

North Carolina 911 Board
MINUTES
March 27, 2015
Foothills Higher Education Center
2128 S Sterling Street
Morganton, NC

<u>Members Present</u>	<u>Staff Present</u>	<u>Guest</u>
Jason Barbour (NC-NENA) Johnston County 911	Tina Bone	Randy Beeman – Cumberland Co Emergency Svcs (phone)
Darryl Bottoms (Police Chief) Pilot Mountain PD	Richard Bradford	Rachel Bello-Wake County
Eric Cramer (LEC) Wilkes Communications	Dave Corn	Rep. Hugh Blackwell
Rick Edwards (CMRS) Sprint	David Dodd	Bill Boger-Charlotte Mecklenburg P.D.
Chris Estes (Board Chairman) NC State CIO	Marsha Tapler	Jerry Boggs-Retired
Andrew Grant (NCLM) Town of Cornelius (Phone)	Richard Taylor	Mark D. Bradshaw-Morganton Public Safety
Len Hagaman (Sheriff) Watauga County	Jean Thaxton	Brad Brawley-Iredell County
Rick Isherwood (CMRS) Verizon Wireless	Ashlee Wilson	Sherri Bush – L.R. Kimball (phone)
Dinah Jeffries (NC-APCO) Orange Co. EMS		Johnny Carswell-Burke County Commissioner
Jeff Shipp (LEC) Star Telephone		Nikki Carswell-Burke County 911
Rob Smith (LEC) AT&T		Michael Cone – Wilson Co 911 (phone)
Jimmy Stewart (NCAREMS) Hoke County 911		Meghan Cook – NC OITS (phone)
Laura Sykora (LEC) Century Link		Bill Davis-Yancey County 911
		Greg Foster-Alexander County
<u>Members Absent</u>	<u>Staff Absent</u>	David Gay – Durham 911 (phone)
Tommy Cole (NCSFCA) Pinecroft- Sedgefield Fire Dist.		Deborah Godwin-Burke County 911
Margie Fry (VoIP) Time Warner		Sherry Gordon-Burke County 911
Slayton Stewart (CMRS) Carolina West Wireless		Stacey Harrison – Granville Co Sheriff (phone)
Lee Worsley(NCACC) County of Durham		Angela Hibbard-Burke County 911
		Jeff Holshouser – Airbus (phone)

		James Johnson-Avery County 911
		Stanly Kite – Craven Co Emergency Svc (phone)
		Glenn Lamb-Guilford Metro 911
		Melanie Neal-Guilford Metro 911
		Karlynn O’Shaughnessy – NCGA Fiscal Research (phone)
		Tonya Pearce-Durham 911
		Philip Penny - Mission Critical Partners (phone)
		Rep. George Robinson
		Josh Robinson – Orange Co Emergency Svcs. (phone)
		Scott Rogers-Burke County Sheriff’s Office
		Rick Rutherford-BLECC
		David Saleeby-Iredell County
		Roman Scruggs-Rutherford County
		Ray Silance – Onslow County 911 (phone)
		Todd Sims-Mecklenburg EMS Agency
		Ron Smith-Iredell County Manager
		Bryan Steen-Burke County Manager
		Candy Strezinski-Burke County 911
		Mark Thomas-Yancey County 911
		Tammy Watson – Pineville Police Dept. (Phone)
		Charles Watts-Town of Valdese Fire Chief
		Steve E. Whisenant-Burke County Sheriff’s Office
		Keith Whitfield-Durham Citizen
		Bruce Williams-Wireless Communications
		Stephanie Wiseman-Mitchell County 911

		Brenda Womble-Wilson Co 911 (phone)
		Doug Workman - Cary Police Dept. (phone)
		Steven Yang-Burke County 911

Chairman's Opening Remarks

Chairman Chris Estes welcomed everyone and opened the meeting at 10:00am.

Chairman Estes welcomed Burke County Commissioner Chairman, Johnnie Carswell, and invited him to speak at the podium. Mr. Carswell welcomed the visitors to Burke County, thanked them for visiting the new 911 center there, and expressed his hope that they would visit again. Mr. Carswell thanked Chairman Estes and Executive Director Richard Taylor for inviting him to speak.

Executive Director Richard Taylor showed photographs of the groundbreaking of the new Burke County NC 911 center, mentioning that he and several other members of the Board were in attendance as shown in the photographs. Mr. Taylor thanked Burke County for their hospitality that day and for their commendable efforts as good stewards of the money given to fund the new 911 center.

Chairman Chris Estes recognized two legislative members in attendance, Representative Hugh Blackwell and Representative George Robinson, and welcomed each of them to make comments but they both declined. Chairman Estes thanked them for attending.

