

ALABAMA 9-1-1 BOARD MEETING
1 Commerce Street
1st Floor Conference Room
Montgomery, Alabama 36104

Minutes of March 19, 2014

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 - present
Riley Blount, Vice Chairman - present
Ernie Blair - present
Bill Brodeur - present
Melissa Dove - present
Chris Heger - late
Johnny Hart - present
Wayne Hutchens - present
Fred Johnson - present
John Nettles - absent
Jerry Renfroe - present
Donnie Smith - present
Rick Wolfe - present

A quorum was established. The meeting was called to order at 10:00 a.m. by Chairman Roger Wilson who acted as presiding officer of the meeting. Chairman Wilson asked that everyone remember the Board's attorney, Jim Sasser, who is hospitalized with heart issues. The Chairman then entertained a motion to adopt the agenda for today's Board meeting. Donnie Smith made the motion and Jerry Renfroe seconded this motion. A vote was taken and the motion carried unanimously. The Chairman asked the audience to introduce themselves.

The Chairman welcomed the audience and entertained a motion to approve the minutes from the February Board meeting. Johnny Hart made the motion to approve the minutes and Melissa Dove seconded this. A vote was taken and the motion carried unanimously.

Chairman Wilson requested the Cost Recovery Report from Bill Brodeur.

Cost Recovery Report:

Bill Brodeur reported that cost recovery Phase I requests for September 30, 2014 paid in March are as follows:

Cellular South for \$11,922.36 recurring – which is within their plan

Pine Belt Wireless for \$8,229.77 recurring – which is within their plan.

Mr. Brodeur then reported that cost recovery Phase II requests for September 30, 2014 paid in March are as follows:

Cellular South for \$17,630.13
Pine Belt Wireless for \$5,544.00.

Mr. Brodeur stated that he would like to make a comment not related to his report. He stated that this was his last official Board meeting as a Member and thanked the accountants, the attorney, and each Member of the Alabama 9-1-1 Board for their service to the betterment of the Board. He also thanked Roger Wilson and Johnny Hart for the work they did on the former Wireless Board.

The Chairman asked if Johnny Hart would like to make a statement at this time as it is the last official Board meeting that he will attend as a Member. Mr. Hart stated that he enjoyed working with all of the Board Members and that they had a great challenge ahead of them. He also stated that he had planned on continuing his work on the Cost Recovery committee, but resigned from that position in order to allow the new Members a chance to be more involved in it. He stated that he would continue working on the Grant committee for Marshall County.

Ernie Blair stated that he wanted to thank Mr. Brodeur and Mr. Hart for everything they had done to make this Board successful.

Mr. Brodeur reported that the committee recommended approval of these payments as they fall within each of their plans. Chairman Wilson entertained a motion to approve the cost recovery report. Donnie Smith made a motion to approve this report and Bill Brodeur seconded this. A vote was taken and the motion carried unanimously.

Chairman Wilson requested the Expense Report from Donnie Smith.

The Secretary/Treasurer's Report:

Donnie Smith reported that for Board Member Travel the following amounts were requested.

Roger Wilson - \$441.20 (for last month's Board meeting and a committee meeting on March 12, 2014)
Ernie Blair - \$532.01 (for last month's Board meeting and a committee meeting on March 12, 2014)
Bill Brodeur - \$236.24
Melissa Dove - \$95.25
Johnny Hart - \$334.80

Chris Heger - \$596.84 (for last month's Board meeting and a committee meeting on March 12, 2014)

John Nettles - \$60.48

Donnie Smith - \$201.70 (for last month's Board meeting and a committee meeting on March 12, 2014).

Total Board Member expenses: \$2,498.52

Mr. Smith reported the contract expenses as follows:

Ellison 9-1-1	-	\$200.00
Jim Sasser	-	\$6,758.13 (regular monthly expenses)
Jim Sasser	-	\$4,392.50 (extraordinary litigation expenses)
Baker & Baker-		\$259.00 (court reporting for Public Hearing)
MDA	-	\$8,381.68 (regular monthly expenses)
Mercer & Ass.-		\$4,500.00 (third-party audit of Wireless Board)
Bandwidth	-	\$53,450.00 (monthly contract)
AUM	-	\$3,427.50
AUM	-	\$2,219.58
Examiners	-	\$4,071.00.

