

North Carolina 911 Board Meeting**MINUTES****WebEx Teleconference****May 31, 2017****11:00 AM – 12:00 PM**

<u>Members Present</u>	<u>Staff Present</u>	<u>Guests</u>
David Bone (NCACC) Martin County	Ron Adams (DIT)	
Eric Boyette (NC CIO) Board Chair	Richard Bradford (DOJ)	
Josh Brown (LEC) CenturyLink	Tina Bone (DIT) (phone)	
Heather Campbell (CMRS) Sprint	Ronnie Cashwell (DIT)	
Eric Cramer (LEC) Wilkes Communication	Dave Corn (DIT)	
Chuck Greene (LEC) AT&T	David Dodd (DIT)	
Len Hagaman (Sheriff) Watauga County	Karen Mason (DIT)	
Dinah Jeffries (NCAPCO) Orange Co Emergency Services	Marsha Tapler (DIT)	
Jeff Ledford (NCACP) City of Shelby PD	Richard Taylor (DIT)	
John Moore (VoIP) Spectrum Communications		
Niraj Patel (CMRS) Verizon		
Jeff Shipp (LEC) Star Telephone		
Jimmy Stewart (NCAREMS) Hoke Co 911		
Slayton Stewart (CMRS) Carolina West Wireless		
Donna Wright (NENA) Richmond Co Emergency Services		
<u>Members Absent</u>	<u>Staff Absent</u>	<u>WebEx Guests</u>
Andrew Grant (NCLM) Town of Cornelius		Byron Burns, CRS
Greg Hauser (NCSFA) Charlotte Fire Department		Caleb Dispenza, Madison Co 911
		Brian Drum, Catawba Co 911
		Mike Edge, Scotland Co 911
		Jon Greene, GeoComm
		Dell Hall, Stokes Co 911
		Christine Moore, Guilford Metro 911
		Melanie Neal, Guilford Metro 911
		Teresa Ogle, Madison Co 911
		Wade Sanstra, Synergem
		Brenda Womble, Wilson Co 911

Call to Order: Chairman Boyette called the meeting (a teleconference) to order at 11:00 AM and asked 911 Board Executive Director Richard Taylor to call the roll.

Roll Call: Mr. Taylor called the roll in alphabetical order. All Board members responded except Eric Cramer, Andrew Grant, Greg Hauser, and Niraj Patel. Mr. Taylor advised that he and Sheriff Hagaman were present at the Phillips Building, as were Karen Mason and Marsha Tapler; Tina Bone, Dave Corn, and Ronnie Cashwell checked in over the phone, as did Richard Bradford. Mr. Taylor reported a quorum was present.

1. Chairman's Opening Remarks: Chairman Boyette expressed the hope that everyone had a great holiday weekend, and thanked them for making themselves available today.

2. Ethics Awareness/Conflict of Interest Statement: Chairman Boyette read the statement printed in the Agenda. Chuck Greene advised he would abstain from voting on agenda item 3.a)i, the funding reconsideration request for Iredell County, and Josh Brown advised he would abstain from voting on item 3.a)iii, the funding reconsideration request for Surry County.

3. Funding Committee Report:

a) Funding Reconsideration Request

i) Iredell County—Funding Committee Chair David Bone provided details about Iredell County's application for financial reconsideration, noting it does involve the county's Back-up PSAP Plan implementation, mainly for radio consoles. He advised its fund balance will be used for the 911 phone system, implementation of a new CAD system, and other miscellaneous back-up expenses. He reported that the Funding Committee does unanimously recommend approval of the proposed one-time increase of \$439,393.56 for FY2017-18, and invited Marsha Tapler to add any additional details she finds pertinent; she advised she had nothing to add.

