

911 Coordinating Council
Minutes
August 15, 2014

Members in Attendance: Michele Abbott, Robert Boyd, Robert Cooper, Jay Coverdale, Kathryn Fairchild, Keith Faddis, Senator Marci Francisco, Rusty Griffin, Paul Haugan, Dick Heitschmidt, Kyle Hoffman, Coleen Jennison, Mike Leiker, Kim Pennington, Phill Ryan, Harry Smith, Jimmy Todd, and Walt Way.

Members Absent: Pat Collins, Rep. Annie Kuether, Mike Napolitano, Jimmy Reed, Frank Denning and Colonel Christopher Stratmann.

Also attending: Scott Ekberg, Brenda Flanagan, Ken Nelson, Randall White, Vicki Simpson, and Melissa Wangemann.

Chairman Way called the meeting to order at 11:03 a.m. and asked the members of the council and the public to introduce themselves.

Chairman Way called on Brenda Flanagan, CPA with the firm of Summers, Spencer & Company, who provided the audit on the Local Collection Point Administrator, the Kansas Association of Counties (Exhibit: Kansas 911 Act Fund Audit 2012 and 2013). Brenda gave a brief overview of the report. She explained that it was a planned audit that is risk based, where planning procedures are used to identify where the risks are and to appropriately plan the procedures that they are going to perform. She reported that her responsibility was to express an opinion on the financial statements to the 911 Council. Financial statements are prepared on the cash receipts and disbursements method of accounting: cash in and cash out. She reported that the firm's audit opinion is that the financial statements fairly present, in all material respects, the cash receipts and the cash disbursements of the 911 Act Funds for 2013 and 2012. The financial statement for the year 2013 showed total receipts were \$21,920,000.00, with total disbursements of \$18,615,000.00, and excess receipts of approximately \$3,000,000.00. Cash at the end of 2013 was \$18,279,000.00. That compares with the prior year (2012) receipts of \$30,172,000.00, and total disbursements of \$15,197.00. Brenda Flanagan gave an explanation of their audit procedures: to determine high risk areas they look at financial data, experience of past audits, and discussions with local collection point administrator personnel. She confirmed all of the cash balances--there are two cash accounts and that were confirmed with the financial institutions. She said they prepared a proof of cash, looking at all 12 months of bank statements for each bank account, added up receipts, added up disbursements and reconciled them back to accounting records to make sure accounting records reflected activity. She also confirmed deposit security, that is, the collateral for those deposits, and confirmed cash receipts by sending 20 confirmations that represented a little over 90% of cash receipts reported in the financial statement. 17% were returned clean or with reconciled exceptions, and those represented 63% of total cash receipts that were confirmed from outside parties. On the cash disbursement side, which was the highest risk area, 30 PSAPS who received over \$120,000 were sent confirmation, and all 30 were received back with no exceptions or

reconciled exceptions. The firm also integrated an element of unpredictability for the audit, and sent five confirmations on past PSAP distributions at random on the remaining balance, and all five were returned without any exceptions. Other expenses were tested by examining supporting documentation.

Chairman Way called on the 911 Coordinating Council to review the June 6, 2014 minutes. Dick Heitschmidt moved approval of the minutes and Kyle Hoffman seconded the motion to approve the June minutes. The motion passed. Dick Heitschmidt moved and Michele Abbott seconded the motion to approve the June 25 special meeting minutes. The motion passed.

Melissa Wangemann gave the LCPA Report. She reviewed the PSAP distribution chart and outlined the different columns on 911 fees distributed to PSAPs. She explained that the left-hand side listed the PSAPs; county or city; the next column listed primary payments starting in January from telecommunication companies that are sent to the PSAPs; the next column lists back payments, which reflect the amount that came in after the deadline. The next column, minimum payment, reflects the PSAPs that are entitled to a minimum payment of \$50,000 a year as required by statute. The minimum overage result from quarterly minimum payments paying more than needed and thus the next month's primary payment is decreased. The total column on the right hand side is the total amount that has gone out to the PSAPs as of this year which is \$8.9 million. This amount indicates that payments are on target because the LCPA generally sends out about \$18 million to the PSAPs by the end of the year. Melissa Wangemann explained that the last payment reflected is June because the LCPA is always two months behind; the telecommunication companies get a month to send in the data and the money, and the LCPA gets a month to turn it around, so distributions are always two months behind. PSAPs at \$25,000 are those receiving the minimum payments-- they will get \$50,000 for the whole year and because we are at the half way point, they are at \$25,000. She also reviewed the Council's budget versus actual expenditures for the 2014 year, noting that the Council is funded by prepaid fees that come from prepaid phones. She reviewed payments for conferences, training, and meeting expenses, the *Kansas Register* newspaper that is used to post public notices of meetings. She noted that vendor contracts are also listed, and that the Council is under budget.