Total Contract expenses: \$87,659.39

Mr. Smith reported the staff and office expenses as follows:

Jason Jackson – phone and Wi-Fi - \$120.00
Winks Kelley – insurance - \$50.00
Wells Fargo – Credit Card - \$2,034.56
SEIB – Health Insurance - \$3,042.00 (two months)
One Commerce Holding – Office Lease - \$4,830.00 (two months)
GE Capitol – Copier lease - \$424.91
Charter Business – Internet - \$125.00
ACI – Furniture Purchase - \$1,619.00
RSA – Employee Retirement - \$2,631.56.

Total Office expenses: \$14,877.14

It should be noted that Chris Heger arrived during this report.

Jerry Renfro asked about the bill for the Alabama Department of Examiners of Public Accounts. He requested clarification if there had been an itemized bill as requested during the previous Board meeting. Roger Wilson stated that the itemization had not been received to date. Mr. Renfro requested that this bill be carried over again until the itemization has been received. Chairman Wilson reported that he had a motion by Jerry Renfro and a second by Johnny Hart to hold the Examiners payment until an itemization is received. A vote was taken and the motion carried unanimously.

Donnie Smith recommended approval of all of these expenses with the exception of the Examiners' bill. Chairman Wilson entertained a motion to approve the financial report. Jerry Renfroe made a motion and Bill Brodeur seconded this motion. A vote was taken and the motion carried unanimously.

Chairman Wilson stated that the Board had a motion by Jerry Renfroe and a second by Bill Brodeur to approve the Financial Report. A vote was taken and the motion carried unanimously.

Donnie Smith mentioned a report submitted by Jason Jackson detailing expenses by month for the last six months. He stated that this report would be discussed in detail during the Executive Director's report. Chairman Wilson requested the status of the automobile fuel card. Mr. Jackson reported that the application had been submitted and was being reviewed by WEX fuel.

Roger Wilson reported that the legal report would be tabled this month since Jim Sasser was unable to attend this meeting.

Accountant Report:

Ralph Dowdy provided a written version of the accountant's report to each Board Member. He reported that there was \$9,280,046.51 in the fund to pay out to ECDs in distributions. The Board operating account was \$600,374.62. The Examiners account was \$350,000.01, which is the funding monthly toward the \$1,400,000.00 budget. He stated that since this report was issued they have added \$116,667.00 for the month bringing the total up to \$466,000.01. Cost Recovery was \$1,687,160.90. He stated that they add \$541,667.00 to that fund monthly until they reach the budgeted \$6,500,000.00. The plans that have submitted for the year so far are right at \$3,000,000.00. He stated that the excess \$3.5 million is put in there for the funding of the ANGEN project assuming that the ECDs permit that to be covered under cost recovery, because at this time it is being paid out of the Board operating fund. Mr. Dowdy detailed the office equipment and vehicle depreciation and the office employee expenses such as payroll tax liabilities and retirement. He reported that the year to date amount of \$31,533.00 has been paid to the Examiners.

Mr. Dowdy reported that they pay the baseline distribution of \$5,546,473.00 monthly on the 10th and the population-based distribution is paid to the ECDs on the 20th of each month. The total distribution to the ECDs is \$8,134,657.00. (See addendum 1)

Chairman Wilson entertained a motion to approve the accountant's report. Jerry Renfroe made this motion and Johnny Hart seconded it. A vote was taken and the motion carried unanimously. Mr. Dowdy stated that he had another topic to discuss.

