

1 STATE OF TENNESSEE
2 DEPARTMENT OF COMMERCE AND INSURANCE
3 TENNESSEE EMERGENCY COMMUNICATIONS BOARD
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10 TRANSCRIPT OF THE PROCEEDINGS

11 February 20, 2014

12 BOARD MEETING
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22 Ad Litem Reporting
23 117 Arrowhead Drive
24 Hendersonville, Tennessee 37075
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Reported by: Amanda F. Martin, LCR

1 APPEARANCES:

2

3 Board Members Present: Mr. Randy Porter, Chair
4 Mr. Ike Lowry, Vice Chair
5 Mr. Mark Archer, Member
6 Hon. Barbara Blanton, Member
7 Ms. Rachel Newton, Member
8 Mr. Steve Smith, Member
9 Mr. James Sneed, Member
10 Mr. Jimmy Turnbow, Member

11 Board Members Not Present: Hon. R. Hal Buttram, Member

12 Staff Members Present: Ms. Lynn Questell
13 Executive Director

14

15 Mr. James Barnes
16 Fiscal Director

17 Mr. Eddie Burchell
18 911 Technical Services Chief

19 Mr. Jay Goldman
20 Accountant

21 Mr. Robert McLeod
22 Director of Audit

23 Mr. Curtis Sutton
24 General Counsel

25 Ms. Vanessa Williams
Executive Director Assistant

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1 CHAIR PORTER: Okay. Good morning, everyone.
2 This is the February 19th meeting of the Tennessee Emergency
3 Communications Board.

4 Let's see.

5 Do we have anyone absent this morning? We have
6 a full -- Hal Buttram.

7 Let the record show that Hal Buttram is the
8 only one absent. Let the record show that everyone else is
9 present.

10 Good to see each and every one of you this
11 morning.

12 And we'll just jump right into the agenda, and
13 our first item on the agenda is our public comment period.

14 Do we have anyone listed for public comment?

15 MS. QUESTELL: No, sir. No one has contacted
16 us to comment.

17 CHAIR PORTER: All right.

18 Next item on the agenda is the report of our
19 executive director.

20 Lynn?

21 MS. QUESTELL: Thank you.

22 I'm going to start off with the tally of the
23 misroutes since the last meeting. There have been three
24 reports of misroutes since the last meeting reported by the
25 Network Operations Center. One was on December 20th. It was

1 a Jefferson County call that was misrouted to Sullivan County.
2 That was a Verizon translation issue, and the problem was
3 resolved.

4 On the 30th of December there was a
5 Washington County call misrouted to Jefferson County. That
6 was a Sprint provisioning problem at the site, and that
7 problem was also resolved.

8 And on the 24th of January a Robertson County
9 call was misrouted to Dickson County. That was a routing
10 ID issue, and that problem was resolved.

11 Outages. I'm going to start off with what
12 happened last night. We had a selective router go down in
13 Knox County. It had nothing to do with Next Generation 911.

14 And I'm going to let Eddie do a little update
15 on that. It's been resolved.

16 MR. BURCHELL: Yeah. Approximately 12:15 or so
17 we lost a Moccasin selective router for about 40 minutes which
18 impacted all of the PSAPs in the eastern part of the state
19 that hang off of that particular tandem. It was identified
20 right away and the system was brought back online. At this
21 time we do not have a -- an exact cause of the outage, but I
22 expect that information soon.

23 MS. QUESTELL: And in like 30 years there's --
24 we've never had a selective router go down before. But, as I
25 said, this is not a NG911 related issue. This is one of the

1 reasons why we're doing NG911, though, so that we'll have that
2 redundancy if -- if something happens and -- like that.

3 So there were other -- there were four other
4 outages since the last board meeting. None of them were NG911
5 related.

6 There was one on December 10th in the
7 Northeast Tennessee region. Consults were logged out for
8 about 30 seconds, and that's an ongoing investigation.

9 On December 31st there was an outage in
10 Lincoln County. It was a controller issue.

11 Again, in the Northeast region on January 27th
12 there was a failover to the second aggregation circuit during
13 maintenance that caused an outage.

14 And then on the 29th of January in the
15 northeast region there was a script running for maintenance
16 that caused a traffic spike, and that -- that is an issue that
17 continues to be under investigation.

18 The next issue is ECD activities. I am really
19 pleased to report that the two emergency communications
20 districts that were financially distressed, Hawkins County
21 Emergency Communications District and Sequatchie County
22 Emergency Communications District, we got their annual
23 reports -- their audit reports since the last meeting and
24 they've shown two consecutive years in the black. So as of
25 this moment there are no distressed districts in our state of

1 the 100 districts.

2 And I just really want to commend the directors
3 of Hawkins and Sequatchie County and their boards. They have
4 really stepped up to the plate and worked very hard to bring
5 financial stability back to their districts, and they really
6 deserve some recognition for their efforts. So we commend
7 them.

8 On January 10th Sumner County Emergency
9 Communications District held a groundbreaking ceremony.
10 They're building a hardened facility for their PSAP and
11 emergency response team.

12 And PSAPs in Fentress, Unicoi, and Carter
13 Counties are moving.

14 And the PSAP in Cheatham County is expanding
15 its space.

16 Since our last meeting Cumberland County has
17 joined the list of Tennessee PSAPs that have satisfied the
18 requirements to become 911 Partners of the National Center for
19 Missing and Exploited Children. We now have 21 partners,
20 which is far more than any other state. And I have to say
21 we're really proud of that.

22 A status of the Recurring Operational Funding.
23 The February payment of \$3,612,000 was transferred to
24 district bank accounts yesterday along with the 25-percent
25 distribution. The total disbursement for this fiscal year

1 is \$14,451,000.

2 The annual payment of \$1,010,000 in support of
3 the GIS mapping maintenance was paid to all the districts on
4 August 9th.

5 And the annual payment of \$2,220,000 in support
6 of Dispatcher Training was paid on August 9th as well.

7 Status of NG911 Equipment Reimbursement. As of
8 February 7th seventy-eight districts had either been paid or
9 are in the process of being reimbursed for requests totaling
10 17,449,000.

11 The status of the Essential and Necessary
12 Equipment Program, which all totaled is 450,000 to each
13 district. As of February 7th ninety-nine districts had either
14 been paid or are in the process of being reimbursed for
15 requests totaling 24,535,000 since its inception of the
16 program. Twelve districts have requested the maximum of
17 450,000, and one has not initiated any request for any of
18 the money.

19 The status of the TIPS Funding for bringing
20 your GIS mapping systems up to par. As of February 7th all
21 the -- the August payments were completely paid out for all
22 100 districts, meaning they were all in compliance at that
23 time.

24 The December funding was approved for
25 98 districts. That was 1,944,000.

1 But as of yesterday all 100 districts are
2 compliant with their 98 percent accuracy for center lines,
3 which is a very, very big deal. I -- I would venture to say
4 there's no other state in the whole country that has a system
5 with this moving ahead like ours. This is fantastic.

6 And I want to give a shout out to the GIS team
7 back there. You-all have done a great job working really hard
8 to help the districts, and we really appreciate it.

9 Okay. So total payments, including December,
10 have been made of 11,806,000 since the inception of the
11 GIS Incentive Program.

12 Status of the Charter Revenue Loss Assistance
13 Funding. If you will remember in our fourth quarter meeting
14 last year, October 31st, the Board passed Policy 46, which
15 provided temporary assistance to districts that were incurring
16 losses of revenue because Charter had changed from being a
17 local landline provider and remitting locally to a VoIP
18 provider and remitting to the state. And some of the
19 districts had holes in their revenue of like over \$200,000.
20 So it was creating a -- potentially a very dangerous problem.
21 So the Board voted to provide reimbursement for the last --
22 for the losses that each district incurred in the last year
23 because of that action-wide Charter, and 38 districts were
24 impacted by the Charter decision. As of February 7th
25 twenty-nine had either been paid or in the process of being

1 paid for requests totaling 1,838,000.

2 TECB committee activities. We've had an
3 Operations Committee meeting scheduled in January, and it was
4 cancelled -- due to weather -- and is going to be rescheduled
5 in probably either March or April. The purpose of the meeting
6 was to discuss the -- really the many options for alternative
7 routing that Next Generation 911 are bringing districts. And
8 we will reschedule that, as I said.

9 NG911 update. I am happy to announce that as
10 of December all of the wireless carriers that are direct
11 connecting into the Next Generation 911 infrastructure are
12 completed. And we definitely want to thank them. This has
13 been a -- very much a collaborative and cooperative effort
14 with them, and they have been a pleasure to work with.

15 As of February 10th all PSAPs are at some stage
16 of deployment with 67 tested to provide traffic, 50 live on
17 the network, and equipment is complete in 134 PSAPs.

18 Just to give you an update, PSAP deployment was
19 slowed in the late fall of 2013 while i3 software was
20 developed which was necessary to deploy the latest model of
21 Cassidian controller onto the network. It was i3, so the
22 team decided that they should go ahead and take that step
23 and develop a software for them because we are an i3 compliant
24 project. And -- so that was successful; deployed in December.

25 And we figure that once onsite testing with the

1 Cassidian controller is complete we will very quickly probably
2 add 35 to 40 new PSAPs probably by next meeting. Because I --
3 there are a lot of Cassidian controllers in our state. We are
4 finishing up the agreement setting out responsibilities for
5 all parties involved in processing VoIP calls. We're
6 narrowing that down, and once we get that done then we'll
7 start the VoIP deployment.

8 And related to that, when we start doing VoIP
9 and the ALI database we're going to start with the Jackson
10 tandem. And so the NG911 team and staff will be holding a
11 meeting in Jackson on March 4th to discuss and respond to
12 questions about deploying the ALI database and VoIP and
13 wireline call delivery as well.

14 As we get ready to deploy the other tandems
15 we'll hold meetings in their locations, too. But anyone who
16 wants to come to this is certainly welcome to come. The focus
17 is going to be -- in the morning it will be PSAP issues.
18 I think it's from 10:00 to 12:00. And then in the afternoon
19 we'll focus on sender and carrier issues. Love to have
20 interested parties come.

21 As I said, as we get ready to deploy the other
22 selective router areas we'll hold local meetings there, too.
23 So -- but all are welcome if you want to come.

24 TECB activities. I am proud to say that the
25 Assistant Director and Legal Counsel Curtis Sutton received

1 his ENP, which is Emergency Number Professional certification,
2 from NENA in November.

3 Congrats.

4 (Applause)

5 CHAIR PORTER: He also has new glasses on.

6 Does everybody notice that?

7 (Laughter)

8 MS. QUESTELL: It was a lot easier to get the
9 glasses.

10 The suit with the Attorney General against
11 MagicJack to get them to pay 911 fees is ongoing. There
12 has been some discussions. And MagicJack has sent out
13 communications to its customers encouraging them, but not
14 requiring them, to pay 911 fees of not a particular amount as
15 I'm aware of.

16 Vanessa, this is the part I've been waiting
17 for.

18 You-all, Vanessa Williams is the Board's
19 administrative assistant, and she is celebrating her 30th
20 anniversary as a State employee.

