

Kansas 911 Coordinating Council
Minutes from the December 7, 2012 Meeting
Topeka, Kansas

Attendance

Members Present: Chair Walt Way, Michele Abbott, Senator Pat Apple, Bob Boaldin, Jay Coverdale, Keith Faddis, Senator Marci Francisco, Jessica Frye, Representative Kyle Hoffman, Chris Kelly, Mike Napolitano, Kim Pennington, Jimmy Reed, Rob Roberts, Rebecca Rosenthal, Phillip Ryan, and Ivan Weichert.

Members Absent: Coleen Jennison, Annie Kuether, Jimmy Todd, Richard Vogt and Kim Winn.

Others Present: Chief Dick Heitschmidt, Hutchinson Police Department; Melissa Wangemann and Dana Wethington of KAC.

Proceedings

Chairman Walt Way called the meeting to order at 11:14 a.m. Richard Vogt was to join the Council by phone, however, Eisenhower Support Services advised that the internet phone system was down.

Chair Way asked the committee to review the minutes from October 15. Chair Way noted an amendment on page 1 with regard to Melissa Wangemann's report; she discussed the PSAP disbursements, not expenditures. Michele Abbott moved and Jimmy Reed seconded approval of the minutes with the amendment. The motion passed.

Walt Way noted an article about texting 911 that Rebecca Rosenthal had found, and it was passed out to the Council. Keith Faddis noted an interim solution for texting known as 911 Link from Intrado. It will be a relay from Colorado to PSAPs with a callback number. There is a monthly charge of \$4.95.

Walt Way turned to Melissa Wangemann to give the LCPA report. She passed out the 911 fee distribution chart and reviewed it with the Council. She noted a sizable back payment of more than \$73,000 from a telecom provider for March 2012. The fees were paid in March but not distributed to PSAPs until the telecom provided the data. Melissa Wangemann also noted that the third installation of minimum payments was made in November. She reviewed a chart that compared the actual distributions with the level of 911 fee revenues projected by Kansas Legislative Research during the discussions on SB 50. After nine months of the first year, the

actuals should be around 75% of the estimates, and the actual distribution was at 72.72% of the KLR estimate. She noted the estimate does not account for receipts, but only actual distribution of the fees to the PSAPs – more money is actually received with a percentage deposited to the minimum distribution fund.

Melissa Wangemann reviewed a letter the Kansas Association of Counties sent to its CPA acknowledging the significant deficiency on the 911 audit and outlining the new process that prevents the same problem from recurring. Melissa Wangemann offered her opinion on whether the 911 Council could deposit any monies remaining in the minimum distribution fund to the 911 grant fund – she opined that statutory law directed that the monies be deposited into the state grant fund. She said Dennis Kriesel thought February 2013 would be the best time for the transfer, to ensure that he has paid out all minimum distributions before the money was swept to the grant fund. She also noted that she had been asked whether payment of the Legislative Post Audit report would be subject to the 1.5% cost cap applied to the Council and said it was her opinion that the cap did not apply. The cap is related to Council expense and is in one statute and the audit is in another statute. Senator Pat Apple suggested that Melissa Wangemann ask Legislative Research for an opinion and Melissa Wangemann said she would ask Cindy Lash.

Walt Way discussed the public hearing and the Joint Committee on Administrative Rules and Regulations meeting on the federal funds regulation. The Council voted by roll call in favor of the regulation. Melissa Wangemann outlined the next steps to finalize the regulation, which was to file the final version with the Secretary of State, who will publish it in the *Kansas Register*. The regulation allows for the filing of an application for federal funds should they become available.

Walt Way said the Administrative Committee discussed the 2013 work plan that was built on the accomplishments of the 2012 year.

Next steps for 2013 include the Council's duties:

- By statute, evaluate and decide the contract for the LCPA and coordinate it with the Legislative Coordinating Council. There is an option for a third year with the LCPA and we will set up a dialog with the LCPA early in the year.
- Report to the legislature on 911 early in the year, which would benefit new legislators.
- Facilitate conversations between Council and stakeholders, continuing and broadening outreach through KAC, APCO and other groups.
- Create training standards that will impact GIS operations.

- Review the PSAP annual financial report. The Council had talked about some enhancements to the PSAP report that would help facilitate the review by the Operations Committee.
- Implement the liaison position – now referred to as the PSAP Coordinator – that would have time and expertise to interact on technical, equipment and other issues. The Council would approve the job position at the February meeting.

Pat Collins asked if the liaison was to be on board by February 8. Walt Way said the goal was to have the liaison program implemented by February 8. The Operations Committee recommended having a complete job description and RFP ready by February 8, with the position staffed by April so that help would be available quickly to PSAPs with the grant period.

