

**North Carolina 911 Board
MINUTES
3514A Bush St, Raleigh
August 28, 2015**

<u>Members Present</u>	<u>Staff Present</u>	<u>Guest</u>
Jason Barbour (NCNENA) Johnston Co 911 [911 Board Vice Chair]	Tina Bone (ITS)	Jeryl Anderson-Orange Co Emergency Services
Darryl Bottoms (NCACP) Pilot Mountain PD	Richard Bradford (DOJ)	Teresa Bank-OITS
Ninnet Bowman (pending VoIP representative from TWC)	Dave Corn (ITS)	Randy Beeman-Cumberland Co ES
Eric Cramer (LEC) Wilkes Communications	David Dodd (ITS)	Rachel Bello-Wake Co
Rick Edwards (CMRS) Sprint	Karen Mason (ITS)	Mike Bornes-Holly Springs PD
Chris Estes (NC State CIO)[911 Board Chair]	Marsha Tapler (ITS)	Nikki Carswell-Burke Co EOC
Margie Fry-(VoIP) TWC [retiring Board member]	Richard Taylor (ITS)	Lewis Cheatham-Guilford Metro 911
Andrew Grant (NCLM) Town of Cornelius [phone and web]		Debora Cottle-New Hanover Co 911
Len Hagaman (Sheriff) Watauga Co		Anna Curtis-Burlington PD
Dinah Jeffries (NCAPCO) Orange Co Emergency Services		Brian A. Drum-Catawba Co 911
Robert Smith (LEC) AT&T		Tammy Dyles-High Point 911
Jeff Shipp (LEC) Star Telephone		Lisa M. Falkner-Vance 911
Jimmy Stewart (NCAREMS) Hoke Co 911		Greg Foster-Alexander Co 911
Slayton Stewart (CMRS) Carolina West Wireless		Ellis Frazier-Yadkin Co S.O./NCAPCO
Laura Sykora (LEC) CenturyLink		Del Hall-Stokes Co
		Kenyon Harris-Burlington PD
		Bence Hoyle-Cornelius PD
<u>Members Absent</u>	<u>Staff Absent</u>	Kelly Hoyle-Mt Holly PD
Rick Isherwood (CMRS) Verizon		Wes Hutchens-Forsyth Co
		Judy Jenkins-Cornelius PD
		Eric Kerns-Burlington PD
		Glenn Lamb-Guilford Metro 911
		Mike Martin-TriTech
		Karen McDaniel-Stanly Co 911
		Allen Moore-Rocky Mount PD 911
		James Moore-Rocky Mount PD
		Melanie Neal-Guilford Metro 911
		Dominick Nutter-Raleigh/Wake ECC

		Tonya Pearce-Durham 911
		Trey Piland-Dare Co S.O.
		Lisa Reid-Fayetteville PD
		Jason Reavis-Vance 911
		Brian Short-Vance 911
		Todd Sims-Mecklenburg EMS Agency
		Candy Strezinski-Burke Co EOC
		Herb Swaim-Forsyth Co
		Rick Thomas-Apex PD
		Corinne Walser-Mecklenburg EMS Agency
		Keith Whitfield-Durham
		Michael A. Whitley-Rocky Mount PD 911
		Nancy Williams-High Point 911
		Jeff Wood-Burlington PD
		Doug Workman-Cary 911
		<u>WebEx Guest Attendees</u>
		Ron Adams-Southern Software
		Tammy Aldridge-Rutherford Co
		Mike Catagnus-Edgecombe Co S.O.
		Michael Cone-Wilson Co 911
		Mike Edge-Scotland Co 911
		Liz Hodgis-Currituck Co Communications
		Jeff Holshouser-Airbus Communications
		Grant Hunsucker-Montgomery Co 911
		Chad Ives-City of Havelock IT
		Lloyd Moskowitz-Gaston Co Police Communications
		Philip Penny-Mission Critical Partners
		Laurie Piche-Orange Co Emergency Services
		Wesley Reid-City of Greensboro
		Eileen M. Selby-Dare Co S.O.
		Gwen Snowden-Chatham Co Emergency Operations
		Jim Soukup-City of Durham 911
		Matt Stevens-Boone PD

		Tammy Watson-Pineville Police Communications
		Donna Wright-Richmond Co Emergency Services
		Brenda Womble-Wilson 911

Chairman's Opening Remarks

At 10:00 AM 911 Board Chair Chris Estes welcomed all in attendance and, while observing that there was a very full agenda for the meeting which he hoped to move through quickly, mentioned there were some items which needed to be addressed first. One was to recognize retiring Board member Margie Fry, which he did by presenting her with a plaque in recognition of her service. 911 Board Executive Director Richard Taylor pointed out that Ms. Fry has been a Board member since 2008, the very first Board member representing a VoIP provider. He praised her for doing extremely well at representing VoIP providers and extremely well at hosting many 911 Board meetings at the TWC corporate facility in Morrisville, saying she has been an absolute wonder to work with who "took over the Education Committee and ran with it." He noted the Board did its first public service announcements through the help of TWC; that she was always there to help when the Board needed to know how to do something in a particular market—turning this up and turning that on—and that the Board will miss her. Ms. Fry said it had been a pleasure for her to be a member of this Board; that it has been an honor to sit at this table with all the other Board members that "make this work." She added that while she feels a little sad in leaving, she figures there will always be room for some volunteers, so "you never know when you might see me."

Chairman Estes then introduced Ms. Fry's replacement, Ninnet Bowman, also of TWC, who will be sworn in after some outstanding paperwork is completed, and will not become a voting member of the Board until that is done, hopefully by the next meeting. He thanked Ms. Bowman for volunteering her time and service, observing she has big shoes to fill. Mr. Taylor said that when he first met Ms. Bowman he learned she is Ms. Fry's counterpart in Charlotte, and, "The really good thing is that Margie is the one who trained her, and although she may indeed have big shoes to fill, she comes with high qualifications." Ms. Bowman thanked him, and Chairman Estes said he was sure the "Charlotte contingent" will appreciate having her represent "the Great State of Charlotte", noting that he is a "Charlotte-ean" himself. He then asked Mr. Taylor to call the roll so they could get the meeting going.

Mr. Taylor asked if Board Member Andrew Grant was online, who replied he was, and then moved to visitors attending online (as listed on the attendance page). Chairman Estes thanked Mr. Taylor and reminded attendees online to please remember to keep their phones on mute unless they are speaking. He then moved on to the Ethics Awareness/Conflict of Interest Statement.

Ethics Awareness/Conflict of Interest Statement

Chairman Estes read the ethics awareness/conflict of interest statement printed on the agenda and asked Board members to indicate if they felt they had any conflict or potential conflict of interest with any of the matters scheduled to come before the Board today. Stating she had not been able to review in detail the City of Rocky Mount appeal regarding its grant award denial to see if CenturyLink was involved, Board Member Laura Sykora said she would abstain from any vote on that. Hearing no others, Chairman Estes noted that if during discussion anyone becomes aware of a potential conflict to please simply speak up so the meeting minutes will correctly reflect that.

