

E911 BOARD MEETING MINUTES

Meeting Date: Wednesday, August 12, 2015

Meeting Location: Hampton Inn
Navarre

Wednesday, August 12, 2015, 9:00 a.m.

Board Members, meeting attendance:

Laurene "Laurie" Anderson, 911 County Coordinator, Charlotte County
Carolyn Dill-Collier, 911 County Coordinator, St. Lucie County
Chesley Dillon, Vice-President, Corporate Tax, Tracfone
Stan Greer, Area Manager, External Affairs, AT&T "Vice Board Chair"
Ben Guthrie, 911 Coordinator Gulf County
Sandra "Sandy" A. Khazraee, CenturyLink
David "Dave" Konuch, Attorney, Florida Cable Telecommunications Association
Sergeant Dale Mitchell, 911 County Coordinator, St. Johns County
Tom Nadler, Manager, Sprint (By Teleconference)
Ira Pyles, 911 County Coordinator, Hillsborough County

Staff Members, meeting attendance:

Bernard Grimsley, DMS, DivTel Deputy Director
Charles Hadley, Public Safety Bureau Interim Chief
Kimberly Bickley, Administrative Support, DMS-Division of Telecommunications
Diane Guillemett, Legal Counsel, Office of the Attorney General
Kent Raheb, Technical Support, DMS-Division of Telecommunications
Donald Lamb, Technical Support, DMS-Division of Telecommunications

Staff Members, participating via teleconference:

Wink Infinger, Statewide 911 Coordinator, DMS-Division of Telecommunications
Thelma Hawkins, Administrative Support, DMS-Division of Telecommunications
Adrienne Jones, Administrative Support, DMS-Division of Telecommunications
Larry Houff, and Partner, Carr, Riggs & Ingram, LLC (CRI)
Daniel Rodriguez, Manager, Carr, Riggs & Ingram, LLC (CRI)
Karen Hudson, Carr, Riggs & Ingram, LLC (CRI)

Public Members, meeting attendance:

Sally Jackson, 911 County Coordinator, Polk County
Sandy Chernoff, 911 County Coordinator, Collier County
Keith Goodwin, 911 County Coordinator, Alachua County
Mike Morning, 911 Coordinator, Escambia County
Andrew Hamilton, 911 Coordinator Assistant, Escambia County
Silas Daniel, 911 Coordinator, Sumter County
Cliff McGowan, 911 Coordinator, Holmes County
Laurie Corley, EM Director, Holmes County
Christine Cooper, 911 Coordinator, Okaloosa County
Chuck Freeman, 911 Coordinator, Pinellas County
Clint Erikson, 911 Coordinator, Washington County
Jon Greene, GeoComm
Ed Gonzales, Intrado
Don Nagle, LRKIMBAL
Tim Gundlach, TGRA
James Robinson, AK Associates
Ford Frey, CenturyLink
Susan Nelson, Airbus DS Communications
Steve Fullerton, ECATS
David Gleason, TCS

Public Members participating via telephone conference:

Annette Rodgers, 911 County Coordinator, Orange County
Jody L. Kenyon, Acting Director Public Safety Communications, Pasco County
Stacy Needham, 911 Coordinator, Manatee County
Venessa Thompson, 911 County Coordinator, Putnam County
Chuck Spalding, 911 Director, Palm Beach County
Jennifer Payne, 911/GIS Coordinator, Suwannee County
Rolf D. Preuss, Essential Management Solutions, LLC
Timothy Roberts, General Dynamics Information Technology

(If teleconference participants are not listed, it may be due to non-receipt of emails acknowledging participation.)

1. Call to Order

Meeting called to order at approximately 9:00 a.m.

Staff conducted roll call. Nine of the current seated E911 Board Members were present; Mr. Nadler was on the telephone making a total of ten Board members attending.

Roll call for staff members was conducted. Public members attending this meeting or participating in the telephone conference were requested to acknowledge their participation by signing the sign-in sheet or by sending an email to staff to ensure that they would be properly noted in the meeting minutes. Public members with issue(s) to be presented to the board for consideration were requested to list their issue(s) on the issue(s) list provided, or to send the issue(s) via electronic mail to the staff.

