

**North Carolina 911 Board  
MINUTES  
3514A Bush St, Raleigh  
September 25, 2015**

<u><b>Members Present</b></u>	<u><b>Staff Present</b></u>	<u><b>Guest</b></u>
Jason Barbour (NCNENA) Johnston Co 911 (911 Board Vice Chair)	Tina Bone (ITS)	Ron Adams-Southern Software
Dave Bone (NCACC) Martin Co	Richard Bradford (DOJ)	Fred Baggett-NCACP
Ninnet Bowman (pending VoIP representative from TWC) (WebEx and phone)	Dave Corn (ITS)	Randy Beeman-Cumberland Co ES
Eric Cramer (LEC) Wilkes Communications (WebEx and phone)	David Dodd (ITS)	Bill Boger-Charlotte Mecklenburg Police Communications
Rick Edwards (CMRS) Sprint	Karen Mason (ITS)	Brian A. Drum-Catawba Co 911
Len Hagaman (Sheriff) Watauga Co	Marsha Tapler (ITS)	Derrick Duggins-Carolina Recording Systems
Greg Hauser (NCSFA) Charlotte Fire Dept (pending)	Richard Taylor (ITS)	Melanie & Max Duncan-Bladen Co 911/S.O.
Rick Isherwood (CMRS) Verizon (WebEx and phone)		Jeff Holshouser-Airbus PS Comm
Dinah Jeffries (NCAPCO) Orange Co Emergency Services (WebEx and phone)		Christie Jordan-Bladen Co 911
Robert Smith (LEC) AT&T		Gary Jordan-Christie Jordan family
Jeff Shipp (LEC) Star Telephone		Michael Jordan-Christie Jordan family
Jimmy Stewart (NCAREMS) Hoke Co 911		Chris Knights-Motorola Solutions
Slayton Stewart (CMRS) Carolina West Wireless (WebEx and phone)		Sarah Murphy-Bladen Co 911
Laura Sykora (LEC) CenturyLink		Tonya Pearce-Durham 911
		Shirley Phillips-Christie Jordan family
		Steve Rahn-Harris Corporation
		Rick Thomas-Apex PD
		Jeff Tyler-Bladen Co S.O.
<u><b>Members Absent</b></u>	<u><b>Staff Absent</b></u>	Pat Vaughn-GeoComm
Darryl Bottoms (NCACP) Pilot Mountain PD		Keith Whitfield-Durham
Chris Estes (NC State CIO)[911 Board Chair]		
Andrew Grant (NCLM) Town of Cornelius		<u><b>WebEx Guest Attendees</b></u>
		Rachel Bello-Wake Co

	William Boger-CMPD
	David Boggs-Apex
	Dexter Brower-Alamance Co
	Nelson Clark-Synergem
	Sarah Collins-NCLM
	Anna Curtis-Burlington
	Greg Ellenberg-AT&T
	Del Hall-Stokes Co
	Kenyon Harris-Burlington
	Melanie Neal-Guilford Metro
	Jonathan Nixon-Perquimans Co
	Laura Nock-Dare Co
	Todd Sims-Mecklenburg EMS Agency
	Jim Soukup-City of Durham 911
	Lisha Stanley-Henderson Co
	Candy Strezinski-Burke Co
	Andy Underwood-Kings Mountain
	Tammy Watson-Pineville PD
	Victor Williams-Beaufort Co
	Brenda Womble-Wilson Co
	Brett Wrenn-Person Co

### **Chairman's Opening Remarks**

At approximately 10:01 911 Board Vice-Chair Jason Barbour convened the meeting, introducing and welcoming new 911 Board member (pending) Greg Hauser from Charlotte Fire Department, representing the North Carolina State Firemen's Association, appointed by the Speaker of the House. He then moved to swearing in Dave Bone, also a new Board member, representing the North Carolina Association of County Commissioners, appointed by the Governor. In welcoming Mr. Bone, Mr. Barbour told the meeting attendees that Mr. Bone was no stranger to the 911 Board, having been a member of the Funding Committee for a long time, and that he was glad to now have him as a member of the 911 Board itself.

Following the swearing in ceremony, Vice-Chair Barbour announced how pleased he was to be able to offer recognition to the Bladen County Sheriff's Office 911 Center for a particular job well done and asked Executive Director Richard Taylor to provide details. Mr. Taylor then asked Sarah Murphy from Bladen County to provide background about the call being recognized. Ms. Murphy related that at approximately 4:30 AM on June 6 she was on duty with her co-worker Christie Ramirez (now Jordan) when the 911 call came in from a grandmother with her daughter and a six month old baby with a stemi who was not breathing. Ms. Murphy praised Ms. Jordan for handling the call very professionally, providing instructions for how to perform CPR while law enforcement and EMS were dispatched. She shared that law enforcement arrived before EMS and took over CPR, but observed how it was Ms. Jordan's taking the lead and providing guidance over the phone that allowed them to take over, ultimately saving the baby's life.

Mr. Taylor then played a portion of the recording of the call to allow people in attendance to hear just what transpired, observing that 911 calls very seldom progress in a calm, textbook-like way; that this one illustrates the reality of how challenging it is for a telecommunicator to remain in control of a call, and just how well Ms. Jordan accomplished that.

After playing the recording, Mr. Taylor invited Ms. Jordan to the podium, observing that the call must not have been easy for her. She responded that she's been a telecommunicator for almost ten years, but this was the first trach call she had ever handled, and on top of that, it being a baby was even more challenging. Mr. Taylor commended her for "maintaining" all the way through the call, remaining patient and steady in guiding the very upset caller through all she needed to do. He said that is "Truly, truly what 911 is all about."