Walt Way moved onto discussion on statewide strategic plan for implementing 911 services. Strategic plan is due April 1, which would be reviewed at the April APCO meeting. At a January 10 meeting, a task force of Council members will work on the plan with a goal of having it ready by April 1. The plan is to facilitate multi-jurisdictional participation. In the spring the Council will evaluate any steps that need to be taken. Legislative action may be needed. The Council will need to modify the plan and update it toward the end of the year going in a direction we feel important and then establish priorities for what we want to do the following year.

The last goal will be to administer grants. May 1 to June 7 is proposed to be the grant application period.

Walt Way outlined the dates for accomplishing the items outlined in the work plan. April 1 is when the strategic plan is due. April 8 is proposed for a meeting with APCO to review the plan and by May 17th, approve specific action steps to be taken, and then in December, the Council would approve modifications to the plan.. In January, 2013, a boot camp will bring people together in Hutchinson where the group will work through policy and next-to-do questions for the draft plan. He is looking for a group of Council members to participate.

Walt Way also said that in January the Council will need stakeholders' meetings with consultants to help see how the plan will flesh out, where we need to go, and to recommend actions. He noted that the Kansas Association of Counties and the Kansas League of Municipalities are stakeholders.

Walt Way said the grant period will be May 1 through June 7, 2013. The Council will need to notify cities well in advance and if we are encouraging regionalization they need to start thinking about that. The subcommittee may want to look at how we will make awards.

He noted that the Legislature's Division of Post Audit is required to complete an audit of the 911 system by December 31, 2013. The 2014 Legislature will review the 911 Act.

Walt Way talked about the schedule for meetings in 2013. The Council will coordinate two meetings with the spring and fall APCO conferences and the September meeting will be in Hutchinson, where a regional back-up is located. .

Michele Abbott said they would want to make the PSAP reporting form modifications by May 1, 2013 to accomplish any tweaks they see they need.

Bob Boaldin moved and Pat Collins seconded a motion to approve the work plan. The motion passed.

Walt Way turned to the 2013 Council Operating Budget. The total budget is \$289,059.52 for the coming year. He discussed some of the particular items on the budget, such as vendor contracts including the PSAP Coordinator of \$85,000 which includes operating expenses; the LCPA contract which will go down about \$24,000 due to implementation costs not needed in the second year; and a \$12,000 line item for conference and training expenses. He is creating budget authority for spending and the budget doesn't necessarily mean that much will be spent. Average actual meeting expense is \$2,100 and the budget is \$2,400.

Following a discussion about electronic meetings versus in-person meetings, a webinar meeting is planned for the February meeting in Landon State Office Building, room 106. Ivan Weichert has used it before and will check to see if the room is available. Jay Coverdale will assist Ivan Weichert with the set up.

Jimmy Reed moved and Bob Boaldin seconded a motion to approve the budget. The motion passed.

Walt Way turned to the Council member attendance policy. He had asked Melissa Wangemann to review the attendance of Council members for the past year which she provided to him. He noted that the representative for one large wireless carrier had moved to Missouri and would no longer will serve on the Council, and that the law enforcement representative has resigned and the Governor's office is in the midst of appointing a successor. Generally, most members maintained a good attendance rate at meetings and they usually advised if illness would prevent attendance. Walt Way asked if inquiries about member absences should be handled informally by the chair and LCPA, and if there are excessive absences, ask the member if he or

she plans to remain on the Council, , or does there need to be a formal policy. Senator Marci Francisco suggested we distinguish between excused and non-excused absences and follow-up on non-excused absences. Ivan Weichert said members of his policy board can be removed by the Governor for lack of attendance or lack of participation. After discussion, the chair and LCPA agreed to follow-up on members' absences that are non-excused.

Walt Way turned to the Operations Committee report. Melissa Wangemann gave the report on the PSAP annual reports, noting that she had called all 23 PSAPs that did not file the 2011 report. She outlined what information she provided, noting that she explained there would be penalties in 2013 for any PSAP that failed to file the required report. In some cases, there were new contacts which she recorded.

Walt Way turned to the issue of PSAP Coordinator position. Pat Collins said the Operations Committee wants to see the position as a contract position, not an employed position. Senator Marci Francisco said one of the tests of a contract employee is that they provide their own space to work. Robert Roberts asked if the liaison could be an employee of the LCPA through an expansion of the contract with the LCPA. Bob Boaldin said they had hired two people who worked in-house; under KWEAB the Governor's Grant Office handled all these issues. Michele advised that her committee would work on development of the description of duties for this position and report on that at the February 2013, Council meeting.

Melissa Wangemann reviewed the Scope of Services document prepared by KAC. Michele Abbott raised concerns that the scope is too strict. She said she wanted flexibility to change while the form is in progress in order to obtain needed information. Michele Abbott wants to add questions to the form about CAD and other strategic plan requirements. It was suggested the Council as a whole would get the outstanding information on revenue and expenses but questions remain as to process. Melissa Wangemann will send out Scope of Services to the full Council for review and it will be discussed further.

