

**ALABAMA 9-1-1 BOARD MEETING
AUM Center for Advanced Technologies
400 South Union Street, Suite 125
Montgomery, Alabama 36104**

Minutes of February 27, 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
Melissa Dove
Johnny Hart
Wayne Hutchens
Jerry Renfroe
Donnie Smith
John Nettles
Fred Johnson (New board member)
Mark Brown-Absent
Chris Heger

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

Upon motion by Bill Brodeur and seconded by Jerry Renfroe, the Minutes of the January 18, 2013 meeting was unanimously approved.

The first order of business was the Board expense report. Mr. Brodeur reported the following expenses:

- \$3815.04 for attorney fees and travel expenses
- \$200 for John Ellison for the Board website
- \$374.87 Ernie Blair
- \$133.01 Roger Wilson
- \$160.17 Roger Wilson (Oversight committee meeting)
- \$96.00 Melissa Dove
- \$101.85 Donnie Smith
- \$197.70 Johnny Hart (Last month)
- \$336.45 Johnny Hart
- \$324.02 Bill Brodeur

Upon motion by Donnie Smith and seconded by Jerry Renfroe, the expense report presented by Bill Brodeur was approved.

The next order of business was in regards to the Administrative Rules. Mr. Sasser discussed the Open Meetings Act, in a prior meeting the question was asked if a 7 day notice of a regularly scheduled meeting is required in order to comply with the act. Mr. Sasser stated his conclusion was any regular scheduled meeting is required to have a 7-day notice for ECD. Mr. Sasser made the recommendation to go back to the ECD's that may not have been within compliance with the Open Meetings Act that used a raised rate go back to 2011 Revenue to determine what their base rate would be. Mr. Sasser stated the Administrative Rules were reported last month; Ernie gave some input on permanent rules and active voice connections. Law states we must collect on each connection that is technically capable of accessing a 9-1-1 system. Mr. Sasser proposed the Board needs to promulgate a rule to say we will collect on every connection. Mr. Sasser stated he would have more information for the Board within the next 10 days. The question was asked by a Board member if there is a service provider that offers internet service that is not technically capable of calling 9-1-1? Another Board member answered by saying if a customer has a Magic Jack it is not capable. With Magic Jack it may be technically capable of reaching a 9-1-1 system but it may reach someone in Washington for example, which is not helpful to those in Alabama. This is the reasoning for the language used in the temporary rule that was adopted.

Chris Heger arrived at the meeting and requested her travel expenses be added to the expense report. Upon motion by Donnie Smith and seconded by Jerry Renfroe, Chris Heger's expenses were approved to be added to this month's expense report.

Board member revisited the question of how many ECD's went up on their rate after May 2012. Roger answered, 10. Board member volunteered to work with other Board member as well as Tom Petee to check with the ECD's that raised their rate to determine if the raise was justified under the Open Meetings Act requirements. Roger Wilson updated the Board of the permanent oversight meeting he attended in regards to this. Roger was asked by Senator Marsh to go over the questionnaire he was sent at the meeting; Roger stated this was not well received by the committee members there. Roger stated there will be a lot of scrutiny when the study is presented.

The next order of business was the AUM Study. Tom Petee presented a PowerPoint that came up with a level rate with the calculations with a couple of factors. One being the revenue wireless for each ECD plus any other revenue that should be paid in the fiscal year, revenue generated through the 9-1-1 system for a landline, BOYB- establish a baseline for each ECD for wire line services. That total number would be divided by the total number of lines we determine; that will give the Board the estimated rate that should be charged. Tom stated that the ECD's were categorized into 3 different categories: those that have not changed their rates since October 1, 2010, those that increased the rate between October 1, 2010 and September 30, 2011, those that increased the rate between October 1, 2011 and April 30, 2012. For ECD's that have not changed their rate since October 1, 2010 provided data on surcharge fees collected for the highest revenue

generation year for the past 5 fiscal years. For ECD's that increased the rate between October 1, 2010 and September 30, 2011 were asked to provide the month in which they first collected fees under the new rate and the average monthly revenue for those months in which fees were collected under the new rate. For ECD's those that increased the rate between October 1, 2011 and April 30, 2012 were asked to provide specific information as to the amount of increased rate for the emergency service charge, notification of primary telephone provider, and a line count for each month of fiscal year October 1, 2010 through September 30, 2011. Telephone providers have been asked to provide information as well such as: the number of wireline 911 surcharges, the number of postpaid wireline 911 surcharges, and prepaid wireline 911 surcharges. The surcharge rate for wireline services the average rate was \$3.79. The calculated annual baseline revenue estimate for 2012 for the wireline VOIP revenue estimate was \$72,964, 165.48. For the wireless the estimate was \$32, 188, 151.86 for a total of 105,152,317.34 for the baseline revenue estimate. In addition to the baseline revenue a number of adjustments needed to be made to take into account the various types of factors that came into play when looking at the cost that were generated such as: 2% ECD Revenue Buffer which does not include the prepaid wireless numbers, a 20% cost-recovery fee for wireless services, a 7% add-on for prepaid wireless point-of-sale, and the pre-pay to the examiners for corporate accounts for auditing purposes. These totaled to \$115,421,291.97 which becomes the numerator. The denominator is based upon the phone lines. Tom can up with a count from landline and VOIP with an amount of 160,003,970. The postpaid wireless average was 2,965,589. The prepaid wireless average was 794,192 for one month. This data was shown to the Board via PowerPoint presentation from Tom Petee and will be sent to each Board member.

Upon motion by Johnny Hart and seconded by Donnie Smith, the motion to accept the AUM rate study was approved.

The next order of business was the State Plan.

Upon motion by Wayne Hutchens and seconded by Jerry Renfroe, the motion to contract with AUM for the short-term and long-term plan was approved.

Upon motion by Jerry Renfroe and seconded Bill Brodeur, Fred Johnson will be on any committee that Kevin Grimes served on was approved.

Old Business

Roger mentioned the Board needed to move forward with the issue regarding office space before October 1, 2013. Riley has some information on how other Boards have set this up. Roger hopes that by next month Riley will be able to present this information.

In regards to the ANGEN report, John reported that progress is being made. He expects test-calls moving in April with live calls soon to follow. It will take 3 months to complete testing.

New Business

No new business according to the Agenda.

It is agreed that the next Board meeting will be on March 15, 2013 at 10:00 a.m. at the Bailey Building on South Union Street, Montgomery, Alabama.

Upon motion by Bill Brodeur and seconded by Jerry Renfroe, there being no further business, the meeting was adjourned.

Approved this 15th day of March, 2013

Bill Brodeur

SECRETARY

Reginald Wilson

CHAIRMAN