



# Kansas 9-1-1 Coordinating Council

## Meeting Minutes, Mon, Oct 7, 2019, Mayetta

### 1 Call to Order

9:08 A.M. On behalf of Chief Heitschmidt, Council Chair, Scott Ekberg called the Kansas 911 Coordinating Council ("Council") meeting to order.

### 2 Roll Call

Scott Ekberg asked Gayle Schwarzrock, Project Assistant, MNS, to take roll.

#### Council Members in Attendance:

**Voting Members:** Mike Albers, Melanie Bergers, Senator Rick Billinger, Sheriff Troy Briggs, Representative John Carmichael, Robert Cooper, Senator Marci Francisco, Chief Jerry Harrison, Representative Kyle Hoffman, Kathy Kuenstler, Sherry Massey, Kerry McCue, Chief Robert McLemore, Josh Michaelis, Ellen Wernicke, Jonathan York.

**Non-voting Members:** Chief Terry Clark, David Cowan, Jerry Daniels, John Fox, Patrick Fucik, Robert McDonald, Ken Nelson, Sarah Spinks, Mark Tucker.

#### Council Members Absent:

Voting Members: Government IT member (awaiting replacement).

Non-voting Members: Elizabeth Phillips, Bill Walker (awaiting replacement).

#### Also, in Attendance:

Michele Abbott, Lori Alexander, Eileen Battles, Kathleen Becker, Scott Ekberg, Carol Harris, Phillip Ryan, Gayle Schwarzrock, Randall White.

There is a quorum present for holding a meeting. There is a quorum present for acting.

Voting Members (17)	Non-Voting Members (11)	Others
Mike Albers, Govt IT	Terry Clark, Tribal Law Enforcem't	Michele Abbott, Broadband
Melanie Bergers, PSAP over 75k	David Cowan, LKM	Lori Alexander, Liaison
Senator Rick Billinger	Jerry Daniels, KAC	Eileen Battles, GIS
Troy Briggs, Kansas Sheriff Associat'	John Fox, LEC over 50k lines	Kathy Becker, LCPA
Representative John Carmichael	Patrick Fucik, Large Wireless Prov'	Scott Ekberg, Administrator
Robert Cooper, Deaf Hard Hearing	Rob McDonald, Rural Indep Telcos	Carol Harris, LCPA
Senator Marci Francisco	Ken Nelson, GIO	Phill Ryan, ITSS
Chief Jerry Harrison, KACP	Elizabeth Phillips, KU	Gayle Schwarzrock, LCPA
Representative Kyle Hoffman	Sara Spinks, OITS	Randall White, PM
Kathy Kuenstler, Kansas APCO	Mark Tucker, VoIP Provider	
<i>Govt IT (vacant)</i>	Bill Walker, MARC	
Sherry Massey, PSAPs less 75k		
Kerry McCue, Kansas EMS Board		
Robert McLemore, Fire Chief		
Josh Michaelis, PSAPs less 75k		
Ellen Wernicke, PSAPs over 75k		
Jonathan York, TAG		



### 3 Council Meeting Minutes

Scott Ekberg called for a motion to accept the Council Meeting Minutes, August 23, 2019. **Motion** by Kathy Kuenstler; seconded by Mike Albers. Motion carried unanimously.

### 4 LCPA Financial Report

**Financial Audit 2018 of LCPA.** Kathy Becker, Project Director and Carol Dold Harris, Director of Finance, Mainstream Non-profit Solutions (MNS) our LCPA. Kathy introduced their accountant, Greg Schmidlein, CPA, Cummins, Coffman & Schmidlein. Greg presented review of 2018 audit of LCPA financial records of Council noting the increase in number of receipts and disbursements. Rep. John Carmichael inquired about the change of investment accounts and any potential risk of loss. Greg explained that previously, investments were held in bank accounts with low yield of return. Then, funds were moved to higher yield investment accounts. Kathy explained that funds in excess of Federal Deposit Insurance Corporation (FDIC) are secured by pledged securities owned by the bank to a Joint Custody Account set up at the Federal Reserve Bank of Boston. **Motion** to approve the Financial Audit 2018 of LCPA was made by Sherry Massey; motion seconded by Sen. Marci Francisco; motion carried unanimously.