Chairman Boyette asked for any further discussion, and hearing none called a vote on the committee recommendation. The vote carried unanimously, with Chuck Greene in abstention.

ii) McDowell County—Mr. Bone introduced McDowell County's financial reconsideration request, observing it, too, involved the county's Back-up PSAP Plan implementation, which is forecast to be operational in June. He noted that this request involves a "collision of competing needs" not seen by the 911 Board before, namely the Back-up PSAP implementation requirements as well as operating expenses. He added the county had requested a financial reconsideration back in the fall but was turned down because it needed to spend down its fund balance first, and now that is the case. He said the Funding Committee unanimously recommends approval of the proposed one-time increase of \$34,444.00 for FY2017-18, and invited Ms. Tapler to add any additional details she finds pertinent. She simply confirmed that they have, indeed, spent down their fund balance.

Chairman Boyette asked for any further discussion, and hearing none called a vote on the committee recommendation. The vote carried unanimously without abstention.

iii) Surry County—Mr. Bone next turned to Surry County's funding reconsideration request, which also involves its Back-up PSAP Plan implementation. He noted the county has already purchased some items for its Back-up PSAP, and has used or is currently using its fund balance for some of its procurement needs. He said this request is to enable the county to purchase other items for its back-up implementation, namely a recorder, monitors and workstations to be used in its back-up plan with Stokes County, as well as new TC chairs for its primary PSAP. He advised the Funding Committee unanimously recommends approval of the proposed one-time increase of \$68,458.00 for FY2017-18. He again asked Ms. Tapler if she had anything to add; she replied she did not.

Chairman Boyette asked for any further discussion, and hearing none called a vote on the committee recommendation. The vote carried unanimously with Josh Brown in abstention.

iv) Approval of FY18 PSAP Distribution—Mr. Bone reported that the Funding Committee has unanimously approved the proposed FY18 PSAP Distribution as presented in a spreadsheet in the agenda packet, asking Ms. Tapler or Mr. Taylor to review the highlights of the proposal. Mr. Taylor asked Ms. Tapler to speak to how the 20% carry-forward amount is calculated and how it is used to determine whether a reduction or 'non-reduction' in future funding is necessary based upon the five-year rolling average.

Displaying a copy of the spreadsheet onscreen, Ms. Tapler explained there are three steps in the process, beginning with averaging the prior two fiscal years' funding distributions and multiplying that average by 20% to determine the approved carry-forward amount. Any fund balance increase or decrease during those same two years is next compared to the 20% carry-forward amount; if it is in excess of the allowable carry-forward, the proposed funding for next year is reduced by that excess—if it is not in excess of the allowable carry-forward, no modification is made. The result is the proposed funding amount for the new fiscal year.

Mr. Bone mentioned it might be good for her to mention the status of last year's revenue-expenditure report reviews. Mr. Taylor offered to field that, observing that normally by this time of year all PSAP revenue-expenditure reports for the prior fiscal year have been reviewed and approved, allowing for very accurate year-end expenditure totals to use in calculating the next fiscal year's distributions using the five-year rolling average. He noted, however, that due to the inordinate demands placed upon staff this year relating to the Back-up PSAP mandate, including myriad funding reconsideration requests attendant to that mandate, this year's revenue-expenditure report approval process is still incomplete. To contend with that, he proposes that the amounts provided in the un-reconciled reports be accepted as presented at this time and applied to calculating the five-year rolling average distribution amount for FY18. He added, however, that once those reports have been reviewed, should reconciliation of them result in modifications of the amounts as presented, such modifications will be applied to FY19 distributions.

Jeff Shipp offered that he thinks that is all that could be done, and he agrees with the proposed resolution to that dilemma. Mr. Taylor observed staff has been working as hard as possible on this, but he does not want to penalize any PSAP which has submitted its report due to our not having been able to complete our process. He stressed that he has to give Ms. Tapler kudos

for putting in many very long and hard extra hours trying to get everything accomplished. Mr. Shipp asked how many reports have not yet been reconciled; Ms. Tapler replied about 60 out of 129 have yet to be reviewed.