Mr. Dowdy stated that each Member had a report entitled "October Collections Paid in December". He asked the Members to turn to page 7 entitled "Rejected ECD Distributions". He reported that this was the same report provided during the January Board Meeting in Tuscaloosa, Alabama, but that it has been updated. He reported that the collections reported for October, November, December, January, February, and March are actual collections. The rest have been estimated based on the number of connections that are expected for the whole year. He stated that the projected fiscal 2014 year end amount will be \$80,701,830.00. He reported that it would take a monthly amount of \$7,913,413.00 for a yearly total of \$94,000,000.00 to make the ECDs whole. This would leave a shortage of \$14,000,000.00. He stated that since AT&T agreed to relinquish the \$10,700,000.00 for their cost recovery amount back to the Board and the excess cost recovery amount from the former Wireless Board, it reduced the shortage to \$1.2 million. He reported that they refigured the wireline counts using a 12% reduction where they originally used 7%. He stated that if the Board raises the rate to \$1.75 they will break even. He stated that they would end up with an excess of \$57,000.00. Mr. Dowdy pointed out that if you change the rate from \$1.75 to \$1.74 you end up with a \$500,000.00 deficiency. That's just a one-penny difference. He stated that they recommend a rate of \$1.80 to cover the lost landlines for fiscal year 2015 as well. Jason Jackson added that the pre-paid wireless amounts fluctuate so dramatically that the actual collection amount is difficult to identify. He stated that during this time of the year, pre-paid wireless drops and is unreliable when determining a rate. He added that next fiscal year, AT&T will not be handing over \$10,000,000.00 and there will not be anything else to fall back on when budgeting for the ECDs.

Mr. Dowdy reminded the Board that the study to determine the rate was completed in 2011 and as soon as they received that study landlines started declining. He reported that by the time they start seeing the new rate it will be 2015, four years after the original study was completed.

Jason Jackson reported that he has spoken with a few ECDs that use the accrual accounting method, which results in a difference of opinion regarding the amount actually owed to those ECDs by the Board. The Board operates on a cash basis. Those ECDs can argue that money received in October and November are reported on their previous fiscal year end reports and the Board wants to report them on this year's fiscal report ending September 30, 2014. He stated that any money received in October and November must be reported on this year's fiscal statement since they were received this fiscal year. Roger Wilson substantiated this accounting method as being stated in the law. Mr. Dowdy stated that the accrual method is wrong in this instance because the Board is not holding the ECDs' money during this period, the providers still hold the money until they pay it to the Board and therefore not accruable. Fred Johnson concurred with the accountant's cash basis method.

Donnie Smith asked if a Permanent Legislative Oversight Commission meeting had been scheduled to take up the rate change issue. Bill Brodeur reported that it was scheduled for April 2, 2014.

Fred Johnson asked if the Oversight Commission would have sufficient data to understand the request for the rate change and if Jason or Ralph would be there to provide testimony, if necessary. He also asked if the information transmitted to the Commission had a variance analysis or a sensitivity analysis in there. He requested that Jason or Ralph be in attendance to provide necessary information regarding the sensitivity analysis of the penny rate difference to the Commission. Roger Wilson stated that the Executive Director would be in attendance. Jerry Renfroe made a motion that Ralph Dowdy and Jason Jackson be available to testify for the 9-1-1 Board. Chairman Wilson reported a motion by Jerry Renfroe and a second by Riley Blount for Jason Jackson and Ralph Dowdy to be available to testify at the Permanent Oversight Commission meeting. A vote was taken and the motion carried unanimously.

Donnie Smith requested that the sensitivity analysis be provided to the Commission before the meeting in order for them to process the information. Mr. Dowdy reported that that was up to the Board. Chairman Wilson requested that the accountant provide this information to the Permanent Oversight Commission. It was determined that Jason Jackson would gather that information and hand deliver it to the Legislative Commission Members and a copy would be sent by certified mail to each of the Members' home addresses. Jerry Renfroe made a motion to send copies of the information by certified mail to each of the Permanent Oversight Commission Members. This motion was seconded by Bill Brodeur. A vote was taken and the motion carried unanimously.