21 (Applause)

22 MS. QUESTELL: She worked for the comptroller's
23 office 15 years and for the Tennessee Regulatory Authority,
24 and she's been with the Board for 13 years. And all the
25 things that look like they just kind of mysteriously happen,

1 most of them happen because of her.

2 CHAIR PORTER: She's the most powerful woman in
3 state government.

4 (Laughter)

5 CHAIR PORTER: She can get things done nobody
6 else can.

7 MS. QUESTELL: Vanessa can get things done that
8 nobody else can, and part of it is her persuasive ability, and
9 part of it is her tenacity.

10 And I just -- it's such a pleasure to get to
11 work with you. Thank you so much.

12 (Applause)

13 MS. WILLIAMS: Thanks, everybody.

14 You-all are a nice group to work for. I've
15 enjoyed it very much.

16 Even you, Steve.

17 (Laughter)

18 MEMBER SMITH: I have a question, Mr. Chairman.

19 CHAIR PORTER: Yes.

20 MEMBER SMITH: Let me direct this to legal
21 counsel.

22 I noticed by the timeline here, I just want to
23 make sure that statute of limitations -- Ms. Williams has been
24 here 30 years. Child labor laws --

25 (Laughter)

1 CHAIR PORTER: He's really trying to get your
2 goat.

3 Congratulations, Vanessa.

4 MS. WILLIAMS: Thank you.

5 CHAIR PORTER: You do a great job.

6 MS. QUESTELL: Mr. Chairman, that's all I have
7 for the director's report.

8 CHAIR PORTER: All right. Our next item on
9 the -- well, any questions of Lynn on her director's report?

10 (Pause)

11 CHAIR PORTER: Hearing none, we'll move on
12 to the next item, which is the extensions of landline rates
13 for districts. And as you-all know the staff makes
14 recommendations for these districts, and there's no action
15 required unless you object.

16 So Staff recommends that we extend the rates
17 in Giles, Knox, Macon, Marshall, Robertson, Tipton, Union,
18 Van Buren, Warren, and White County ECDs.

19 I kind of feel like the Snow Watch reading off
20 the counties and all the schools that are closed.

21 That's -- you've heard Staff's recommendations.

22 Anything you want to say, Lynn, before they --

23 MS. QUESTELL: No, sir.

24 CHAIR PORTER: Does anyone have any
25 objections to extending those landline rates of those

1 districts just read?

2 (Pause)

3 CHAIR PORTER: Hearing none, let the record
4 show that there were no objections.

5 And we'll move on to the next agenda item.

6 Next item is consider 911 funding legislation.

7 Lynn?

8 MS. QUESTELL: Yes, sir.

9 A bill has been filed that will change the
10 funding model for 911 legislation for -- for 911. The Board
11 has worked for years to find some consensus on changes to the
12 current funding model. And as you-all know, the changes are
13 becoming very necessary as revenue from local 911 fees on
14 landlines is diminishing. This proposed bill provides for a
15 uniform, statewide 911 surcharge which seeks to "future-proof"
16 the funding model by eliminating the different charges on
17 different technology such as what the landlines have.

18 Under the proposed bill the 911 surcharges on
19 wireless, wireline, Voice over IP, and prepaid -- well, those
20 three -- wireless, wireline, and VoIP -- would be remitted
21 directly to the TECB. And prepaid would continue as it is to
22 be remitted to Department of Revenue from the point of sale.
23 But the rate would be \$1.16 for all technologies and for
24 everything, including prepaid.

25 The bill guaranties the minimum amount that

1 each district would receive annually which provides a measure
2 of financial stability the districts don't have now,
3 especially as the landlines continue to decrease.

4 The \$1.16 is amount -- is an amount that's
5 intended to be revenue neutral meaning that the revenue
6 derived from this surcharge would be no greater than the
7 amount that is statewide being collected at this time on all
8 technology capable of connecting a person dialing or entering
9 the digits "9-1-1."

10 The current fees range from a low of 45 cents
11 per residential line to the maximum of \$3 per business line.
12 And the -- as you-all know, the non-wireline fee is \$1, which
13 is -- remains the same as the Board set in 1998.

14 This bill requires the Board to annually
15 distribute to each district the base amount equal to the
16 average of the total recurring annual revenue the district
17 received from the Board and from the direct remittance of
18 landline fees in 2010, 2011, and 2012. And the bill
19 guaranties that no district shall receive less than the total
20 amount it received in fiscal year 2012, which, according to
21 our statistics, was the year in which the system as a whole
22 took in the most revenue.

23 I would like to say that utilization of this
24 model implicitly recognizes that the Board's Recurring
25 Operational Funding program successfully addressed the

1 inequities that were inherent in the strictly population-based
2 distribution of the 25 percent and it basically puts into law
3 the distribution from the Recurring Operational Funding.

4 The proposed bill requires the Board to post on
5 its Web site on or before December 1st, 2014, the base amount
6 for each district. The bill requires the Board to disburse
7 the revenue from the 911 surcharge every two months beginning
8 at the second month of each fiscal year, and the bill would
9 require distribution of one-sixth of the base amount to each
10 district in each payment.

11 The proposed law provides a safety net for
12 districts that have not maximized their local 911 fees as of
13 July 1, 2011. I think the amount would be \$2 million. About
14 half the districts have not maximized their local landline
15 fees. So these districts would be eligible to apply to the
16 Board for an increase in their base amount.

17 The law requires that the Board will promulgate
18 rules to facilitate such requests, including setting out
19 minimum criteria for such increases.

20 The law would also state that the Board is not
21 obligated to increase the district's base amount if the Board
22 lacks sufficient funds or finds the ECD has not met the
23 criteria that the Board adopts for an increase.

24 The plan would be if this law passes that we
25 would get the Policy Committee to start making recommendations

1 and consider this issue.

2 The bill prohibits the Board from considering
3 depreciation costs when determining whether a district is
4 financially distressed.

5 The bill would codify aspects of the
6 maintenance of effort policy that prohibits local governments
7 from reducing their contributions to districts that obtain a
8 rate increase on local landlines.

9 The bill prohibits the Board from reducing the
10 base amount unless local government funding for that district
11 is reduced in which case the Board can reduce support for that
12 district by the same amount.

13 If the calculations are correct, after making
14 the distributions to the districts the TECB will retain
15 approximately \$18 million annually to conduct operations.
16 About \$16.5 million of that would go to the Next Generation
17 911 Project.

18 The bill sets out a procedure for distributing
19 any revenue collected in excess of the annual fiscal
20 requirements. It luckily echoes the current law which says
21 that any excess will not revert back to the general fund, but
22 will be carried forward and used as the beginning balance for
23 the next year.

24 The bill requires the Board to distribute a
25 minimum of 50 percent of any excess to the districts in

1 accordance with policies the Board will develop.

2 Under the bill the TECB is responsible
3 for collecting revenue for the Tennessee Relay
4 Service/Telecommunications Device Assistance Program. And
5 the law states it should not exceed the total 2012 cost of
6 that program absent approval by the General Assembly's Fiscal
7 Review Committee.

8 Now, this TRS/TDAP program assists deaf and
9 hard of hearing citizens with access to telecommunications
10 service. It's not taking money from the amount given to the
11 Board to operate -- or for 911 to operate. Two cents were
12 specifically added to that to the amount -- two cents of the
13 \$1.16 was added on specifically for the TDAP program. And --
14 so it would not be siphoning off 911 funding.

15 And, in fact, they're only allowed to
16 accumulate \$1 million in reserves. So that -- that could
17 be a very significant thing.

18 Okay. The process for increasing the 911
19 surcharge would essentially remain the same as it is for
20 wireless right now, which would be that the Board, upon
21 30 days notice, would hold a public hearing in which the
22 opportunity for public comment is provided and make a
23 determination of the need for additional funds. And any
24 increase to the surcharge would have to be ratified by a
25 joint resolution of the General Assembly.

1 The bill would substantially increase the
2 immunity from liability provided to district employees and
3 carriers. It would immunize them from liability from civil
4 claims arising from actions or omissions of personnel in
5 processing emergency calls with the exception of claims for
6 recklessness or intentional misconduct. And it limits
7 recovery to actual damages or the maximum award per claimant
8 that may be awarded by the Tennessee Claims Commission.

9 This bill -- while it offers valuable additions
10 to 911 law -- is not perfect. No law is perfect. And with
11 any new law there will -- would be uncertainty.

12 Of course there's a concern whether the revenue
13 generated under the law would be sufficient to allow the
14 districts, especially, to timely upgrade their equipment.
15 I mean, currently the Board provides funding for that, and
16 this is going to be -- now the Board will not have the
17 "carrots" to say you need new equipment; here's money for it.
18 Districts are going to have to plan and really consider
19 upgrades long term.

20 And -- right.

21 Because the -- the amount that the districts
22 were calculated to have under this new bill did not include
23 non-recurring funding, only recurring funding. So that's
24 going to be an issue.

25 It's going to change how this board operates

1 because we -- we won't have "carrots." But we still have the
2 responsibility to support a uniform, statewide 911 system.
3 So we've got that responsibility for uniformity without any --
4 necessarily any ability in a positive way to make sure that --
5 that there is uniformity.

6 Current funding for the equipment programs will
7 continue until that is exhausted. But, like I said, the Board
8 is never, ever going to be in a position again where we can
9 just hand out money for equipment.

10 Another consideration is whether the safety net
11 for districts that have not maximized their local landlines is
12 sufficient. In the last year only two districts sought to
13 increase their landline rates and six did the year before
14 that. Last year two years -- two districts were distressed.
15 This year we're not going to have any distressed districts.
16 So maybe these statistics indicate that their funding is --
17 will be sufficient. I certainly hope so.

18 And I hope that we'll be able to maximize all
19 the things that the Next Generation 911 infrastructure can do.
20 You wouldn't want to build a super highway and not put lanes
21 down it. You know. So -- but we -- we think that -- we think
22 that it is sufficient.

23 And the General Assembly -- the people writing
24 this law -- were concerned about that issue and they have
25 asked TACIR to study whether the funding is sufficient.

1 So that is an ongoing thing. We've worked with -- closely
2 with TACIR before, and we'll continue to help them and -- and
3 know that they're watching to make sure that -- that the
4 Board's functions are being able to be met.

5 The bill is sponsored by Leader Norris in
6 Senate and Leader McCormick in the House. It has bipartisan
7 support and over 80 co-sponsors. Active supporters include
8 the Tennessee Emergency Number Association, TN911, the
9 Tennessee Chamber of Commerce and Industry, the Nashville
10 Chamber of Commerce, Tennessee County Services Association,
11 Tennessee Fire Chiefs Association, Tennessee Telephone
12 Cooperative Association, Tennessee Telecommunications
13 Association, Tennessee Cable Association, AT&T, Verizon,
14 Comcast, Charter, and Sprint.

15 Staff's recommendation would be to support
16 the bill.

17 CHAIR PORTER: Okay. You've heard basically
18 taking the bill apart and Lynn discussing all the major parts
19 of it. And, as you know, we have three options when it comes
20 to legislation and that's to not support it, support it, or
21 take no action. Basically whatever the will of the Board is.