Consent Agenda

Chairman Estes turned the floor over to Mr. Taylor to discuss the consent agenda. Noting the consent agenda was available in the Agenda Book on the Board website, Mr. Taylor said he had distributed the minutes of the July meeting last week, and the Monday teleconference yesterday, and had not received any corrections for either one, so he asked if anyone had any corrections to make now. Hearing none, he

reminded everyone that all the other staff reports were available online in the agenda book and quickly went through the financial report (also in the agenda book), reporting that CMRS fund revenue for the month was \$755,329 with \$263,884 paid out in disbursements. Noting that prepaid revenue at \$1.3M showed a big bump up, he explained that companies have the option of paying monthly or every six months, and the bump is caused by the six-month payments. Mr. Taylor said money has not been moved out for the grant allocation, which will happen next month, but PSAP payments were ~ \$4.3M. Turning to the Grant Fund report, he reported \$20,217,933 was encumbered, and after the encumbrance the balance was \$908,352. He observed several grants are near closing out: the Rockingham and Burke County grants are closing out with just some extensions to clean up paperwork and last minute expenditures, and Bladen County had been overpaid a little bit and was sending some money back. He asked if there were any questions, and hearing none, Chairman Estes said he would welcome a motion to approve the consent agenda. Ms. Sykora so moved, Ms. Fry seconded, and the motion carried unanimously.

Rulemaking Public Hearing

Chairman Estes next moved to the Rulemaking Public Hearing section of the meeting. He began by reading a walk-through of the rulemaking hearing process: "The purpose of the hearing is to receive comments from those present who wish to speak on the proposed adoption of the 911 Board rules. Thirty-three (33) rules are proposed for adoption and a summary of each rule will be read. Copies of the proposed rules are available for you at the back of the room. The rules along with the fiscal note submitted to OSBM are also available on the 911 Board website. After the summary of the rules has been read, the Board will entertain questions about any of the rules. Anyone wishing to comment will be allowed to do so. You will be invited to the podium where it will be requested that you state your name, your employer, for the record, and you will be allowed a maximum of five minutes to make comments on the proposed rule amendments. Currently we have three speakers registered to speak, so we'll call them up in a few minutes."

He continued by reading the summary of the rules which had been posted on the 911 Board website in the meeting agenda book at:
https://www.nc911.nc.gov/Board/agenda/Book/20150828_Tab04_Chapter%2009%20NCAC%2006C.pdf
He said he would refer to each section and rule using the four digit suffix to each following the decimal point.

Upon completion of that reading, Chairman Estes invited the first speaker registered to comment, City of Jacksonville Police Chief Mike Yaniero, who was attending via WebEx, to share his comments with the Board. Chief Yaniero began by stating that he supports the implementation of standards, noting that the Jacksonville Department of Public Safety is accredited through Fire and Police and is attempting to contract through CALEA (Commission on Accreditation for Law Enforcement Agencies, Inc.) to have its communications center accredited as well, but added that he does have some concerns. He defined a standard as "...a declaration or statement that places clear cut requirements on an agency...", observing it could be a policy or a procedure or a rule or regulation, but also could be an activity or other actions, and also observing that there is a difference between best practices and standards.

Chief Yaniero expressed concern that in a number of the proposed rules he does not understand what the intent of the standard is. Using the same citing format as Chairman Estes had done when reading the summary, he first cited §.0207(d)(1): "Ninety (90) percent of emergency 911 calls received on emergency lines shall be answered within ten (10) seconds," saying that he would advocate that as a best practice, as a goal, and the standards should reflect how to achieve that goal, whether through a self-improvement program, a quality improvement program, or something similar to that.

Turning next to §.0207(c)(1), "There shall be sufficient Telecommunicators available to effect the prompt receipt and processing of emergency 911 calls needed to meet the requirements as specified herein," Chief Yaniero asked, "What does that mean? How will it be determined? Who's going to make those kinds of decisions?" He speculated that a standard of this type maybe should use an annual audit or an annual staffing level in order to accomplish that goal.

Moving to his third point, Chief Yaniero addressed supervisor accessibility [§.0207(a)(8)], saying a lot of PSAPs are only one person, so to have a supervisor on call, what does "immediate" mean? What is the

purpose of this standard? What about agencies like his that have police and fire supervisors on staff; is that going to be "readily available"?

Chief Yaniero next turned his attention to §.0208(a)(7), "PSAPs shall be designed to accommodate the staffing level necessary to operate the center as required by the Rules set herein," saying "What does that mean; how are you going to apply that; who is going to determine that?" He added he has a lot of questions about how the compliance process is going to occur. He summarized that many of the standards he's read lack specific technical language that would aid in the compliance process. He observed that standards are an agreed-upon way of doing something, and in order to gain agreement, especially in the compliance review, a standard needs to be as objective as possible. He said he doesn't see that in a number of these standards.

Chief Yaniero said he thinks that "...you should leave the "how" to achieve a goal to the locality and just set the goal." He also said he thinks "...you need to consider some test sites before you implement these standards. Send them out; do some test sites so that we can see how these standards are going to be applied and how effective they're going to be." He noted that even in the CALEA process his agency has spent a great deal of money and time going through this process to make sure that they have all the standards met. He said he sees this as costing local government quite a bit of money in order to ensure those compliance processes, reiterating that he thinks these standards need to be more objective than subjective.

Chief Yaniero then thanked the Board for its time and the opportunity to express his views. Chairman Estes thanked him for his comments and assured him they would be reviewed by the Standards Committee.

Chairman Estes next turned the floor over to Ellis Frazier. Mr. Frazier introduced himself as current President of the North Carolina chapter of APCO (Association of Public Safety Communications Officials) as well as the Communications Director of the Yadkin County Sheriff's Office. He mentioned he had also been asked to speak on behalf of the North Carolina chapter of NENA (National Emergency Number Association). He said that essentially he would like to echo some of the comments of Chief Yaniero in saying that some of the current recommended standards "...hold rather ambiguous statements". He added that they (the organizations he represents) are not opposed "in any way, shape, or form" to standards, as they agree they are needed. He said "We provide a service, and there needs to be a standard of service that we provide that can be met openly," adding "We can never truly meet the expectations of a standard if they're not clearly defined."