**Quarterly Financial Statements Ending July 31, 2019.** Kathy Becker presented the quarterly Balance Sheet and Summary noting that Operating Expenses are 1.25% well within statute limit of 2.0%. Sen. Francisco noted that investment income is essentially covering operating expenses which has been a financial goal of the Council. Kathy covered the State Fund and the Grant Fund accounts.

**LCPA Request for Proposals (RFPs).** Kathy Becker reviewed the RFP process for Council staff positions Kansas NG911 Administrator and Kansas 911 Liaison. Kathy thanked Kathy Kuenstler for agreeing to serve on the LCPA source selection committee representing the Council due to her extensive familiarity with the roles and responsibilities of the two positions. Kathy mentioned that since these RFPs are based on best-value, the criteria for evaluation is Experience 40%, Background 40% and Cost 20%. Rep. Carmichael inquired if the RFPs include termination for convenience and cause. Kathy shared that the award contracts will include both provisos. Rep. Carmichael inquired if there was a limitation on pay. Kathy reassured that the RFP negotiations will ensure that the associated costs are within the established Council Budget line items. Rep. Carmichael mentioned that he is unaware of any other state agencies entering into comparable arrangements. Scott Ekberg explained that is likely because the Council is a “component unit of state government” and not an “agency”, and no other state entity’s authorizing statutes contain language prohibiting the entity from having employees. Rep. Carmichael mentioned that the Council is spending state tax dollars. Sherry Massey pointed out that the Council is funded by 9-1-1 user fees which are intentionally separate from the State General Fund due to the nature of public safety. Rep. Carmichael cited “as authorized by the Legislature.” Jonathan York expressed concern over differences in benefits as a State employee and independent contractor. Kathy mentioned that it is incumbent on any independent contractor to consider benefit structure in their RFP bid rates. **Motion** to approve the LCPA RFPs and proceed with procurement was made by Josh Michaelis; seconded by Melanie Bergers. Scott asked Gayle for a roll call vote.

- In favor: Mike Albers, Melanie Bergers, Sen. Rick Billinger, Troy Briggs, Robert Cooper, Sen. Marci Francisco, Jerry Harrison, Rep. Kyle Hoffman, Kathy Kuenstler, Sherry Massey, Kerry McCue, Robert McLemore, Josh Michaelis, Ellen Wernicke.
- Opposed: Rep. John Carmichael, Jonathan York.



- Motion carried.

## 5 Executive Committee Report

**OAG Opinion.** As requested, Scott Ekberg, NG911 Administrator, sent to Rep. Carmichael the legal opinion of the Office of Attorney General (OAG) regarding Council staffing.

**Council Membership.** Scott mentioned that, to his knowledge, no candidates have applied to the Governor's Office for the open seat representing Government Information Technology vacated by Mike Leiker, July 1, 2019. In addition, Scott is not aware of the Governor's Office approving Mike Daniels as replacement of Bill Walker as the Mid-America Regional Council (MARC) representative.

## 6 Administrator Report

**911 ACT KARs.** Scott Ekberg expressed appreciation for Rep. John Carmichael's offer to review a series of Council-related Kansas Administrative Regulations (KARs) for new statute. Rep. Carmichael recommends that the Council ask the legal team of the Council to review the KARs. **ACTION** Scott to issue Work Package to Legal Services for cost estimate to review and issue opinion on KARs in order to facilitate review by OAG particularly in relation to Grant Funds.

**Potawatomi Nation MOA.** Tribal Nation received Federal Grant for NG911 and plans to use the funds to join our statewide hosted solution. They want to add a stipulation of sovereignty to the Memorandum of Agreement (MOA). Scott Ekberg believes the request is appropriate and requested approval to modify the MOA accordingly. **Motion** to approve addition to the standard MOA a recognition of the sovereignty of the Potawatomi Nation made by Sen. Francisco; seconded by Chief Jerry Harrison; motion carried unanimously.