22 So the floor is open for discussion on -- on
23 the bill.

24 Mr. Smith?

25 MEMBER SMITH: I just have a brief question.

1 It goes back to earlier in the report. I noticed we only had
2 one district who had not availed themselves the opportunity
3 for the Essential Equipment Grant, \$450,000. Is it my
4 understanding that if and when this bill becomes effective
5 that if they have not taken that opportunity as -- does that
6 become unavailable?

7 MS. QUESTELL: No.

8 MEMBER SMITH: Okay.

9 MS. QUESTELL: No. We will -- we -- the Board
10 promised to provide each district with that funding, and we
11 will hold -- we're holding that as obligated funds. And --
12 until that money goes away it will be available for the
13 districts.

14 MEMBER SMITH: I know that we -- that list has
15 decreased --

16 MS. QUESTELL: Yeah.

17 MEMBER SMITH: -- over a period of time. And I
18 think we're down to that's the only one.

19 MS. QUESTELL: Yes.

20 MEMBER SMITH: All right. Thank you.

21 CHAIR PORTER: Other discussion?

22 Mr. Archer?

23 MEMBER ARCHER: I have a couple of what I call
24 "housekeeping" things on this. It says that starting in the
25 fiscal year that it will go every other month. When this

1 takes place in January will we have a short pay into February
2 since that February would be one of the pay months? Are we
3 going to have a pay -- a short pay into February? This would
4 be due to those that are pretty tight on their revenue stream
5 on their budget.

6 MS. QUESTELL: The short answer is "no." And
7 I'm going to let Jim explain. We've -- we've talked about
8 that.

9 MR. BARNES: Since the law goes in effect
10 February 1st, the -- of course the revenue has always lagged
11 about a month behind the actual happenings.

12 The December collections by the telephone
13 companies will still be paid to the districts in January that
14 were collected for December. So they'll still get the
15 landline portion in December. The -- they -- the TECB will
16 not be getting any revenue because it wouldn't start until
17 January 1st. So in February that money will start coming in.

18 I think when we have the meeting of the -- the
19 committee -- the Policy Committee to discuss this it's going
20 to be brought before the Board later of whether this board
21 would try to take into consideration any offsetting features,
22 maybe pay the full amount of the February payment as though
23 the money was collected. It's going to be brought before the
24 Board again to actually make that final decision.

25 But we will make effort to try to equalize out

1 the payments. It should not be a -- it should not be any
2 total loss or -- maybe a slight shortfall at the most. So I
3 think we're going to try to address that in a future board
4 meeting.

5 MEMBER ARCHER: Well, I realize it will be a --
6 it will be a shortfall. But I know it has to be corrected to
7 go on the months that is stated in the law.

8 MR. BARNES: Right.

9 MEMBER ARCHER: So --

10 MR. BARNES: It -- it will go into effect on
11 the dates stated. And if -- if the committee agrees and
12 proposes to the Board and you accept it, it may be a windfall
13 instead of a shortfall.

14 MEMBER ARCHER: Okay.

15 MR. BARNES: It just depends on what money we
16 have available at the time and the way the Board takes action.

17 MEMBER ARCHER: Okay. The TIPS Training and
18 GIS program, will this be halted at some point? I'll ask
19 that. Will that be -- and this is for budgetary reasons.
20 You know, you're going to need to know when that -- when that
21 is going to be stopped.

22 MR. BARNES: Again, it hasn't been determined
23 exactly. It will have to be approved if the bill goes into
24 effect and we would have to have a committee discussion, you
25 know, present the options.

1 The projections on whether the funding that's
2 presented in the bill would be sufficient to meet the minimum
3 expenditure requirements does include that the partial payment
4 in 2015, the payment for the GIS mapping maintenance and the
5 Dispatcher Training, since they are annual payments that
6 happen to be made in August, that probably half of those would
7 be paid that would cover half the year. And the other half
8 would be built into the base rate.

9 MEMBER ARCHER: Okay.

10 MR. BARNES: The base that's to establish
11 everyone would include what they got paid for those amounts in
12 2012. So the base amount would include that for the second
13 half of the year.

14 The VoIP, GIS, TIPS component, that one is paid
15 in August and December. And whether that one is prorated or
16 not, will still have to be decided, you know, again by the
17 Board at -- at a later date.

18 MEMBER ARCHER: Okay. Thank you, Jim.

19 MS. QUESTELL: We did not intend to run that
20 issue through the Policy Committee --

21 MEMBER ARCHER: Okay.

22 MS. QUESTELL: -- but we will get you-all's
23 stamp of approval presuming that the bill passes.

24 MEMBER ARCHER: And some of -- I mean, some of
25 these issues affect your budget and how you plan on those

1 funds coming in. So the folks will have to know, you know,
2 how that's going to be taken care of.

3 And I'm not expecting you to have an answer
4 today, but I just wanted to bring it to your attention.

5 I do have a couple of points, Mr. Chairman.
6 It will take me just a little while to --

7 CHAIR PORTER: Go ahead.

8 MEMBER ARCHER: -- to run over this.

9 The bill is -- is something I believe that is
10 something that was necessary to stop as far as the landlines
11 are concerned. It -- it's a simple -- simple one rate. This
12 is good, you know, for future technologies that we know that
13 are coming around the bend. It's going to level that out.
14 We don't have to go back and wonder, well, what are they going
15 to charge for this or what are we going to charge for that.
16 So it does stop all of that.

17 What I wanted to talk about was one thing
18 about -- let me bounce around a little bit.

19 The future growth it states -- in Section 6(e),
20 Subsection (f) it talks about the funds that -- and Lynn just
21 mentioned those funds about 18 -- 16.5 million will be --
22 will go to Next Gen 911. And it also talks about future
23 advancements.

24 Of course, you know Next Gen 911 was a future
25 advancement, and it's costing many millions of dollars. So in

1 this bill we have no -- no sizable funds being put back. And
2 so what -- what I see is that if something comes along that
3 needs to be done, then we're going to have to go in front of
4 the Legislature and ask for an increase for those funds and
5 then it's going to take years and years to even come close to
6 getting the funds that we need to advance on that new
7 technology. And it's not the way it is now to where we have
8 funds that are coming in the state that we were able to jump
9 on with Next Gen 911. We had the money. We saved it. The
10 Staff did a wonderful job at putting that money back. Of
11 course I think it ended up being a -- ended up being a target,
12 but did the right thing. You did the right thing by putting
13 the money back so we could pay for it. We didn't have to go
14 back.

15 But the money that's going to be available here
16 is not going to be anything. So how long is it going to take
17 us to save for something that -- you know, technology?
18 They're throwing technology on us. Right then -- and then
19 we're playing catch-up.

20 So there's no funds here. So we're going to
21 have to be set back on technology. We may not be able to find
22 these folks that are calling 911 through whatever technology
23 that is. And we have no funds to -- to advance. So that's --
24 that's one point.

25 The other point I have is the funding

1 structure on where we have part of the state -- or part of
2 the counties -- half the counties that are getting \$3 and
3 \$1.50 and they're getting no reduction in the funds that
4 they're receiving. But they'll be getting up to -- and this
5 is a rough calculation -- up to 130 percent drop for their
6 citizens. We have 45 to 50 counties that are going to have up
7 to 130 percent, up to in one county 150 percent increase on
8 their citizens. And the funds, they will never see. It's
9 going to the other districts.

10 So we have a fund now that we're calling that
11 is \$2 million that is set aside for 50 counties that will be
12 fighting to get that base rate of \$2 million. I know we have
13 six. Some of them are in the audience that applied after 2011
14 that are going to be here the next day or be sending in their
15 paperwork for that \$2 million. The funds there are not
16 sufficient. So the people that were -- would -- held their
17 rates down are pretty much locked. They're done. So what we
18 have is half of the counties that are subsidizing the other
19 half of the counties. So I think that there needs to be some
20 way of looking into that.

21 I know that here we had a media version put
22 out that says the single rate is a revenue neutral and is
23 not considered a fee increase. Well, for the state that's
24 the case. But if you break that down in to districts that's
25 not the case. We're going to see large increases in half

1 the districts. And the -- and the funds -- and I keep saying
2 this, but the funds that are raised on their citizens will not
3 be used in those counties. I mean, I'd like to have these
4 funds back to my county and give it to them, you know, that's
5 raised through my county citizens. So that's a -- that's
6 another point. So there's the 2 million.

7 So I do believe that -- my county, I'm losing
8 \$100,000 in my county the first year. So with that said --
9 and -- what do we do as far as making this fair for those
10 counties?

11 You have the 2 million, but now we're going to
12 talk about the \$2 million. You have to go in front of the
13 Board to see that there's a need or you have to prove that you
14 need the funds.

15 Well, I say that why don't we prove that we
16 needed the funds. Because those counties -- they balanced
17 their budget and so they got the money to be able to use in
18 their county as they see fit.

19 So not only are we landlocked -- or --
20 landlocked -- rate-locked, or our counties, but you're going
21 to have to go in and fight for the \$2 million. The other
22 counties are just getting it.

23 So what do you do? You know, do you take the
24 excess money that you get and use that excess money, the
25 50 percent that has to go back to the districts to help

1 these districts? Do you take the \$2 million that is available
2 to help these districts to make it more fair for these
3 districts? And those are the two concerns that I've mentioned
4 that I wanted to bring up for everybody to kind of chew on and
5 think about.

6 Other than that, the funds do stabilize 911 in
7 these -- in these counties -- in all the counties. And that
8 is the good thing. And, of course, I'm here and -- to
9 represent the State, and I will be for this to do that. But I
10 am concerned about the funds that are leaving my county and
11 the funds that are leaving a lot of counties.

12 If you look at Madison and maybe Shelby, look
13 at the funds that are leaving those counties and going towards
14 other counties.

15 So that's what I had to say. I appreciate
16 you-all listening to me.

17 CHAIR PORTER: Any other comments or
18 discussions?

19 MEMBER TURNBOW: Mr. Chairman?

20 CHAIR PORTER: Mr. Turnbow?

21 MEMBER TURNBOW: My main concern out of the
22 bill is the reserves for districts who are below the minimum.
23 Just to go on record, Wayne County is one those that is below
24 the minimum.

25 While I do have concern about that, I also

1 realize that within three years time I'm going to lose that
2 avenue of revenue generation anyway because landlines are
3 going away. And taking that into consideration, if this does
4 stabilize us to prevent future loss then to me that kind of
5 balances out. I'm not saying that I like losing potential of
6 increase revenue down the line, but I don't have to worry
7 about losing it either. So that was what swayed me into the
8 thing of this.

9 My -- again, go back, my main concern is that
10 the revenue -- or reserve -- excuse me -- that has been set
11 aside is not adequate for districts who may need an increase.
12 To reiterate Mr. Archer's point, there's already been five
13 that applied after 2011 that have already had their budget
14 set up on what they considered to be a stable income and if
15 they apply for this it's going to pretty well consume the
16 2 million. I do not feel like that's adequate. I do think
17 that that's one of the first steps that needs to be taken.

18 I do think this is a good foundation to start
19 on. It will take some work. It will take some future
20 adjustments.

21 But with that being said, I do stand in support
22 of this. But I do want to go on record of stating that I do
23 not feel like the 2 million is adequate and that there needs
24 to be avenues expressed that -- where -- that these districts
25 that are below the minimum can seek an increase in rates.