Addressing Chairman Boyette, Mr. Bone offered that the Funding Committee is asking the Board to approve these distributions at this time. Chairman Boyette opened the floor to further discussion; Mr. Taylor observed that the grand total of \$50,109,994.61 for all the proposed distributions must be recorded in the minutes and for the auditor.

Hearing no further discussion, Chairman Boyette called the vote on the committee recommendation. The recommendation carried without opposition or abstention.

4. Discussion on S257: Chairman Boyette asked Mr. Taylor to speak to Senate Bill 257. Mr. Taylor said he had contacted several legislators, unfortunately mostly through text message or voicemail, about S257, and there doesn't seem to be much concern among them about the language enabling SHP to apply for 911 Board grants, reasoning that just because SHP may apply for a grant does not mean they must be awarded one.

Chairman Boyette said he hadn't checked this morning on the House Budget that came out last night and asked Mr. Taylor if he had seen any follow-up. Mr. Taylor replied he had not, but had texted with one of the Appropriations chairs last night trying to explain the situation to her and had not had the opportunity to check this morning to see if anything had changed as a result. He added that David Bone had indicated he was going to try to make contact, as well as lobbyists from several other organizations, including the Sheriffs' Association, noting he was aware that it was heavily involved in this.

Mr. Bone offered that he, too, had had to resort to text communications, but had reached out to the County Commissioners' Association. He said that the feedback he had received had been much as Mr. Taylor has already reported—little concern among legislators—but also that while the Department of Public Safety (DPS) didn't have anything to do with drafting this language, it is now supporting it. Chuck Greene interjected that he had just looked up the House version of the budget which was released this morning, and on page 258, section 16b.7, that provision is still there.

Addressing Chairman Boyette, Mr. Bone observed he is concerned that although legislators may say that SHP doesn't necessarily have to be awarded a grant, if SHP is given the authority to apply, the implication that seems to go hand-in-hand with that authority is that the Board must give such an application full consideration. Sheriff Hagaman offered that something which came up in the Sheriffs' Association discussion was how would SHP's communications centers be certified as primary PSAPs—even *if* they could be certified. Chairman Boyette said that's right, they would have to be held to the same standards. Mr. Bone added another concern is that this also would appear to open the door for other agencies to seek the same opportunity as well.

Jeff Shipp concurred with Mr. Bone's observation, saying that as much as he respects and supports SHP, he does not think this is an appropriate avenue for them to use in seeking

additional sources of revenue. He offered that he, personally, would like to see the Board take a stance in opposition to this, but he would leave it up to Chairman Boyette and the Board to determine where they want to go with this. Chairman Boyette asked if there was any further comment to Mr. Shipp's observation, and Slayton Stewart replied he would throw his support behind such a stance. Donna Wright advised that the President of North Carolina NENA and its executive committee adamantly opposes that section of the proposed budget bill. Dinah Jeffries said the same is true of the North Carolina APCO chapter President and executive committee—adamant opposition.

Chairman Boyette observed it sounds like there is a lot of support from the Board in opposition to the language, and asked Mr. Taylor to talk with him about this and how to draft some talking points for Board members and others who are in support of the Board's position as well. He then asked if the House and Senate versions of the bill are identical, and Mr. Greene replied yes, they are the same. Chairman Boyette then observed that means they won't go to conference. Mr. Taylor then asked if it was correct that the language would have to be pulled before the House votes on it, rather than when the bill goes into conference, and many voices simultaneously called out, "Correct." Mr. Bone asked when the vote is scheduled, and Mr. Greene replied that right now they're looking at voting later this week—the bill is in House Appropriations this morning, but the House has still not released what it's going to do for state employees and teachers, so depending upon that, it could be delayed—but the plan is still to hold the final vote in the House by the end of the week.