**PSAP SOR Update.** Scott Ekberg provided status of several Public Safety Answering Points (PSAPs), such as City of Chanute Police Department and Gove/Logan Counties (consolidated), expressing an interest to sign Service Order Request (SOR) to join the statewide hosted solution. Rep. Kyle Hoffman inquired if their standing up their own PSAPs costs more. Scott answered that in the case of Chanute "no", in the case of Gove "yes". Rep. John Carmichael expressed concern that the administrations of City of Chanute and Neosho County can't get along. *[note: representatives from Chanute, Neosho County, will address the Council later on the agenda.]*

**NG911 Statistical Report.** Scott Ekberg provided progress maps and statistics of 911 calls, call volume, average cost per call, text sessions, call-answer compliance with NENA standards. Scott mentioned that PSAPs can pull their own statistics from Emergency Call Tracking System (ECaTS). Several Council members expressed concern that we have a few PSAPs that are non-compliant. **ACTION** Scott to furnish to the PSAPs that are not answering 9-1-1 calls within NENA time standards, the ECaTS reports showing this failure.

**Work Plan 2020.** Scott Ekberg presented the Work Plan for 2020. Plan includes all major milestones and dates including planned Council meetings. Robert Cooper noticed that the date top of page 1 needs to be changed from 2019 to 2020. **ACTION** Scott to change date at top of Work Plan page 1. **Motion** made by Mike Albers to accept Work Plan for 2020; seconded by Kerry McCue; motion carried unanimously.



**Budget for 2020.** Scott Ekberg presented the Budget for 2020. Budget increased the Salary line item and removed benefits to accommodate the Council staff positions changing from status as state employees to independent contractors through the LCPA. Rep. Hoffman inquired about the number of staff budgeted. Budgeted line item for five (5) Staff includes Administrator, Liaison-1, Liaison-2, GIS Specialist, Communication Director. Sen. Francisco inquired about staff salaries, payroll taxes and benefits. Scott explained budgeted line item assumes all costs of independent contractors are captured in the budgeted line. Scott reviewed new legacy charges from AT&T and inclusion of RapidDeploy for Next-Generation 9-1-1 (NG911). **Motion** made by Mike Albers to accept Budget for 2020; seconded by Sherry Massey; motion carried unanimously.

## 7 Liaison Report

**Learning Management System.** Lori Alexander, 911 Liaison, shared about the new Learning Management System (LMS) platform including the *Sandbox* application in Knowledge Center. She highlighted a sample training plan. [Details on the LMS will be covered by Ellen Wernicke later in the meeting.]

**Expenditures Status.** Lori mentioned that our Frequently Asked Questions (FAQ) has been updated for more clarity of what expenditures are allowed, and not allowed. The FAQ document can be found on the website and a link to the website is provided on the portal expenditure application. Work is progressing on an expenditure database that will allow PSAPs to search Council decisions including vendor(s) and types of expenditures in order to help them plan and make their expenditure decisions.

**Regional Outreach.** Lori was invited to the Kansas Highway Patrol (KHP) and Kansas Bureau of Investigation (KBI) User Groups meeting, Marshall County, to provide an update on Kansas NG911, and exchange interoperability ideas.

**Administration Day.** Lori shared that Admin Day is rapidly approaching, November 13, 2019, at the Meridan Center, Newton, KS. She encouraged as many Council members to attend as possible. Administration Day for 9-1-1 PSAP Directors and Supervisors. This is a unique opportunity once a year to gain a first-hand appreciation for the Kansas PSAP perspective. **ACTION** Lori promoted the idea of having a Legislator Round Table to encourage dialog while building solidarity with our PSAPs. [Contact Lori directly for more details 785.840.5772]

**Broadband Interoperability.** Lori and Michele Abbott attended the annual Broadband Conference, September 18-19, 2019, Wichita. Awareness of broadband is important to our NG911 effort in order to properly align our deployment roadmaps, broadband redundancy as well as influence interfacing technical specifications and standards. Lori and Michele were able to spend some time with the keynote speaker FCC Chairman Ajit Pai. They extended an invitation to revisit a Kansas PSAP to see our latest developments including RapidDeploy integration.