Chairman Chris Estes invited Executive Director Richard Taylor to facilitate the swearing in of new member Richard (Rick) Edwards who was appointed by the President Pro Tem of the Senate. Rick Edwards was given the oath of office by Mr. Taylor. Afterwards Mr. Estes thanked him for volunteering his services.

Executive Director Richard Taylor took attendance by roll call for those attending by phone. Mr. Taylor confirmed that there was a quorum present.

Ethics Awareness/Conflict of Interest Statement

Chairman Estes read the conflict of interest statement to the Board regarding issues that would be discussed. Laura Sykora affirmed a conflict of interest and abstention from the Macon County funding reconsideration vote. Jason Barbour and Rob Smith also affirmed conflict of interest and abstention from the Johnston County funding reconsideration vote.

Minutes of February, 2015 Board Meeting

Executive Director Richard Taylor confirmed that there were no corrections needed to the February 2015 Board Meeting Minutes.

Consent Agenda

(Complete Reports located in Agenda Book on website)

The following items were discussed and voted on collectively by the Board members:

- a) Minutes of February 27, 2015 Board Meeting**
- b) PSAP Liaison Report**
- c) Network Specialist Report - Bone**
- d) Network Specialist Report - Corn**
- e) Update On 2014/2015 Revenue Expenditure Reporting**
- f) Grant Project Updates**
- g) CMRS February Fund Balance \$ 3,017,771**
 - 1) CMRS February Disbursements \$ (289,124)**
- h) PSAP February Fund Balance \$ 10,332,353**
 - 1) PrePaid February CMRS Revenue \$ 712,558**
- i) Grant Fund February Balance \$ 280,779**
 - 1) Grant Fund February Encumbered \$ (34,619,834)**

There were no comments made regarding items “b” through “i” on the consent agenda. Jason Barbour moved to approve the consent agenda; Laura Sykora seconded the motion and the Board voted to pass the motion approving the consent agenda.

Public Comment

Chairman Chris Estes opened the public comment period by inviting members of the public to speak to the Board and noting the three scheduled speakers on the agenda.

Chairman Estes introduced the first scheduled speaker, Iredell County Manager, Ron Smith. Mr. Smith addressed the Board regarding plans for a new communication center in Iredell County that would cost an estimated \$10.6 million dollars. Mr. Smith mentioned the involvement of Board staff member David Dodd in this project. He explained that Iredell County was not presently requesting funding, but that it may ask for a reconsideration request in the future and wanted to make the Board aware of the project.

Chairman Chris Estes introduced the final scheduled speaker, Candy Strezinski, Director of the Burke County 911 Center. First, Ms. Strezinski addressed the Board in her capacity as the legislative chair for the North Carolina chapter of APCO on behalf of APCO. She relayed a letter from the President of the North Carolina chapter of APCO, William Ellis Frasier Jr., discussing the intent to seek repeal of the NC Administrative Code (NCAC) Title 12 changes enacted in North Carolina in August 2014, which the letter asserted would give rise to Fourteenth Amendment rights violations if a grandfather clause was not added. Ms. Strezinski provided copies of NCAC Title 12 for the Board to review.

Chairman Estes thanked Ms. Strezinski for speaking, explained that the Board was unfamiliar with the issue, and consulted counsel regarding NCAC Title 12. Mr. Estes invited Ms. Strezinski to speak on her own behalf while the Board reviewed the Title 12 handouts she provided.

Ms. Strezinski next addressed the Board on behalf of herself in her capacity as the 911 Director of Burke County regarding her concerns on the NCAC Title 12 issue. She asserted that a formal complaint should be made to the State of North Carolina on behalf of the North Carolina PSAPs who were negatively affected by the lack of timely notice of the NCAC Title 12 enactments. She went on to explain the negative ramifications on affecting PSAPs, including hiring and employment issues that impact the public by causing understaffing.

Chairman Estes and Assistant Special Deputy Attorney General Richard Bradford both suggested that the NC 911 Board was not the rule making authority regarding NCAC Title 12 and that Ms. Strezinski’s concerns would be best addressed to the Department of Public Safety.

Melanie Neal, Acting Director of Guilford Metro 911, addressed the Board regarding NCAC Title 12. She asserted, as Ms. Strezinski did, that it would negatively affect 911 centers that dispatch law enforcement. She expressed concerns regarding a double standard and a higher standard of review for 911 operators above that applied to law enforcement personnel.

Chris Estes again urged that this issue be brought to the appropriate authorities. Mr. Estes asked the Board for comments.