Vice-Chair Barbour then presented Ms. Jordan with a plaque from the 911 Board recognizing the outstanding job she did. He also commended Bladen County for providing her with the tool of an EMD protocol to assist her in doing this "Job well done."

Mr. Taylor then called the roll of Board Members attending via WebEx and telephone, noting that unlike at past meetings, he will not be calling the roll of guest attendees, instead using the WebEx report of who signed into the WebEx meeting as the attendance record. He also related that Board Member Darryl Bottoms had intended to be online, but had learned only a few minutes before the meeting that his wife had been involved in an automobile collision and was with her now. Mr. Taylor said he had no more information than that, and asked all to remember her in their prayers. Board Members Ninnet Bowman, Rick Isherwood, Dinah Jeffries, Slayton Stewart, all responded to the roll call, and Mr. Taylor advised he had just moments before received a message from Eric Cramer saying he might be a bit late in logging in.

#### **Ethics Awareness/Conflict of Interest Statement**

Vice-Chair Barbour 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. Board Member Laura Sykora said she would be abstaining from the vote for items 7a) and 7b), the reconsideration requests for Martin County 911 and Perquimans County 911. Board Member Rob Smith said he would be abstaining from the vote for item 7c), the reconsideration request for Scotland County 911. Board Member Dave Bone said he would be abstaining from item 7a), the reconsideration request for Martin County 911, as well. No Board Members on the phone responded when Vice-Chair Barbour polled them. He then asked Mr. Taylor to report on the consent agenda.

#### **Consent Agenda**

Observing he had received no request for corrections to the minutes of the August 28 meeting, Mr. Taylor moved to the financial report. He reported CMRS account distributions of ~\$225K, with a balance of \$2,419,374, and PSAP fund distributions of \$4,130,307, with a balance of \$21,216,861. Turning to the grant account, he shared that several grants are slowly closing out, with some extensions such as Rockingham County, which will be going on until December 31 as they work out issues with their Fire paging system. He reported the current unencumbered Grant Fund balance is \$918,394. Vice-Chair Barbour asked for any questions regarding the consent agenda, and hearing none, asked for a motion to approve. Laura Sykora so moved, Jeff Shipp seconded, and the motion carried unanimously.

#### **Public Comment**

Vice-Chair Barbour next opened the floor to public comment from members of the audience, confirming with Mr. Taylor that online guests would not be able to do that. Mr. Taylor agreed that was true, adding, however, that no one had registered with him in advance to be able to do that. As no one responded to the offer, Vice-Chair Barbour moved to the next agenda item, the Executive Director's Report.

#### **Executive Director Report**

Mr. Taylor shared that H730, which had formerly been a bill regarding counties billing cities for 911 service, had been completely rewritten, stripping that language and substituting language establishing a Next Generation 911 fund, among other things (see [https://www.nc911.nc.gov/Board/agenda/Book/20150925\\_Tab05a1\\_H730v4.pdf](https://www.nc911.nc.gov/Board/agenda/Book/20150925_Tab05a1_H730v4.pdf) in the online agenda book). He reminded all that Representative Boles and several additional legislators had been very concerned about the 911 Board not having access to funding specifically earmarked for NG911, and more specifically the NG911 network. Other changes were made to language in 62A as well, notably striking the word "voice" from "voice communications service provider".

The new language states "The 911 Board must allocate ten percent (10%) of the total service charges to the Next Generation 911 Reserve Fund to be administered as provided in G.S. 62A-47." Mr. Taylor explained that means the top 10% of all revenues received must be designated to this fund before allocations are made to the CMRS fund and the PSAP fund, and that will probably be somewhere between \$7M and \$8M per year. He added there was some talk about putting a sunset on this, but that was not done simply because all the costs which will be associated with NG911 are simply unknown at this time.

Mr. Taylor said there were several other changes as well, some which he considered major. One was to uses of grant funds, which formerly were restricted to purchases normally eligible for use of 911 funds unless the grant was for a consolidation, which allowed fund use for purchases associated with enhancing the 911 system which were normally ineligible. The new language stipulates the funds shall now be used only for expenses that enhance the 911 system, i.e. normally *ineligible* 911 fund uses. Funding for 911 eligible expenses will now be provided through funding reconsideration requests rather than grants.

Another long sought after change was the addition of language directing the Board "To establish cooperative purchasing agreements or other contracts for the procurement of goods and services," which Mr. Taylor reminded everyone has been discussed by the Board and in the Funding Committee for a long time as providing for a "state contract", for lack of a better term. It is hoped that this will lessen the wide disparities in pricing for similar goods from various different vendors. He pointed out that evening out these disparities becomes more important as 10% of all revenue is designated for the NG911 Reserve Fund, which is going to diminish the Grant Fund and will necessitate making wise and economical use of the remaining funds to compensate. He said that in other words, the way to keep the Grant Fund as healthy as possible is to control what PSAPs are paying for eligible goods and services. He said that if they can shop better and buy better, and the Board helps them do that, then money can be saved to use toward grants. Mr. Taylor further observed most PSAPs don't have the technical expertise to write RFPs, and usually go with whatever vendor helps them do that, regardless of how much that vendor's product costs, so eliminating that dependency is going to be huge.

Mr. Taylor pointed out that the liability language that the Board had voted on had been included in this bill, and one additional piece had also been added that has nothing to do with 911; this bill had simply been used as the vehicle to add a technical correction to another bill (H117) if it is enacted. He concluded by noting this act becomes effective January 1, 2016, having already passed the Senate and having been enrolled in the house, with no opposition to it in Committee, Senate, or House.

