

KY 911 Services Board Meeting Minutes
2:00 p.m. Tuesday, December 3, 2019
Kentucky Office of Homeland Security
200 Mero Street, Frankfort KY 40622

1. Call to order

KOHS Executive Director and 911 Services Board Chair John Holiday called the Tuesday, December 3, 2019, meeting of the 911 Services Board to order at 2:01 p.m. EST. at the Kentucky Office of Homeland Security in Frankfort, Kentucky.

Members Present

1. Gail Russell, Acting Secretary
2. Daniel Bell, Mayor, City of Taylor Mill
3. Roddy Harrison, Mayor, City of Williamsburg
4. Don Kiely, K911 Board Member
5. Todd Sparrow, 911 Director, Lawrenceburg/Anderson County E911
6. Tim Vaughan, Magistrate, Jessamine County

Members present via conference call

1. John Holiday, KOHS Executive Director

Members Absent: None

Chairman Holiday provided opening remarks. He addressed the recent gubernatorial election and the uncertainty of those members of the Board that serve by nature of their office, including 911 Services Board Administrator Mike Sunseri, who also serves as the politically appointed Deputy Executive Director of KOHS. He asked board members, regardless of what changes may come, to keep moving forward because so much progress had been made in the past two years, and that Kentucky could not afford any steps backwards.

Because Chairman Holiday was participating via conference call, he suggested another Board member should preside over the meeting. Mayor Daniel Bell motioned to have Don Kiely chair the meeting. Mayor Harrison seconded the motion, which carried unanimously.

2. Approval of minutes from last Board meeting

- Don Kiely requested approval of minutes from the September 17, 2019, Board meeting. Mayor Bell seconded the motion, which passed unanimously.

- Board Administrator Sunseri thanked the Board for their work over the past two years. He stated the Governor had the authority to replace board members, but for now it is business as usual.

3. Old business

a. Update on national NG911 grant

- Prior to speaking to the federal grant, Mr. Sunseri expressed his appreciation for the collaboration from staff and management of KOHS and for their support in allowing the 911 Services Board to be an intelligence-led office. He further thanked Chairman John Holiday for his leadership.

- Mr. Sunseri said the request for proposal for the GIS integration solution had finally been released and that the RFP for the supplemental data portal was in review by the Finance Cabinet.

b. 911 fees for wireless Lifeline providers

- This item was discussed previously in closed sessions due to potential litigation. The Board and one provider of wireless Lifeline service reached an agreement regarding underpaid remissions of 911 fees. All past due fees were recovered.

4. New business

a. K911 Services Board Administrator's Report

1. 2019 PSAP survey

Mr. Sunseri stated that three PSAPs are currently delinquent in submitting their 2019 PSAP surveys despite the extra two weeks' grace period. Staff has had contact with each delinquent PSAP, including their local officials and financial officers informing them that their pro-rata and call volume payments have been suspended. Once all outstanding information is received, their payments will be released.

2. 2016-18 PSAP/provider financial reviews

Board staff completed agreed upon procedures (AUPs) for 50 PSAPS this year. Remaining entities will get receive AUPs during the next calendar year and have received notification. Chief Operating Officer Christie Ross noted that this represented the first time in history that all PSAPs will receive financial reviews in the history of the Board. The Board's administrative fund will also receive an audit of fiscal years 2018 and 2019 beginning early next year from the Kentucky Auditor of Public Accounts.

3. NG911 Mapping standards

This fall, Board staff attempted to collect PSAP boundaries and emergency service boundaries (ESBs) as part of the Board's recently adopted NG911 mapping standards. While there were approximately 20 non-compliant submissions, Board staff discussed holding PSAP disbursements in escrow until delinquent reports were received. However, as Next Generation 911 mapping standards are new and the contracted integration firm contract has yet to be completed, staff recommends the Board offers grace for deadlines, knowing the challenges of many in the community to meet the enhanced standards. Mr. Sunseri hopes PSAP staff will be brought up to standards in a fair amount of time once the GIS integration contractor is in place.

Another issue that came to light with the initial round of mapping submissions is that some Board-certified PSAPs do not have primary call-taking responsibility for any county, therefore they have no PSAP boundary to submit to the Board. This is the case with six Kentucky State Police posts—Columbia, Elizabethtown, Madisonville, Henderson, Ashland and London—that receive pro-rata shares even though they do not have primary call-taking responsibility for any counties in their jurisdictional boundary. Mr. Sunseri suggested that there needs to be a discussion about how to deal with certified PSAPs that are not able to comply with the new NG911 mapping standards. Mr. Sunseri asked the Board's technical consultant Davis Lucas' advice on this matter as he served as chair of the Board several years ago. Mr. Lucas stated it is an issue that's been recognized for the last 12 years. Mr. Lucas said rules and regulations may need to change to reflect the current landscape. Mr. Lucas acknowledged there is a need to have KSP posts with dispatching ability across the commonwealth. However, the Board's current regulatory framework isn't prepared to fund them. Mr. Sunseri provided an example of one KSP post who reported on their PSAP survey that they took fewer than five wireless calls yet received \$130,000 in Board funding. The issue will need further exploration by the 911 Advisory Council.