Executive Director's Report:

Jason Jackson provided a report on ANGEN. He stated that during the month of February, 9,276 calls were delivered to PSAP via ANGEN. He stated that 1,975 on ANGEN were basically caller hang-ups. He reported that Bandwidth and ASA tested to make sure that it wasn't an issue on their end and it was reported that they were just normal calls being hung up by the callers. He reported that 77 PSAPs had been tested as of March 6, 2014 and 19 invitations had been issued with no reply to date. He stated that they had sent a second reminder to those PSAPs as well as trying to contact them. He reported that John Ellison would be scheduling the Jefferson County PSAPs next week. Mr. Jackson reported that Verizon did convert Pensacola, which affects Baldwin, Clarke, Conecuh, Covington, Escambia, Mobile, Monroe, and Washington Counties. AT&T's first PSAP will be some time next week. After this initial PSAP, AT&T is scheduled to convert one PSAP in each Legacy router. SouthernLINC wants to be the first carrier for statewide conversion. Jean Brown reported that they have converted one PSAP in each Legacy router. Jason Jackson reported that Sprint's circuits are in and testing is being coordinated. Pine Belt reported the circuit in Huntsville is in and testing is being coordinated. A circuit into Montgomery is under consideration. He reported that C-Spire's circuits are in and testing is underway. Mr. Jackson reported that on February 26th, ASA experienced a denial of service attack. It isolated the Huntsville location for three hours. It was determined that the University in the Huntsville area was under attack and it ended up getting to the router in Huntsville. ASA is going to update all of their platforms to the Juniper platform once school is out. This would ensure that no one's service would be disrupted. Mr. Jackson reported that Bandwidth has completed their

software upgrade. He stated that there is an ANGEN meeting scheduled on April 2nd at 10:00 a.m., which may have to be re-scheduled due to the Oversight Commission meeting. Mr. Jackson stated that several districts have expressed an interest in obtaining John Ellison's advice on equipment upgrades with regard to ANGEN. The Board provided approval of this request.

Mr. Jackson reported that ASA and Jim Sasser have been working on the agreement for each district to buy extra bandwidth from ASA. He stated that there is a problem because some of the districts want to use the extra bandwidth for public internet access. ASA is not comfortable with this because it compromises their system. After research, it was recommended to the Board that they agree with ASA's request that no public internet access be granted to the districts through bandwidth provided by ASA. A motion by Ernie Blair and a second by Jerry Renfroe was made to prohibit internet access on the extra bandwidth. A discussion ensued and it was determined that districts would be given the authority to purchase the extra bandwidth for private use for the purpose of linking communications. A vote was taken and the motion carried unanimously.

Donnie Smith discussed the ANGEN agreements that the districts are asked to sign. He stated that the contracted amount with Bandwidth and ASA are extraordinary, however, these costs will go up when more PSAPs are introduced. He compared it to the Phase I and Phase II cost recovery escrow accounts that each district has set aside to pay for cost recovery so that it does not have to be billed to the districts individually. This takes the cost recovery money off the top and eliminates the need to bill the districts individually. He urged each district to sign these agreements. Jason Jackson suggested that next month he would like to present a sample budget showing where the money comes from and what it is used for to the districts. It was discussed that should there be any excess money in the cost recovery account at the end of the fiscal year, it would be distributed back to the districts.

Jason Jackson discussed that the Examiners of Public Accounts did not provide a detailed bill and that he had requested this, but had not heard back from the Examiners. He discussed the agreements that the Examiners presented for some of the districts. They stated that should these agreements not be signed the Examiners would have to stop performing the audits and would not release any of the audits already performed. Mr. Jackson detailed these agreements. He stated that they maxed out the amounts on these agreements with the smaller ECDs and anticipated the cost going up for the larger ones. He stated that according to the agreement, the Board would be required to pay 90% up front and once the fieldwork is completed the 10% left would be due. Mr. Jackson reported that he has requested a worksheet showing how they attained the estimate. He reported that they will not provide this. This is their standard agreement and is not open to re-negotiation. Mr. Jackson reported that he does not believe the Board has any option but to sign these agreements and pay the Examiners. Chris Heger requested that Jason and Ralph make sure that the Oversight Commission realizes how much money the Board is required to pay the Examiners for compliance audits. She would like for the Commission to understand that the districts still have to pay for financial audits on top of that. Mr. Dowdy stated that according to the law, the Board must pay any statements