Ms. Sykora asked Mr. Taylor if, since this becomes effective January 1, that means money will begin being allocated to the NG911 Reserve Fund after that date, and he confirmed that is the case. She then asked him if anyone has budgeted to see what that's going to look like, and his reply was "Yes". Vice-Chair Barbour asked him to emphasize the fact that the NG911 Fund is a special *reserve* fund, which does not have to be zeroed out at the end of the year as required for all the other 911 funds, which he did.

As he displayed the spreadsheets, Mr. Taylor said staff had simply taken total revenues from FY13, 14, & 15, noting that only six months of prepaid could be applied to FY14, but the full year of prepaid was included in FY15, comparing them to see what next year might be expected to look like. He noted that their prediction for FY16 was for the whole year, however, when it should only have been for the last six months of it, but when that was factored in, the Grant Fund should end up being about \$2.4M. Mr. Bone then asked if the next gen money will be used exclusively for statewide projects, or would PSAPs be able



to access it. Mr. Taylor replied he believed it would be for next gen projects, whether statewide or local projects, then asked Board Counsel Richard Bradford for his opinion.

Mr. Bradford replied the fund is to be used to pay for a single statewide next gen network, so Vice-Chair Barbour speculated that PSAPs, then, would not be able to access it. Mr. Taylor disagreed, citing language from H730 (§ 62A-47(e) lines 46 & 47) stating that "The 911 Board may provide funds directly to PSAPs to implement the next generation 911 system." Mr. Bradford acknowledged that, but observed the reserve fund is to pay for a single network, so ostensibly it would be paying for the network cost at the PSAP. He added that the Board is probably going to find it necessary to pay directly; that there are several issues here that require some further consideration, and that is one. Ms. Sykora asked if that would be "a Funding Committee thing or a Next Gen Committee thing as far as trying to nail that down?" Mr. Taylor replied he thought it would be both and Mr. Bradford concurred.

Mr. Taylor displayed the spreadsheets onscreen. Projecting at both a 60¢ and a 65¢ rate, and allowing for additional spending from the PSAP fund to accommodate anticipated PSAP funding reconsideration requests (Raleigh-Wake and Charlotte-Mecklenburg, among others) and any additional secondary PSAPs that may come onboard, he observed if the rate stays at 60¢ the projected FY17 revenues/expenditures will result in a \$5M deficit for the Grant Fund, while using 65¢ would put the balance at \$930K. Projecting at 70¢, which is the maximum amount the Board can go to, he said it would take it up to \$6.6M. He emphasized that these were just rough numbers.

Ms. Sykora speculated that things would be okay for the current fiscal year, and Mr. Taylor asserted that was the case. He pointed out that all of the Board's major expenses for FY16 have already been encumbered. Mr. Bone asked if Mr. Taylor was suggesting that a rate increase will be necessary to absorb the reconsideration requests from Raleigh-Wake and Charlotte-Mecklenburg. Mr. Taylor replied a rate increase to at least 65¢ will be necessary next year, adding that the Board has until March to make that decision. Saying that he understood these were just preliminary calculations, Mr. Bone asked if this information had been shared with anybody in the legislature yet, and Mr. Taylor said yes, it had been discussed when the creation of the reserve fund was being considered, and Representative Boles was very determined on that 10%. Acknowledging that, Mr. Bone said he was referring more to discussions about raising the surcharge rate, and Mr. Taylor replied yes, they had noted that if 10% was pulled from the top of revenue, the rate would have to be increased. He said the legislators' big concern is having enough money to do next gen; it is not concern over the Grant Fund, etc.

Ms. Sykora thanked Mr. Taylor for sharing the rough projections, and he re-emphasized that this is just providing a "very 50,000 foot view of what we're looking at;" that by March, when the Board has to make the decision about the fee for next year, there will be more detail. Board Member Rick Edwards asked for confirmation there was no indication of whether or not there will be any federal money available by next year, just a lot of noise, and Mr. Taylor concurred, observing there will possibly be some grant money, "But if we get some, it will be matching money, and we don't yet know what the match will be, but whatever it is, it will only be a one-time deal." Mr. Bone asked if there is a time frame for deploying NG911. Mr. Taylor replied there is none, but AT&T has already announced it wants to shut down its CAMA (Centralized Automatic Message Accounting) network in 2017, and he believes Frontier has said basically the same thing. Acknowledging they are not simply going to "flip the switch" on December 31, 2017, he said this just illustrates how we need to be building towards an all IP solution since they won't be supporting selective routers beyond that general time. He observed "We've got the notice, we've got the time, and that's why Representative Boles does not want us dragging our feet."

Vice-Chair Barbour asked if there were additional questions about H730, and hearing none asked Mr. Taylor to proceed with his update. Mr. Taylor reminded everyone that last month the Police Chief from the City of Rocky Mount had submitted an appeal to the Board regarding its decision not to fund a grant request Rocky Mount PD had submitted for a backup center. He also reminded everyone that Chairman Estes had at that time directed staff to work with Rocky Mount to determine how to proceed. Mr. Taylor said he has read through the backup plan they submitted to him a few days later and spoken with the PSAP manager, Allen Moore, because the plan is very outdated. Mr. Taylor made some recommendations to him about what could be done, possibly even using an ideal facility that the Board paid for with a grant, the Nash County Backup Center, which could easily be adapted for them to use as their backup center as well. At this point Mr. Taylor thinks Mr. Moore is revising his plan based upon those recommendations, so it is still a work in progress.