Mr. Frazier said that some of the examples they are concerned with are the standard that's covered on page 27, §.208, *Public Safety Answering Point Facilities*, (a)(1): "Any Primary PSAP, Backup PSAP, and Secondary PSAP that receives 911 Funds from the NC 911 Board shall comply with all NC 911 Board Rules." He observed that the organizations he represents have a concern that military PSAPs may possibly be funded in this state using money from the 911 fund. He said their concern is that any agency which currently receives funding from the 911 Board shall meet requirements which allow compliance checks and most certainly shall comply with all North Carolina 911 Board rules, but in the case of military PSAPs the money would, as they understand it, almost certainly be allocated to the Department of Defense general fund, which would not allow military PSAPs to be subject to state compliance checks, nor would it allow the 911 Board access to records to confirm that the money was being spent specifically in adherence to the 911 Board rules. Although he acknowledged that is currently only a possibility, and will not necessarily come to fruition, it obviously causes them concern. He observed there is talk about denying funding to PSAPs which receive less than two (2) 911 calls per hour when they currently exist and provide a service which is needed in their community, in contrast with talk about funding military PSAPs in a time and place where there are currently PSAPs operating which handle the 911 calls and traffic, in some situations, that are requested from those members of our military that are on base. So in the one instance, he said we're talking about forcing consolidation of smaller centers in an effort to save money while possibly writing a blank check to military base PSAPs without even being able to know how the money is being spent.

Mr. Frazier reiterated that again, they (the organizations he represents) are not opposed to any standards; they would just like to see that there are some more specific and definitive standards which can be met without cutting services, without cutting PSAPs, and a more economical approach. He said

that their commitments lie not with a specific state agency, not organizations or associations, nor with some misguided liaison, but instead remain focused on providing service to our citizens, responders, and personnel alike. He concluded by saying they wish to create and continue to assist in the creation of standards which provide equal access and applicable funding for what we currently have without reduction in service.

Chairman Estes thanked Mr. Frazier for his comments and turned the floor over to Town of Cornelius Police Chief Bence Hoyle, who is also the President of the NCACP (North Carolina Association of Chiefs of Police). Chief Hoyle thanked Chairman Estes and said he appreciated the opportunity to speak. He remarked he was not sure he could drill down adequately on a list of rules that took ten minutes to read, eliciting laughter from the group in reference to Chairman Estes' exhaustive reading of just a summary of the rules, but said he would just get started anyway, saying he understands the complexity of the rule making process. He noted that in addition to being President of the NCACP he also serves on the 911 Board's Next Generation 911 Committee and had to give a shout out to the members of that committee because it's a very complex thing and will be a very expensive process, so he understands cost cutting.

He stated that members of the Chief's Association have been concerned and opposed for some time to rules and standards that force the consolidation of PSAPs. He said they believe that some of that intent is in these rules, or some still believe it, but they also believe the Board is approaching it in the proper way by promoting grants for consolidation that he thinks will adequately reduce the number of PSAPs. He said their concern with these rules is around operations, as has been mentioned by both previous speakers today. He added that despite their strong opposition to some of these standards that he is going to mention, starting in §.207 *PSAP Operations and Management*, the Chief's Association and all the Chiefs he has spoken with are very supportive of standards; they understand there is inadequate PSAP performance in some areas. He noted they particularly support the backup system requirement; they think it's long overdue and appreciate it. Citing mandatory training programs for personnel, he said "We all know that's important and support that 100%, as well as good performance standards like the 90% rule," adding that they believe in those measures.

Chief Hoyle continued by saying the problem they have is with the 911 Board getting into the operations of the local PSAP; that they believe the 911 Board should limit the scope to technical and performance standards only and not attempt to dictate operations/personnel resources that are not fully funded separately by the Board. Noting he's taught performance measurement at the master's degree level and is very familiar with it, and that those who are familiar with it know that we can really define operational standards through performance measurement because if you have to meet those benchmarks you "...have to do what you have to do to meet them." He said the Board doesn't need to get into operational standards at the local level to reach its goal. He postulated that the 911 Board should focus on what performance is in each PSAP, not "...how those benchmarks are met."

He continued that they respectfully request at a minimum that the Board eliminate those operational standards, make a valid attempt to use benchmarks, (mentioning as an aside that there are some professionals out there that can help do that; that can really align those benchmarks well) and let's see how that works before we get into operational standards. He speculated that he thinks the Board will find that a lot of the opposition it's seen to the standards will really turn around if it will just stay out of the local operations.

Chief Hoyle observed that 911 calls are "...the most important thing we do, there's no question about it." He continued, "But in some PSAPs, that's only a third of what they do. It's still the highest priority; everything else gets dropped when a 911 call comes in. But in reality it's not everything a communications center does. So we believe that by staying out of that and focusing on the minimum performance standards, you're going to get a lot farther with compliance than you would otherwise."

He said he wanted to just briefly mention a couple of other things. Citing §.0107(b) under *Hearings*, he observed it says little things like the envelope should be labeled "911 Funds Request for Hearing", and suggested that just as a "maintenance thing" he'd recommend that the Board change that to "clearly mark that it's an appeal" and not get into those little details. He cited §.0107(c): "Any additional information requested by the Board shall be submitted within the time periods established in order to expedite consideration of the request" and "...to comply expeditiously with a request for information by the Board..." as another example, saying the Board should be more specific about those. He said he thinks

there is a lot of burden on the PSAPs to meet certain deadlines but there is not a lot of expectation that "...we'll know answers between them." He next turned to facilities, §.0208(a)(2): "All equipment, software, and services used in the daily operation of the PSAP shall be kept in working order at all times." He said, "Think about that. That's a literal statement. Everything breaks, everything goes down. I think you should state that as an up-time percentage; technically a center is in violation if it goes down under that standard." He advised to try to look at some of those literal statements and try to come up with ways to do something like a 99.9% up-time. He noted he was out of time, but that he had some other "maintenance things" he wanted to bring up, so he would send them to Mr. Taylor.

Chairman Estes thanked Chief Hoyle, saying he would appreciate the written comments being sent to Mr. Taylor so the committee can look at them. Noting that these three speakers had pre-registered to speak, Chairman Estes asked if there were other people in attendance or on the phone who would like an opportunity to speak before the Board. Lloyd Moskowitz replied over the phone connection that he would like to offer comments. Chairman Estes recognized Mr. Moskowitz, but before turning the floor over to him, asked if there were any others who would like to get in the queue. Hearing from no one else, Chairman Estes turned the floor over to Mr. Moskowitz.

Noting he was with Gaston County Communications, Mr. Moskowitz said he would not reiterate what had already been stated by others, which he said he was in agreement with. He added, however, that there are two items he would like to address, one of them being best practices. Citing §.0207(f), where the standards speak to recording devices, he said there are a lot of standards which are very specific, but when it comes to recordings this does not address any type of retention period, which is something he thinks we would want to address, either in accordance with the "state's actions" or just with best practices in terms of how long to retain audio recordings. He said that if you don't want to make the standard statutory, at least provide some best practices or recommended retention period.

Similarly, he cited §.0208(b) under Power, where it talks about UPS systems, saying he thinks again it would be good to put in a best practice of what the minimum runtime should be, such as sufficient to run your comm center for two hours or four hours or whatever the Board would establish to be an appropriate time.