1 CHAIR PORTER: Thank you.

2 Discussion? Questions?

3 (Pause)

4 CHAIR PORTER: Then we'll need a motion on the
5 bill to either support it, not support it, or be neutral on
6 the bill. So the floor is open for motions.

7 MEMBER TURNBOW: Mr. Chairman, I make the
8 motion to support the bill.

9 CHAIR PORTER: Been a motion by Mr. Turnbow
10 that we support the bill.

11 Is there a second?

12 MEMBER LOWRY: I'll second.

13 CHAIR PORTER: Second by Mr. Lowry.

14 Discussion?

15 (Pause)

16 CHAIR PORTER: I have some brief comments.
17 I wanted to wait and let everyone else have a chance and lets
18 get a motion on the floor.

19 You know, this is -- this has come a long ways.
20 When we look when I came on this board in 1996 and where we
21 are today it just amazes me. One, as to how far we've come
22 with 911 from basic 911 to enhanced 911 to locating cell
23 phones to VoIP to NG911. I think -- I would put our state up
24 against any other state in the country as far as what we have
25 been able to done -- what we've been able to do in the amount

1 of time that we've done it and to be debt free for the -- to
2 be able to pay cash for it. I mean, I think that's a great
3 accomplishment. And I think there's a lot of other states
4 around us and across the country that would love to have -- to
5 have been able to accomplish what we have accomplished.

6 The other thing is technology for -- look at
7 where technology has come in the last 16 years or so since
8 this -- 16, 17 years that this board has been in existence.
9 And that's amazing, too.

10 And if our technologies change in the next 16,
11 17 years as much as it's changed in the past, I worry, too,
12 Mr. Archer, about where is that money going to come from to --
13 for us to be able to keep up with future technology when it
14 comes to 911.

15 I have two major concerns -- well, maybe three
16 major concerns with the bill that I have. As chairman, I feel
17 like that I've stayed silent until the Board heard the --
18 heard the bill. And I think -- I felt that was appropriate.
19 We talked locally among our districts and our region and I
20 voiced my opinions there, but as a Putnam 911 director, not as
21 the State director -- or State chairman.

22 I worry about -- I worry about the upgrading of
23 equipment in the future. When I look at all the tens of
24 millions of dollars -- and Jim could probably rattle off
25 right off the top of his head about how many millions have

1 been spent. But it's been a lot.

2 When you look at over the last several years
3 the millions of dollars that have been put back to the
4 districts for them to upgrade their controllers, for them to
5 do GIS, all these kind of things, and basically a lot of the
6 money was give just for whatever they wanted to upgrade in
7 their 911 center. And it may have been anything from
8 generators to UPSes to computers to whatever it was.

9 I worry about that money not being there.
10 I worry about that money not being figured into the amount
11 that was used to come up with this 1.16. Because in my
12 mind -- and I know there's an argument on the other side, that
13 was wireless revenue that came into the Board and had it not
14 been held in reserve to -- to put out for -- went to those
15 districts it would have went back out in wireless revenues of
16 the districts and it would have been figured into that
17 calculation.

18 I worry about districts, especially some of the
19 smaller ones, as to where are they going to come up with the
20 money to be able to do the upgrades and spend some money that
21 they're going to need to in the future without the State board
22 being able to do some of those projects whether we put money
23 back out.

24 One of the other worries I have is I do not
25 think that the 1.16 is enough to sustain us for very long as

1 a state. I know we've got to start somewhere. I know that
2 our revenue neutral bill pretty much has to be passed. I
3 think there's a fallacy among some folks, though, to think
4 that we can jump back, go back to the Legislature next year
5 and they're going to jack it up to a higher price. And I
6 really don't think that's going to happen.

7 We've been at a \$1 with the wireless fee for
8 how many years, Lynn?

9 MS. QUESTELL: Since '98.

10 CHAIR PORTER: Since we started. It's -- we --
11 we haven't had an increase since.

12 Now, it's worked out well because the wireless
13 subscribers kept growing, growing, growing, growing. But
14 unless there's something new that comes out that causes the
15 wireless subscribers to grow more, then they've kind of
16 leveled off and they're -- you don't see that much growth any
17 more in the subscriber count. So I don't think us going back
18 and getting revenue increases will be as easy as everyone
19 thinks -- or as some folks thinks it is.

20 And I hope I'm wrong on that. I hope I'm wrong
21 on all these points. I want to see this thing -- I'm for the
22 bill. I wasn't at first. I think there's some points these
23 folks have brought up. I have some worries. But I think
24 we've got to do something to try to fix this.

25 I worry about the distressed districts that

1 we've had in the past in the future. This board has put money
2 in. We've went in and shored up districts that were about to
3 go bankrupt. If it had not been for the Board, they would
4 have been bankrupt I think. We're not going to be able to do
5 that in the future.

6 I think -- to put down into a nutshell I think
7 this bill, if it passes, puts the ball back in 911's court.
8 I think it puts it back into the local district's court. I
9 think we as directors, the local boards of the district, now
10 we've got what we wanted. I think we're going to have to do a
11 really good job of managing our money and planning for the
12 future and doing everything we can on our end to make this
13 thing work. And I think a lot of districts will do that.
14 I think the biggest proportion of the districts will do that.

15 I worry about some of the districts that we've
16 had problems with in the past not doing that. And if we get
17 into a distressed problem in the future what will we do if the
18 money is not there to go in and to bail them out.

19 The only other thing I'll say is, little bit
20 concerned about so many people jumping on the bill. That's --
21 when you see all the sponsors that this bill has got that
22 usually tells me one thing from my 33 years in government,
23 is there's been some huge lobbying going on behind the scenes
24 to get those many legislatures to jump on a bill like that.
25 That concerns me a little bit as to what all the motives may

1 be with some of these other lobbyists that are getting these
2 folks to sign on. But that's not my -- that's not my call.
3 That's just a -- that's just a comment.

4 So, as I said, I support the bill. I think
5 we've got to do something because I think if we don't --
6 Charter was just a tip of the iceberg. I think the -- if --
7 if it happens to an AT&T or some of the real telephone co-ops
8 in our area, I mean, it could just be total disaster for some
9 of the districts. So that's the one -- one big reason that I
10 support the bill.

11 And I -- I hope I'm wrong on all my points.
12 And I hope it works great, and I hope it goes forward. Then
13 we can make this successful. But I think the ball is back in
14 our court, and I think we're going to have to do that as --
15 as records and as districts.

16 So that's my two cents' worth.

17 Any -- anybody else want to add something?

18 Steve?

19 MEMBER SMITH: They were excellent points
20 brought out. I will say at the onset that I will support this
21 bill.

22 There are some concerns, just as previous
23 speakers have outlined. This board's discretionary abilities
24 with funding would be severely impacted. The years that
25 this board has been in existence -- just as you pointed out,

1 Mr. Chairman -- has acted in a responsible and timely manner
2 addressing any issues, whether they be distressed districts or
3 whether there are demands placed on us by new technology.
4 We've helped out with GIS mapping. We've helped out with new
5 equipment. As you alluded to, we've given the local districts
6 discretion if they need recorders, if they need a wide range
7 of tools to accomplish the 911 business.

8 I'll say this, from my experience over the
9 years, one of the things that's made me most proud to serve
10 Tennessee is if you're at an APCO conference, you're at a
11 NENA conference, and you network with people in other states,
12 there's some common -- commonalities that their problems
13 always go back to. One is not having a governing structure.

14 I think one of the wisest choices ever been
15 made in this state was to establish a state board. And
16 secondly was a dedicated revenue stream to that board. And I
17 see things in this bill that certainly I think could deserve
18 some further attention and hopefully it will be massaged and
19 we'll get to the -- exactly where we need to be and the best
20 interest for everyone.

21 I'm pleased to see, for example, that there's
22 protection there. Again, back to my conversation with
23 other states. If you have your 911 funds rated in a state in
24 order to balance the general fund budget on the state level
25 you're basically chopped off at the knees. So I -- you know,

1 I see safeguards in there. I see, certainly, Mr. Archer's
2 point.

3 In my district particularly -- I know that just
4 in government in general there's -- there's a high sensitivity
5 to local government hands being tied as to their capabilities
6 to raise additional revenue.

7 In my district, for example, this will be one
8 of those that will be increased. So a resident that's I'm
9 sure going to end up calling my office at some point wanting
10 to know why their landline charge is more than doubled are
11 going to be -- you know, have to be explained to what the
12 process is how this is changing.

13 But I think overall we're at a crossroads.
14 Something has to be done.

15 Lastly, I'd like to say I appreciate the
16 efforts that have been put forth by everyone, including
17 Tennessee Emergency Number Association and all the hard work
18 that they've done. And -- so I think it's time that we --
19 we move on, progress, and devote our attentions to making this
20 bill even better should it be enacted.

21 CHAIR PORTER: Thanks, Steve.

22 And that is one thing that I've been saying for
23 years, if we can all come together on something we can make
24 things happen. And I think you saw that with this. I think
25 TENA deserves a great deal of credit for it. I mean,

1 they've held a lot of meetings, a lot of conference calls.
2 They've been working support in the background and trying to
3 get this to the point that it is today. And I think that's
4 why we are where we are today, is because of all of that hard
5 work and everybody coming together. Because you've got a lot
6 of different personalities that may have been at odds with
7 each other over things in the past that come together on this.
8 And I -- I think that strength are in numbers; and when you
9 get the majority of the state coming together on something,
10 why, usually we can get something done.

11 And I -- to Jennifer and all the folks that --
12 Jimmy and all of you-all that's -- Ike and everybody that --
13 that -- TENA has been working hard on this. I applaud you-all
14 for what you've done too.

15 Jimmy?

16 MEMBER TURNBOW: Mr. Chairman, I -- I just
17 want to make one point here. One thing that came up in
18 several meetings and why that they felt like the \$1.16 would
19 be adequate, because they project that to generate the
20 100 million. It may be a circumstance of a job too well done
21 because I was asked how many distressed districts do we have.

22 None.

23 Are you still the front runners in
24 Next Generation deployment?

25 Yes.

1 Are we still one of the top states in the
2 nation in the Next Generation.

3 Yes.

4 So if you've done all this so why is the
5 100 million -- why is 100 million not sufficient now?

6 I only say that to say that the staff and the
7 Board prior to my arrival did an excellent job. Because when
8 I first sat in I think there were seven distressed districts,
9 then we went to five, then we went to three, then we went to
10 two. Now there's none. We've went forward with Next
11 Generation deployment. We've met all this. We've assisted
12 all these districts. And it came back to I guess hurt us
13 slightly.

14 But the Legislature said that we have done a
15 good job with what money was there and they feel like that was
16 suitable for what would be collected in this. But that's one
17 thing that was factored in in trying to keep it at that
18 revenue neutral.

19 So I just said that to say that the staff and
20 the Board have done a good job. And it was recognized, even
21 though it may have come back to hurt us just a little bit.

22 CHAIR PORTER: Thank you, Jimmy.

23 Any other discussion?

24 (Pause)

25 CHAIR PORTER: Staff, anybody want to

1 say anything?