Mr. Shipp interjected that he's sure no one wants to be perceived as being in any way against Highway Patrol, but that this is the wrong direction to look for *potential* sources of revenue, and again, it just creates a precedent going forward for other agencies to look at the Board for additional forms of revenue that are outside the true original 911 call-taking bill. Mr. Taylor said that he has mentioned in committee meetings that with the ESINet award very soon to take place he finds this premature because once it is up and running we will be able to connect SHP's six communications centers to our primary PSAPs through that network and truly be able to share 911 voice and data with them, which cannot be done today. He added that if, hypothetically speaking, they did receive a grant today, anything they got today would not be able to provide that capability.

Mr. Bone asked Mr. Shipp if his comment to have the Board take a unified stance against this language was intended as a motion. Mr. Shipp replied it wasn't a motion then, but he would be happy to make it one now. He reiterated that he hates to take a stance against SHP, but he feels like this is not the avenue for them to follow in their search for additional revenue. Chairman Boyette asked how the Board feels about it, and Mr. Bone said he seconded the motion. Mr. Taylor speculated that together with the legislative liaison from DIT he could, by this afternoon, craft the talking points Chairman Boyette alluded to earlier without looking like we're against the Highway Patrol, but instead, looking for a better solution in the future. Mr. Shipp interjected he echoes that point; once the ESINet is up and running he thinks it would behoove all of us to be able to communicate with SHP through that avenue at that time and looks forward to working with them on that rather than just funding in advance for non-911 purposes.

Mr. Greene proposed that a list of all the public safety organizations which are opposed to this provision be included in the talking points being developed, showing strength in numbers. Chairman Boyette agreed, saying that's why he wants to make sure we put everything together and have the same message going forward. He observed that while we can send a letter from our Board, if we can show concurrence with other groups it will have more strength. He also stressed that we must have facts—facts are very important to this group—and once again asked for the pleasure of the Board. Heather Campbell asked if there wasn't a motion on the table, and Mr. Taylor replied there was, made by Mr. Shipp, for the Board to put together a letter/talking points indicating the 911 Board's opposition to this legislation, seconded by Mr. Bone.

Chairman Boyette asked if there was any further discussion, and hearing none, called the vote. The motion carried unanimously, after which he asked Mr. Taylor to put together a draft and get it out to everyone, ensuring we also get it to Bill Holmes, who is DIT's legislative liaison, so he can work with the appropriate chairs.

Mr. Bone directed a question at Chief Ledford and Sheriff Hagaman, saying he had just received an email from the County Commissioners' Association saying that the Sheriffs' and Police Chiefs' Associations are neutral on this and asking if that was their understanding. Sheriff Hagaman said there are "...like five different categories, and they are just not taking a stance one way or another." Chief Ledford said his group is still in discussion about it, emailing back and forth. He said some of the discussion was about SHP wanting to upgrade equipment to help them get to emergencies quicker, so the Police Chiefs are getting some talking points on that, adding he thinks the ones Mr. Taylor is going to send out will be important to them as well. He offered that once he receives Mr. Taylor's talking points he will send them to his board so they can have some discussion as well.

Other items: Chairman Boyette asked if there were any other outstanding items to come before the Board. Mr. Shipp reminded everyone that the Technology Committee will be meeting on June 20th at 2:00 PM and strongly encouraged all Board members who do not feel they would have a conflict attending this meeting to either dial in or attend in person. He advised the committee will be discussing the ESINet RFP award and he would like to have all Board members become as knowledgeable as they can through the committee, mainly to save time when the committee's recommendation is brought before the full Board at its June 23rd Board meeting and work session. Mr. Shipp added that if someone feels they may have a conflict, reach out to staff and he's sure they would be willing to assist to ensure whether or not there is one.

Adjourn: Chairman Boyette observed this was a very, very fast meeting with good discussion on S257 and he looks forward to some more information on that. He again thanked everyone for their participation and the Funding Committee for all its hard work, adjourning the meeting at 11:34 AM.