Chairman Way asked Melissa Wangemann to review the grants that were awarded in 2013-14. There is currently a balance of \$16.5 million dollars in the State Grant Fund. Melissa Wangemann reminded the Council that it has the statutory authority to issue grants. The grants committee met last summer (2013) and decided to issue six grants, and those have run their course in the last year. Melissa Wangemann provided an outline of grants: The first grant was to the Six North Central Counties that have been working on GIS. Their project is complete and they spent \$24,000 with a budget of \$25,000, so they came in under their budget. Most of their work went through AOS with a goal of sharing mapping on a shared server with GIS. The

second grant relates to Sherman County working on GIS, and they were finished by the third quarter. They spent \$9,310.50 and their budget was \$9,311. The South Central region is working on GIS, with 19 counties involved in that project with 21 affected PSAPs. They came up with a regional strategic plan for GIS sharing and maintenance and they completed their project, spending their total budget of \$81,565. Cowley County's grant project is not completed--they are also working on a strategic plan for migrating their newly consolidated center to Next Generation 911. They hope to have their project completed by Sept. 30, 2014. They have expended \$55,522, which is about half of what they have budgeted of \$114,882. The last grant is the Flint Hills Six Counties; they are also working on a strategic plan to migrate to Next Generation 911, and their project is complete, spending \$55,109.12 with a budget of \$72,512.

Chair Walt Way gave the Administrative Committee report. He outlined the committee assignments for the Council members. Assignments are broken down to Administration, Technical, and Operations. He discussed financial and capital planning for NG911 systems. He noted the legislative request that was sent to KAC relating to allowable uses of 911 funds. He said his committee thought any attempt to relax the funding uses was premature, because NG911 needs are not yet known. Kim Pennington noted that, if the funding uses were broader, she would be concerned about other county agencies tapping her funds. Senator Marci Francisco suggested public comments about the use of funds at a legislative hearing. Representative Kyle Hoffman agreed that a conversation with the legislature would be helpful, but suggested the Council wait until the Council knows the needs for NG911 before changing funding uses. Consensus is that no changes will be made until more is known about the need for funds with NG911.

Michele Abbott provided the Operations Committee report, and deferred to Kim Pennington who is chairing the Training Subcommittee. Kim discussed the subcommittee meetings that have occurred, and also the standards that they are developing. She said Kansas is one of 19 states that do not have training. A question arising from PSAPs is, once standards are created, how do PSAPs meet those standards? She discussed how to educate PSAPs on where to go for the training. She was considering whether a RFI would be helpful for training opportunities. Standards will be stand-alone training, differentiated from the training for the statewide communication system.

Kathryn Fairchild asked Kim Pennington whether an entity will be overseeing the training requirements; in other words, who will ensure that the mandatory training hours are met. Kim Pennington said if there is agreement that mandatory training is required, an entity or person will have to keep track of those hours. Chairman Way mentioned that the Council does have administrative regulation authority, and he believes that this is an area that they could address

if it is the will of the Council and its recommendation. Kathryn Fairchild suggested a similar process of an audit or an explanation of expenditures to insure training guidelines were met.

Michele Abbott provide the rest of the Operations Committee report. She said she was impressed with the Training committee and what they have done, and asked the Council if they would adopt the committee's timeline. She also pointed out that the Operations Committee gave a recommendation of a mandate for 2018. Representative Kyle Hoffman asked where the teeth would be in mandating training hours. Kim Pennington answered that they had not gone that far as they wanted to see if they had the support of the Council first. Michele Abbott reminded everyone that they started out wanting the same level of service statewide, and they don't have equal service across the state now. To make the level of service standard, there has to be standard guidelines that people must meet at a minimum level. Kathryn Fairchild expressed concerns for smaller PSAPs and how the standards would affect them. Michele Abbott responded that the smaller PSAPs would have until the end of 2018 to put the standards into place, and support would be provided for them. Representative Kyle Hoffman said he liked the direction they were going and didn't want the it to become a legislative issue, but restated that there would have to be some sort of teeth put in to make the guidelines mandatory, and the Council may have to take the reins on that. Michele Abbott and Kathryn Fairchild suggested that restrictions be put on grant funding and/or training expenditures if mandates are not met with training. Chairman Way said putting restrictions on amount of dollars may be too difficult because of the different projects everyone is involved in, and it may work against them in the long run. The committee continued to discuss how to implement mandatory training and the methods to be used. Everyone was supportive of the direction the Operations Committee is moving.