Vice-Chair Barbour remarked he wanted to keep this on the Board's agenda because Rocky Mount's appeal is still in front of the Board, pointing out that a decision and vote were not taken at the August meeting regarding that. Mr. Barbour said he has discussed this with Chairman Estes, and they will not let it fall by the wayside.

Next in Mr. Taylor's report was the finding from the State Ethics Commission regarding Dave Bone becoming a member of the Board. Mr. Taylor reminded everyone this is something all Board members have to do, pointing out that Greg Hauser and Ninnet Bowman will be doing that soon. As is always the case, the commission found there is potential conflict of interest because the very qualifications he brings from his "real job" which recommend him for a seat on the Board could possibly present a conflict of interest in some of the Board's decision making. Mr. Taylor added Mr. Bone still must complete a Lobbying Education class as well. Mr. Taylor again welcomed Mr. Bone to the Board, adding that in addition to his work in the Funding Committee, he has also worked diligently with agencies adjoining Martin County to help them with 911 issues they have faced.

The last item in the Executive Director Report was an update on the advertising campaign Mr. Taylor spoke about at the August meeting. He said the first radio spots on the Carolina News Network will appear October 1, and he played two sample spots for meeting attendees to hear, one a statewide spot and one a regional spot. He said the state is divided into four regions for the regional spots, which will recognize PSAPs or telecommunicators within each region for exemplary work. The statewide spots will provide a less targeted message, applicable to 911 throughout the state. Guest attendee Rick Thomas from Apex PD said someone had already told him they had heard the "know your location" spot on a radio station they were listening to. That surprised Mr. Taylor, but he laughingly said "We'll take the freebies!"

#### **Recommendation from Standards Committee Regarding Proposed 911 Rules**

Vice-Chair Barbour next turned the floor over to Standards Committee Chair Laura Sykora to present the committee's recommendation regarding proposed 911 rules. She said that since the Public Hearing the committee members and Board staff have done a lot of work, holding two 3-4 hour long committee meetings to discuss both the oral and written comments received from the public and determine how to move forward. She said they went through all of the comments, comment by comment, and also went through a list of recommendations provided by the Rules Review Commission. The result was the revised set of rules before Board members today.

Ms. Sykora said the comments led to many good conversations, with the committee looking at things such as "How would you measure that" and "How would you enforce that" and "Is that within our authority?" and that type of thing. She said they have brought these revised rules to the Board for a vote, but also want to talk about implementation, suggesting they may want to wait on the vote until implementation has been discussed. She relayed that Andrew Grant, one of the Board members, has raised a question about implementation and the effective date of the rules. She reminded the Board that it has, as a Board, approved the review process and who will act as reviewers, and that the committee feels that once the rules have been approved, a form needs to be developed which can be sent to the PSAPs to expedite the review process. She added that, however, committee members agreed they need to ensure it is correct before the Board begins using it.

Once the form has been vetted and socialized, she observed, the reviewers would first use it to review one another's PSAPs to make sure "everybody knows what's going on." She said there should be a bit of time between the rules being approved and the beginning of the review process, which may make the assumed July 1, 2016 effective date a bit of a tight squeeze. She then asked Board Counsel Richard Bradford if there is a way that the Board could make a recommendation to the Rules Review Commission for an effective date which takes that into consideration.

Mr. Bradford began his response by clarifying that the "blank" on the rules that says "effective date" is there because we didn't have one, not because we expect a certain date. He observed that the effective date discussion over several years has always resolved to making it prospective; rules approved by the Rules Review Commission become effective upon approval. He said the desire has been to make sure there is a prospective date that aligns with not just the accounting world, in terms of this Board's functions, its fiscal duties, and what it does, but also with the budget and operational aspects at the local

level. He noted we have always discussed this in the context of fiscal years rather than calendar years, so it would be up to the Board to decide what it thinks an appropriate date would be. He suggested the earliest date should be no sooner than July 1 of next year (2016), but the Board must make that decision. He added there is absolutely no problem in specifying a date in the future as far as Rules Review is concerned; they expect the agency to identify a date, and it obviously cannot be retrospective.

Vice-Chair Barbour speculated that maybe by setting a date where we say the rules would start no earlier than a particular date it would not lock us in to starting them on that date, just that we couldn't start them any sooner than that date. Mr. Bradford responded that would not work; it must be a date certain. He observed that for discussion purposes, "no earlier than a specific date" is fine, but for Rules Review and the process there, it is not; a date must be specified. Ms. Sykora noted that while committee members have discussed this being a prospective date, they have not discussed what that date would be. Mr. Bradford said one thing he would hasten to add is that there is a lot of focus on particularly two rules, or certainly one section within the rules, that has impact on PSAPs, but the rules also provide other things, such as hearings, declaratory rulings, appeals to this Board, how those are handled, etc., and so you have, perhaps, a seeming dichotomy between the desire to put some of those things in place sooner rather than later, as in the hearings and so forth, and some of them that may relate to the PSAPs in Section 200 at a later date. He said the schism that occurs there, of course, is that in order to appeal a rule that becomes effective six months after the hearing process, then what's the hearing for? He reiterated that his recommendation would be no earlier than July 1, 2016, and, of course, the date is for the Board to determine at the recommendation of the committee.