## 8 Operations Committee Report

Josh Michaelis, Operations Chair, asked Lori Alexander to deliver her Expenditure Status Report.

**Expenditure Status.** Lori reported that a few PSAPs need to submit their invoices or complete their follow-up. Letters of delinquency were emailed September 12, 2019, by the LCPA to the governing body of the PSAP [Expenditure Reporter, Director of PSAP, Department Head, Governing Body, Treasurer]



explaining the statute requirement of withholding 10% of subsequent fee if they fail to respond within 60 days. Josh briefly reviewed the “Policy and Procedure for Expenditure Reporting Review” and asked for a motion to accept the policy. **Motion** made by Kathy Kuenstler to accept the Expenditure Policy and Procedure; seconded by Melanie Bergers; motion carried unanimously. **ACTION** Josh Michaelis to document the Expenditure Subcommittee plan by the December 13, 2019, Council meeting. Then, put the process into play by January 2020.

## 9 Training Subcommittee Report

Ellen Wernicke, Training Subcommittee Chair, explained the new Learning Management System (LMS) platform offered by NEOGOV (formerly FirstNet Learning) is more user friendly. Josh agrees that the new platform is simplified. The current contract expires this Dec 31, 2019. The cost-benefit analysis supports renewal of the contract. This is especially true since the LMS is used for much more than just training modules. For example, Kathy Kuenstler supports renewing our LMS since she uses it not only for training but also to track the hiring of personnel and managing the personnel files of Garden City staff. Ellen and Lori recommend extending the contract one year at a cost of about \$17,500.00, then conducting an effectiveness evaluation 3Q2020. **Motion** made by Kathy Kuenstler to extend the contract one (1) year, evaluating cost-effectiveness 3Q2020 before renewing again; seconded by Josh Michaelis; motion carried unanimously. **ACTION** Scott Ekberg to work with Neal Farron, Department of Administration, to renew the contract.

## 10 Text-to-911 Subcommittee Report

**PSA Text-to-911 Contest.** Melanie Bergers, Text-to-911 Subcommittee Chair, provided status of the Public Service Announcement (PSA) contest among our high schools. Letters were sent to the Kansas State Board of Education (KSDE) and Kansas Association of School Boards (KASB). In addition, they plan to ask APCO to show PSA on their social media. The deadline for submission is December 20, 2019. Council will vote on best video at the April 6, 2020, meeting. First prize is \$500.00, second prize is \$250.00 awarded to their technical department. Robert Cooper mentioned that he participated in three town hall meetings. Rep. Hoffman expressed concerned that the timeline might be too tight. **ACTION** Melanie, Rep. Hoffman suggested that the Text-to-911 Subcommittee or the Executive Committee could preview the top-50 (or whatever number submitted) videos by the January 24, 2020, Council web-conference; then forward their top-3 to the Council for their evaluation; then, during the Spring-APCO / Council Meeting, April 6, 2020 meeting the Council could vote. **ACTION** Council members to reach out to their local high schools to promote the PSA Text-to-911 Contest. **ACTION** Melanie to update our website with PSA Text-to-911 Contest best practice guidelines and policies (for RTT and TT911) while coordinating with the Training and Text-to-911 Subcommittees so as not to duplicate effort. Robert Cooper shared that he spoke with the superintendent at the Kansas School for the Deaf about the PSA contest **ACTION** Melanie and Robert Cooper to reach out to the Kansas School for the Deaf, Olathe, Kansas; Sen. Francisco suggested that he approach the School for the Deaf to make a video without sound as awareness of the environment for the hard of hearing; Melanie liked the idea and suggested a secondary video for that specific purpose; it was suggested that the Kansas School for the Deaf might want to consider working jointly with a local high school such as Olathe North; Robert Cooper can serve as a valuable resource for advice.



