

KANSAS 911 COORDINATING COUNCIL

Eisenhower Building, Auditorium A
Topeka, KS 66612

Notes from September 9, 2011 Meeting

Council Members in Attendance:

Chair Walt Way
Michelle Abbott
Senator Pat Apple
Bob Boaldin
Pat Collins
Jay Coverdale
Keith Faddis
Senator Marci Francisco
Jessica Frye
Dennis George
Representative Kyle Hoffman
Coleen Jennison
Chris Kelly
Larry Meyers
Chief Mike Napolitano
Kim Pennington
Jimmy Reed
Rob Roberts
Rebecca Rosenthal
Phillip Ryan
Jimmy Todd
Richard Vogt
Kim Winn
Absent: Representative Annie Kuether, Gary Smith, Ivan Weichert

Others in Attendance:

Melissa Wangemann – KAC, Steve Brunkan – Dept. of Revenue

Staff in Attendance:

Jennifer Cook, Erica Haas, Jamie Bowser, Governor's Grants Program

Welcome

Chair Way called the meeting to order at approximately 10:00 a.m. and announced the appointment of Senator Marci Francisco to the Council. Introductions were also done at this time.

Review & Approval of July 20, 2011 Minutes

Minutes of the July 20, 2011 meeting were reviewed. Kim Pennington made a motion to approve the minutes. Michele Abbott seconded the motion. The motion passed unanimously.

Department of Revenue Update

Mr. Brunkan provided an update on notifying retailers about the collection of prepaid wireless fees. Department of Revenue (DOR) is providing daily information on their website. Mr. Brunkan stated that the idea of the 911 fee was to be a simple transaction. Department of Revenue would be the bank and the retailer would report the fee and DOR would pass it on. He mentioned the concept passed differently than planned. The DOR is unclear how the council would like the distribution handled if the amount exceeds two million dollars. Sales are reported by location jurisdiction code number assigned to a county/district. There are a total of eight hundred codes. Retailers report the amount collected statewide not by each selling location. Mr. Brunkan feels the burden of reporting on retailers was not the intent. He discussed developing a process internally and externally for retailers to report and pass on to the Council. Mr. Brunkan suggested approaching the legislature next session and requesting a revision on the statute in regards to the two million dollar distribution. The Council was not in favor of approaching the legislature and feels it is not an immediate concern but should be addressed at some point. Mr. Brunkan will provide a report in May 2012 listing state sales tax collections by county and city and how those fees are distributed to the cities and counties. The council members were in agreement with the proposal to not require DOR to collect prepaid wireless 911 fees by jurisdiction at this time and to have the council evaluate various revenue reports mid 2012.

Administration Committee Reports

Ms. Haas discussed the proposed rules and regulations on delinquent status penalties. The penalty is set out for providers who fail to submit contact information or submit 911 fees pursuant to SB 50. The penalty fee is \$500 per day or 10% per day whichever is greater. The proposed rule and regulation has been through Department of Administration (DOA) twice for revisions. Any changes the Council may request will be sent to DOA. Richard Vogt asked if written notification of a penalty would be through the LCPA. Mr. Way said that was the intent of the Administration Committee. He also mentioned the increase from \$50 to \$500 was not to punish providers but to obtain compliance. Pat Collins made a motion to proceed with the rule and regulation as presented. Jimmy Reed seconded the motion. The motion passed unanimously.

Ms. Haas reported on the LCPA contract requirements rule and regulation. Ms. Winn said it was a great start but there were a couple of items in the statute that weren't mentioned. Miss Winn felt that language regarding KOMA/KORA should be included in the contract. Ms. Haas said they were trying not to repeat statute in the regulations. Ms. Winn feels it would be consistent to do so. Mr. Way said he would check with DOA. Bob Boaldin made a motion to proceed with the rule and regulation as presented. Jimmy Reed seconded the motion. The motion passed unanimously.

Ms. Haas also reported on the RFP for LCPA selection. The RFP was issued by the Division of Purchases on September 2, 2011 and closes on September 27, 2011. The RFP was developed by the Administration Subcommittee. Rob Roberts recused himself during the RFP process because he is the KAC representative. Mr. Boaldin asked how the LCPA would be insured. Mr. Way said a FDIC institution handled by securities or some type of insurance. Senator Francisco asked if it is a FDIC are there limits to the federal insurance. Mr. Way stated the contract would be brought before the Council. Service provider contact information was brought up and Mr. Way mentioned speaking with the current LCPA on how they collect data. Mr. Way explained the

selection process of the LCPA after final RFP submissions by the Purchasing Negotiation Committee (PCN). The PCN will consist of the Division of Purchases representative, Mr. Way and Mr. Smith. Mr. Way also asked other Council members to participate in the evaluation process and interviews for broader input. It was asked if the LCPA has questions who do they ask. Mr. Way explained they would work with the Council and he is the liaison between the LCPA and the Council.