Moving to the second item he wanted to address, he acknowledged that NCGS 62A does, by definition, assign Powers and Duties to the 911 Board (NCGS §62A-42). He then cited §.0207(b)(1) where it talks about telecommunicators and supervisors shall be certified in skills and abilities, saying he finds that a little bit troubling in its vagueness; it's not specific, there are no specific standards mentioned, and he's concerned about how you certify something if you don't have actual written, defined standards. Moving to §.0207(c)(1) where it talks about staffing: "There shall be sufficient Telecommunicators available to effect the prompt receipt and processing of emergency 911 calls needed to meet the requirements as specified herein", Mr. Moskowitz observed that he kind of sees that as an unfunded mandate because, although there are other factors, the main driver for not being able to receive calls promptly is the number of personnel you have on duty, and obviously if you create a standard and the local government does not support the PSAP (e.g. provide sufficient personnel), then the PSAP is out of compliance due to a situation which is beyond its control, namely salaries.

Turning to §.0207(d)(1) where it talks about 90% of 911 calls shall be answered within a timely fashion, he said he absolutely agrees with that, but again what happens if you are non-compliant; what happens if you don't? He said that is his concern because "...we never seem to get to that last part."

He next addressed §.0103 "where it talks about scope", saying again that this seems to be an important thing because it's mentioned three times: "To establish the required levels of performance and quality of installations of emergency services communications systems" [§.0103(b)(4)]. Next he went to §.0203 where it talks about termination and suspension of 911 funds until a PSAP "...complies with the requirements of applicable statutes, these rules, and the Board's standards, policies and procedures," [§.0203(c)], saying the same thing is stated on page 27 under §.0208(a)(1): "Any Primary PSAP, Backup PSAP, and Secondary PSAP that receives 911 Funds from the NC 911 Board shall comply with all NC 911 Board Rules."

Mr. Moskowitz said, "Here again, that's my concern. You create these standards, some of them are defined, some are not, some are unfunded mandates that put the onus on the 911 Board for compliance,

which again is maybe beyond their control.” He then returned to NCGS §62A-42, Powers and Duties of the 911 Board, citing §62A-42(a)(4) where it says “To establish policies and procedures to fund advisory services and training for PSAPs, to set operating standards for PSAPs and back-up PSAPs, and to provide funds in accordance with these policies, procedures, and standards,” saying his interpretation of that is that if the Board sets standards for things such as training that there is a mechanism to fund those standards if you want compliance. He continued, “So that’s my main concern, that if you establish these standards and guidelines, which I’m not against, that I think that there is a mechanism embedded in 62A to at least create a mechanism to fund these so that the PSAPs can at least be in compliance with your standards and guidelines.”

Chairman Estes thanked Mr. Moskowitz for his comments and asked again for other comments in the room or on the phone. Hearing none, he observed that the Standards Committee has been working on these standards for some time, and has gone through the rule-making process and will continue to go through that, so he would like to thank everyone for participating and providing feedback to the Board. He added that the 911 Board will continue to receive written comments until 5:00 PM today, so if anyone has written comments to submit please get them to Teresa Bank (whose contact information is on the website) by then. He noted that they also have some written comments that were provided to Board members before the meeting, and ultimately all comments will be aggregated together. He said the next steps in the adoption process will be for the Board to review all oral and written comments to determine if any revisions should be made and to propose text of the rules prior to submission to the Rules Review Commission. If substantial revisions are made to the proposed rules, the Board will hold another public hearing at a later date. Interested parties will be notified if another rule-making hearing is to be held, and information about the rule-making process will also be posted on the 911 Board website. Chairman Estes then announced this concludes the rule-making hearing section of our meeting today.

He also added that the Standards Committee does have a meeting scheduled for Thursday, September 10th at 10:00 AM in the Banner Elk Room of 3514A Bush Street (this building) in Raleigh, NC. He noted that the committee will be reviewing the comments received at that time and deciding upon the next steps to be taken in the rulemaking process. He encouraged all who have offered comments as well as anyone who might have some ideas about how to make the rules better to meet the needs of all the PSAPs to attend that meeting, pointing out it is a public meeting and they are welcome to come and provide their input. He once again thanked all who had presented comments, saying their feedback is welcome and encouraged.

Executive Director Report

Chairman Estes invited Mr. Taylor to give the Executive Director Report as the next item on the agenda. Observing that the budget was obviously the big focus on Jones Street, he reported that all of the bills the Board has been following with the exception of H512 remain where they were when he reported on them at the last meeting. He said that H512 to Amend/Clarify Backup PSAP Requirements did pass and has been signed into law by the Governor as Session Law 2015-219. Reminding all of how he reported in July that language from H730 regarding how counties and municipalities should handle dispatch services had been added to the bill because it was moving, he said that it was removed from the bill before passage. He also reminded everyone that H512 was the one where folks from Pitt County had asked for an extension to meeting their backup PSAP plan implementation beyond July 1, 2016, and that this bill allowed the Board to grant an extension up to July 1, 2017 if they were making substantial progress toward that implementation.

Mr. Taylor added that Section 2 of the bill ties in with a topic the Board’s been talking about for quite some time regarding uniform procurement, or a catalog, for 911 eligible expenses. It charges the Board to investigate options for providing that service and report back to the Joint Legislative Oversight Committee on Information Technology next May. He speculated that will be turned over to the Funding Committee to work on, or a subcommittee of that committee. Saying that about summed things up legislatively, he did add that the information voted on last Monday regarding potential changes to 62A has already made it downtown, and he has been trying to schedule a meeting with Representative Boles since he was the one who really had some concerns, especially over creating the Next Generation 911 Fund. Mr. Taylor said it was his understanding that Representative Boles has been keeping up with the actions of this Board, and thinks he knew Monday night that the Board had met and what the discussion was and what had been approved. Mr. Taylor stated he didn’t know what will be accomplished between now and the

end of the legislative session, and it's possible some or all of that language may be put in before then but he simply doesn't know yet. He said he'll know more probably next week after hopefully meeting with Representative Boles and probably Representative Saine as well, but everything looks very positive.

Mr. Taylor next moved to his FCC update, observing that there are a lot of things going on there right now. He said location accuracy is a huge thing right now, and PSAP operating architecture is another big thing going on. He mentioned staff member David Dodd had heard FCC Chairman Wheeler speak at the National APCO Conference last week, adding he knew Mr. Wheeler back when he was running CTIA (Cellular Telephone Industry Association) and that he's quite an individual; he does not mind saying what is on his mind. Mr. Taylor observed Mr. Wheeler has really "taken the banner for 911 up," and is very concerned about next gen 911. Mr. Taylor then projected some excerpts from the Chairman's APCO presentation onscreen because he thinks this will help everyone understand where the FCC is looking and what it's looking for from Congress.