## 11 GIS Committee Report

**Data Maintenance.** Ken Nelson, State GIO and GIS Committee Chair, shared that 3Q2019 GIS data maintenance submissions are going well, and that cooperation is high.

**Orthoimagery.** Ken shared that the Hexagon/Valtus web service successfully migrated to Amazon Web Services platform without tech issues. Imagery for 2018 was received in natural color and infrared color. As requested of Rep. Carmichael, Ken reconciled SURDEX orthoimagery tornado emergency Douglas County with the imagery of 184th Intel Wing National Guard, McConnell AFB. His recommendation for the future is to develop guidelines for imagery acquisition to reduce duplication of effort and cost. Rep. Carmichael expressed that he is pleased with the resolution.

**NG911 GIS User Group.** Eileen Battles, Program Portal Lead, emphasized the success of periodic GIS User Group web conferences as a communication and training platform and forum that ensures the integrity of GIS data. The quality of our GIS data is paramount to geospatial call routing.

**NG911 Program Portal.** Eileen reviewed some of the new improvements and plans for our Portal. Portal Modules are designed to reduce administrative overhead costs while improving communication among stakeholders.

**NG911 GIS Toolbox.** Eileen reviewed new and emerging features of the GIS Toolbox. The GIS Tool Box is designed to help GIS Data Maintainers ensure the accuracy and completeness of their data. This is an essential part of NG911 geospatial call routing. The next release of Toolbox is scheduled for late October 2019.

**General GIS-related Activity.** Eileen reported on GIS Imagery on 100 NAS devices now fielded in Kansas.

**GIS Outreach Activities.** Sherry Massey, GIS and Geospatial Call Routing Specialist, reported that members of the GIS Committee met with nine (9) GIS counterparts in Oklahoma. The workshop was especially helpful in constructing cross-border interface specifications and standards what will directly impact and benefit geospatial call routing. Oklahoma is using Federal Grant money to enhance their GIS data.

**Geospatial Call Routing.** Sherry shared that the system-wide conversion from legacy routing to geoMSAG routing is now complete and the PSAPs are operating from geoMSAG. This is a hallmark landmark that, to our knowledge, has not be accomplished elsewhere in the nation.

## 12 Federal Grant for 911 Report

Sherry Massey, Federal Grant Lead, reported on status of the NG911 Federal Grant.

**Project-1 Subgrants** direct to PSAPs:

- 6 PSAPs have filed subgrant applications.
- 5 applications are allowable and approved.
- The application of the City of Chanute, Neosho County, for their new PSAP requires Council determination. The identified equipment is appropriate; however, the city of Chanute is not yet a PSAP and is not taking 9-1-1 calls. Therefore, the question is when does a PSAP become a



"PSAP" under statute. The status of City of Chanute as a PSAP is unclear, and therefore does not fit our Federal Grant Guidelines and Policy.

### **City of Chanute Application**

Raymond Hale, Chief of Police, and Jeff Cantrell, City Manager, Chanute (Neosho County) were invited to state his case.

- Chief Hale briefed the Council on their planned PSAP:
  - to place their PSAP in the old Kansas National Guard Armory, Chanute.
  - They are renovating a room for dispatch and radio consoles.
  - The facility upgrade is 80% complete. Completion is planned for ~ May-July 2020.
- Jeff Cantrell explained the rationale and reason for the planned PSAP:
  - At issue is the lack of quality of 911 dispatch; that is, additional resources are needed, and best practices should be enforced.
  - Politics should not be part of public safety.
  - Long-term solution is to stand up a new PSAP.
  - They tried to merge with Allen County (Angie Murphy, 911 Communications Director) but there has been no movement.

