

Note: These minutes are a draft and are not to be considered official until approved at the next meeting.

**Iowa E911 Communications Council Meeting
 Wednesday, August 24, 2010
 Urbandale City Library
 3520 86th Street, Meeting Room B
 Urbandale, IA**

Call to Order

Meeting was called to order by Chairperson Steven Ray at 9:00 a.m. A quorum was determined from the roll call as indicated below.

Roll Call	Representative	Attendance
Iowa Association of Public Safety Communications Officers (APCO) Secretary	Sally Hall	Present
alternate	Cara Sorrells	Present
Iowa Chapter of the National Emergency Number Association (NENA)	Kirk Hundertmark	Excused
alternate	Cherese Sexe	Present
Iowa State Sheriff's & Deputies Association (ISSDA)	Tom Heater	Present
alternate	Dean Kruger	
Iowa Chiefs of Police & Peace Officers Association (ICPPO)	Jack O'Donnell	Present
alternate	Sandy Morris	Present
Iowa Professional Firefighters (IAPFF)	Mike S. Bryant	Present
alternate	vacant	
Iowa Fireman's Association (IFA)	Mark Murphy	Present
alternate	Tom Berger	
Iowa Emergency Managers Association (IEMA) Vice-Chairperson	Bob Seivert	Present
alternate	Jo Duckworth	
Iowa Department of Public Safety (IDPS) Chairperson	Steven P. Ray	Present
alternate	Todd Misel	
Iowa Emergency Medical Services Association (IEMSA)	Paul Andorf	Excused
alternate	Rob Dehnert	Present
Iowa Telephone Association <15,000	Jim Suchan	
alternate	Pat Snyder	
Iowa Telephone Association >15,000	Natalie Stallman	Present
alternate	Dan Halterman	Present
Cellular Providers	Bill Tortoriello	Absent
alternate	Jason Fenton	Absent
PCS Providers	David Kaus	Present
alternate	Joe Sargent	
Auditor of the State, Ex-Officio member	Warren Jenkins	Absent

Staff:

Barbara Vos, E-911 Program Manager	Present
Kathy Karn, E-911 Program Planner	Present

Guests:

Michele Bott, Clinton County E911	Lorrie Lacina, Muscatine Joint Comm
Wendi Hess, Woodbury County E911	Pam Freshwater, Monroe County
Jerry Calnon, Jefferson County	Ralph J. Kremer, Buchanan County
Dianna DeSotel, Jones County E911	Tim Malott, Cedar County EMA/E911
Scott Locker, Polk County Sheriff's Office	John Smith, Polk County Sheriff's Office
Rich Riemann, 911-Inc	Larry Smith, Frontier Communications
Catherine Engel, Iowa Senate Democrats	Brenda Vande Voorde, Fayette County E911
Loretta Welcher, Delaware County E911	Dina McKenna, Story County Sheriff's Office
Connie Hambly, Story County E911	Joni Walston, SCI Regional E911

Paul D. Welch, SCI Regional E911
Paul H. Fitzgerald, Story County Sheriff
Staci Griffin, Louisa County EMA/E911
Judy Flores, Black Hawk County E911
Ed Roach, Jasper County E911

Chris Moore, Pottawattamie County E911
John Benson, HSEMD
Tom Ling, Mills County E911
Rob Koppert, Cass County E911

Introductions

Chair Steven Ray welcomed everyone. Board members and those in attendance introduced themselves.

Approve the Agenda

Motion by Dave Kaus, seconded by Tom Heater to approve the agenda. All ayes. Passed.

Items for Discussion

Proposed Legislative Changes – Barb Vos

- July meeting discussed running an agency bill to change language in Chapter 34A that would reflect the new Request for Proposal (RFP) along with cleanup language.
- The issue of increasing the wireline surcharge and how we are going to do that was discussed.
- Based on conversation with HSEMD Administrator Dave Miller we need to explore the possible implementation of another surcharge model.