One of the excerpts which caught Mr. Taylor's attention was one calling on Congress to authorize establishment of a national maps database. Mr. Taylor said the 911 Board has been saying for several years how important the orthography program is, and to hear the FCC Chairman say we need a national maps database underscores that. He said that these are not just "pictures being taken" but "maps that are being generated," pointing out that our mobile generation's communications do not stop at county lines or state lines; that we have to be able to share maps across our boundaries. Referring to the Chairman's statement, "While Congress has enacted important 911 legislation over the last 20 years, the legislative framework largely adopted in 1999 has been outstripped by changes in technology," Mr. Taylor observed there's not a person who works in a PSAP that can tell you they're working with the same stuff today that they were working with in 1999, adding that how folks contact 911 is changing all the time. Moving to the next quote from Mr. Wheeler's text, Mr. Taylor emphasized that it is very important: "To effectively implement NG911, we need to amend our laws in a way that reflects the changing realities on the ground." Mr. Taylor stressed that means not continuing to do it the same way we've been doing it for thirty years; that "It's a whole new ballgame out there, and we've got to change our laws to reflect what's really going on, on the ground."

Excerpts from Mr. Wheeler's presentation also included, "...the maps our PSAPs use to identify where callers are calling from should not end at the county or state line" and "Congress could authorize establishment of a national maps database...", prompting Mr. Taylor to reiterate how important these maps are, and how incredulous he was to learn at the first North Carolina PSAP managers meetings that many of them did not have maps of adjoining service areas, usually because the IT departments, rather than the PSAPs, were, for various reasons, not willing to do that. He stressed how important it is that the maps generated from the orthos are not intended to be just for the city or the county, but for their neighbors as well.

Mr. Taylor continued with Mr. Wheeler's comments about grants: "More broadly, additional federal grants to states could help pay for the capital costs of implementing NG911. Congress provided \$115 million in grant funding as part of the in grants from auction proceeds in the Middle Class Tax Relief and Job Creation Act of 2012. That's a good start, but more can be done." Mr. Taylor observed that \$115M distributed among the 50 states and the U.S. territories is not a lot of money, and mentioned as an aside that the Middle Class Tax Relief Act is also where FirstNet is authorized.

Mr. Wheeler also stressed the importance of public safety answering points addressing cybersecurity issues in his remarks: "The simple truth is that PSAPs—particularly smaller PSAPs—are not well resourced to address this fight and in many cases cannot afford to face it alone. One way to help PSAPs protect themselves against cyberattack would be for Congress to incent the development and use of shared Security Operations Centers supporting multiple PSAPs." Mr. Taylor pointed out that staff member Tina Bone holds her Master's Degree in Cybersecurity, and attended the Cybersecurity Workshop at APCO, and both he and she are very pleased with the Chairman's drawing attention to it.

Mr. Wheeler cited a number of actions the FCC has taken since last year on 911 and NG-911 issues, including efforts to enhance 911 communications continuity and reliability, bolster location accuracy, and improve governance: "To date, the transition to NG-911 has been too slow and too ragged and as a result, has been increasing the overall cost and risk while leaving us well short of our goals of improving emergency response and saving lives." Mr. Taylor said "Marsha can tell you what the cost of doing

NG911 is; across the board, it's unbelievable." He added that is one of the things they try to work with the PSAPs on, to be careful buying what you think is NG911 because you can spend a lot of money real quick.

Mr. Taylor's next citation from Mr. Wheeler's remarks was, "...state and local authorities must maintain legacy communications capabilities during a transitional period," and he spoke to how the NG911 committee has talked about this very topic over and over again because they know we're going to have to run two 911 networks at the same time, and that's going to be expensive. Continuing, Mr. Wheeler said, "Maintaining two infrastructures increases cost and complexity at a time public safety resources are already stretched razor thin. But it's not a unique experience; throughout our communications infrastructure, this is being done - and done successfully." Scanning a little further down the page, Board Member Jeff Shipp pointed out the comment "...just because the slow implementation of NG-911 is understandable does not make it excusable," and observed, "He's (Mr. Wheeler's) on a mission, and he doesn't mind circumventing states' rights sometimes." Mr. Taylor replied, "Yes he's on a mission! If you remember, he made a statement last month that circumvented states' rights and it scared the daylights out of me, and should everybody else, too, but he's the man that gets things done." He speculated that what Mr. Wheeler is basically saying is states and local governments aren't getting things done, and their customers are the people using the wireless and wireline network.

The final comment that Mr. Taylor highlighted was, "Today's fractured implementation of 911 and NG-911 capabilities leaves Americans confused and at greater risk. Lives are at stake. We have to do better." Mr. Taylor concluded his remarks by saying that Mr. Wheeler is very much into taking care of 911, especially NG911, very concerned about it, very outspoken about it, and the eyes of the FCC are watching every single state, so it's not something we need to be messing around with. He then asked if there were any questions or comments.

Board Member Rick Edwards asked if Chairman Wheeler said anything about NSI phones, and Mr. Taylor replied that is something where progress may actually be taking place. He said there is an attempt, probably the best he's seen in the last ten years, to stop requiring uninitialized phones to be able to connect to 911, but it's not an easy fix, especially since congress was the motivating force behind that requirement.

Addressing Chairman Estes, Board Member Jason Barbour said he didn't know whether it would fall with the FCC or NG911, but Johnston County has turned on text to 911 and "...it's not been pleasant." He said they spent most of the day Saturday working with Raleigh/Wake 911 trying to resolve a problem caused by a phone app for domestic violence victims, wherein Johnston County received a text mid-morning that said, "Emergency, please send help," with no further information. Mr. Barbour said when somebody activates the app, it locks the phone up, so nobody can respond, either by text or voice. So Wake County Sheriff's Office and Johnston County Sheriff's office spent the better part of the day trying to locate this person. He added that Johnston Co 911 is also beginning to see x/y coordinates come in with the texts, and he thought they had been told that wasn't going to happen. He said they didn't know whether the coordinates were for the tower or the caller, but discovered they were for the caller, and he had been told that wasn't possible. Mr. Taylor concurred, saying that was what he had been told as well; that the only coordinates which might possibly be delivered were those of the tower site, not the handset, but that's not to say that somebody isn't doing it. Mr. Barbour reiterated that Johnston County's experience with text to 911 thus far has not been a good one. When asked if they ever located the person and if help was really needed, he said they did eventually locate the person, but it had been a misdial. He added that he and his staff have tested a few NSI phones to see if they can text to 911, and as far as they've been able to determine, they cannot, so he's hoping that will not become an issue.

Board Member Dinah Jeffries said she thinks the availability of coordinates is hit and miss, because her PSAP (Orange County) is not receiving anything. She observed they are, however, being extremely aggressive in Orange County with public education, advising people against texting if they cannot advise their location. Mr. Barbour added that the technology is still not perfected, saying he placed a test text to 911 while in his PSAP in Smithfield and it routed to Raleigh/Wake 911. Ms. Jeffries said they received their first one from Durham. Mr. Barbour asked if NASNA (National Association of State 911 Administrators) might be able to help with this, because it is going to be a big issue, adding that the problem of uninitialized phones will pale in comparison to this. Mr. Taylor said he wanted to get together with Mr. Barbour on Monday to discuss this so he can share it with NASNA. He added he had heard there

were apps out there, but did not realize what the apps were doing. When he asked if Mr. Barbour knew which app it was, he replied he could find out.