4. 2020 legislative proposals

Mr. Sunseri said he and John Holiday presented on Nov 22, 2019, to the Interim Joint Committee on Veterans, Military Affairs and Public Protection. Mr. Sunseri provided the committee an overview of

federal NG911 grant. This morning, Mr. Sunseri met with House Majority Floor Leader Bam Carney and discussed 2020 legislation including potential funding for the state matching portion of the NG911 federal grant. The 911 Services Board recommends the following legislation for the 2020 Kentucky General Assembly:

a. 911 fee equity for Lifeline providers

This will be identical legislation proposed in 2019. For the 2020 version, we will file as a House bill. Kentucky League of Cities, KACo and both staff 911 associations are in support of the bill, along with members of House leadership.

b. Wireless/wireline proration

This is a simple piece of legislation. The Board will seek to modify the statute that mandates all board fees have to be used on the wireless delivery of 911 services, forcing PSAPs to prorate expenses between wireless and wireline. The legislation will simply mandate that any funds received from the 911 Services Board must be used for the delivery of 911 services—whether wireless or landline. Sunseri noted that KLC and KACo also support this bill.

c. NG911 grant local match

As previously mentioned, Mr. Sunseri will lobby the Legislature to provide funding for the local match of the federal NG911 grant in the amount of \$1.5 million.

d. Carrier cost recovery fund

Mr. Sunseri suggested the carrier cost recovery fund be renamed as a Next Generation 911 fund under the same existing statutory framework. This carrier cost recovery fund, established to reimburse telecommunication providers for the cost of building the necessary infrastructure to support wireless calls, was capped under 2016 House Bill 585, and no new claims can be made against that fund. Debts from the fund are expected to be paid off in June 2020. The Board has an opportunity to establish a NG911 fund and provide an ongoing funding stream to continue statewide NG911 projects we will start with the federal grant, such as NG911 mapping, supplemental data portal, and text-to-911. Mr. Sunseri asked David Lucas to speak on this. Mr. Lucas estimated a cost of at least \$100,000/month for all projects, once fully operational. Because the federal grant only covers a two-year time period, the Board needs a funding mechanism to continue these vital projects beyond the grant process. Redirecting the carrier cost recovery fund through legislation would result in approximately \$850,000 a year in ongoing funding.

Mr. Holiday said NG911 represents the latest and greatest technology and will do wonders for Kentucky. Kentucky cannot afford to let the federal grant projects lapse or we will move backwards. Todd Sparrow suggested we keep portions of NG911 components and explained the advantages they can provide Kentucky, recognizing the carrier cost recovery fund's potential for ongoing funding. Mr. Sunseri said the next phase of NG911, where calls are routed geospatially, will require additional funding beyond this proposal. Mr. Holiday asked Mr. Lucas if the RFP released is software as a service, and asked if we could extend the contract if the new funding was created. Mr. Lucas replied that the biggest cost of getting statewide GIS-based mapping will be incurred early in the process and recurring costs may well flatten so the funds from the carrier cost recover fund may be able to sustain the expenses. Mr. Bell referenced Kenton County, where other entities reach out to the county to get mapping info data, generating revenue for the county. He asked if there is a way to get PSAPs to sell mapping information to raise revenue. Mr. Sunseri said that could definitely be a conversation but would need to include KLC and KACo, and he would inquire with 911 Advisory Council member Kent Anness. Sunseri clarified that, if passed, the NG911 fund

could only be used for NG911 services. He suggested Rep. Rothenburger would likely sponsor that legislation and would also likely sponsor the Lifeline bill.

Don Kiely made a motion to seek legislation to create a dedicated NG911 fund from the existing carrier cost recovery fund. The motion was seconded by Todd Sparrow. With no further discussion, the vote was approved unanimously.

b. Fulton County 911 certification

Sunseri explained that Fulton County has passed their site visit, and notified all wireless providers that serve the area to reroute wireless calls from KSP Post 1 to Fulton County 911. As such they have met the requirements of Board certification and were eligible to receive CMRS funds. As the Board had already conditionally approved Fulton County 911 at the March 7, 2019 Board meeting, no formal action was required to transition Fulton County to fully certified as all outstanding requirements as outlined in the certification guidelines.

c. PSAP Grant extension requests

• Christie Ross sent out information to the Board for PSAPs seeking extensions from 2018 grants. Extensions are drafted and available, and need to be submitted to finance by December 15 before they expire on the January 31. Wesley Wills stated there is a technical issue with a grant given to Barren-Metcalf 911 that arose after their PSAP director took a position at Marshall County 911 which necessitated an extension of the Barren-Metcalf grant. Ms. Ross indicated she had personally called every 2018 grant recipient whose grant was still open to make sure she didn't need to extend their grant as failure to extend an expiring grant could lead to a PSAP not being reimbursed.

Don Kiely requested a motion to approve the requested grant applications for the following PSAPs:

- Lexington-Fayette Urban Co Government #17-010
- Pulaski County Fiscal Court #17-059
- Bluegrass 911 #18-024
- Bluegrass 911 #18-201
- Barren-Metcalf ECC #18-115
- Kentucky State Police #18-030

The motion was made by Mayor Bell and seconded by Tim Vaughn. With no further discussion, the motion passed unanimously.

d. Financial report

Christie Ross reported 911 Services Board fund balances as follows: 911 Coordinator Fund \$2,446,082.40; CMRS Grant Fund \$5,746,249.05; Interest account \$35,932.03; Pro Rata \$1,188,652.34; Cost Recovery \$111,892.50; and Call Volume \$1,020,386.39.

Ms. Ross informed the Board that several 2019 grants have already requested reimbursements.

e. 2020 911 Services Board meeting dates

Don Kiely announced the dates, times, and locations for the next two Board meetings.

- 2:00 p.m. Eastern Time, Tuesday, March 10, 2020, at KOHS
- 2:00 p.m. Eastern Time, Tuesday, June 30, 2020, at the Kenton County Courthouse, 1840 Simon Kenton Way, Covington. Mayor Daniel Bell will host next this meeting.

5. Adjournment

Todd Sparrow motioned to adjourn the meeting at 3:01 p.m. Daniel Bell seconded, and the motion carried unanimously.