Operations Committee Reports

Ms. Abbott reported on the PSAP reporting form. She mentioned it would be done electronically and the drop down box will match categories as listed in statute. This will be very useful information for the Council. There needs to be consistent reporting from all PSAPs as some report in bulk and others attach ledgers. Mr. Way stated that the reporting form should start simple and be enhanced at a later date. Ms. Pennington thought the drop down category was the most helpful as it makes the PSAP think about the statutory requirements. Ms. Winn suggested building a form online and then dumping it into Excel. Ms. Abbott would like to do an overview/training on the form at the APCO meeting the 2nd week of October. Senator Francisco asked if collecting data from these monies covers most of the expenses for the PSAPs. Mr. Way mentioned they ran into a lot of obstacles last year when requesting what it cost to run a PSAP. Ms. Abbott said it is hard to put a dollar to the cost of running a PSAP. Senator Francisco said they need to report what's most important for the legislature as far as fees being spent. The appropriate level for fees will not come from this form. It may be being spent correctly but won't establish what an appropriate fee might be. The legislature won't understand what it is costing overall. Mr. Boaldin said the PSAPs need to know what the legislature wants. Counties don't have separate water meters, etc. If you ask the PSAPs to dig that deep it will be estimates because it is not separated out. Senator Apple said it is being made more difficult than needed. He said by contacting a small, medium and large PSAP that is run well the Council should know what it costs. Ms. Abbott stated that costs will be all over the board. She said standards need to be established to know true cost. Senator Francisco said costs don't need to be collected ahead of when the fee is revisited. She said the Council could ask counties if they are not comfortable with the funds and how it is not meeting their needs. Mr. Faddis suggested looking at the State of Illinois as they did a statewide research on what it takes to run a PSAP. The Council agreed to discuss this subject after PSAPs have returned the reporting form and the NG911 pilot project costs could be reviewed. Michele Abbott made a motion to have the PSAPs file the reporting form electronically. Pat Collins seconded the motion. The motion passed unanimously.

Ms. Abbott spoke about the communications plan and referred council members to review the North Carolina 911 website. She mentioned it was very informative and liked the layout. She thought the Council may be able to use it as a model for their website. Mr. Collins discussed the organizational chart and mentioned the arrows need to be filled in to finish off the plan.

Pilot Project Sub-Committee Report

Mr. Coverdale gave a brief overview of the federal Next Generation project. A handout was provided summarizing the latest meeting. An RFP is being developed for the equipment and services for the pilot project and should be posted in November.

South Central Regional 911 Back-Up Center

Ms. Abbott gave an overview of the South Central Regional 911 backup center request to use \$219,000 unassigned funds currently held by the LCPA. She also stated that anyone in the 620 and 316 area codes could utilize the system. Mr. Way stated there was \$245,000 in the LCPA fund. He thought the Council needed to be aware of the request and how it falls within the scope of 911. If the money is not spent it will be the responsibility of the Council effective January 1, 2012. Mr. Collins asked Mr. Ryan if Cassidian is purchased now would there have to be an upgrade later. Mr. Ryan said yes or they could try to push it into next spring and see if equipment is available to make it Next Generation. Ms. Abbott stated they do not want to lose the resources. Mr. Napolitano mentioned the backup center had made a grant request to the Kansas Wireless Enhanced Advisory Board and it was denied so should it be allowed with these monies. Ms. Winn gave an overview of the unassigned funds and how they are not grant related. The League is half of the LCPA and the request was reviewed and the League board officially endorsed the request. Melissa Wangeman, KAC, stated the KAC board will make a decision about the request after the council provides an opinion. The council agreed this was a reasonable request.

Other Issues

Mr. Way discussed fielding questions from PSAPs. Ms. Winn said the League is obligated to answer questions from constituents. She stated we can't be put in a position to not answer questions. She also mentioned they should always consult their city/county attorney. Mr. Way also mentioned criteria for expenditures of grant funds and which PSAPs will receive grant funding. These criteria need to be decided in the first few months of 2012.

Adjournment and next meeting:

Ms. Abbott requested the full Council meet later so the subcommittees could meet beforehand. It was decided future meetings will start at 11:00 a.m. instead of 10:00 a.m.

With no further issues to discuss the meeting was adjourned at approximately 12:45 p.m.

Notes prepared by Governor's Grants Program staff.