Ms. Sykora said that since the committee has not discussed a recommendation, she would welcome thoughts of the Board members, whether serving on the committee or not, and asked for any member in attendance, whether in person or online, to chime in. Board Member Dinah Jeffries said her only worry is, again, the budget cycle. She added that though she is not opposed to July 1, 2016, her thoughts have run to possibly changing it to 2017, her reasoning being that the review form will likely not be created before local governments begin their next year's budget deliberations, noting that in her case, that will be in less than a month. She said if she had a check off list of stuff she could put in her budget, it could work, but if not, it will be too late, as their final budgets are due in January. She added "It kinda seems like we've got to give all of the PSAPs ample time to budget for what they need, but they don't know what they need, because there is no review yet, so I don't know if I'm in compliance, and it depends upon where I find out if I'm in compliance or not, where in my budget cycle am I?"

Ms. Sykora said she really appreciated Ms. Jeffries' comments, and would add, if everyone will remember from the review process that was approved by the Board, there is the opportunity for a corrective action plan. So if, for example, a PSAP didn't get an item it needs into its budget for FY16-17, and is found out of compliance, the action plan could be to include it in the FY17-18 budget, so it would not impact the PSAP's funding from the Board. She added that after being in meetings with Representative Boles where he has been adamant about getting the standards, she feels that if the Board goes to July 1, 2017 for the effective date, "He's gonna come unglued." Mr. Taylor said he is in total agreement; Rep. Boles wants those standards in place.

Mr. Taylor asked Mr. Bradford if the Board could make the effective date July 1, 2016, but state up front that it would use the first year after the effective date to set up the review process, go out and work with the PSAPs doing all the initial compliance review stuff, and would not take action against anybody in that first year, is there anything to prohibit such an approach? Saying he understood the spirit of the comment and the question, and he thought everyone listening did as well, Mr. Bradford offered to break it down a little further. Short answer: yes, there is something to prohibit that. The rules are enforceable on the effective date. Longer answer: is there a requirement that you really start going after violations and saying PSAPs are not in compliance and start penalizing them within the extent of the Board's authority immediately? No, there isn't.

He observed the question here is how Section 200 would be enforceable toward the PSAPs; that this process has taken several years; that many, many people have participated; and that there may be issues within the process that people don't understand, but that is going to be true of any legislation or any rule until you try to implement it. He said his assessment is that the Board and staff have been consistent in trying to ensure that no harm is done, and keeping that in mind, he wouldn't expect that to change going forward. At the same time, however, he added that having appeared on behalf of clients in



front of different Boards, Commissions, County Councils, County Governments, etc., when an election happens, decisions change. So the “Regulated Public”, which is the language the Rules Review Commission uses for the PSAPs in this instance, may be concerned. He suggested their concern is that the Board will start to enforce the rules to the fullest extent possible, although he thinks the will of the Board is not that. Rather, the will of the Board is to find a way to achieve success—lead by success or lead by example—rather than lead by sanction.

Ms. Sykora stated she believed that is evident by the review process the committee has outlined, with the number of opportunities for PSAPs to correct compliance problems, or develop corrective action plans, before the committee even becomes aware those problems exist. She observed that penalizing PSAPs or removing their funding is counter to “why we’re all here.” Noting that they want the standards to be met, she emphasized they want to help the PSAPs to meet them, not penalize them.

Mr. Shipp observed that with that said, he thinks the July 1, 2016 date is obtainable. Ms. Sykora said she thinks the committee can have the review process, including the form, and some of the initial “reviews by reviewers” done by that time, noting that will provide a bit more clarity. Mr. Bradford added that he would want to point out that unless and until you have the facts that would be provided by some sort of review, the presumption is that the PSAP is in compliance, so if they haven’t been found, factually, to be out of compliance, they are presumed to be in compliance.

Board Member Jimmy Stewart noted that some of the things that will have to be enforced have to do with time periods, e.g. QA and QI are to be completed over a one year period and records of maintenance must be kept for a like period. He asked if those records would have to be kept for a year before that standard takes effect, and Mr. Bradford replied “No”. Mr. Stewart then asked if the Board could go in and demand those records as soon as the rules become effective, and again, Mr. Bradford replied “No”, although observing that in many cases PSAPs would have those records anyway. He stressed that once this goes into effect, it’s effective going forward, not backward.

Asking if everybody on the Board has read the changes to the proposed rules coming before the Board, Vice-Chair Barbour asked if everybody was okay with them. Hearing only positive responses, he then asked if a motion was needed. Ms. Sykora replied a motion is necessary regarding the effective date, but the recommended changes to the rules coming from the committee does not require a motion. Mr. Barbour asked which should be voted on first, and Mr. Bradford advised voting on the revised rules first, then the effective date.

Vice-Chair Barbour asked for any further discussion before calling the vote, and Mr. Bradford said he wanted to add one further administrative point. He advised that with the General Assembly’s recent passage of a budget bill, the Office of Information Technology Services was changed to the Department of Information Technology, which recodifies the statutes. It moves the statutes for this Board to a section in Chapter 143B of the General Statutes. He observed that the mechanics of this process are such that even though the General Assembly assigned those numbers, they may or may not stay that way: the Reviser of Statutes will go through and make changes to the numbers, which may take a couple of months. Mr. Bradford noted that when we have those revised numbers, all of the history notes, authority, etc. in the rules will have to change, and internal references will have to change as well. He advised we are somewhat hostage to that process at the moment, and will try to move forward as best we can, but he wanted to let everyone know that will be necessary. Vice-Chair Barbour asked if that had a bearing on today’s vote, and Mr. Bradford replied it does not, it just has a bearing on the appearance of what is being voted on—it won’t change the intent in any way, shape, or form.