Sherry stated that the issue is above our pay grade because when does a PSAP become a PSAP under statute? Rep. Carmichael inquired about the budget for the new PSAP. Jeff Cantrell answered that it depends on whether service is for just Chanute PD and Fire, or for the entire county. \$180,000 is provided per year to the county to run Chanute calls. Rep. Carmichael responded that surely, they had a budget in mind for the project. Jeff answered that there is a reliance on contract with Neosho County discretionary funds shifting to public safety. \$180,000 is contractually obligated to the county; there is no exact dollar amount budgeted. Rep. Carmichael mentioned that the Council does need an exact amount of project budget. Jeff replied that they could be 35-40% off the mark. Rep. Carmichael again asked about the amount. Scott Ekberg mentioned that currently Neosho County receives \$94,000 per year split between the county and the city. Rob McDonald asked about their local exchange carrier AT&T. Rep. Hoffman inquired about the number of seats. Chief Hale responded that there are normally two (2) regular, two (2) softphones; three (3) during peaks. Majority of their calls are medical coding calls. Jonathan York inquired about call overflow. Jeff Cantrell added that 9-1-1 calls are answered quickly; the issue is poor quality of response. Sen. Rick Billinger inquired about their volume of calls in comparison to their population. Chief Hale replied that Chanute typically handles 35-40 calls per day. Michele Abbott inquired about the number of Admin Calls. Chief Hale replied that they have "a lot" of Admin Calls. Chief Jerry Harrison believes the statute "implementation" clause would support the request for funds.

Mike Albers believes Grant Funds are for existing PSAPs [not PSAPs in development]. Rep. Carmichael is concerned of setting potential precedence which may dilute funds available to other PSAPs. The primary question is "Where and when does PSAP "operation" begin? Answering 9-1-1 calls? City of Erie is county seat of Chanute County. Michele Abbott warned that if the Council approves this grant request, it sets precedence and opens doors to others to do likewise. Their grant request is for new radio equipment; not call-answering equipment. Chief Terry Clark remarked that this application may be considered a non-traditional PSAP. He expressed concern that their inability to "answer 911 calls" would disqualify



them from the Grant. Jonathan York inquired as to the \$180,000.00 allocation is to be spent. Jeff Cantrell replied that the terms of the contract are unspecified. Melanie Bergers stated that the question to be considered was when was a PSAP a PSAP, not whether a PSAP should be a PSAP. Rep. Hoffman suggests that their Grant application is backwards; that is, once Chanute becomes a 911 center answering 911 calls, then they can apply for a grant. Scott Ekberg clarified that Rep. Hoffman was proposing that a center becomes a PSAP when they are 911-operational. Sheriff Briggs believes the Council needs a solid definition of a "PSAP." **ACTION** Scott Ekberg to draft a KAR setting out that a PSAP is an answering point operated by a city or county and that a PSAP becomes a PSAP when official action in the form of an ordinance or resolution is taken by the governing body; Randall White to create a Work Package asking legal opinion for review of that and other KARs. **Motion** made by Sen. Marci Francisco based on discussion that the Grant Subcommittee defer action on this grant application until Chanute is an established 9-1-1 center and can accept 9-1-1 calls. Robert seconded. Scott asked for a roll call vote. Those in favor (13); those opposed (3). Motion passed.

## 13 Broadband Interoperability Committee

*Out of time; need to vacate meeting room for APCO function.* Michele Abbott to provide update at next Council meeting.

## 14 Technical Committee Report

*Out of time; need to vacate meeting room for APCO function.* Phill Ryan to provide technology update at next Council meeting.

## 15 Program Management Report

*Out of time; need to vacate meeting room for APCO function.* Randall White furnished written status report.

## 16 New Business

Melanie Bergers asked the Council to consider approving the APCO Certified Public-Safety Executive (CPE) program for Lori Alexander. This capstone program is designed to elevate professionalism of public-safety executives. The approximate cost is \$5,500 including T&L. Rep. John Carmichael remarked that Lori will soon not be an employee of the State and that providing credentials as a going away present is not appropriate, and suggested that this training would appropriately be a part of Lori's bid proposal. No action taken.

Next Meeting, **Friday, December 13, 2019**, by web conference.

## 17 Motion to Adjourn

12:16 PM **Motion** to adjourn by Mike Albers. Seconded by Jonathan York. Motion carried unanimously.