Board member Dinah Jeffries from APCO spoke on the NCAC Title 12 subject, agreeing with Ms. Strezinski and Ms. Neal. She urged that the concerns be passed on to county attorneys and representatives. Board member Jason Barbour of Johnston County 911 commented that the NCAC Title 12 ruling was passed notably quickly.

Candy closed with comments about her own 911 center being critically low staffed due to the NCAC Title 12 changes as well and directed a request to the House members present at the meeting to support House Bill 352.

Chairman Chris Estes opened the podium to any other public speakers. No other speakers came forward.

Executive Director Report

a) Statement of Economic Interest – Rick Edwards

Executive Director Richard Taylor, as required by law, requested that the Statement of Economic Interest of new Board member Rick Edwards be read into the minutes. Mr. Taylor stated that there were no conflicts of interest found with Mr. Edwards, but that there is a potential for a conflict of interest. Potential does not prevent service to the Board.

b) Legislative Update

Executive Director Richard Taylor began with House Bill 352, as was previously mentioned by Candy Strezinski during the Public Comment period. House Bill 352 extends the same civil legal liability protection currently given by law to first responders. Mr. Taylor said that House Bill 352 does not directly affect the NC 911 Board, but that it does affect telecommunicators and dispatchers as it regards standard of proof issues, which was exemplified by the two telecommunicators who were sued in Gaston County several years ago.

Mr. Taylor presented the proposed legislation brought by Pitt County to the Board during the last meeting. Pitt County intends to propose legislation that would affect the deadline for implementing back-up PSAPs. The proposed language would allow for the 911 Board to supply a waiver if adequate progress has been made by July 1, 2016 toward completion of a PSAP's back-up plan. Pitt County also requested that the Board assist in creating a statewide model for PSAP best practices. Mr. Taylor offered to have the Board's staff create suggested PSAP best practices models to be posted on the website for reference. Additionally, Pitt County requested a master catalog of eligible expenditure items under state contract for ease of PSAP purchasing.

Mr. Taylor discussed House Bill 380, sponsored by Representative Hugh Blackwell. House Bill 380 is an act to authorize the Department of Public Safety to implement a statewide school risk and response management strategy. The Board has been collaborating for several months with Emergency Management and the School Safety Program Committee on issues related to House Bill 380 at the request of the School Safety Program Committee. Mr. Taylor thanked

Representative Blackwell for involving the Board and praised the bill. Chairman Chris Estes clarified and summarized that this Bill is most widely known as the bill to place a panic button on teachers' cellphones for ease of alerting 911 of any issues in the classroom.

Board member Dinah Jeffries of APCO addressed Representative Blackwell to praise the bill and to mention the recommendation by the emergency management sub-committee that there be a second or third party evaluator for equipment and training associated with such programs to avoid any conflict of interest. Ms. Jeffries went on to state that the preferred third party evaluators would be local emergency management who could make solid recommendations.

Mr. Taylor discussed Senate Bill 571, which is a two-part bill: 1) the appeal of distribution denials by formal written process and 2) the authorization of spending by a local government entity of the fund balance of June 30, 2014 for any public safety need. Mr. Taylor expressed concern over the second part of the bill, which broadly authorizes spending money on anything related to public safety in contradiction to the Board's suggestion to have a plan in place for spending.

Board member Laura Sykora suggested that the Board take a position on the proposed legislation in the form of a motion. Executive Director Richard Taylor agreed.

Laura Sykora moved to support House Bill 380 and also made a motion to oppose Senate Bill 571. Board member Jeff Shipp seconded the motions and Chairman Chris Estes opened the motions for discussion.

Dinah Jeffries again urged third party evaluation regarding equipment and programs related to House Bill 380. Chairman Estes asked Ms. Jeffries to clarify whether her statements were comments only or a move to amend the motion. Ms. Jeffries responded by moving to amend the motion made by Ms. Sykora in support of House Bill 380 to add a third party reviewer element to House Bill 380. Laura Sykora posited that such an amendment would be beyond the scope of the NC 911 Board. Board member Jason Barbour suggested that the liaisons sent to represent the Board before the House regarding the bills make the suggestion of third party reviewers on behalf of the Board. Mr. Barbour suggested that Ms. Jeffries withdraw her original motion for amendment to the motion in support of House Bill 380 made by Ms. Sykora. Ms. Jeffries withdrew her motion to amend.

Board member Rob Smith asked if House Bill 380 recommends any specific types of equipment, citing a concern for conflict of interest. Representative Blackwell responded that House Bill 380 recommends no specific equipment.