2. Approval of Meeting Minutes

Meeting minutes from the July 15, 2015, E911 Board meeting were reviewed by the Board. There were no changes requested.

Ms. Dill-Collier motioned to adopt the July 15, 2015, meeting minutes. Mr. Guthrie seconded the motion that carried unanimously (10-0). There were no questions or comments related to this vote.

3. Old Business**Status of Board Member Appointments**

Ms. Bickley reported that there was nothing new to report on appointments.

4. Vote on Disbursements to the Counties**Wireless**

Wireless financial reports for the period ending May 31, 2015, were reviewed and discussed by the Board.

Sergeant Mitchell expressed that she does not like the way the Executive Summary is being presented now. She preferred going through it page by page. Mr. Pyles, Ms. Anderson, Mr. Konuch and Ms. Khazraee concurred with Sergeant Mitchell that they found it easier to follow when reviewed page by page. Mr. Guthrie, Ms. Anderson and Ms. Khazraee liked the upfront summary page. Mr. Pyles requested that the summary shows both the previous month's and present month's data. The Vice Chair requested that the Accountants present the data as they had presented it in the past.

Mr. Guthrie motioned to authorize distribution of wireless revenues in the amount of \$3,711,454.32. Sergeant Mitchell seconded the motion that carried unanimously (10-0). There were no questions or comments related to this vote.

Nonwireless

Nonwireless financial reports for the period ending May 31, 2015, were reviewed and discussed by the board.

Ms. Khazraee motioned to authorize the distribution of nonwireless revenues in the amount of \$2,677,682.60. Ms. Dill-Collier seconded the motion that carried unanimously (10-0). There were no questions or comments related to this vote.

Prepaid Wireless

The county allocations of the fee in the prepaid Wireless category for the period ending May 31, 2015, totaled \$1,060,730.64. Ms. Khazraee motioned to distribute \$1,060,730.64 to the counties. Ms. Anderson seconded the motion that carried unanimously (10-0). There were no questions or comments related to this vote.

After discussion with the Board's Counsel, the Board decided to keep all the unspecified prepaid wireless funds in the unspecified category until they are needed in another area. Counsel advised they could only move the funds once.

Mr. Greer informed the Board that AT&T of Florida is billing and collecting at the wrong rate; AT&T is still using the \$0.50 rate. Mr. Greer will follow up when more details are gathered by AT&T.

The E911 Board requested staff to provide all service provider data from years 2010 to 2015 for all categories (prepaid, wireless, non-wireless and VOIP). This information will be used to determine what the fee should be.

The Board requested that a column be added to the Prepaid Wireless section of the Executive Summary reflecting the previous month's information for comparison against the current month's information.

5. Review Accountant's Financial Statement

Mr. Houff presented an overview of the Financial Statement (Blue Book).

Ms. Dill-Collier motioned to notice that the Board will have a rule development workshop for changing the 911 Fee Rate at the September 23-24, 2015, E911 Board Meeting in Tampa. Sergeant Mitchell seconded the motion which carried unanimously (10-0). There were no questions or comments related to this vote.

Ms. Dill-Collier asked if the Board would have the option to deny AT&T reimbursement for sending in too much funds after the fee changed to \$0.40 and will AT&T be refunding their customers? The Vice Chair stated AT&T would be refunding the customers once they determine how much funding was over remitted. The Board Counsel stated that it may be possible to extend the repayment to AT&T over a couple of months, to lessen the impact on the counties.

Ms. Guillemette stated she had reviewed the options the Board will have regarding raising the E911 Fee Rate. The counsel stated after researching what is required to raise the rate: It will require a rule change, a rule development workshop, and potentially rule hearings after rule development. Counsel recommended opening the rule for development. She recommended that the Board notice a rule workshop at the September meeting to discuss and potentially determine whether they will raise the fee rate and if so, what rate it will be raised to.

Mr. Freeman requested clarification why a rule workshop is required to change the fee rate. Ms. Guillemette explained the public may have questions about the fee change, and must have the opportunity to express their opinions and ask questions on the matter and even possibly challenge the fee rate change. Mr. Dillion questioned why data was needed back to 2010? Ms. Jackson, Polk County 911 Coordinator, stated 2010 was the last year the Wireless remittance was whole for the entire year. After that some of the companies discontinued collecting and remitting the fee.