Vice-Chair Barbour then called the vote on accepting the rules revision, and it passed unanimously. He then entertained a motion to establish the effective date of the rules, and Mr. Shipp moved that it be set at July 1, 2016, and Ms. Jeffries seconded. Mr. Shipp also observed he doesn’t see this as mandates coming down from the Board; that he still sees it as checks and balances between the individual PSAPs in reviews between one another on a peer level. Ms. Sykora offered that was a good insight, and thanked Mr. Shipp for it.

Vice-Chair Barbour asked for further discussion on the motion, and hearing none, called the vote. Once again, it passed unanimously.



### **Recommendation from Funding Committee Regarding Funding Reconsiderations**

Vice-Chair Barbour advised that the funding committee had met this week to discuss funding reconsideration requests, and asked Mr. Taylor to report on the committee's findings. Mr. Taylor first took a moment to confirm that Board Member Eric Cramer had joined the meeting remotely, which he had.

Mr. Taylor began with the funding reconsideration request from Martin County 911, reporting that they were doing an extensive CAD upgrade, and adding mobile data terminal capability. He pointed out the original CAD was installed in 1999, with a refresh in 2009, so they are certainly due for an upgrade. He said 911 Board Financial Analyst Marsha Tapler and Jason Stewart, the PSAP manager, have reviewed quotes, pulling ineligible items from them. Mr. Taylor said their fund balance is \$217,829, with proposed funding from the Board for FY16 at \$207,640, capital expenditures at \$155,910, annual recurring expenses of \$19,284. He said that using part of the fund balance, while leaving them a 20% carry forward, resulted in a staff recommendation to increase their funding to \$247,004.81.

Since Vice-Chair Barbour is the chair of the Standards Committee, he asked its Vice-Chair, Sheriff Len Hagaman, to bring the recommendation to the floor. Sheriff Hagaman did so, and Mr. Barbour asked if anyone had further questions. Hearing none, he called the vote, which passed in favor of the recommendation with Laura Sykora and Dave Bone abstaining as noted at the beginning of the meeting.

Mr. Taylor next turned to the reconsideration request from Perquimans County 911, observing it is doing a major overhaul: new CAD server, new phone server, voice logging server, computer workstations, UPS, generator, hardware and mapping software. He pointed out that the computer workstations were "extremely high priced", so because they exceeded the new funding eligibility amount of \$1,000 per workstation, Ms. Tapler used a percentage allocation method to determine how much could be paid using 911 funds. Mr. Taylor reported the proposed FY16 funding had been \$134,584, anticipated capital expenditures at \$257,129, and the county planned to use \$82,122 from its fund balance. He said the recommendation from staff to the Funding Committee was to increase funding for Perquimans County 911 to \$309,592.31.

Sheriff Hagaman brought the recommendation from the Funding Committee, thanking Ms. Tapler for all the work she had put into all of the reconsideration requests, noting that "Going through these things is sometimes not a whole lot of fun." He asked if there were any questions about the recommendation, and Board Member Rick Edwards replied he did have one, saying "The monies that are being requested and appropriated—maybe I'm looking at it from the wrong direction, here—okay—how "down the road" are we looking at how this integrates to where we want to go with Next Generation 911? Is this to solve a problem now, or does it help us enhance 'now' and get us to 'later'?" Mr. Taylor immediately replied he thinks it's the latter, pointing out that in this situation, as in Martin County's, the use of outdated equipment is reducing their level of service capability; that Perquimans County's equipment is very outdated and needs to be replaced now. He pointed out that, like so many other PSAPs, Perquimans County does not have a technology replacement plan in place; that their servers are still running Windows XP. Mr. Edwards observed, "If you're upgrading from a brick cell phone to a flip phone, you're still not getting to where we are today." Mr. Taylor acceded that was exactly right, adding that, however, we are still several years away from full implementation of NG911, and likely will then be looking at the best situation as going to hosted site solutions. So this would be a good investment now, and when the network comes on line and the hosted solution is available, that would be about the time for doing an upgrade from what they're doing now.

Mr. Shipp said he thinks possibly Mr. Edwards' concern stems from whether or not this was addressed in light of this being such a complete system overhaul, to which Mr. Edwards acceded, and could it not have been addressed six or eight months earlier and been factored into budgetary considerations without requiring a reconsideration request. Mr. Taylor replied Perquimans County has undergone a complete change of management, and he senses that the new team has realized how behind the old system was and recognizes the urgency of correcting that. He added that the Board has always encouraged PSAPs to keep their equipment up to date, but county and city governments too often say they don't have the

money to do that, even when their 911 funds could easily accommodate such expenses. He said that staff's focus has been on counseling PSAPs not to go out and "buy a pig in a poke" just because some salesman tells you it's good, but rather to carefully try to understand what next generation 911 is going to require. Mr. Edwards said he understood, and just wanted to make sure we're looking down the road as well as taking care of needs today.

Mr. Barbour asked for any further questions, and hearing none, called the vote, which passed in favor of the recommendation, with Laura Sykora abstaining as noted at the beginning of the meeting.

The last reconsideration request Mr. Taylor brought before the Board was that of Scotland County 911. Reminding everyone of that county's recent consolidation, he said they have encountered some additional expenses which they want to address. He reported they have a fund balance of \$298,548, with proposed FY16 funding of \$229,928, anticipated FY16 capital expenditures of \$13,456, anticipated FY16 recurring monthly expenditures of \$92,107, and available carry-forward of \$40,654, resulting in a staff recommendation to the committee to approve a funding increase to \$335,492.72.