Appeal by City of Rocky Mount Regarding 2016 Grant Award Denial

Moving to the next item on the agenda, Chairman Estes said he knew many people have wondered if the Board has an appeal process, which it does, as evidenced by this agenda item. He asked Chief James Moore from the City of Rocky Mount to come to the podium to present his concerns.

Chief Moore thanked Chairman Estes and introduced Allen Moore, the City of Rocky Mount Communications Manager and Lt. Mike Whitley, who was the grant writer for the application. Observing the Board has the information, he reviewed that the City of Rocky Mount had applied for \$379,600.00 in grant funding, and noted that he hadn't been aware of the "theme" of today's meeting, referring to the Rulemaking Public Hearing earlier in the meeting. He observed that two of the speakers during that hearing referred to ambiguity and subjectivity, noting that when his agency received a copy of the scoring matrix from the Board staff it took a while for them to understand it. He said Mr. Taylor's response to them about the grant award was, quote, "Your proposed plan may sound reasonable, but funding without plan approval would not be reasonable. The grant committee scoring reflected the lack of an approved back-up plan." Chief Moore said that's the ambiguity because they contacted Mr. Taylor before they became involved in the grant application because nowhere in the application did they find a prerequisite that a backup PSAP plan must be approved before requesting funding to implement such a plan. He said that's number one, and number two is with the new language in 62A a facility is not required for a backup plan, so what is the standard for a backup plan without a facility?

Chief Moore continued that he had spoken with and asked questions of staff members Tina Bone and Dave Corn, and in his opinion received different information from each of them, so for this grant application, he instructed his staff to contact Mr. Taylor directly to make sure they get the information "from the top," which they did. He said, "However, in the grant application, we were only asking for less than \$380K, the city was going to spend \$700K to implement this backup plan." He added that Rocky Mount currently has a backup plan with Nash County's 911 center, but an "informal" email stated that process isn't good enough, although it's the same process they've had for over two decades, even during the 1999 floods which devastated the Nash and Edgecombe county region. He said, "In fact, we've implemented so many redundancies in our center with backup to the backup to the backup to the generators, UPSs, for our current facility, and as you're aware, most of the time, even nationally, the issue with phone calls coming into a 911 center is either by the phone provider or by the phone switch provider. Like we know in this country the largest switch issue was with Intrado in the state of Washington in 2014, but we have so many rules directed at the PSAPs making sure they get the calls, but I also want to make sure we're looking at the totality of the process."

Chief Moore observed that what they're appealing today, "understanding the ambiguity," is that they feel they applied based on all of the "confines of the grant application", and reiterated that the application did not state that a backup plan had to be approved prior to submitting the application. He then said, "But, according to Mr. Taylor, that was the reason we were denied." He reiterated that they want to make sure, even if they're not approved for the backup plan, what would be the minimum standards for a backup PSAP without a separate facility as they move forward, because they're trying to make substantial progress to ensure they are servicing the 56K citizens of the City of Rocky Mount. He concluded by saying he didn't want to drag on, but those were his main points, and if anybody had any questions, please just let him know.

Chairman Estes opened the floor to questions regarding Chief Moore's comments, and Board Member Slayton Stewart, also a member of the grant committee, said he would like to offer some comments. He mentioned that when he saw this item on the agenda he went back to review the scoring matrix, reminding everyone that there were 23 applications being considered with anywhere from a minimum of 13 to 24 criteria which committee members looked at for each. He added that although on the Rocky Mount application the significant deduction was due to not having an approved backup plan for the PSAP, even if that deduction was removed, the total score for the application would have been 138, whereas the three applications for which grant funding was recommended all scored in excess of 500, with one at 600. He observed that the committee had only a finite amount of money to award, and recommended funding for the three best plans overall.

Chief Moore responded that they felt that since the deduction for not having an approved backup plan was made, when people are scoring something, there is a tendency just as human beings be biased toward scoring low in all the categories once one category has been scored "majorly low". He said it is inadvertent, but is a bias that people have sometimes. Mr. Stewart observed that committee members had each scored the applications prior to the meeting where they made the award recommendations, but they did not learn until that morning which agencies had or did not have approved backup plans. He said he can understand the Chief's concern, but he would say that the committee did not have that bias because the members didn't know before they scored the applications. He encouraged other committee members to speak up, and also invited Mr. Taylor to share any comments he might have.

Mr. Taylor confirmed the scores were determined before the Grant Committee met to make award recommendations, so to say there was bias because of that one piece is not true. He said everybody on the committee had the applications for well over a month and they did their own scoring, and when they held the meeting, the individuals on the committee discussed each element of their scoring and came to consensus agreement on what each final score would be. He added the Board has tried to make it very clear that they want PSAPs to have a backup plan, observing that he had seen a reference in Chief Moore's paperwork to their current backup plan and observed that it might be able to be approved with something as simple as a few little tweaks here and there. He noted that a backup plan does not need to be as complicated as many people try to make it; it can be very simple. He said that from the information Rocky Mount has provided it looks like they've got a lot of the pieces and parts of an approvable plan in there, although he would have to sit down with staff to identify concerns, and once identified, correct any problems. He reiterated that the Board wants PSAPs to have backup plans, and wants to work with them to craft workable plans, because there are a lot of things the PSAP may not see that Board staff does, and vice-versa. He added that staff does not claim to know everything, but frequently can see things that haven't worked for other PSAPs and can help a PSAP avoid making the same mistakes. He encouraged Chief Moore to please take advantage of Tina Bone and David Dodd to help him develop an approved plan.

Chief Moore said he appreciates that, and welcomes the help of staff, but observed that away from these meetings and the declaration Mr. Taylor just made, emails they've received from staff have just said "this won't work". He said they need to know how to make it work. He said they get the ambiguity of what won't work instead of the determination of what will. Chairman Estes interjected that a good follow up may be for Chief Moore's team and Board staff to have a face to face discussion, or at least a teleconference, as opposed to just emails. Chief Moore thanked him, and then said that most of the projects that were funded were multi-million dollar projects, but that Rocky Mount was just asking for a little less than \$400K to fund a new center. He observed they are not building a new facility, just to utilize space in an existing fire station, so they are just requesting reconsideration of funding the grant for the Rocky Mount 911 backup plan, and Chairman Estes once again thanked him for bringing his comments to the Board.

Mr. Taylor interjected that it may be that much of the funding they have requested could be provided with a funding reconsideration request rather than a grant, although he would have to go back and review what they need to purchase. Funding Committee Chair Jason Barbour concurred, saying that since he is not a member of the Grant Committee he does not know the details of their grant application requests, but if proposed purchases include items that are eligible expenses for use of 911 funds, he would strongly encourage them to consider that approach rather than the grant route. Chairman Estes said it appears there are some paths forward for the City if we can get the right people together to look at the options and then come back with a recommendation to the Board. He asked staff to take that on, and if it needs to go back into one of the committees, then that can be done from staff's recommendation. He asked Chief Moore if that would be acceptable to him, and the Chief's response was it would be if it will happen, indicating their experience with the "ambiguity and subjectivity" of the grant cycle has left them very doubtful. Chairman Estes assured him it will happen, that he will personally make sure the meeting takes place, and that if Chief Moore is dissatisfied with the outcome of that meeting, he is certainly welcome to come before the full Board again.