2 (Pause)

3 CHAIR PORTER: No.

4 All right. We have a motion on the floor that
5 we support the bill.

6 No other discussion.

7 All in favor say "aye."

8 THE BOARD: Aye.

9 CHAIR PORTER: All opposed, like sign?

10 (Pause)

11 CHAIR PORTER: Let the record show the

12 motion --

13 MEMBER NEWTON: I am going to have to abstain
14 from the vote.

15 CHAIR PORTER: Okay. Let the record show that
16 Ms. Newton abstained from the vote and everybody else votes
17 "aye."

18 All right. Lynn, what's the -- do you got more
19 bills you want to talk about?

20 MS. QUESTELL: No. That's -- that's all of
21 that I want to talk about.

22 We're at Policy 31.

23 CHAIR PORTER: Okay. Next item on the agenda
24 is consider amending Policy 31 to require ECDs to notify
25 the NOC of activities that could impact NG911 connectivity

1 or equipment.

2 MS. QUESTELL: Thank you, Mr. Chairman.

3 Every time that there's a trouble ticket
4 generated due to an outage I'm notified -- I'm notified every
5 trouble ticket. And the team is notified. And the NOC goes
6 into emergency mode, and they move heaven and earth trying to
7 make sure that this is fixed in the most expeditious way.

8 For non-emergency issues, like routine
9 maintenance, we've set up a change control process through the
10 NOC. And to have a non-emergency issue, something that we
11 could have planned for and prepared for and had every -- all
12 the resources there ready for -- we've had people basically
13 just go into PSAPs and pull the plug on NG911 equipment. And
14 that is really bad and that cannot continue to happen.

15 So if -- what the purpose of this -- this
16 policy is is to require that if there's planned maintenance
17 that the NOC be given 24 hours notice so that -- so that we
18 can conserve our resources, especially if this bill goes
19 through and resources -- you know, we'll be looking at every
20 single penny that's spent. And there's just no need to go
21 into emergency mode for a planned activity.

22 So -- so I guess -- I had a really nice speech
23 about that, but that's the bottom line. You just can't go in
24 pulling the plugs and doing stuff like that. If you -- if you
25 know that you're going to do anything that impacts your

1 connectivity to the NG911 infrastructure you -- you must use
2 the change control process and let the NOCs know for your
3 safety, for your citizens' safety, and for -- for resource
4 management as well.

5 So Staff would -- Policy 31 is notice of
6 outage. And we changed that last -- at the last meeting to
7 notify the NOC if there was an outage of over 30 minutes. But
8 Staff would like -- if you don't mind, I'll read into the
9 record what Staff would ask that be added.

10 The TCS NOC shall be notified of all activities
11 in the PSAP that could impact NG911 equipment or connectivity
12 to the NG911 network as follows: No later than 24 hours prior
13 to scheduled activities; as soon as possible for unscheduled
14 events and no later than one hour after such event. And --
15 and this is the important part because there -- there has to
16 be a way to actually make this enforceable.

17 So upon the second violation of this policy we
18 would ask that the director and chairman of the district
19 appear at the next regularly scheduled meeting of the TECB for
20 a determination of whether the district is taking sufficient
21 actions or acting in good faith to establish maintained or
22 advanced 911 service for the citizens of the district as
23 contemplated by 7-86-108(f). And it is recommended that
24 district leadership require their CPE vendors to execute an
25 agreement -- and we -- if the Board passes this we will draft

1 up a short little agreement promising not to undertake any
2 activities that could impact NG911 equipment or connectivity
3 to the network without first notifying the NOC consistent with
4 this policy.

5 CHAIR PORTER: Okay. You've heard Staff's
6 recommendation that we adopt their proposed amendment to
7 Policy number 31 on requiring the ECDs to notify the NOC of
8 any activities that can impact their NG911 connectivity or the
9 equipment.

10 What's the will of the Board?

11 MEMBER LOWRY: I have a little bit of
12 discussion.

13 CHAIR PORTER: All right. Go ahead.

14 MEMBER LOWRY: Up our way we don't know --

15 CHAIR PORTER: Are you talking about --

16 MEMBER LOWRY: -- East Tennessee.

17 CHAIR PORTER: Okay. All right.

18 MEMBER LOWRY: Sullivan County and Washington
19 County, more places are -- we don't know of anything that's
20 not an emergency outage. If they're going to do something we
21 go down. Eddie can just about vouch for that over there.

22 MEMBER: Yeah.

23 MEMBER LOWRY: Not that it's supposed to be
24 that way, but that's what's happening right now. And they
25 assured us that's going to change and all this stuff.

1 And that's fine if it does.

2 But if it don't, the chairman of my board is
3 going to really raise Cain having to come down here and
4 explain why we had an outage that was a routine maintenance
5 but turned into an emergency outage. We just tell them right
6 up front if -- if they're doing anything that's emergency to
7 us. And we're considering it that way because of an
8 experience we've had. Lynn knows what I'm talking about.
9 And until we see it get better -- but I don't have any
10 problems with that policy. But I just wanted to --

11 CHAIR PORTER: That's right

12 MEMBER LOWRY: -- throw that two cents in
13 there.

14 MS. QUESTELL: I would like to say that we're
15 going to do everything -- we are doing everything we can to
16 make that better and that for the first time there's planned
17 maintenance up there that is actually going through the change
18 control process. So hopefully that will be -- maybe there
19 should be an escape patch for something like that, though, in
20 this policy so that --

21 CHAIR PORTER: Well, maybe there's -- if it's
22 the telephone company's fault that's not the district's fault.

23 MS. QUESTELL: Right.

24 CHAIR PORTER: So maybe we ought to require the
25 telephone company to be here at the next board meeting.

1 Think we can do that?

2 MS. QUESTELL: No.

3 (Laughter)

4 MEMBER LOWRY: Raise a lot of Cain.

5 CHAIR PORTER: I don't either, Ike.

6 MR. SUTTON: I don't have subpoena power yet.

7 So --

8 CHAIR PORTER: Can we get Bill in there --

9 MR. SUTTON: Amend the other one.

10 (Laughter)

11 MS. QUESTELL: Could -- could we make this
12 discretionary? Because there are some -- up to Staff to --
13 because there are some situations where you would not want to
14 drag a director and a chairman in here because --

15 CHAIR PORTER: Maybe just say upon the second
16 violation of this policy subject to Staff's -- subject to
17 the staff's decision or whatever they may be called in or
18 whatever. Do something like that.

19 MS. QUESTELL: That would be great.

20 Because there are some situations where it
21 would just be -- it would serve no purpose to -- like in Ike's
22 situation. It would serve no purpose to make his chairman
23 come in and -- and discuss that situation. But --

24 CHAIR PORTER: And we're talking more about ECD
25 employees back there unplugging cables and unplugging power

1 cords and -- or your radio equipment vendor coming in saying,
2 hmm, I need to use that plug, and unplugs that and plugs his
3 in, or your 911 equipment vendor at the PSAP unplugging and
4 plugging in stuff.

5 I think that's more of what we're talking
6 about, right?

7 MS. QUESTELL: That is so what we're talking
8 about.

9 I mean, pardon my expression, all hell breaks
10 loose when that happens. And that is just a waste of
11 resources. I mean, people need to know not to do that, and
12 people need to take into consideration the change control
13 process that we've put in place.

14 And -- I mean, I have five phone calls every
15 week about NG911 deployment and this is a big part of those
16 calls, is, oh, my gosh, so-and-so pulled the plug. And we can
17 do better than that. We have to do better than that.

18 CHAIR PORTER: Steve?

19 MEMBER SMITH: Mr. Chairman, I think -- I
20 know it's a little off subject but it has to do with the
21 notification and the 24 hours prior.

22 But I want -- I just want to throw this out:
23 I certainly feel that -- I agree that there's a need for --
24 this policy needs to be addressed. But on another note,
25 I would like to see communicated to the NOC or to TCS that

1 when they are preparing or planning to make test calls that --
2 if you want 24 hours from my district advanced notice we need
3 more than ten minutes.

4 We all know -- well, I'll speak to my position
5 in that I have -- we have multiple PSAPs. Our policy is --
6 long been standing, even before NG911, that we need as advance
7 notice as possible. We want to prepare that PSAP. There may
8 be staffing issues; there certainly may be other emergency
9 calls that are coming in. And just as we talked about in the
10 same venue of non-service initialized phones being able to --
11 to basically bog down the system, I would like to see Staff
12 look into that a little further and see if we could develop a
13 better process for that. Because I've been told in my
14 conversations that that's the best we can do, this one go from
15 here to here. And I think that in this day and time when so
16 much of this is done just remotely and -- you know, it's over
17 an IP network, cell towers. That sort of thing.

18 CHAIR PORTER: And a lot of --

19 MEMBER SMITH: I didn't mean to get off
20 subject, but I -- I do think that that -- you know, the --
21 what's fair for the goose is fair for the gander.

22 CHAIR PORTER: And a lot of cases it's not TCS
23 all the time, it's the carrier doing that. If we'll have a
24 carrier just start making test calls because there's a problem
25 somewhere and never notify us that they were even going to

1 do it -- and I'm sure you have the same thing happens.

2 So maybe we can work on that, too. Not in this
3 policy, but in -- in our NG family to make sure that they --
4 they don't do that.

5 MEMBER SMITH: I'll just say in my specific
6 case -- and you're -- you're absolutely right. But I -- but I
7 know for a fact --

8 CHAIR PORTER: Oh, yeah.

9 MEMBER SMITH: -- it was TCS.

10 CHAIR PORTER: Yeah.

11 MEMBER SMITH: And it -- it was to do a
12 transfer call from at West Tennessee County --

13 CHAIR PORTER: Uh-huh.

14 MEMBER SMITH: -- to our -- one of our PSAPs.

15 CHAIR PORTER: It's all your fault, Chad;
16 right?

17 UNIDENTIFIED SPEAKER: I'll take the blame for
18 that one.

19 CHAIR PORTER: Okay.

20 MS. QUESTELL: We will work on a policy. Thank
21 you for the suggestion.

22 CHAIR PORTER: Need a motion one way or
23 the other. Either approve it or not approve the amendment.

24 MEMBER SMITH: I couldn't remember if we had
25 the motion before the discussion.

1 CHAIR PORTER: No, there's not a motion.

2 MEMBER SMITH: I'll make the motion.

3 CHAIR PORTER: All right. Have a motion by
4 Mr. Smith.

5 Do I have a second?

6 MEMBER SNEED: I second.

7 CHAIR PORTER: Second by Mr. Sneed.

8 Any discussion?

9 (Pause)

10 CHAIR PORTER: Hearing none, all in favor say
11 "aye."

12 THE BOARD: Aye.

13 CHAIR PORTER: All opposed, like sign?

14 (Pause)

15 CHAIR PORTER: Motion carried.

16 Next item on the agenda is to consider amending
17 Policy number 31 to require provision of emergency backup
18 power for NG911 equipment and PSAPs.

19 MEMBER TURNBOW: Mr. Chairman, having known
20 what it's like to sit out there, could I request that we move
21 Item number "vi" up to -- next so that these gentlemen need to
22 go home because of the severe weather?