Bob Seivert – Overview of Last Legislative Session

- Last session an attempt was made to put a piece of legislation through that changed the language to reflect the RFP along with cleanup language and increasing the wireline surcharge. Allowing the counties to change the surcharge to a level they would be comfortable with.
- Eliminate the payment charged to the state by wireless providers for Phase I cost recovery creating more funding at the local level.
- The proposed changes also allowed mass reverse notification (i.e. Code Red, Reverse 911) software as an eligible surcharge expenditure. This would allow the PSAP to use the software to send out a notification to the public in case of a flood, a tornado approaching, hazard chemical spill or child abduction.

Mr. Seivert – Other Points

- We have services that are affecting Iowa today such as Magic Jack and VoIP that are accessing the 911 network and not paying surcharge.
- Wireline surcharge continues to fall off dramatically. Reducing the amount of surcharge that is available to local PSAP to maintain their equipment. More so in metropolitan areas but rural areas are not immune.
- The wireline surcharge was implemented 18 years ago and has not increased since.
- Equipment costs have increased over the past 18 years.
- Next Generation 911 (NG911) is not going to happen on the current infrastructure. There needs to be a migration to a higher level of technology to allow that flow of data from the person making the 911 call to the PSAP.
- The number of 911 calls that are being received in the PSAPs today that do not have a call back number or location are increasing. We are losing the capability to identify where those calls are coming from simply because the new technology is not compatible with our existing equipment.
- Many states do it different than Iowa. That doesn't mean we need to copy them but we do need to address those fundamental principles. The loss of revenue, the increase in cost and the change of technology.
- Do we want the public to have access to 911 and public safety? How do we want them to access it? Do we want them to be able to dial 911 from whatever device they want? Do we want to receive that 911 call with a name and a callback number and voice so that we can dispatch that call. That is the whole premise of enhance 911 in Iowa and across the country.
- Whether this is an agency bill, ISSDA or EMA there needs to be a change or the legislature will be looking at a situation where a critical infrastructure in Iowa that is longer doing what it is meant to do.

Barb Vos – Request for Proposal (RFP) for the IP Based Network

- The RFP is strictly for the wireless network and will be done in phases. The current wireless network was implemented in phases.
- The IP based network will include equipment that will integrate legacy PSAP equipment. PSAPs will not have to change their call taking equipment. When a 911 call is received at the PSAP, everything should still work.
- The current trunks/circuits in the PSAPs are paid for by the state. If the state changes those, the state will bear the cost.
- Until the RFPs are received and a selection is made, it is unknown how long it will take to complete. Possible estimation of 3 to 5 years.
- The RFP was written with the intention that in the future this network will be robust enough to be able to include the wireline network.
- Once the wireless network is built and it is capable of handling the wireline, the local counties could merge their wireline network if they chose to replace their equipment.
- Is it the goal that eventually, no matter what type of device, all calls will be delivered the same way.
- RFP's are due this Wednesday. It is unknown how long the reviewing and selection process will take.

Tim Malott – Radio Narrowbanding

- When we receive a 911 call we will not be able to dispatch the call because of narrowbanding.
- The need to replace repeaters, backroom equipment, firemen's pagers, mobiles and portables.
- This is an unforeseen cost.
- Revenues have not increased but are decreasing.
- U.S. Senate Bills 3756 and 3625 are proposing a national interoperable system utilizing the 700 MHz spectrum.
- Cedar County is between 4 counties that are going to 700 MHz and will not be able to talk to them.

Barb Vos – Radios & the IP Based Wireless Network

- The FCC narrowbanding mandate that everyone must comply with by January 1, 2013 is for radios.
- The 700 MHz is an issue that the Interoperability Board is working on.
- The 700 MHz and the IP based wireless network may somewhat be tied together, but two different boards are making decisions.
- The radio piece is just as important but that is not addressed in Chapter 34A. Although it is an eligible surcharge expenditure.
- When the wireless IP base network is built and the radios are upgraded, it should all work together. I will continue to work closely with the other boards for that goal.