submitted within 30 days. Chairman Wilson agreed that this bill should be paid and once done, the Board can start to work on a resolution of the itemization of the bills. Discussion ensued about what the Board is expected to pay now. Not only the current bill of \$4,000.00, but also the 90% of each of the 11 agreements that are ready to be signed. Chris Heger made a motion to pay the Examiners' bills and then authorize someone to talk to them. Rick Wolfe clarified this motion by stating that these agreements need to be signed, but no money should be handed over at that time. Ms. Heger adjusted her motion to sign the Examiners' Agreements and pay whatever current invoices the Board has from the Examiners. Donnie Smith reluctantly seconded this motion. Chairman Wilson stated that he had a motion by Chris Heger and a second by Donnie Smith for Jason Jackson to sign the agreements with the Examiners of Public Accounts for the audits being presented and to pay all current bills that the Board owes. A vote was taken and the motion carried with a majority vote. Johnny Hart voted no and Jerry Renfroe abstained.

Mr. Jackson discussed that there were 6 districts that refuse to change to electronic transfer. He recommended that the Board consider a service fee for written transactions. He reported that he offered to help these districts change over. He also reported that this service fee would defer any costs that the Board incurs while writing checks and posting them. He stated that any savings that he can make benefits the Board and in turn the districts. Ernie Blair and Donnie Smith requested that Jason Jackson and Ralph Dowdy provide a report to the Board next month for administrative approval.

Mr. Jackson reported that the AUM contracts are due. He provided two options, to go back to AUM or send out another RFP. Mr. Jackson recommended the option to go back to AUM for ANGEN technical services. Jason Jackson reported that these contracts are renewable yearly. Chairman Wilson stated that if they have to do another RFP then the work stops. Johnny Hart made a motion to contract with AUM for another year. This was seconded by Donnie Smith. Mr. Hart withdrew his motion after discovering that a firm price had not been submitted. Mr. Jackson explained that his recommendation was for the Executive Committee and himself to negotiate the contract with them and bring it back to the Board. Chairman Wilson entertained a motion by Johnny Hart and a second by Donnie Smith for the contract to be negotiated. A vote was taken and the motion carried unanimously.

Jason Jackson provided the Members with the office budget statistics. He detailed for the Board certain items on the budget. He stated that some items on this budget were under and some were over. He requested that the Board approve an adjustment of the budget. Donnie Smith asked if Mr. Jackson would prepare an amended budget for the next Board meeting.

Policy and Procedure Report:

Chris Heger reported that the committee met last week and a developmental employee handbook and more detailed job description for the Executive Director was emailed to each Board Member. She requested approval at that time. A discussion ensued regarding

tabling this until the next Board meeting to give the Members a chance to review these documents.

Evaluation Committee:

Riley Blount, committee Chairman, reported that the Evaluation committee met last week and unanimously approved a 5% increase retroactive to the Executive Director's six-month anniversary to present to the Board today. She stated that they based it on key effectiveness areas and Jason's performance. She reported that the Executive committee will meet with Jason this afternoon to go over goals for the next six months as well as the year. She suggested that some of the goals were preparing a draft of the 2014-2015 budget developing internal and external communications contacts, addressing specifics of the statewide plan, researching a new funding model and studying the wireline cap if SB317 passes. She discussed that once goals are established the Board will have true benchmarks in place for the next job performance. Jerry Renfroe made a motion for the Board to approve a 5% raise retroactive to his six-month date. Chairman Wilson stated that he had a motion by Jerry Renfroe and a second by Wayne Hutchens. A vote was taken and the motion carried unanimously.

Chairman Wilson reported that they received word that the State Senate Confirmation committee confirmed the Governor's appointments to the Board this morning. Alan Campbell and Chad Sowell will start serving next month. Ms. Heger reported that SB317 passed the Senate. Jerry Renfroe reported that it was on its way to Commerce and Small Business committee in the House. Chairman Wilson reported that this was the substitute bill with the Figures amendment.