23 CHAIR PORTER: Talking about the Hamilton
24 County?

25 MEMBER TURNBOW: I'm -- I'm sorry.

1 Yes. I looked at the wrong agenda here.

2 The Hamblen County delegation, please.

3 CHAIR PORTER: Okay. So we have a request by
4 Jimmy that we move Item number "vi," which is consider the
5 telephone increase request from Hamblen County, up to now to
6 this current --

7 MEMBER TURNBOW: On the agenda it's "vi." Just
8 in case they need to get home --

9 CHAIR PORTER: Do I have second on that motion?

10 MEMBER LOWRY: Second.

11 CHAIR PORTER: The motion is seconded that we
12 move Item number "vi" on the agenda -- the public meeting
13 agenda, Hamblen County's request up to number "iii," which is
14 currently amending the Policy number 32.

15 Any discussion?

16 (Pause)

17 CHAIR PORTER: Hearing none, all in favor of
18 the motion say "aye."

19 THE BOARD: Aye.

20 CHAIR PORTER: All opposed, like sign?

21 (Pause)

22 CHAIR PORTER: Motion carries.

23 Okay. So the next item now on the agenda is
24 consider request to increase the emergency telephone service
25 charges in Hamblen County.

1 If the Hamblen County folks would come up and
2 find them a microphone.

3 And if you would as soon as you get situated
4 introduce yourself. Give your name and what your position is
5 with the district.

6 MR. CARPENTER: Thank you, Mr. Chairman.

7 May it please the Board, I'm Eric Carpenter,
8 director of the Hamblen County ECD.

9 I have with me our board chairman, Chief
10 Roger Overholt of the Morristown Police Department.

11 CHAIR PORTER: Okay. Glad to have both of
12 you-all with us this morning.

13 MR. OVERHOLT: Thank you, sir.

14 CHAIR PORTER: Normally the way we go through
15 these rate increase requests is -- is we hear from staff the
16 recommendations that they have for it. Then we'll allow you
17 to make any statements, if you have any, that you would like
18 to do. And then the Board will go into its deliberations and
19 decide the -- the request.

20 So who's up? Jim? Jay?

21 MS. QUESTELL: I think we'll --

22 CHAIR PORTER: Lynn?

23 MS. QUESTELL: -- we'll start with Eddie --

24 CHAIR PORTER: Eddie.

25 MS. QUESTELL: -- who did the site visit.

1 CHAIR PORTER: Okay.

2 MS. QUESTELL: And then we'll move to Jay.

3 MR. BURCHELL: I recently visited the Hamblen
4 site. They have a relatively new controller, a very nice
5 setup. Their PSAP is very well organized in the wiring. And
6 the technical pieces are in excellent shape, the whole
7 building UPS generator system. And they're fully in
8 compliance with all of the policies that we had.

9 CHAIR PORTER: Okay. Any questions of Eddie?

10 (Pause)

11 CHAIR PORTER: Next.

12 Jay?

13 MR. GOLDMAN: Thank you, Mr. Chairman.

14 Hamblen County ECD has interlocal agreements
15 with the county of Hamblen and the City of Morristown
16 effective March 2004. They've been consistently maintained
17 to date.

18 The agreements establishment is -- and address
19 the dispatched responsibilities and duties of the district and
20 the financial obligations of the county and the city.

21 The district's PSAP is staffed by twelve
22 full-time and three part-time telecommunicators and dispatches
23 for the Hamblen County Sheriff's Department, Morristown
24 Police, Morristown-Hamblen EMS, Hamblen County Volunteer
25 Fire Departments, the Morristown Rescue Squad, and EMA.

1 Under the agreements the ECD agrees to provide
2 sufficient state-of-the-art correct dispatch of emergency
3 communication services.

4 And the County and City agree to fund the
5 district's operating budget at no less than the previous years
6 level of funding. Under the agreement the County currently
7 funds 141,000 annually, and the City of Morristown 187,000
8 annually.

9 The ECD currently has a rate of 1.25
10 residential and 2.75 for business lines.

11 The E911 service charge is decreased by
12 16.6 percent over the two-year period from 2001 to 2013, and
13 it's projected to continue to decline due to the decision by
14 Charter Fiberlink to reclassify its service from landline to
15 VoIP. The 25-percent statutory remittances and the
16 operational funds with the ECD increased during this period.

17 The local government contributions have been
18 consistent over the last ten years.

19 The district intends to request an increase in
20 local funding for both county and city, but determined that
21 the ECD had to pursue all alternative sources of funding prior
22 to making such a request.

23 The costs of salaries, wages, and benefits, and
24 total expenditures remained stable over the last three years,
25 but substantial increases are anticipated as a result of

1 rising health insurance expenses and other costs.

2 Most other expenses have remained stable. But
3 over the timeframe under analysis -- except for depreciation,
4 which is doubled due to the recent acquisitions of NG911
5 equipment -- the ECD stated in their application that the
6 rate increase is necessary to correct the district's climbing
7 revenue base, the Charter revenue loss, as well as when it --
8 raises to existing employees.

9 If the ECD continues the current operations
10 without increased funding it will likely be deemed financially
11 distressed by 2016.

12 The ECD has attempted to continue expenditures
13 that are within its control; the revenues from landlines
14 continue to decline.

15 The ECD intends to seek increased contributions
16 from local support, but is attempting to address its funding
17 shortfall by all avenues within its discretion prior to that.

18 The district has -- since its original rate
19 increase -- never had a negative change in net assets. With
20 landline revenues declining and carriers shifting their
21 landlines to VoIP the district seeks to avoid negative changes
22 and at-risk status.

23 Staff examined the request presented by the
24 ECD, finds the request reasonable and justifiable, and Staff
25 finds no reason why this request should not be considered by

1 the Board.

2 MS. QUESTELL: I would also like to point out
3 that they had no audit findings for the past three consecutive
4 years.

5 CHAIR PORTER: That's great.

6 MS. QUESTELL: And that is really to be
7 commended.

8 CHAIR PORTER: Good.

9 Any questions of Jay?

10 (Pause)

11 CHAIR PORTER: Any other staff recommendations
12 or discussions?

13 (Pause)

14 CHAIR PORTER: Lynn, have anything you want
15 to say?

16 MS. QUESTELL: No, sir.

17 CHAIR PORTER: All right. Folks, now is your
18 time as a district to make any statements that you-all might
19 have.

20 Do you have anything you want to say or add?

21 MR. CARPENTER: Mr. Chairman, we appreciate the
22 opportunity to appear before you today.

23 And we have worked very closely with Staff.
24 And they've been excellent to work with. And we appreciate
25 them very much, as well as conversations that I've had with

1 some of members of the board, as well, on various issues.

2 We felt like this was necessary at this time to
3 do what we needed to do. Our application came to you prior to
4 the legislation that is now proposed before the -- before the
5 House and Senate was filed. So we didn't know what that was
6 going to look like, and we wanted to take every best effort
7 that we could in preparation for beginning to do -- as you
8 very accurately stated, Mr. Chairman -- taking that
9 responsibility on at the local ECD. Because we understand
10 very clearly with that responsibility -- especially with the
11 passage of the proposed legislation -- will rest upon our --
12 on our shoulders for our own jurisdiction.

13 So we'll -- we'll stand on the information we
14 have presented and defer to the will of the Board.

15 CHAIR PORTER: Anything?

16 MR. OVERHOLT: No, sir. I have nothing to add.

17 CHAIR PORTER: All right.

18 MR. OVERHOLT: Thank you.

19 CHAIR PORTER: Thank you.

20 We appreciate you-all coming.

21 All right. The Board will go into its
22 deliberations now.

23 You've heard Staff's recommendation that we
24 raise the rates in Hamilton County.

25 What's the will of the Board?

1 MEMBER LOWRY: So moved.

2 CHAIR PORTER: Motion by Mr. Lowry.

3 Do I have a second?

4 MEMBER SMITH: I'll second, Mr. Chair.

5 CHAIR PORTER: Second by Mr. Smith.

6 Any discussion?

7 MEMBER SMITH: Just -- I just have a brief

8 question for Mr. Carpenter.

9 It's my -- my lack of geography recollection.

10 I'll apologize. But I'm familiar with Hamblen County and

11 Morristown.

12 Are there any other incorporated municipalities

13 that provide public safety emergency response?

14 MR. CARPENTER: No, sir. There are no other

15 incorporated municipalities in the county other than

16 Morristown.

17 MEMBER SMITH: Okay. So your interlocal

18 agreement covers county and all applicable municipalities?

19 MR. CARPENTER: That is correct, sir.

20 MEMBER SMITH: Thank you.

21 CHAIR PORTER: Mark?

22 MEMBER ARCHER: I would like to commend you on

23 your audits. That -- that's so important to have a clean

24 audit. And sounds like from Eddie's report that you have a

25 well-maintained 911 center. Well organized.

1 There's a couple of points I'm going to raise
2 to you, and the -- of course you're paying for full dispatch,
3 correct?

4 MR. CARPENTER: That is correct, sir.

5 MEMBER ARCHER: You have right at \$500,000
6 going to dispatch; another 5,000 in overtime; part-time
7 personnel, \$30,000; medical and dental insurance that you're
8 paying is almost \$140,000. You're also paying disability
9 insurance of 1700. You're also paying -- or paying retirement
10 contributions of 40- -- almost \$40,000. And then there's
11 another -- other charges at the bottom that are 76,000.

12 If this bill passes you're going to be at
13 \$1,226,000. Your expenses are going to be right at
14 \$1,200,000. So you're right there on the edge. And I know
15 you're going to be one of the groups first in line to come for
16 the 2 million to get that 56,000. Which, you know, that will
17 drop, and then you'll have to request it back.

18 MR. CARPENTER: Yes, sir.

19 MEMBER ARCHER: But do you-all have any plans?

20 You know, you have absolutely no money for
21 future equipment. Anything like that?

22 Your dispatchers, your medical costs are
23 going to continue to go up. Your disability insurance will
24 definitely go up. Your retirement is going to go up. All
25 these things are going to go up. Do you-all have any kind of

1 plans to -- to meet that challenge?

2 MR. CARPENTER: And, Mr. Archer, that
3 specifically is the discussion that -- that we are having
4 with the City of Morristown and Hamblen County on the local
5 contributions and how that is going to have to be addressed
6 with the passage of this proposed legislation.

7 When Hamblen County ECD turned the switch on in
8 January of 1990 as a fully consolidated PSAP, at that time the
9 original agreement with the City of Morristown and Hamblen
10 County government -- because at that time the dispatchers were
11 respective employees of those entities, and we became
12 consolidated fully with dispatch from the beginning -- was
13 that the City and County would respectively fund salary and
14 benefits for four telecommunicators respectively. And, of
15 course, while they are still upholding that end of the bargain
16 it hasn't -- that hasn't changed any.

17 And so we, as the ECD -- through the surcharges
18 and those other things -- have increased staff. We've made
19 the necessary equipment changes to keep up with -- with
20 emerging technologies over the past 24 years. And so the
21 quality of service and what's necessary and what -- and what
22 the state and what the citizens of our district expect and
23 deserve has got to be in some of the -- part of that
24 discussion as we go forward with our locals about maintaining
25 that. So that is our plan, if you will.