Network Migration Funding

- RFP was written to reflect however a bidder purposes to migrate to an IP based network, it must fall within the current funding stream. This is why it will be done in phases.
- Non recurring equipment costs will be paid by grant funds.
- Recurring costs out of the wireless carryover fund.
- Wireless carryover grant applications were suspended to allow for a build up of funds and will continue to be used for the build out of the wireless network.
- Recommend changing Chapter 34A to eliminate Phase I recovery costs to carriers. This will free up 21% of the wireless carryover funds. Eleven percent would go to the state and 10% would be distributed to the local level. That is a way to do it without increasing the wireless surcharge.

Raising Surcharge

- Documentation will be needed to justify increasing the surcharge.
 - The E911 Program Manager's office is compiling information from county budgets over the past 3 to 4 years – increases & decreases in their surcharge revenues and expenditures.
 - Across the state the numbers are not supporting the wireline drop.
- The original wireless surcharge was \$.50 and was not sufficient enough to pay the expenditures.
- Went to the legislature with facts and figures and the surcharge was raised to \$.65. The debt has since been retired.
- The numbers that are needed cannot be determined until the RFP is issued and the costs are known. Then a determination will be made if the project can be done using the current wireless funding stream.
- Even if the wireline surcharge is increased is there a guarantee that you will have enough money to meet your expenditures or is there a different method we need to look at?
- Suggestion of making wireline and wireless surcharge the same amount.
- Suggestion of waiting until the wireless network is established, then explore increasing the surcharge.

Surcharge – Wireless

- Surcharge for wireless is based on the subscribers billing address.
- Cell phone penetration is leveling off. There is a leveling off of new subscribers so the supply of surcharge is not increasing.
- Legislature pass a mechanism to allow counties to add an additional fee for wireless.
- There are no county boundaries for wireless. Cannot determine how many cell phones are in a county. Only how many are sold or live in a county.
- Remove the surcharge cap
 - Wireless surcharge is set by the state legislature.

Surcharge – Wireline

- If a change is made to the wireline, how is that going to be accomplished?
- Counties now have the option to temporarily raise the surcharge for two years according to the Iowa Code.
- Remove the surcharge cap.
 - Do not understand why the Legislature has to cap the surcharge.
 - The need of a small population county is different than a large county.
 - Let the locals decide their own level of surcharge.
 - Removing wireline cap only forces wireline customers to pay an unfair amount versus the wireless customers – driving wireline customers to wireless.
 - That can be purposed and was purposed last legislative session.
 - Politically this would be a tax increase.
 - Surcharge whether wireless or wireline is not a tax. It is a user fee. A tax you pay whether you use it or not. A surcharge you pay only if you use it.

Other Funding Mechanisms

- Some states use property tax, but this is not accessing everyone as not everyone owns property
- Some states add a fee on to utilities. In Iowa, the Utilities Board would be a part of this.
- Maybe a 1% sales tax could be implemented.
- Whatever mechanism is used it needs to encompass the majority as best as possible.
- Who would the funding be controlled by?

Future of Wireline

- Some of the smaller telcos may struggle. Actually some of them are already struggling.
- Wireline won't go away but it will be smaller.
- It will look the same but will be delivered differently utilizing IP and a gateway.

Stimulus Money – Broadband Plan

- Natalie Stallman – ICN capitalized on the county's 911 services. How can we find out the percentage of grant money that will go back to those counties?
- Mrs. Vos – Did not see anything in their grant application about percentages. Unable speak to ICN until after the Wednesday deadline. It is believed one of the bidders has included them in their RFP.
- Ms. Stallman – They specified enhancing 911 capabilities for counties. Thought that would be public knowledge that they would have to release.
- Mrs. Vos – It was unknown where ICN got their information. They were only including 77 of the 99 counties. They had not captured all the counties in their request. The broadband stimulus grant timeframes were very short and it was believed they had a hard time realizing who all should be encompassed.
- The state put a website together for those that were going to apply for some of the stimulus money to be able to register their information and interest in partnering with someone. Mrs. Vos did register on the website but received no response. The Connect Iowa website has developed maps that show the broadband density by census block which was very county specific. These maps were not available at the time the RFP was being written but it is information that can be used in the future.
- Ms. Stallman – This is what the Broadband Plan is all about. A group of people that Ms. Stallman met with in Washington is focused on the future development of internet and broadband applications and how this could help rural and lifeline services. It all comes back to what we offer here to the PSAPs

