meeting on the 8th and \$101.65
- Chris Heger - \$336.74
- Fred Johnson - \$375.44

Motion to approve the expenses with the amendment by Melissa Dove, second by Johnny Hart and unanimously approved.

Administrative rules- Fred Johnson explains that they have 3 emergency rules submitted for consideration. On October 1st, there will be no official rule in place with regard to the definition or method of assessing the fee or reporting the fee. We need rules in place for October 1 and the only way to do that is by publishing an emergency rule today. One small risk factor is a general prohibition in the State of Alabama for issuing another emergency rule within a year of the first emergency rule unless there is a good reason for it. One main reason is the Board has substantially changed the definitions of “method and means” by which the 9-1-1 charges are applied. Failure to do so would mean no rules in place on October 1, 2013. The first rule conforms the definition of “subscriber” to that included in the statutes and it provides for consideration from instrumentalities in municipalities. Instrumentalities would become exempt from 9-1-1 fees under this rule. The second rule includes minor technical corrections and provides an implementation guide to the carriers. The second rule is also a recap of the proposed rule until you get to section 4. Section 4 provides several examples of the carrier should provide the services. Paragraph 3.b.ii.B ALI Database – The service providers could use this section as a loophole because the State of Alabama does not require the data to be entered into the database. It is recommended to reword this section as follows, “Local Directory Number (LDN) assigned by the service provider to the customer’s premise device that is permanently or semi-permanently tethered to the digital service.” Providers could use this as a loophole by not entering the other VID into the database. The third rule is about the fee remittances for both the tech and the form.

Motion by Fred Johnson, seconded by Bill Brodeur to adopt emergency rule 4 in the form it is presented to the Board. The motion passed.

Motion by Fred Johnson and seconded by Bill Brodeur to adopt emergency rule 5 as amended in the form that was presented to the Board. The motion passed.

Motion by Fred Johnson and seconded by Donnie Smith to adopt emergency rule 6 in the form presented to the Board. The motion passed.

Old Business: Next order of business is the State Plan. During the ACCA Conference, we conducted a Town Hall meeting which provided a lot of good input. Tobias Mense is in the process of cleaning up the inputs we received from the conference and sending to Wayne Hutchens. Tobias Mense will conduct 4 focus group sessions. Four points the State Plan should focus on 1) Funding, 2) Efficiency, 3) Minimum Standards, and 4) Public Education.

Jason Jackson presented his report as follows;

Big Items: The biggest item is the No cap on lines. This could result in lost revenue and defeats the purpose of the ANGEN system. Recommended that cap be increased but not taken out. The next item is private hospitals. Independent schools get a pass where as private hospitals do not get a pass. This is dictated by legislature. Jason Jackson has moved into Larry Fisher office with three office spaces available. Jason Jackson would like to hire an assistant. Roger Wilson reported to the board that the board has to handle payroll, hiring personnel, employee

insurance, and employee retirement. Roger Wilson had a separate checking account established as well as purchased some accounting software.

Motion by Chris Heger for the Board to become a member of the State Retirement System and all full-time employees hired by the Board will be eligible to participate and seconded by Donnie Smith. Motion passed.

Motion by Chris Heger for the Board to participate in the State Employee Insurance Board for the Health Insurance Program for all full-time employees and seconded by Melissa Dove. Motion passed.

Motion by Chris Heger for the Board to use the ACCA for worker's compensation and seconded by Ernie Blair. Motion passed.

The need to create a budget, establish a pay scale for hiring employees, and creating procedures for hiring employees. The Boards assistant is recommended to have paralegal experience.

ANGEN: Mr. Ellison reported carriers are starting to connect. We are behind schedule but making progress.

Emergency contract for an RFP for accounting services for 1 year. The Executive Director presented the proposals. After some discussion Bill Brodeur made a motion to use MDA and seconded by Jerry Renfroe. Motion passed.

Motion to purchase a Chevy Tahoe for \$31,117.00 by Bill Brodeur and seconded by Donnie Smith. Motion passed.

Elected Officers:

Motion by Bill Brodeur for Donnie Smith to be Secretary/Treasurer and seconded by Johnny Hart. Motion passed.

Motion by Chris Heger for Riley Blount to be Vice Chairman and seconded by Johnny Hart. Motion passed.

Motion by Ernie Blair for Roger Wilson to be Chairman and seconded by Chris Heger. Motion passed.

Several asked the question how the funds will be distributed either by one or two remittances during a month.

It is agreed that the next Board meeting will be on September 18, 2013 at 10:00 a.m. at the Bailey Building on South Union Street, Montgomery, Alabama.

Upon motion by Jerry Renfroe and seconded by Bill Brodeur, the meeting was adjourned at approximately 11:25 a.m.

Approved this 23 day of October, 2013



SECRETARY



CHAIRMAN

**ALABAMA STATEWIDE 911 BOARD
CHAPTER 585-X-4
COLLECTION AND DISBURSEMENT OF SERVICE CHARGES**

585-X-4-.02 REQUIREMENTS FOR FEE REMITTANCE SUBMITTED BY OR ON BEHALF OF VOICE COMMUNICATION SERVICE PROVIDERS, WITH ATTACHED FORM

- (1) All Voice Communication Service Providers shall remit 9-1-1 service charge fees pursuant to Sec. 11-98-5 Code of Alabama, 1975.
- (2) Fees shall be submitted to the Alabama 9-1-1 Board by the end of the calendar month following the month the provider receives the service charge from its subscribers, together with a monthly report of the number of service identifiers in each emergency communication district (ECD). This information shall be submitted to the Alabama 9-1-1 Board at the following address:

**ALABAMA STATEWIDE 911 BOARD
P.O. BOX 1790
MONTGOMERY, AL 36102-1790**

- (a) For service providers collecting less than \$50.00 per month of total fee remittances, the Board will not take collection action provided the reports and fee remittances are received on a quarterly basis.
- (b) All service providers providing fee remittance for 9-1-1 or E9-1-1 service pursuant to Sec. 11-98-5 Code of Alabama, 1975, shall provide the following information with the fee remittance. The information shall be provided in the appropriate categories, either the wireless, wire line LEC, wireless/wire-line VoIP, or Broadband categories. This information shall be in a form referred to as the Alabama E9-1-1 Service Charge Remittance Report. The form shall include:
 1. Service provider's name and address; contact person; contact phone number and email address.
 2. Date of remittance report.
 3. Service collection period.
 4. For wire line and VoIP carriers, itemization of fee remittance revenue shall include the following:
 - a. Total connections; each provider shall report the number of service connections on which the 911 service charge is billed for each ECD in which it offers service pursuant to Sec. 11-98-1 Code of Alabama, 1975 et seq., as amended and Rule 585-X-4-.01;
 - b. Gross fees collected;
 - c. 1% Provider allowance;

www.al911board.com/remittances

(e) Third party companies submitting fee remittances on behalf of voice communication service providers shall provide a contact person, address, contact phone number and email address on fee remittance information to respond to Board inquiries about fee remittances.

(3) The Voice Communications Service Providers shall provide their company contact person, address, contact phone number and email address on fee remittance information to explain any irregularities noticed in the monthly fee remittance submittals. In the event of multiple irregularities or failures to submit the fee remittances in a timely manner, the provider's representative will be encouraged to attend a board meeting of the Alabama 9-1-1 Board, either in person or via teleconference, to explain these issues to the Board.

Author: James T. Sasser

Statutory Authority: Code of Alabama, 1975, Sections 11-98-1, 11-98-4.1, 11-98-5

History: Emergency Rule- adopted August 28, 2013; effective September 4, 2013