1 MEMBER ARCHER: All right. The -- and of
2 course I'll make this comment, and then I'll -- I'll -- I
3 appreciate your answer.

4 The funding models -- and if everybody will go
5 look at the -- when it -- when this was passed the funding
6 model was never -- never passed to support dispatching.
7 It just wasn't. It wasn't the intent of it.

8 MR. CARPENTER: That's right.

9 MEMBER ARCHER: And it never was there to
10 support those kind of figures. And, of course, a lot of
11 counties have gotten into it and they're in the position now
12 that you are, that you've got to solve this problem.

13 MR. CARPENTER: That's correct.

14 MEMBER ARCHER: But, with that said -- and --
15 and the new legislation is not going to change that.

16 MR. CARPENTER: That's right.

17 MEMBER ARCHER: So I do wish you luck. I
18 know you'll do a good job and do everything you can. But
19 I wanted to ask you that question. I appreciate your
20 response.

21 MR. CARPENTER: Thank you.

22 MEMBER ARCHER: Thank you.

23 Good luck to you.

24 MR. CARPENTER: Mr. Chairman, if I may, we
25 had a -- we had a single director up until about two

1 years ago. And Mr. Jimmy Peoples -- who I bet many members
2 of this board and staff are -- are very familiar with.
3 Mr. Peebles retired. And the excellent condition that
4 Hamblen County ECD is in today can be said thanks to
5 Mr. Peoples because of the work he put in to build that out
6 and be in the shape that it's in, both financially and
7 technology-wise. And, so, kudos goes to my predecessor.

8 CHAIR PORTER: I'm glad you said that. That
9 took words out of my mouth. I was going to mention that. So
10 regardless of whether it's passed or not, but Jimmy is -- he's
11 almost an icon. I know he is in Hamblen County when it comes
12 to 911. And he is on the statewide basis, too. And I wish
13 him the best in retirement. He's -- he's been a great
14 director over all these years. And I appreciate you saying
15 that.

16 Other questions, discussion?

17 MS. QUESTELL: Since they're going to leave,
18 can I ask one question?

19 CHAIR PORTER: Sure.

20 MS. QUESTELL: How is Jimmy doing? He had a
21 heart attack.

22 MR. CARPENTER: He's doing well. He had
23 some -- he had some health issues, but he's home and seems to
24 be doing well. Went to -- doing some rehab, but doing well.

25 Thank you.

1 CHAIR PORTER: Tell him we all wish him the
2 best. Okay?

3 MR. CARPENTER: We'll do that.
4 Thank you, Mr. Chairman.

5 CHAIR PORTER: Any other discussion?
6 (Pause)

7 CHAIR PORTER: Okay. All in favor of the
8 motion say "aye."

9 THE BOARD: Aye.

10 CHAIR PORTER: All opposed, like sign?
11 (Pause)

12 CHAIR PORTER: Motion carries.

13 Thanks, guys. We appreciate you coming. Have
14 a safe trip going back home.

15 MR. CARPENTER: Thank you, Mr. Chairman.

16 CHAIR PORTER: Okay. We're back to the
17 previous item to discuss, which is consider amending
18 Policy number 32 to require provision of emergency backup
19 power for NG911 equipment and PSAPs.

20 Lynn?

21 MS. QUESTELL: Thank you, Mr. Chairman.

22 As I said, I get every single trouble ticket,
23 so I look at them very carefully. And a significant number of
24 them involve power instability.

25 According to AT&T in one month, between

1 December and January 31, alarms were triggered by loss of
2 power to NG911 equipment. And I know that a lot of that
3 equipment is extremely sensitive and it might not even felt an
4 impact in service, but our experts say that this is a wake-up
5 call and that at least some of those bumps are probably due to
6 the fact that the NG911 equipment and PSAPs is not connected
7 to the generators or the UPS or is not connected properly.
8 And so the purpose of this policy is to make sure that people
9 are -- are making -- a point of making sure that their NG911
10 equipment is fully connected and properly connected to their
11 backup power.

12 So what we would recommend -- and we're also
13 recommending -- in light of the floods here and Katrina we're
14 recommending that -- since this is the policy about backup
15 power -- recommending that backup power not be put in places
16 where it could be susceptible to flooding like down in
17 basements and stuff.

18 So what Staff is recommending would be the
19 following amendment to Policy 32: Minimum backup power
20 requirements shall apply to equipment used to provide
21 Next Generation 911 service to the PSAP.

22 And then there's a recommendation: It is also
23 a recommendation that ECD management assure that backup power
24 equipment and fuel supplies are not located in areas prone to
25 flooding.

1 CHAIR PORTER: You've heard the recommendation
2 to amend Policy number 32.

3 What's the will of the Board?

4 MEMBER TURNBOW: Mr. Chairman, while we're on
5 this subject I'd like to bring up for discussion not only
6 requiring UPS for one hour, but requiring UPSes to have
7 filters on them in case they're -- some of the UPSes out
8 there, if they're getting dirty power, say it's running
9 un-generated, they're not going to operate it correctly. So I
10 would like to bring up for discussion that all essential
11 equipment be connected to UPSes that are capable of one hour
12 and have the filter on them to guarantee that they function
13 properly.

14 And Eddie can probably distinguish that. But I
15 know that in some of our dealings, especially at remote sites,
16 that the UPSes that were just the ones -- I mean, they would
17 last for an hour, but they have no filter on them they would
18 not function properly. So I'm just -- to me, it's a good idea
19 to have all essential equipment on UPSes that lasted one hour
20 and have the filtering capability to make that -- they
21 function properly.

22 I don't think that there's any filtering
23 requirements on the UPSes at this point, but I do think it's
24 something that we do need to look at at this point.

25 MEMBER BURCHELL: Yeah, I agree. I -- I agree.

1 I think we need to possibly go back and put a little more
2 detail into the amendment at this point with Mr. Turnbow's
3 recommendation.

4 CHAIR PORTER: Do we need to go ahead and pass
5 this and make another amendment to it next meeting or put this
6 on hold and bring it back next meeting? Or what -- what do
7 you want to do?

8 MS. QUESTELL: I would very much like to get
9 this passed because I think this is really important.

10 And at the next meeting we'll have developed
11 another amendment to address your amendment, Jimmy.

12 CHAIR PORTER: Is that agreeable?

13 MEMBER TURNBOW: That's agreeable.

14 CHAIR PORTER: Okay. All right. I need a --
15 I need a motion.

16 MEMBER LOWRY: I'd like to comment -- or
17 discussion I guess.

18 CHAIR PORTER: Okay.

19 MEMBER LOWRY: We have had this regulation
20 for a long time. Evidently we haven't been abiding by it
21 because --

22 MEMBER BURCHELL: If I may --

23 MEMBER LOWRY: I know up our way we've got --
24 that's one of the requirements. And we've fairly recently --
25 or in the last six months got a new one. A new UPS I'm

1 talking about. And that was all in the specs because we
2 didn't want the filter, the whole thing.

3 So I guess maybe we -- maybe this a wake-up
4 call to a lot of the districts out there to check equipment
5 out a little bit more closer and pay more -- I know just
6 going around East Tennessee to West Tennessee and talking to
7 different people in the districts there is a lot of -- there's
8 been a considerable change in some personnel. In that
9 personnel people is responsible -- there's a lot of things
10 that hasn't been brought to our attention if we were a new
11 director or new technical person or engineer or whatever the
12 classification was. And hopefully, along with Eddie's visits
13 as he goes around and says let me look at the -- your power
14 requirements and UPS and even the generators -- I mean, if the
15 generator is cranking out bad power it's kind of useless.

16 So I don't know maybe another amendment we want
17 to put on something to do about -- I don't know if we can get
18 Eddie's guidance on that. But something to do with the
19 generator filter. You've got an UPS running, and it's taking
20 care of it, then the generator kicks in, and it's -- it's
21 kicking out garbage.

22 MEMBER BURCHELL: And I think it's important to
23 note, too, just for the record, that during the deployment
24 phase of our Next Gen Project that TCS had required in the
25 documentation that the Next Gen equipment be behind the UPS

1 and be protected. So it's -- it's -- I don't think that it
2 was intentionally left off at some districts, but there have
3 been other cases reported where the outlets that were used
4 for Next Gen equipment was not behind UPS. And that was
5 discovered later. Different issues like that. So we do need
6 to take a close look at all this.

7 MEMBER LOWRY: Some contractors come in and put
8 the equipment and there's a plug so they stick it in and
9 nobody checks it.

10 MEMBER BURCHELL: Exactly.

11 MEMBER LOWRY: That happened to our bunch.

12 CHAIR PORTER: Discussion or motion?

13 MEMBER LOWRY: Make a motion we approve
14 amendment --

15 MEMBER TURNBOW: Second.

16 MEMBER LOWRY: -- 31.

17 CHAIR PORTER: 32.

18 MEMBER LOWRY: -- or 32.

19 CHAIR PORTER: I have a motion by Mr. Lowry.
20 Who seconded?

21 Jimmy -- Mr. Turnbow seconded.

22 Any other discussion?

23 (Pause)

24 CHAIR PORTER: Hearing none, all in favor of
25 the motion say "aye."

1 THE BOARD: Aye.

2 CHAIR PORTER: All opposed, like sign?

3 (Pause)

4 CHAIR PORTER: Motion carries.

5 Next item is to consider authorizing staff to
6 pay inspection fees pursuant to Tennessee Code Annotated
7 65-4-303.

8 Lynn?

9 MS. QUESTELL: Thank you, Mr. Chairman.

10 This is really just a housekeeping measure.

11 In 2013 the law was amended to allow a public
12 utility to recoup their inspection fees by including a line
13 item on its subscriber's bill. And since that bill was passed
14 last summer we have gotten bills for inspection fees on our
15 AT&T bills for NG911. And they've also put it on the other
16 Net -- NetTN participants. And they've paid it.

17 But we have not paid it because we -- we only
18 pay pursuant to contract. We're very, very careful about
19 that. We don't want audit findings either. And -- and so we
20 have not paid it, but we are being told that it's going to
21 present to a collection agency automatically if we don't
22 pay it. And we wanted to -- the law authorizes them to do
23 this. And we don't want -- we have an ongoing relationship
24 with AT&T. We don't want to be sent to a collections agency.

25 But we would like your permission to pay the

1 past due amounts -- it's about \$1,000 a month -- and to pay
2 future amounts. The General Assembly passed this law.
3 They're allowed to assess this money on us, and we just didn't
4 want to do it without some authorization. So that's what
5 we're looking for.

6 CHAIR PORTER: You've heard the request from
7 Staff.

8 What's the will of the Board?

9 MEMBER SMITH: I'll move to approve.

10 CHAIR PORTER: Have a motion by Mr. Smith.

11 Do I have a second?

12 MEMBER ARCHER: Second.

13 CHAIR PORTER: By Mr. Archer.

14 Any discussion?

15 MEMBER SMITH: Just a question, Mr. Chairman.

16 I think --

17 CHAIR PORTER: Yes.

18 MEMBER SMITH: -- as directors we all

19 scrutinize our billing consistently.