Michele Abbott reported that the next 911 Coordinating Council meeting is October 14 during the APCO Conference in Wichita. Committee meetings are at 1 p.m. and the Council meeting is at 3 p.m. Michele Abbott reported that Jimmy Reed is on medical leave and she would provide his address to the council for cards. She reviewed the PSAP annual report. Expenditures for last year (2013) were a little over \$14,700,000.00. Questionable expenditures out of the \$14 million were \$1,286,000.00 or 8.7%. Out of the 8.7% that was questioned 8% or \$1,100,000.00 were allowable after asking further clarification. Those items found to be unallowable were \$92,000 or 0.63% of total expenditures of the year. Items found to be partially allowable were \$16,602 or 0.11%. At this time they have all but four PSAPs that have provided documentation (i.e. journal entry showing that they returned money to 911 fund). Three of the jurisdictions need to submit journal entries and one has shown no response from the initial inquiry. She said there would be one last attempt to get the four to respond.

Chairman Way turned to Scott Ekberg, the 911 Liaison. Scott Ekberg discussed the FCC report that was filed in July. He did not discuss the annual reports because Michele Abbott already covered this issue, but did note that less than 1% of the expenditures out of \$14 million were found to be unallowable. Scott Ekberg discussed the future of 911 Coordinating Council web conference services. AT&T has been providing connect sessions for free, but the council should be able to set up their own web conferences and not go through a third person. He suggested three vendors as possible solutions going forward; AT&T Connect, Web X, Citrix product – Go to Meeting. He noted that the State already has a contract for Web X services, which he is pursuing. Chairman Way commented on the need for web conferences and also for meeting in person, but wants to use the service more next year (will have a cost impact of this in October 2014), and cost could possibly be an offset to travel expenses. Scott also discussed the Legislative Post Audit Division's report that ensures the audit recommendations are being followed. He is finishing the fourth quarter report with only four items left to complete: Q1. Council needs to push for better training of the dispatchers, particularly for Next Generation 2. LPA recommends an increased push towards more funding; 3. LPA asked whether the current funding mechanism meets the needs of PSAPs and 4. Are services such as On Star paying their fees. The 911 Coordinating Council's response explained the work of the training subcommittee; increased funding will be pushed when NG911 needs are identified; On Star is paying but there are many other services that give access to 911 in nontraditional ways (i.e. Lifeline) and the Council will have to stay on top of those to make sure they are paying their 911 fees. Scott Ekberg explained all new cars next year will have a Wi-Fi connection and can Skype 911. There is a \$5 fee for that service, and whoever collects that fee will also have to collect the 911 fee as well. Texting is another issue. There is a new application on cellphones that allows texting beyond the cellphone user's subscription, and the upcoming question will be how to apply the 911 fee to that application. Scott Ekberg gave an update on texting: He reported that once texting 911 is available at the end of this year every provider must be able to route texts to 911, but the acceptance of the texts is still up to the PSAPs. The PSAPs have to make the request to the providers for Text-to-911 service; once the request is made the providers have up to six months to route the texts to the PSAP. The texts will either go to TDD (Telephone Device for the Deaf), or a standalone web browser until NG911 is set up. Keith Faddis remarked that a kickoff meeting was set between the top four carriers Verizon, AT&T, T Mobile and Sprint for the Kansas City MARC region.

Chairman Way turned to Jay Coverdale to provide the Technical Committee report. Jay Coverdale handed out a condensed report on the program management status. He discussed the infrastructure design project and the work on GIS. He noted that the Council has a contract with Mission Critical Partners and they are assisting with RFP development and review, as well as governing subjectives. The contract was initially \$600,000 and then \$492,000, and they have only spent \$171,000. He explained the GIS projects: the data analysis is a little over budget,

but should be able to rectify. He also discussed the remediation and validation projects. He discussed the infrastructure implementation and the RFP bids that have been submitted, and noted that the contract will be awarded by Oct. 10, 2014. He noted the work of Randall White on all the projects. Jay Coverdale handed off the discussion on digital ortho-imagery to Ken Nelson.

Ken Nelson discussed the GIS Subcommittee Report, noting the latest work on the ortho-imagery project. He explained the contract was awarded to Surdex Corporation, which is working with Valtus Imagery Services. The imagery will be 1-foot pixel and delivered in file-based and web-service formats. He explained the schedule of flights for the ortho-imagery.

Ken Nelson also discussed the gap analysis and remediation. He noted the status maps in his report. He discussed the data review and the process for reviewing the data. He noted the kickoff meetings for the GIS Subcommittee throughout the state, and also discussed the upcoming training exercises.

Chairman Way and Scott Ekberg discussed FirstNet.

Randall White and Jay Coverdale discussed NG911 system integration, noting that there are several parts that have to be coordinated, i.e., integrated. Jay Coverdale thought he and Randall could give more specifics at the October meeting.

Chairman Way adjourned the meeting at 12:51 p.m.