Ms. Jeffries also thanked Chief Moore for his comments, observing it is extremely important to acknowledge that he had a perception that there was a biased process. She said it's not sufficient to just say "No, no, no, it didn't happen," whether it happened or not; that the perception has to be addressed. She said she thinks that is what the Board has to look at. She also said she heard his statement saying he received two different answers from staff and then "went to the top," and was told a reason why his

grant request was denied, and she's concerned that that type of misinformation, although it may also be a perception, must be addressed. She said she's "...going to beg you to reach out, and talk, and just be very, very on the table if you're not getting an answer, because I do think it's very easy for people to say, 'No, this won't work,' and you're sitting there left with 'Okay, then tell me what, so that I can go forward and make this work.'" Mr. Barbour also added that should they decide to go ahead with a funding reconsideration request, the deadline was fast approaching for doing that, so please do that quickly. Board Financial Analyst Marsha Tapler advised the deadline was actually today, but that given the circumstances of this request she will be more than happy to work with them on that.

Continued Discussion of Statutory Change Request Regarding Liability Language

Chairman Estes asked Board Member Laura Sykora to facilitate the discussion regarding liability language. Ms. Sykora observed that during the Board teleconference meeting on Monday regarding proposed statutory changes the conversation just jumped into some proposed language to address liability without going through the normal Board process of discussing and agreeing on concepts and then moving toward agreement on proposed statutory changes, so the first thing she would like to do is just back up and talk through why she sees this as an important statutory change. Noting they talked a lot on Monday about keeping the language up with current technology, doing things like striking the word "voice" out of a lot of sections they reviewed. She said that by expanding the types of providers which match the current technology, much like Chairman Wheeler was saying, and expanding liability protection to those other types of technologies which access 911 services, it opens the door for more vendors to participate. She observed the more vendors participate, the more competition there is, and the lower the cost becomes to the 911 Board for moving forward; that without such liability protection vendors will be more likely to factor into their prices the risk they would be assuming for this liability exposure. She said that's the basis for her suggestion, and what she would like to do is not necessarily focus on the language first, but discuss the concept with the Board and see if Board members are in agreement with the concept, then move on to discussing whether or not the language is appropriate to put forward as a Board much like it did Monday.

Chairman Estes invited Board members to comment, and Board Member Rob Smith began by stating that conceptually AT&T and other companies have supported revisions to statutes to bring them up to date with current technologies, taking into consideration the Wireless Communications and Public Safety Act of 1999 and then the Next Generation 911 Advancement Act of 2012 (part of the Middle Class Tax Relief and Job Creation Act of 2012). He said his concern is that anything we do needs to be a fresh start, observing that any language still using "voice communications service provider" has probably been around a long time. Observing that "back in the old days" the LEC (Local Exchange Carrier) "did it all" when it came to providing 911, from equipment to network and on, he said he suspects such language is a carry-over from those days because if you look at the tariffs for those companies from that time you will see similar language protecting the companies on everything that they put in regarding 911. He said now there are other 911 service providers and other vendors providing 911 service; we have wireless devices out there that were probably not available when this language was constructed, as witnessed by the fact that the legislature has come back and added some language along the way regarding VoIP. He observed he thinks we need to be cognizant of taking into consideration federal law, most recently the Next Generation 911 Advancement Act, adding he certainly supports correcting language so that it is up to date and provides the incentive for companies to provide the kind of services that we are asking for. He said there should be protections for PSAPs, for operators at the PSAPs, which the state may have in other sections of its statutes, but everybody needs to be under the protection umbrella in order for this to work. Mr. Smith speculated that the reason existing language was created was to protect against a catastrophic event such as a hurricane or even something as simple as a truck hitting a pole that knocks out a facility so somebody can't dial 911, i.e. something out of the company's ability to control. Without such protection, companies are not going to have the incentive to spend money and time to develop a good 911 system and support it, nor will PSAPs be able to focus on providing the best service they can, either. He concluded by apologizing for his long answer to laughter around the table.

Chairman Estes said he had asked Counsel, given the Middle Class Tax Relief Act content at the federal level referencing some liability protection, what are the implications on the state level? Observing that federal law usually trumps state law, he asked if, since the protections are in the federal law, we need to change the state law. Board Counsel Richard Bradford noted that as many in attendance probably know this is a very active issue with the FCC, and has been for some time, as the providers work with the

Commission and have consistently taken positions that they should have a continuation of the liability protections they have had over the years. He offered that the fundamental principle behind a lot of what Mr. Smith said is exactly the impact of a third party doing something that prevents a citizen from calling 911. He said the anecdotal app Mr. Barbour referred to earlier is the perfect example, and he thinks the issue is ripe for some due consideration. He said if this Board wants to take that up, that certainly is the prerogative of the Board, but it is something that is going on at different levels across the country in different states and at the FCC, and he thinks rushing may not be the best choice. Observing that federalism is what it is, the framework of our law, and the supremacy clause of the constitution says congress can trump out law, he said that's fine-it has many times. He added, however, there are many things which congress leaves to the states, such as TORT claims, and that varies from state to state, which frustrates a lot of companies that are multi-state companies, multi-national companies. He said he is *sure*, with emphasis on that word, that it frustrates communications providers to no end, but, that's the framework that we have. He related that the providers have been petitioning the FCC for quite some time to try to have a law that applies everywhere that is a liability shield. He said if congress does that, or thinks it can, then it may, and then we will have some certainty to work with, but until that time it remains very much a patchwork.

Mr. Bradford remarked that during this session there was legislation dealing with liability of the PSAPs and the individuals there, and many in the room are probably very familiar with some of those cases that happened, all of which were very unfortunate. But, he added, those are very much a local issue, or a state issue, which varies from state to state; laws differ, state constitutions differ, TORT claims differ, so it is difficult. Chairman Estes observed the Board made suggestions to the General Assembly (GA) for legislative changes that they (the legislators) vote on, have the right to vote on, not the Board, so he thinks the question before the Board regarding this last item is if this is something it wants to propose, something Board members agree to around this topic, or, would members prefer not to do anything and let individual organizations lobby the GA with their own input and let the GA be the decision maker on this topic, make the final decision on what they would like to change or not change. He said he'll leave it to the Board to provide direction on how its members feel they would like to go, but those are the paths that he sees.