Richard Bradford reminded the Board of the procurement program nearing completion and mentioned that a pilot program was intended for four counties that would address the practicalities of the legislation. The program was discussed at an earlier meeting. Chairman Chris Estes asked Mr. Bradford if there was a conflict of interest, as posited by Rob Smith, and Richard Bradford said no.

Chairman Estes asked for comments from the Board. A member attending by phone commented in agreement with funding concerns and the motion opposing Senate Bill 571.

Chairman Estes clarified that the Board is not in a position to vote on the legislation and that the motions being made were mere opinions being offered to the legislature. Mr. Estes asked for comments from the Board. There were no comments, so Mr. Estes moved to a vote on the motions. The vote in support of the motion passed.

Jason Barbour made a motion that the liaison representing the Board before the House legislature recommend the addition of a third party evaluator requirement be added to House Bill 380. Dinah Jeffries seconded the motion. Chairman Estes opened the motion for discussion by the Board. Len Hagaman asked how the third party evaluators would be compensated. Jason Barbour suggested that the third party evaluators be compensated by service in kind. Dinah Jeffries clarified that the suggestion in the motion is that the local emergency managements be the ones to provide evaluation services. Chairman Estes asked for further comments, there being none he moved to a vote. The vote in support of the motion passed.

Executive Director Richard Taylor concluded the Legislative Update.

c) Update Regarding State Auditor

Executive Director Richard Taylor stated that the state auditor informed the Board it is due for its bi-annual audit. He said that the entrance interview was already completed and that the audit will begin on April 9, 2015. Chairman Chris Estes welcomed the auditor's review, citing full transparency.

Request From APCO To Sponsor Class At Telecommunicator's Symposium

David Dodd presented the request to sponsor the class at the Telecommunicator's Symposium he received by letter from Tammy Watson, NC APCO Treasurer. Mr. Dodd said that the tuition cost is \$4,975.00 and asked that the NC 911 Board fund the training. He said historically the class has always been filled. Chairman Chris Estes asked for a recommendation from staff regarding whether the funds were available to sponsor the class and staff confirmed the money was available. Mr. Estes called for a motion, which was brought by Jason Barbour and seconded by Laura Sykora. Chairman Estes called for a vote and the motion passed.

Update On Regional PSAP Manager's Meetings

Chairman Chris Estes invited Jason Barbour to present the update on the regional PSAP manager's meetings. Mr. Barbour stated that he was able to attend two out of four meetings and that in his opinion the meetings are beneficial.

Jeff Shipp attended three of the regional PSAP manager's meetings and stated how impressed he is with the passion of the state's telecommunicators. Mr. Shipp noted that March has been a busy month for everyone involved with the Board, but particularly praised the Board's staff for their efforts.

Laura Sykora stated that she attended all four regional PSAP manager's meetings and noted that there was a lot of interest generated by the panic button concept. Ms. Sykora also said that the open microphone portion of the meetings was beneficial.

Len Hagaman commented that he was very impressed with the Burke County facility where he was able to attend one meeting. Mr. Hagaman commented that there is a definite need for PSAP directors and anyone requesting funding to engage in funding model training. Mr. Hagaman commended the Board and staff for their efforts during a busy March and pointed out that the Board members give their time on a volunteer basis.

Dinah Jeffries commented that the creation of the PSAP managers group has been extremely beneficial. Ms. Jeffries commended the managers across the state for joining together and complimented the new Burke County 911 center.

Executive Director Richard Taylor also thanked the staff for their efforts over the past six weeks. Mr. Taylor commented on the differing feedback from around the state and how beneficial the meetings around the state are.

Jason Barbour stated that one recurring message at the meetings was that most people want an “easy button” approach. Chairman Estes clarified that “easy button” approach is a concept to make it easier to get funding to the PSAPs that was first discussed late last year.

Update From Funding Committee

Jason Barbour began the update from the funding committee with funding reconsiderations. Mr. Barbour stated that the first round deadline has passed, but that the PSAPs have until early March to file funding reconsideration requests if they did not meet the deadline. Mr. Barbour said that there would likely be more counties discussed at the April meeting because the funding reconsideration deadline has not yet passed.

a) Funding Reconsiderations

1) Chowan County

Marsha Tapler presented the funding reconsideration request from Chowan County for the purpose of replacing their radio console equipment that is approximately ten years old. Chowan County needs partial funding. Chowan County is using \$245,000 of their own funds and they requested a reconsideration total amount of \$335,678 for fiscal year 2016. A recommendation was made by staff and the funding committee to approve the request. Chairman Estes asked for a motion from the Board and a motion was made that was seconded by Dinah Jeffries. Mr. Estes called for a vote and the motion was approved.