Confirming that Sheriff Hagaman was bringing that recommendation from the Funding Committee to the Board in the form of a motion, Vice-Chair Barbour asked for questions or further discussion. Hearing none, he called the vote, which passed in favor of the recommendation with Rob Smith abstaining as noted at the beginning of the meeting.

#### **Approval of Funds Transfer for FY15 Grants**

Vice-Chair Barbour invited Ms. Tapler to bring everyone up to speed on the FY15 grant funds transfer. She reported that the PSAP fund balance at the close of FY15 (June 30, 2015) was \$18,618,895, the CMRS fund balance was \$1,772,394, and the FY15 Grant Fund balance was \$918,394, all based upon accrual accounting. She said the staff recommendation is to transfer the PSAP fund balance of \$18,618,859 without adding any CMRS fund balance to that. Adding the PSAP fund balance and the FY15 Grant Fund balance brings the unencumbered Grant Fund balance to \$19,537,289. She noted that the Board has already approved grants for FY16 in the amount of \$17,102,704, which will leave the remaining Grant Fund balance as of June 30, 2015, at \$2,434,585. She said the reason there is an increase in fund balance is that at the time of grant awards, an estimated amount is calculated, but this year two grants closed ~\$500K under budget and prepaid revenues increased dramatically. Since the accounting is based upon accrual, those increases got caught up in this. She added that some revenue was transferred to another department in error, and once that was corrected that money came into this fund as well.

Mr. Taylor remarked that the grants which came in under budget were the FY13 and FY14 orthography grants, observing CGIA continues to do an excellent job under the direction of Tim Johnson of improving the quality while keeping the cost below budget.

Ms. Tapler reiterated the staff recommendation is to transfer \$18,618,895 to the Grant Fund. Mr. Shipp made a motion to accept the staff recommendation and Sheriff Hagaman seconded. Ms. Sykora said "So, since we're looking at an unencumbered Grant Fund balance of ~\$2.4M, what if we transferred less—still enough to take care of the encumbered—but left it..." and Mr. Taylor cut her off before she finished her question, saying "We can't do it." He explained the PSAP Fund has to zero out at the end of the year, so if we don't transfer all of the grant fund, we have to distribute it to the PSAPs. Ms. Sykora said okay, that she was thinking about the reconsideration requests but forgot that remaining funds had to be distributed per capita. She thanked Mr. Taylor for his response, and Mr. Bone then asked if the \$2.4M fund balance was factored into the \$6M that was estimated earlier as available for next year, and Ms. Tapler replied it was not. Mr. Bone then asked if that \$6M might be \$8.5, and Mr. Taylor said yes.

Vice-Chair Barbour asked for further questions, and receiving none, called the vote, which passed unanimously.

#### **Update from NG911 Committee on Technical Consultant**

Mr. Barbour asked Mr. Shipp to provide an update from the NG911 Committee. Mr. Shipp said first he wished to commend staff and the Funding Committee for working with legislators in regard to H730,

saying he thought it was financially prudent to create the reserve fund and is glad we were able to get it in this calendar year. He reported staff has continued to devote a considerable amount of time working on the Next Gen project, with up to four consultants from Federal Engineering (FE) in the last week working with staff diligently. He said they have completed the data discovery phase or portion of the project, providing a massive amount of information, not only on individual PSAPs, but also on the 911 Board, its financial positions, etc., to FE. Mr. Shipp also noted the first part of the project is still on schedule regarding Concept of Operations and Cost Analysis, which should be completed by the end of October. He added the Next Gen committee is working on its project plan, with a lot of work to do and a meeting coming up next week, and that all of this is to stay on schedule for the Board's December work session and Board meeting. He said the committee will want to recommend a project plan to the Board at that time, as well as review these first parts of the project, the Concept of Operations and Cost Analysis, as the committee will require Board approval of some things at the December Board meeting. He concluded by once again commending staff for its work, saying he looks forward to the committee meeting next week.

### **FY2014 North Carolina State Auditor Report**

Vice-Chair Barbour asked Mr. Tapler to once again take the floor to review the findings of the State Auditor Report for FY2014. Saying the representative from the State Auditor's office spent several weeks with staff and did not find any misconduct, although she did find some errors and omissions that required correction, Ms. Tapler said there was a total of three findings, with the first being that the Fund did not disclose the \$29,631,856 of the fund balance as being committed to grants. Ms. Tapler stated she believed it was noted initially in the Management Discussion and Analysis, but it was not disclosed as an item in the audit itself—the financial statement. She said she has met with the Accounting Manager of the Department of Information Technology (formerly ITS) and they have updated the financial statements to include that, and it will be disclosed in all future financial statements. She added that this finding was actually for FY2015.

Ms. Tapler indicated the second finding was that expenditures and accounts payable were understated by \$863,465 due to unrecorded liabilities, which was due to ITS failing to do an accrual on some of these funds. For example, she said, the CMRS provider fund was not accrued because Board policy always showed it as payment, historically accounted for in the period of the payment rather than the period of obligation. She said that, too, has been corrected going forward.

Ms. Tapler referred to the third finding earlier in the meeting as the one where \$293,049 was recorded to the wrong fund and inadvertently transferred to the wrong agency. That money has been returned, and the classification has been corrected to reflect the correct account, so going forward there will be more monitoring of those funds to make sure they are not paid out to the wrong agency.