Walt turned to the Technical Committee for its report. Jay Coverdale said the GIS RFI is ready to go out and responses are due back January 14. When the RFI is returned they will be evaluated by a subcommittee of the Technical Committee as information-gathering only. There will be information available for the February Council meeting. Walt Way thanked Jessica Frye for her work on the Council; she will be taking a new job and her last workday is December 14. Jessica Frye reviewed 83 dispatch center survey results - 35 are still out; asked what GIS software is. About half have GIS software and lines up with internal PSAP personnel are responsible for maintenance; next is GIS data maintenance responsibility – majority have city or county GIS personnel responsible for data. Last year's GIS data updated: some did not update,

some did not know when, most recent update was 2005. GIS data co-maintained: most are not co-maintaining with exception of large cities that share with counties. Update frequency: most reported update has been done on as-needed basis, a concern for when they go to the Next-Gen 911, where are they going to get the updated data. Three PSAP directors or staff who would know reported they never update. Jessica has records of who reported. Resolutions by measurement widely vary, and she said it would be nice to have a standard statewide because NextGen 911 will be interactive with surrounding systems. Percentage of address center points missing from data: 52 said all files are in there; one said none; a question not asked but for future would be accuracy. Address points: more jurisdictions say they have more than 25% not in file; 5 said have no address points in county; some software does not require it. GIS documentation, data maintenance and address assignments are where a lot of work needs to be done. Every jurisdiction that answered the survey has a point on homes and point on businesses. She will send a reminder to those who have not yet responded to submit by December 12 and she will get them to Ivan Weichert by December 14. She will send a copy of the survey information to Melissa Wangemann for distribution to the Council.

Mike Napolitano reviewed the grant application form. Mike Napolitano explained that the main focus of state grants is to encourage PSAPs to join with other PSAPs and share information. There is \$2 million allocated in 2013 to maintain the E911 level of service. Ivan Weichert asked about the sample budget's listing of travel; he didn't want to encourage use of the grant monies for travel. Melissa Wangemann said the new form was developed from the old KWEAB form and irrelevant information should have been deleted. Mike Napolitano explained that form is a carryover from previous years but the sample budget was modified. Michele Abbott pointed out that a vendor would require travel expenses in its contract. The Council decided to delete the reference to travel in the sample budget so as not to encourage using grant monies for travel. Pat Collins asked about military and university PSAPs requesting grants, and Melissa Wangemann noted that they are not on the fee distribution lists. Walt Way asked Melissa Wangemann to look at the statute and give an opinion about eligibility. Melissa Wangemann reviewed the statute during the meeting and said the definition of a PSAP requires it be operated by a city or county. Senator Marci Francisco asked about including maintenance covered by grant money. The grant form now states it will cover year one of a five-year maintenance agreement. Walt Way asked for comments to be sent to Mike Napolitano by January 15.

Walt Way turned to the NG911 Strategic Plan Document draft report. The next step is to flesh it out. To-Do List – need to move forward on strategic plan, talking to stakeholder groups. The work plan will help guide what we do with grant funds. . The Council will have input on what is policy, technical standards, and other information. Michele Abbott moved and Kim

Pennington seconded the motion to accept the draft Strategic Plan report and to move forward with the next phase of the planning process. The motion passed. Pat Collins mentioned that we might need a list of the telecoms to identify the stakeholders to interview and flesh out the plan in the January/February timeframe. A number of the stakeholders would attend the boot camp meeting in Hutchinson in January and start talking about policy. Melissa Wangemann said she had a list of the telecoms, as required by the 911 Act, and the list will be added to the strategic plan. Walt Way asked for thoughts to be sent to him by the end of the year so that the meetings with various stakeholders can be scheduled.

Senator Pat Apple said the Legislature starts back January 14 and if there is anything the Council wants to have a hearing on regarding 911, let the legislators know.

Michele Abbott noted that KDOT might ask for subscriber fee of \$100-400 annually per radio on the state 800 system. She reported that Secretary Mike King of KDOT wants to eliminate this duty of his agency because it's not key to transportation duties and he wants the locals to take on the expense. Michele Abbott is concerned that the state would not maintain that infrastructure. Michele Abbott pointed out that the regional homeland security departments put money into the system, as well as locals paying for their radio towers. She is concerned that 800 MHz radios will be "boxed" up and not used if this annual fee is imposed. Without paying the subscriber fee, each local will be only able to communicate within their "own foot print" – just within its jurisdiction and not statewide. She said \$8.5 million is needed to maintain the state 800 radio system and that the Highway Patrol uses the radio system.

Next Council meeting is February 8. The meeting was adjourned at 1:37 p.m.