2) Johnston County

Jason Barbour abstained from discussion and voting because Johnston County is his county. Mr. Barbour deferred to Len Hagaman who in turn deferred to Marsha Tapler. Ms. Tapler presented Johnston County’s funding reconsideration request for funding to replace equipment that is now outdated. Johnston County requested a reconsideration total amount of \$2,548,858.53 for fiscal year 2016. Chairman Chris Estes asked for a motion from the Board and a motion was made that was seconded by Laura Sykora. Mr. Estes asked that the record reflect that two members of the Board abstained from voting.

Mr. Estes asked for discussion on the motion and Jason Barbour was asked why Johnston County wanted to update their equipment to the P25 technology. Mr. Barbour answered that the new technology is part of phase two of the county’s plan to double Johnston County’s capacity and the funding would refresh their outdated hardware. Mr. Estes called for a vote and the motion was approved.

3) Macon County

Marsha Tapler presented Macon County’s funding reconsideration request. Ms. Tapler explained that Macon County’s record of funding reflects ineligibility for funding for the next fiscal year but that it was due to an invoicing issue and carry forward. Macon County requested a funding reconsideration to correct the invoicing issue and reflect their

appropriate eligibility for funding in fiscal 2016. Macon County requested approximately \$313,000 in funding. Motion was a recommendation from committee and was seconded by Dinah Jeffries. Mr. Estes asked that the record reflect that one member of the Board abstained from voting. Mr. Estes called for a vote and the motion was approved.

4) Vance-Henderson

Marsha Tapler presented the funding reconsideration request from Vance-Henderson County for the purpose of upgrading their GIS package as well as purchasing a recorder and furniture. Vance-Henderson County requested a reconsideration total amount of \$651,168.96 for fiscal year 2016. Jason Barbour moved to approve the funding reconsideration request from Vance-Henderson County. Laura Sykora seconded the motion. Mr. Estes called for a vote and the motion was approved.

b) Implemental Functions Policy Change

Jason Barbour discussed the “easy button” concept and brought the implemental function policy for vote. Mr. Barbour said that he wants the process to function as a private commercial company would with internal invoices at each 911 center versus the previous way reimbursement was done.

Executive Director Richard Taylor stated that the exact language is not available for vote today, but that they are working on the invoicing language so that a vote can be held in the near future, hopefully at the April meeting. Mr. Taylor said that the language used would be “easy button” language that will make it simple for staff and PSAPs to use.

Jason Barbour expressed discontent with the percentage system for assessing expenditures of items. Mr. Barbour stated that staff has been asked to review the current policies as well as the system that predated the current expenditure policies list to compile equipment cost data.

c) 911 Fee Recommendation for FY16

Jason Barbour said that by statute at this time of year, the Board must address the 911 fee. Mr. Barbour brought the funding committee’s suggestion to the Board that they maintain the current 911 fee structure for the next fiscal year. Mr. Barbour acknowledged that the fee would have to be raised eventually, but suggested that a fee increase be revisited next year after the cost of a statewide IP network is more adequately assessed.

Chairman Chris Estes moved to maintain the current fee structure for the next fiscal year and was seconded by Dinah Jeffries. Mr. Estes called for a vote and the motion was approved.

Update From NextGen 911 Committee Other Items

Jeff Shipp began by welcoming new Board member Rick Edwards. Mr. Shipp expressed regret that a motion for awarding the bid for a Technical Consultant could not be brought at this meeting and cited scheduling conflicts. He suggested that a recommendation could be brought before the Board at the April meeting.

Chairman Chris Estes opened the floor for any other discussion or items to be addressed. Mr. Estes invited Representative Blackwell to make any comments. Mr. Blackwell expressed that he was glad to have the Board in Burke County.

Executive Director Richard Taylor mentioned that work sessions are scheduled for May in Orange County that could potentially conflict with Memorial Day. Mr. Taylor suggested supplanting the Board meeting with work sessions and not have a meeting in the month of May. Jason Barbour expressed his wish that the Board use the scheduled time to discuss the “easy button” approach in order to ensure that it is completed by July 1, 2015 and not pushed back to July 1, 2016. Laura Sykora suggested that the meetings be held for shorter durations. Chairman Estes agreed with Ms. Sykora’s suggestion of a truncated Board meeting in order to address pressing concerns. Chairman Estes stated that the staff would handle the rescheduling and communicate the finalized schedule to the Board.

Chairman Chris Estes reminded the Board of upcoming committee meetings and again expressed appreciation for the Board’s work.

Adjourn

Chairman Chris Estes asked for any further business and none was brought.

Chairman Chris Estes made a motion to adjourn at approximately 11:45 a.m. The motion was seconded. Unanimous vote to adjourn.