

Kansas 911 Coordinating Council
Minutes from the June 7, 2013 Meeting
via conference call

Attendance

Members Present: Chair Walt Way, Michele Abbott, Pat Collins, Keith Faddis, Dick Heitschmidt, Coleen Jennison, Chris Kelly, Mike Napolitano, Kim Pennington, , Rob Roberts, , Jimmy Todd, and Ivan Weichert.

Members Absent: Sen. Pat Apple, Bob Boaldin, Jay Coverdale, Sen. Marci Francisco, Rep. Kyle Hoffman, Rep. Annie Kuether, Jimmy Reed, Rebecca Rosenthal, Phillip Ryan, Col. Christopher Stratmann and Kim Winn.

Others Present: Scott Ekberg, 911 Liaison; Melissa Wangemann, Kansas Association of Counties; Jessica Frye, Ed Klumpp.

Proceedings

Chairman Walt Way called the meeting to order at 9:03 a.m. He noted that he had sent an agenda late the day before.

Walt Way said that the LCPA had issued an invitation to the telecommunications provider who had failed to provide the required data to process the 911 monies. Melissa Wangemann explained that she provided notice to the telecom earlier in the week, telling the telecom to attend August 9th 911 Coordinating Council meeting, and by 5:00 p.m. yesterday the telecom had submitted its data. Dennis Kriesel will be reviewing the data to ensure it is correct. Walt Way asked the Council members if they wanted the telecom to still plan to attend the August meeting. Chris Kelly suggested the telecom attend anyway to explain why it took 15 months to comply with the law. Walt Way suggested a document explaining why it took so long. Ivan said it would convey a message to others. Consensus of the 911 Council was to leave the telecom on the August 9, 2013 meeting agenda to discuss why it took so long for them to provide the data.

The Council turned to the question on funding mass notification systems. Walt Way noted that the Council discussed this issue briefly at its last meeting but that further clarification is necessary. He reported that a small group of Council member had produced a funding philosophy draft that had been shared the day before. The question is whether 911 fees should be used to fund mass notification systems, either 100% or based on a 50% break-down if used

to both notify first responders and the public. Mike Napolitano asked how many PSAPS use it 100% for first responders. Michele Abbott said the PSAPs in question use it for both purposes: mass notification of the public and the first responders. Michele Abbott reported that one PSAP paid back the money already. One other PSAP is waiting to hear clarification on the mass notification cost from the Council. Rob Roberts asked for an explanation of the mass notification system. Walt Way explained that some PSAPs are using it to alert first responders. Other uses include notifying the public of disasters, bad weather, etc. Walt Way noted this is not the most reliable method of notification of first responders. Chris Kelly asked if this means the 911 fee would fund the subscription cost of the system. Walt Way said the drafted language would cover that cost. Ivan Weichert asked if there was any support for not funding this item. He questioned if a PSAP wanting to notify the public would say that the Council said they cannot fund it. Ivan Weichert noted that this expenditure seems to be veering off from the concept of NG 911. Scott Ekberg said the 911 should concentrate the 911 fees on other essential functions before moving to this type of expenditure. Pat Collins explained how the mass notification system is used to notify both the public and the first responders. Rob Roberts asked about using the mass notification system to alert the community's citizens and noted that this system is a positive asset for the community. Scott Ekberg noted that mass notification of the public is a good thing but still, the expenditure does not seem to fit the statutory definition of processing a 911 fee. Michele Abbott worried that the decision will open up expenditures for weather programs and storm sirens if the standard becomes an item that is good for public notice. Coleen Jennison noted the need for definitions and qualifications for what qualifies for mass notifications. The Council noted the possibility of "creep" – the use of the mass notification system for non-emergency purposes. Mike Napolitano moved to adopt a funding philosophy that would prohibit the use of 911 fees for mass notification systems. Dick Heitschmidt seconded the motion. The motion passed. There was concern about county budgets that may have already included costs for mass notification systems. Walt Way asked that Melissa Wangemann modify the FAQs on the website. Melissa Wangemann asked for clarification on whether the PSAPs who bought mass notification systems would repay the 911 fees used for that expenditure. Pat Collins moved that the Council not require repayment by PSAPs who used 911 fees for mass notification in 2012 because there was no funding philosophy on this issue in place. Those PSAPs who reported use of the 911 fees this last year for mass notification would be notified of the Council's June 7 determination that mass notification is not an appropriate use of 911 fees. Kim Pennington seconded the motion. Rob Roberts asked for clarification on whether one PSAP is now excused from repaying because the other offending PSAPs have already paid back the money. Michele Abbott noted that some of the PSAPs said it was reported in error as a 911 expenditure. Rob Roberts thought the Council's finding should affect all the PSAPs in the same manner. The motion failed. Council directed

Melissa Wangemann to notify those PSAPs that used the 911 fees for mass notification to repay the costs of the system to their 911 fund.

Walt Way covered very briefly items 3-5 on the agenda:

3. The Council approved an extension of the due date for 911 State Grant Fund applications to July 1, 2013 and also approved the inclusion of a PSAP in a regional grant project when such PSAP did not submit its annual report by the due date. Those decisions were posted on the www.Kansas911.org website as requested.

4. The Council concurred at the May 17th meeting of the need to clarify what is meant by "Regionalization" and to announce on the Council's website the opportunity for Council members to meet with PSAPs interested in forming a regional partnership. A document entitled "What does Regionalization really mean?" was developed with Council Committee leaders and has been posted to the website along with the information on holding regional meetings.

5. Process for reviewing and recommending 911 State Grant Fund awards. After discussion, the Council agreed that a subset of its membership would review grant applications and make recommendations of awards to the full Council. The process will be: (1) LCPA reviews grant applications to determine if they meet minimum requirements for submission; (2) A sub-committee comprised of 2-3 members each from the Operations and Technical Committees and the 911 Liaison will review grant applications forwarded to them by the LCPA, and will make recommendations concerning funding awards; (3) The Administration Committee will review the recommendations of the sub-committee and make recommendations on grant awards to the full Council. (4) Grant awards will be approved by the full Council at its August 9, 2013 meeting.

Walt Way turned to the question of the 911 state grant fund application, which was approved by the Council at its April 8, 2013 meeting that has a provision saying applicants should include two competitive bids. Several jurisdictions have inquired whether it is necessary to provide two bids when they have a proposal from a vendor that is on the state contract. Chris Kelly said that it was appropriate for PSAPs to buy off a state contract and the grant application should allow for one bid if it's on state contract. Mike Napolitano raised concerns asked about PSAPs with one bid and whether it increases the risk of PSAPS working with an unreliable vendor. Pat Collins asked about PSAPS that may only have one vendor in their area. Walt Way said he believes the two-bid requirement will affect whether regional groups will submit a grant. Kim Pennington said sharing contracts promotes the philosophy of shared solutions. Kim Pennington moved and Chris Kelly seconded a motion to adopt the following policy:

“A single bid proposal from a vendor that is submitted with a grant application may be considered sufficient for the competitive bid requirement when such vendor has a current contract awarded competitively by the State of Kansas or by one of its political subdivisions for services and/or equipment that have a direct relationship to the implementation of NG911 service by the applicant.”

Keith Faddis asked if the motion should include language relating to local procurement policies. The motion passed with Michele Abbott and Pat Collins abstaining due to a possible conflict of interest because they may be grant applicants.

The meeting was adjourned at 9:46 a.m.