Ms. Tapler concluded her report by reiterating that although those three findings were reported, no misconduct was associated with them. Mr. Taylor said he wanted to add that when the Board approved the budget for the coming year, funding was included for hiring another fiscal staff member. He said Ms. Tapler has spoken with the fiscal manager over at ITS and one of the things they're talking about doing is letting this new person be 100% responsible for all the 911 transactions. He said the people in fiscal handling it now are also doing additional duties as well, and understanding how the 911 funds are handled differently sometimes gets lost in the shuffle. He added that the fiscal manager was very amenable to that, and it would actually take care of a lot of these issues because we would have better oversight of what's going on with the monies that are coming in, how they're being disbursed, whether they're being put into the right funds, etc.

### **Update on NC APCO/NENA State Conference**

Vice-Chair Barbour asked Staff Member Dave Corn to share the staff experiences at the NC APCO/NENA annual conference. Mr. Corn observed it was a good conference which began with a very compelling presentation from an individual whose wife was murdered in Florida while she was calling 911. Although the call was received, they did not have a good location, so it was never dispatched, and the message was that PSAPs need to have more processes and procedures in place to make sure this type of thing doesn't happen again.

Mr. Corn reported that he made a presentation with Red Grasso, from the FirstNet group, comparing and contrasting ESINet with FirstNet: FirstNet is federal, FirstNet is radio; ESINet is state, primarily connecting PSAPs together and the PSAPs to the public. He felt he and Red worked well together as a team, noting the session was extremely well attended, with people standing in the back of the room. Near the end of the session they discussed what an active shooter call might look like in the future, potentially with multiple videos coming to the PSAP and staff having to determine which to view and which to pass up, which to send to responders or incident command, etc. Mr. Corn observed it got everybody thinking about the technology and how things are going.

Mr. Corn related that near the end of the conference staff did an update on all the committees. He said Mr. Taylor talked about standards, some of the individual standards that attendees should be aware of, and encouraged everybody to attend this meeting. Mr. Corn added that he talked a little bit about next gen, and emphasized the fact that the Board does not want people to sign ten year contracts because the new system going in will probably be deploying in mid-2017 and bringing PSAPs on around the first part of 2018, so long term contracts are not in the PSAPs' best interest. He said staff urged people, as they were buying equipment, to ensure it would be IP compliant, therefore next gen compliant.

Staff Member David Dodd took over the floor, saying the only thing he would add is a couple of numbers. He noted that the conference was one of the larger ones they've had in recent years, with upwards of 240 people registered for the conference. The Sunday pre-conference class the 911 Board paid for, *Bullying and Negativity in the Communications Center*, was attended by 31 people, and another Sunday class having to do with negotiations which was also offered, though not paid for by the Board, garnered 24 attendees. Mr. Dodd said he received several good reviews of the bullying class, and mentioned that in the staff presentation about committees Mr. Corn referred to, he offered a little more information about the radio advertising program, playing the same spots Mr. Taylor played at today's meeting. He also related how pleased he was to finally announce that the statewide PSAP Managers meeting is now scheduled for November 19<sup>th</sup> & 20<sup>th</sup>, a Thursday and Friday, at the Raleigh Convention Center, with hotel accommodations across the street at the Raleigh Marriott City Center. He reminded everyone that this will be during the same week as the National 911 Program's onsite portion of the state assessment project, with the National 911 Program's assessment team reporting its preliminary findings on Thursday afternoon to the assembled PSAP managers as part of that group's itinerary. Mr. Dodd added that all Board members are invited to that session as well.

Mr. Barbour asked what the times would be for the PSAP Managers meeting, and Mr. Dodd replied around 1:00 PM Thursday until 5-ish, with the Board providing dinner and hotel accommodations for the night, continental breakfast Friday morning, reconvening after breakfast with the Friday morning session concluding just before lunch time.

Mr. Taylor reiterated what Mr. Dodd had said about the National 911 Program's presentation, encouraging all Board members to attend. He also encouraged them to stay for the Thursday night dinner to mingle with the PSAP directors in a relaxed atmosphere, which had proven to be a highlight of last year's meeting. Mr. Shipp added that a lot of good information came out of the regional roundtable discussions last year, so he would recommend Board members attend those if possible, too.

### **Other Items**

Mr. Taylor projected the upcoming committee meeting dates and times onscreen, saying "If you can, be here, if you can't, dial in." Ms. Sykora recalled an earlier discussion about what the next steps will be for the Standards Committee, asking Mr. Taylor if there was any update to that. He said that now the revised rules have been adopted, he thinks they should set a date to discuss how the review process is going to work, as well as other things.

Mr. Taylor announced that the October Board Meeting has been moved from October 30<sup>th</sup> to October 23<sup>rd</sup> at today's location. He noted that will be the last full Board meeting before the work session in December (3<sup>rd</sup> and 4<sup>th</sup>), reminding everyone that will be in Asheboro near the North Carolina Zoo.

### **Adjourn**



Vice-Chair Barbour asked if anyone had anything else to bring before the Board, and Sheriff Hagaman observed that although some people may have the perception that the Board is dragging its feet, it has taken care of standards, with a date set for that; it's looking at bids which may address some of Mr. Edwards' issues down the road, and of course the next gen progress, and said he'd give the Board a good pat on the back. Mr. Taylor chimed in with accolades for the staff, observing they are working non-stop to make stuff happen. By way of example, he offered that committee members don't just show up 15 minutes before a meeting and get started; there's a lot of preparatory work that goes into every meeting. He ticked off all that each of the staff members does to make all this work in addition to all their normal daily responsibilities, obviously proud of all that they accomplish. He said his goal next week is to start work on getting the new fiscal employee hired because there's just "Not enough of us to go around".

Vice-Chair Barbour called for a motion to adjourn, which Sheriff Hagaman offered, and the meeting adjourned at 11:48

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