Sergeant Mitchell also asked if the workshop needed to be noticed or could it just be handled as general business?

Ms. Guillemett affirmed that the workshop would require a notice to inform the public, so they have the opportunity to attend and express their opinions and challenge any decision. It will require a two thirds majority vote of all board members to change the fee rate. The Department of Revenue must be provided the appropriate advanced notice to change the fee rate, and has also asked that it be done in conjunction with their start of a new fiscal quarter. Ms. Guillemett will put together a best case timeline for changing the 911 fee rate and present it at the September Board meeting.

Ms. Dill-Collier motioned to open rule development on changing the 911 fee rate. Sergeant Mitchell seconded the Motion which carried unanimously (10-0). There were no questions or comments related to this vote.

6. Wireless Service Provider Cost Recovery

Ms. Dill-Collier presented the cost recovery request and motioned that \$336,125.38 be reimbursed to the vender. Ms. Khazraee seconded the motion which carried unanimously (10-0). There were no questions or comments related to this vote. Vice Chair filled out a conflict of interest form (8a.)

7. Discussion on Travel for Future Board Meetings

Mr. Grimsley provided an overview on the travel changes. Mr. Grimsley stated that nothing has changed for the Board personnel, the changes were only for staff.

The Board requested answers to a series of questions:

- a. Sergeant Mitchell requested the Board be presented the fiscal year 2015-16 budget. Ms. Dill-Collier supported this and stated, "the budget needs reviewed and voted on." The Board wants to see the staff's salaries included in the budget.

- b. Sergeant Mitchell requested the Board be noticed, with explanation if and when E911 Board Staff is changed. Mr. Grimsley informed the Board that the reason for recent changes is a matter of public record and may be obtained through a public records request.
- c. Sergeant Mitchell asked why the Board is being rushed through the subjects that they are reviewing and often voting on?
- d. Sergeant Mitchell stated "do not centralize all board meetings." The Vice Chair stated "it is easier to meet in the central part of the state for all parties, unless another specific location has been requested." Ms. Bickley stated that the January meeting would be in Palm Beach and the February meeting in Tallahassee.
- e. Mr. Pyles requested a copy of the Division of Telecommunications (DivTel) E911 Organization chart.
- f. Sergeant Mitchell asked how long the Board must wait for a Chairman to be designated? Ms. Khazraee stated that 365.172 para 5 (b) requires the position of the E911 Board Chairman be filled expeditiously by the Department of Management Services (DMS) and that the position has been vacant longer than statute allows.
- g. The Vice Chair asked the legal counsel what margin was required to pass a fee rate change? Ms. Guillemett stated a two thirds majority (11 members requires eight "Yes" votes to pass; 10 members require seven "Yes" votes to pass.)
- h. Sergeant Mitchell stated that the smaller conference rooms were not acceptable.
- i. Ms. Anderson asked if there were two rooms for September's meeting and workshop? Ms. Bickley responded "yes."
- j. The Vice Chair stated that times on the agenda are only indicated on the acting Chairman's agenda.
- k. Ms. Dill-Collier asked should there be a time certain blocks of time designated for presentations? The Board agreed that there should be times specific time slots for presentations.
- l. The Board asked DMS staff if the September meeting would be two days? Mr. Grimsley responded that it would be two days due to the rules workshop and fee discussions.
- m. Ms. Dill-Collier stated she was not comfortable with DMS staff required to travel back to Tallahassee after a long day of setting up, tearing down the board equipment and driving back to Tallahassee, especially in the winter months when it becomes dark much earlier. Sergeant Mitchell asked "doesn't the Board funds pay for DMS staff's hotel, travel per diem and salaries?" Mr. Hadley stated that some of the staff's salaries are covered by the 911 trust fund, but not all. The decision to have staff return after the Board meeting rests with DMS.

8. E911 Rule Development and Status

Ms. Guillemette stated that all rules and letters are moving along as expected.

Rule number 60FF1-5.002, Rural County Grants, Florida Joint Administrative Procedures Committee (JAPC) letter
Rule number 60FF1-5.003, E911 State Grant Programs, JAPC letter

Sergeant Mitchell and Mr. Pyles would like discussion and a decision on whether another Special Disbursement should be added to the September agenda.