Mr. Barbour immediately responded he thought the Board should pursue it, and Chairman Estes said the Board process would be to have that in the form of a motion. Mr. Barbour said he would make a motion that the Board conceptually approve what Ms. Sykora has talked about; not necessarily the exact language here, but just the concept. Mr. Smith said he would like to state that if the Board provided the concepts, there would be fewer obstacles "...if we want to do this as a Board." He remarked that if he began wordsmithing the language he'd be speaking for another 15 minutes because there are things wrong with it, so he was not going to get into that. He added that he does think it can be conceptually approved, but putting it into language will, in some ways, not be received well because it just creates a lot more work for them (legislators and their staff) to do. Ms. Sykora pointed out that the language she presented was drafted by CenturyLink, not by Mr. Bradford, and she is more concerned with pursuing a concept for the good of the PSAPs and the good of the 911 Board to have the vendor options than she is with the language.

Chairman Estes noted there is a motion on the floor to support a concept, which was not clear to him yet, and no second, so he asked for clarification of the motion. Mr. Barbour said what if we add in some liability protection language for not only the 911 provider but also the 911 center, as it relates to the fact that 911 calls are no longer coming in via voice. Chairman Estes rephrased that as he understood it, "...that alternative...that advancements in technology has led to new ways that communications can occur and we would like a concept that addresses the liability associated with those new communication channels that would protect the suppliers in the ecosystem and the participants, i.e. the PSAP operator, a Sheriff's Department that may be operating the PSAP," etc. Mr. Smith said he just wanted to make sure providers were included, the 911 service/next gen providers, and carriers also have to be included, which is what the Wireless Act did.

Mr. Barbour mentioned that he testified before congress in 2007 for something very similar to this, and he thought what got approved said any future technology related to 911 would be afforded liability protection, and asked Mr. Bradford if that would do. Mr. Bradford said it would not. Saying we would get to the wording of the motion shortly, Chairman Estes observed it sounds like we're not providing legislative language, we're just providing a concept to the GA for consideration, to let them decide how they would

like to word it, and Mr. Barbour said that conveyed what he was saying. Mr. Stewart asked about the timeline for this recommendation, i.e. how quickly would the recommendation have to be made? Chairman Estes observed that the GA leaves, ideally, September 18th or sooner, according to the continuing resolution passed yesterday, so that's the timeline. He said there is some question whether this could even be taken up during that time as they have lots of other things to resolve in the next 18 days or so. He offered the Board could propose a legislative study committee be created to look at it, adding he's not saying that's what the Board should propose, but the GA does have study committees where they will assign members and staff to go look at what other states have done in this category, what other laws are, and then they could propose it as a short session idea. Saying there could be several ways of going about it, he observed we can recommend all we want, but ultimately it is their decision; they can do nothing with it if that's what they want to do.

Chairman Estes asked if anyone had made notes of the motion language, and Mr. Bradford said his notes indicated that the motion is to move forward to prepare legislation to support the concept to add a liability shield for local government and its employees, along with providers, which includes carriers and any service provider, in light of technology changes, for any "call", where a "call" includes E911, 911, or text, or other technologies for delivery to a PSAP. Jason Barbour said he *thought* that was what he said, and he couldn't believe Mr. Bradford was the only one that heard it, triggering laughter throughout the room. Chairman Estes said that is the motion on the table before the Board and asked if there was any further discussion. Hearing none, he called the motion, which carried unanimously. Apologizing for the fact that he had to leave the meeting at this time, he asked Vice Chair Barbour to take over for him, and asked NG911 Committee Chair Jeff Shipp to go ahead with the next agenda item.

Update from NG911 Committee on Technical Consultant

Mr. Shipp said the committee has been very busy; projects are moving forward, and on schedule. He said they're still in the startup and data collection phases of working with the technical consulting firm Federal Engineering (FE), and committee and staff have provided all the data and information that they have requested. He said FE has been very busy, and that a group of four had been here last week working with the staff and committee in collecting that information and preparing the first set of the project deliverables. He reminded everyone that there is a full set of four or five project deliverables, with the first two being the Concept of Operations and the Cost Analysis. He said the committee should have those two together working with FE by the October committee meeting, adding the committee is also meeting again in September, with their goal being to have those two deliverables to the Board by the December Board meeting. He said that after the December meeting they will focus on trying to secure some of the federal grant funding Mr. Taylor spoke of earlier. He added they are also working toward some potential language changes in regards to a reserve fund, which has been discussed.

Mr. Shipp noted there are two risk factors he did want to mention: one, which Mr. Taylor alluded to earlier, regards PSAPs purchasing equipment, saying committee members want to make sure that the equipment, especially CPE equipment, can interface and work with next gen equipment. He then mentioned the second risk factor is long-term commitments, saying they have seen some commitments or contracts extending up to ten years with certain vendors, which the committee considers really dangerous, observing five years should be the max. Mr. Shipp encouraged PSAPs to use 911 Board staff as a resource if they have questions or issues relating to equipment and working with vendors. He then asked for questions.

Ms. Sykora recalled they had a phone conversation back in April or so about the Standards Committee, the Next Gen Committee, Next Gen Standards, etc., and was trying to remember where they left what the Standards Committee needs to be doing to support Next Gen. She offered to discuss it offline, saying it just came to mind as Mr. Shipp was reporting, but she thought they didn't talk about any immediate deliverables, just more about how they needed to work together long-term. She said she would just like to re-up that conversation to make sure they're keeping up, even if it's best practices, as the standards we currently have are going into the rules. Mr. Shipp replied he thought they had brought Joe Sewash into that also, addressing some of the GIS issues, and Ms. Sykora concurred.

Mr. Barbour asked if there were further questions about Mr. Shipp's report, and none were offered.

Other Items

Mr. Barbour then asked if any Board members had any other items to bring before the Board, and none were offered. He pointed out that Mr. Taylor had displayed onscreen the upcoming committee meeting dates and locations, observing that as has already been pointed out many times, this is where a lot of the work of the Board is done, and encouraging those in the audience today to be present for the Standards Committee meeting as well as any others they have an interest in. He added that attendance can be in person or remotely.

Mr. Taylor interjected that the Funding Committee meeting date was going to have to be changed, but he expected to know by Monday or Tuesday at the latest what the new date will be, and that it will still be near September 30th. He reiterated that the Standards Committee will be reviewing all the comments it has received through the rules review process and discuss if it should make any changes. He reminded everyone that they can submit additional comments to Teresa Bank, whose email address is on the website, until 5:00 this afternoon.

Adjourn

Mr. Barbour asked if there were any further questions before adjourning, and Mr. Shipp asked if there were any updates regarding the PSAP Managers Meeting in November. Mr. Taylor said staff has engaged NC State's event planning group to help with that, but specific times and locations have still not been set, though hopefully they will be very soon. Ms. Sykora asked if the December work session had been firmed up yet, and Mr. Taylor replied it had, that it will be in Asheboro at the Zoo. That prompted laughter, but he said they have a nice meeting facility and it is, after all, in the geographic center of the state. When asked about the dates, he said they will be December 3 and 4.

Mr. Barbour asked for a motion to adjourn, which was offered by Ms. Sykora, and the meeting was adjourned at 11:48 AM.