Public Comments:

Chairman Wilson requested any public comments at this time. Amber Hartley, Department of Revenue, asked when the new rate would take affect if passed by the Oversight Commission. Chairman Wilson detailed the steps it would take and stated that the Department of Revenue would be notified when and if it is passed. He stated that it would take effect 90 days after passage by the Commission. Jerry Renfroe asked that the rate be ratified by the whole Board after passage by the Commission. This would take effect at the April Board meeting.

It was discussed that the Permanent Oversight Commission was required by law to meet before the session was completed. The steps following a no vote by the Commission were discussed. The Commission would come back with an alternate rate and then the Board would have to accept it or have a super majority vote to pass the \$1.80 rate.

Roger Humphrey expressed his appreciation of Johnny Hart and Bill Brodeur for the time that they've spent for 9-1-1 across the State of Alabama. Jerry Renfroe concurred with Mr. Humphrey. Chairman Wilson stated that both Bill and Johnny have given lot of time, a lot of effort to this state and to 9-1-1 in this state. He stated that they have a lot of knowledge that will be utilized throughout the coming days of this 9-1-1 Board.

Fred Johnson made a motion to go into Executive Session for the express purpose of discussing some attorney-client privileged communications regarding the Tracfone lawsuit. Chairman Wilson stated that he had a motion by Fred Johnson and a second by Johnny Hart to go into Executive Session on a legal matter. A roll call vote was taken as follows:

Ernie Blair	- yes
Riley Blount	- yes
Bill Brodeur	- yes
Melissa Dove	- yes
Johnny Hart	- yes
Chris Heger	- yes
Wayne Hutchens	- yes
Fred Johnson	- yes
John Nettles	- absent
Jerry Renfroe	- yes
Donnie Smith	- yes
Roger Wilson	- yes
Rick Wolfe	- yes

The motion carried and at 11:23 AM the Board went into Executive Session with an expected time of 10 minutes.

Chairman Wilson reported that the next Board meeting was scheduled for April 23, 2014 in Huntsville, Alabama at 10:00 AM.

At 11:36 AM the Board reconvened. Upon motion by Jerry Renfroe and seconded by Bill Brodeur, the meeting was adjourned.

Approved this 25th day of June, 2014



SECRETARY



CHAIRMAN

Meeting Sign-In Sheet

Project: MARCH BOARD MEETING Meeting Date: Commerce, Montgomery
 Facilitator: ROGER WILSON Place: 3/19/14

Name	Title	Company	Phone	Fax	E-mail
John W. Martin	Executive Assistant	Wireless	205/297-4911	205/257-8552	johnmartin@wireless.com
RAY PRESTON	APPLICATION Sales Spec	AFT	205 451-8610	205 969 4397	RP0430@AFT.COM
Lee Moore	Consultant	911 Consult	334 451-0513		lee.moore@911consult.com
Greg Silas	B'ham ECD	911 Administrator	205 500-0496		greg.silas@Birmingham.gov
Victor Keeneedy	Director	Talladega County 9-1-1	256-361-9115		vkeeneedy@talladega911.org
Jin Fleming	Communications Administrator	Press City of Auburn	256-425-1568		JIN.FLEMING@PRESS11.COM
Adam Brown	Development Director	AL 9-1-1 Board	334-501-3101		abrown@alburialboard.org
Leah Missildine	Director	Autauga Co 911	334-440-7911		leah@A111board.com
Melissa Carpenter	Director	City of Enterprise 911	334-365-8911		Melissa.carpenter@prettville.al.gov
Tom E Jones	COORDINATOR	DOTHAN HOUSTON COUNTY 911	334-378-2697		Jones@centercomp.com
STEVE COLLINS	Director	MCCD	334-615-3525		scollins@dotson.org
Gary Tonnes	Director	Stallby County 911	405-639-2134		gtanner@aces911.com
Alan Campbell	Revenue Examiner	ADOB	205-439-692		acampbell@shelbilly.org
Amber Hartley	Revenue Examiner	ADOB	334-363-8138		amber.hartley@revenue.alabama.gov