9. Fall Coordinators Meeting

Ms. Dill Collier stated a decision is needed on continuing the training reimbursement for attending the Fall 2015 and Spring 2016 Coordinators Meetings needed to be made.

Sergeant Mitchell motioned that Reimbursement Funding for attending the next Fall and Spring Coordinators Training Meeting is continued at the same Special Disbursement rate as last in fiscal year 2014-15 (\$1,000.00 for the Fall and \$1,200.00 for the Spring). Mr. Guthrie seconded the motion which carried unanimously (10-0). There were no questions or comments related to this vote.

Ms. Dill-Collier stated the Florida NENA Chapter has presented the cost for training at the Fall Coordinators 911 Boot Camp to include:

- Basic Boot Camp Training \$4,000.00 (two day course)
- 911 IP Network Fundamentals Class \$4,000.00

Both classes will require a minimum of 15 to sign up for the class to be held.

Ms. Khazraee motioned to fund the NENA class and a 911 IP Network Fundamentals class for the Fall E911 Boot Camp. Mr. Guthrie seconded the motion which carried unanimously (9-0). Mr. Nadler was unavailable for the vote. There were no questions and/or comments related to this vote.

10. Vote on Grant Change Requests

Mr. Raheb presented the Baker and Putnam Counties change requests.

Baker County requests a reduction in cost for Grant 15-04-01 of \$31,460.19.

Ms. Khazraee motioned to accept the Baker County's Grant 15-04-01 change request. Sergeant Mitchell seconded the motion which carried unanimously (9-0). Mr. Nadler was unavailable for the vote. There were no questions or comments related to this vote.

Putnam County requests a reduction in cost for Grant 14-10-17 of \$3,500.00.

Ms. Dill-Collier motioned to accept the Putnam County's Grant 14-10-17 change request. Mr. Guthrie seconded the motion which carried unanimously (9-0). Mr. Nadler was unavailable for the vote. There were no questions or comments related to this vote.

11. 911 GIS Presentation

Mr. Jon Greene presented a 911 GIS presentation to the Board.

12. Other Business

- **Staff Reports**

- Ms. Bickley: All business has been covered.

13. Adjourn

Ms. Khazraee motioned to adjourn. Sergeant Mitchell seconded the motion which carried unanimously (9-0). Mr. Nadler was unavailable for the vote. There were no questions or comments related to this vote.

14. Action Items from the August 2015 E911 Board Meeting

a. Board Requests- Financial Review

1. The E911 Board would like to amend the Executive Summary; the change would be made to the first page of the summary to include data from the previous month's disbursement amounts per category (wireless, non-wireless, VOIP and PrePaid).
2. The E911 Board requests to return to the original format of reviewing reports on the E911 fee and disbursements to the counties. The Board requests an in depth review of the Executive Summary reports and Blue Book.

b. Request for Data

1. The E911 Board requests staff to provide all service provider data from years 2010 to 2015 for all categories (wireless, non-wireless and VOIP).
2. The E911 Board requests to review the budget for fiscal year 2015-16.
3. The E911 Board requests staff to prepare special disbursement data for consideration in the September 2015 board meeting.
4. The E911 Board requests a copy of Division of Telecommunications organization chart.

c. Agenda Requests

1. The E911 Board requests staff to present a draft copy of the agenda for the September 2015 board meeting for review.
2. The E911 Board Vice Chairman requests staff to add the upcoming events on his agenda for the E911 Board meeting in September 2015.

d. Requests for E911 Board Counsel

1. The E911 Board requests the Board Counsel to prepare a rule chart to outline the process and present it at the E911 Board meeting in September 2015.
2. The E911 Board requests Board Counsel to provide the rule effective date regarding changing the E911 remittance fee, and date for rule development, which is to be presented during the September 2015 meeting.
3. Board staff to coordinate with Board Counsel to decide on the date and time for the fee remittance workshop and rule making workshop to be held during the E911 Board meeting in September 2015.

Next scheduled meeting:

DATE: September 23-24, 2015

LOCATION: Hillsborough County Sheriff's Office/ Training Facility
1409 N. Falkenburg Rd.
Tampa, FL 33619