20 Is this the inspection fee that's about \$1 a
21 line that relates to TRA somewhere?

22 MS. QUESTELL: It is a TRA inspection fee.

23 I don't know about the \$1 per line thing, but I do --

24 I have --

25 MEMBER SMITH: It may -- it may be -- it may

1 fluctuate due to the class of service. I'm just saying. But
2 it is in the same realm --

3 MS. QUESTELL: Yes.

4 MEMBER SMITH: -- isn't that correct?

5 MS. QUESTELL: TRA assessed -- was assessing it
6 to the carriers and this law passed allowing the carriers to
7 pass the fee onto their subscribers.

8 MEMBER SMITH: I -- I would only just follow up
9 with that. I certainly don't want us turned over to a
10 collection agency. Although, I have every confidence that
11 Ms. Williams had to deal with that.

12 (Laughter)

13 CHAIR PORTER: I wouldn't want to be the
14 collector, would you?

15 MEMBER SMITH: No.

16 CHAIR PORTER: Any other discussion?

17 (Pause)

18 CHAIR PORTER: Hearing none, all in favor say
19 "aye."

20 THE BOARD: Aye.

21 CHAIR PORTER: All opposed, like sign?

22 (Pause)

23 CHAIR PORTER: Motion carried.

24 Last item on the agenda is to consider
25 withholding GIS Incentive Funding for failure to meet the

1 98-percent accuracy requirement for address points.

2 Lynn?

3 MS. QUESTELL: Thank you, Mr. Chairman.

4 Basically we're asking you to treat the address
5 points accuracy requirement the same way that we treated the
6 center line accuracy requirement. And that worked out really
7 well. But at this point we have 100 percent accuracy with
8 center lines. And the deadline for address points was
9 December 1st. The deadline for -- the deadline for address
10 points was December 1st. The deadline for center lines was
11 July 15th. And we'd kind of like to just treat this exactly
12 the same way.

13 So by the next meeting if the districts have
14 not met the 98-percent accuracy requirement we would want to
15 be able to withhold funding and then meet after that. We
16 would -- the third quarter meeting we would ask the directors
17 and --

18 CHAIR PORTER: Chairman.

19 MS. QUESTELL: -- and chairman to come in and
20 explain.

21 Yeah.

22 So right now as of February 19th there
23 are 25 of the 100 districts that have not met the
24 accuracy requirement.

25 In the east there are 97 percent compliant,

1 middle is 98 percent compliant, and west is 94 percent
2 compliant. So -- I think we're well on our way, but it's
3 nice -- it worked well the last time you did it and we would
4 ask that we try the same method.

5 MEMBER ARCHER: It's already been passed that
6 we withhold --

7 CHAIR PORTER: -- on the center line.

8 MEMBER ARCHER: I thought -- I think that
9 was -- the last meeting.

10 MS. QUESTELL: No.

11 That's what's up for this meeting is -- with
12 the address points is that we would ask to withhold the
13 funding for those who have not met the deadline by the next
14 meeting.

15 MEMBER ARCHER: Okay.

16 CHAIR PORTER: You've heard the request from
17 Staff.

18 What's the will of the Board?

19 MEMBER TURNBOW: I would just like to ask a
20 question with all the GIS -- the gentlemen in the back.

21 Has there been any districts who have just not
22 had any progress at all?

23 Ryan, I'll ask you. I'll put you on the spot.
24 I do it all the time.

25 Are there any of the West Tennessee districts

1 that are showing no progress at all?

2 MR. PITTENGER: Honestly there's -- there's one
3 off the top of my head. They've had like maybe a 1-percent
4 increase. That was Hickman County.

5 I remember there was a problem with Crockett
6 County in the past, but they've had -- as of last week they
7 had a 5-percent increase. So they're doing better.

8 I believe Hickman County had like maybe a
9 1-percent increase also.

10 I mean, it's -- a lot of it is slow, but I'll
11 try to touch base with them more and see if I can try to up
12 their numbers sooner than -- other than later. But I think
13 really those are the two off the top of my head that I've seen
14 like very slow progress.

15 MEMBER TURNBOW: Since they were raised have
16 you-all noticed any districts that just seemingly are not
17 interested in complying or no progress at all?

18 MR. MURNER: None of the districts are -- I've
19 not seen -- everyone has been really submitting updates to me.
20 The work they've been doing on a regular basis, I'm checking
21 it. Returns from everybody.

22 MR. GRISWOLD: I've had a problem with one --

23 MS. QUESTELL: For the court reporter, could
24 you please give your names?

25 CHAIR PORTER: Drew.

1 Drew, since you're over the thing won't you
2 come up and -- so she can get your name and get you on the
3 record as far as -- it's hard for her to hear what you-all are
4 saying, and she don't know who you are either.

5 State your name and your title for us so she
6 can get that.

7 MR. GRISWOLD: I'm Andrew Griswold. I'm the
8 public safety GIS manager for OIR for the state.

9 CHAIR PORTER: Now repeat what you just said
10 about -- not all of it, but just the last part.

11 MR. GRISWOLD: We do have a couple that have
12 been problem children, for lack of a better term; but I think
13 we're -- we're making some good headway with those.

14 The three of us are available at all times for
15 any districts that have any questions or need any assistance,
16 and we have been providing that assistance on a regular basis.

17 MEMBER TURNBOW: One of my questions -- not to
18 put anybody on the spot. But I know that some of the
19 districts start out so far behind on their street center lines
20 that they've spent all this time catching up. I know that one
21 in West Tennessee district has just in the past week got up.
22 And I know that they've been -- and I know they can kind of go
23 hand-in-hand when they're doing this.

24 But it wasn't to put anybody on the spot,
25 but just to make sure that there wasn't something --

1 some outstanding circumstance that -- the reason we wasn't
2 showing any project -- or progress on the address points was
3 the point of my question, to make sure that, you know, they
4 had everything that, you know, they needed and that -- you
5 know, it wasn't such a large project, that maybe they started
6 from scratch and was doing everything, was the point of my
7 question. Just to make sure that, you know, we had the
8 understanding that maybe some of these districts might need a
9 little more assistance, a little more time when we're making
10 our decision next time.

11 MR. GRISWOLD: Well, we -- we may have a couple
12 of districts that may need a little bit of extra time, but I
13 think the -- the assistance that we can provide will get them
14 to 98 percent before the next meeting.

15 MEMBER ARCHER: We have seven that's below
16 the 90's.

17 CHAIR PORTER: Yeah. Yeah.

18 We made some great -- well, all of the
19 districts have made some great progress over the last few
20 months. And I'll -- I'll be surprised if -- if we have to
21 actually do anything. There might be a few. But I -- I think
22 we're going to see some major -- just keep working to --
23 by the time we have our next board meeting I think we'll be
24 impressed as to -- as to the success we've had.

25 MR. GRISWOLD: Yeah. At this point we

1 only have, I believe it's nine districts that are below
2 80 percent -- or 90 percent, rather. So most everyone that --
3 of that twenty-five that are not at 98 yet, are within a few
4 percentage points of being there.

5 MR. SUTTON: Could you go ahead and identify
6 your guys, John and Ryan back there? For the court reporter,
7 please.

8 MR. GRISWOLD: Sure.

9 Ryan Pittenger is the West Tennessee analyst,
10 and John Murner is the East Tennessee analyst.

11 CHAIR PORTER: Any other questions of Drew?

12 MEMBER ARCHER: I'd just like to give him a
13 vote of confidence.

14 CHAIR PORTER: Yeah.

15 MEMBER ARCHER: Doing a great job.

16 CHAIR PORTER: Oh, they're doing a great job.

17 I agree.

18 All right. I need a motion or some more
19 discussion.

20 MEMBER ARCHER: I'll make that motion.

21 CHAIR PORTER: I have the motion by Mr. Archer.

22 Do I have a second?

23 MEMBER TURNBOW: Second.

24 CHAIR PORTER: By Mr. Turnbow.

25 Any discussion?

1 (Pause)

2 CHAIR PORTER: Hearing none, all in favor of
3 the motion say "aye."

4 THE BOARD: Aye.

5 CHAIR PORTER: All opposed, like sign?

6 (Pause)

7 CHAIR PORTER: Motion carried.

8 Any other items that need to come before the
9 Board?

10 (Pause)

11 CHAIR PORTER: Next meeting date, Lynn, is
12 Thursday, May the 22nd, at 9:30, in this same room.

13 Yeah, Mr. Smith?

14 MEMBER SMITH: Just -- just a statement.

15 When I look out over this audience and see
16 various people at the meetings, some travel a long way.

17 I -- just on behalf of my district -- and I think I can speak
18 for the Board in this regard -- but East Tennessee,
19 Kingsport lost a very valuable member of their board,
20 Chief James Keesling. And I know -- I know you will miss him
21 in your community, and we'll miss seeing him here.

22 CHAIR PORTER: Yeah, sure do.

23 Send our sympathy to the family and -- on our
24 behalf, if you would. And I know Lynn has sent cards and
25 stuff.

1 But seeing generations change with the icons
2 of 911 from the past that is -- it's changing. And that's --
3 that's sad in a way, but it -- it's part of life. Part of
4 life.

5 And I appreciate all the ones that do drive
6 all the way down here from the places all of you come. I see
7 some -- a lot of folks from White County this morning. And
8 some of you make long trips. And it's great.

9 And for all our fans that watch us on the
10 Internet, why, we thank you-all also.

11 I hope everybody has a safe trip home. And bad
12 weather coming, so hopefully it will settle. Say a little
13 prayer that we won't have anything terrible tonight.

14 I need a motion to adjourn.

15 MEMBER ARCHER: Would like -- would like to
16 congratulate Jimmy on his new child. Thank heavens it looks
17 like the mother.

18 (Laughter)

19 CHAIR PORTER: I think we better hurry up and
20 adjourn.

21 (Laughter)

22 CHAIR PORTER: Do I hear a motion --

23 MEMBER TURNBOW: Since Mark has agreed to buy
24 dinner for everyone, I make a motion we adjourn.

25 CHAIR PORTER: Got a motion.

1 Do I have a second?
2 MR. SNEED: Second.
3 CHAIR PORTER: Second by Mr. Sneed.
4 All in favor say "aye."
5 THE BOARD: Aye.
6 CHAIR PORTER: All opposed, like sign?
7 (Pause)
8 CHAIR PORTER: Motion carries.
9 We are adjourned.
10 Thank you everyone. Have a safe trip home.
11 (End of the proceedings.)
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REPORTER'S CERTIFICATE

STATE OF TENNESSEE)
COUNTY OF SMITH)

I, Amanda F. Martin, court reporter and
notary public in and for the state of Tennessee,

DO HEREBY CERTIFY that the foregoing transcript
of the proceedings were taken on the date and place set forth
in the caption thereof; that the proceedings were
stenographically reported by me in machine shorthand; and the
foregoing proceedings constitute a true and correct transcript
of said proceedings to the best of my ability.

I FURTHER CERTIFY that I am not related to
any of the parties named herein, nor their counsel, and have
no interest, financial or otherwise, in the outcome or events
of this action.

IN WITNESS WHEREOF, I have hereunto affixed my
official signature and seal of office, this 3rd day of May,
2014.

Amanda F. Martin, LCR #379
Licensed Court Reporter
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