Grants

- Dave Kaus – ICN has applied for a grant and has been awarded funding, ISICSB has applied for a grant and we applied for a grant.
- Three different groups going in different ways. Ninety-nine counties going in different ways and 122 PSAPs doing what is best for them. Hopefully they are looking at what is best for their neighbor.
- The legislature needs to encourage consolidation of these funds to handle different types.
- Is the money being spent wisely?
- PSAPs as well as providers have problems.
- It cost over \$1.5 million per year to provide location for all of our subscribers to 911 which there are no recovery cost reimbursement.
- Mrs. Vos – It was unfortunate that ICN didn't reach out to us when making their application. The RFP might have been written differently. Since they have been awarded funds, maybe there will be some things that we can use and not have to rebuild.

Other Devices Accessing the 911 Network (i.e. Magic Jack, VoIP, etc.)

- Currently Chapter 34A does not cover these devices.
- The definition for these devices will be included in the proposed changes to Chapter 34A using similar language that other states have recently passed.
- There will be difficulty identifying and notifying those providers.

Surcharge Expenditures

- Eligible expenditures are so finite.
- The surcharge has never paid its way.
- Some counties have augmented paying expenditures with property taxes, and other sources of funding.
- Some counties think that 911 surcharge should pay for everything. (i.e. all the public safety radios)
- This is a prime example of letting the locals determine what their surcharge needs to be. If they want 911 surcharge pay for all of their radios let the locals decide on the level of surcharge.
- There are some counties that will be voting this November on raising their surcharge to \$2.50.
- PSAPs will always have the cost of replacing and maintaining their inside equipment.
 - Maintenance agreement costs make up 25% of some county budgets.
- Will there still be the expense of paying the local phone companies after migrating to the IP based network?

- This will depend on how network is built.
- Some counties have been upgrading their infrastructure in phases or setting aside funds to upgrade their infrastructure.
- Counties still have list of things they need to do but can't afford to do it.
- When you go before the board and you need a critical piece of infrastructure it has to be presented as being vital to the public safety Whether it is a good year or a bad year you have to sell the need for the infrastructure change and move forward with it.

It was the general consensus of those present to pursue raising the surcharge cap.

Mass Reverse Notification

- Mr. Seivert – Is everyone in favor of including the mass reverse notification in the proposed changes? The Emergency Management Association is in favor of allowing the use of surcharge to pay for mass reverse notification services.
- The telephone companies were opposed to this last year because if you had a incident that was moving across the state and a notification was being sent out by each county as they moved across the state it could take down the telephone system. Then there would be no service and you could not call 911.
- Mr. Kaus – CMAS (Commercial Mobile Alert System) is federally unfunded mandated program. Will be available to every cell phone subscriber. They will get Amber Alerts, weather alerts and national alerts. A wireless provider doesn't have to subscribe to it but if they opt not to subscribe they must notify all of their customers the reason why.

Mike Bryant – Contact your local Legislators

- I have never gotten more that I asked for when going to the State Capitol.
- It is important to contact local legislators, invite them into the PSAPs before the next legislative session and show them the need.
- Purpose a realistic wireless surcharge increase.

Other Associations Discussing the 911 Issue

- Cara Sorrells – Are there any other associations that are discussing these issues? I have heard that the ISSDA is starting a lobby to get more surcharge to the local level.
- Sheriff Tom Heater – The ISSDA legislative committee is exploring this right now but I am not at liberty to discuss it right now.
- Wendi Hess – Also thought EMS was exploring some options.
- Chris Moore – Is there a possibility of these different organizations meeting and discussing this as a group.
- Mrs. Vos – When it is decided what proposal to move forward with, everybody and every association represented needs to be backing the proposal.

The legislative committee that was appointed last fall will meet and use the input from this meeting to develop proposed changes to Chapter 34A. Members are Bob Seivert, Mike Bryant, Chris Moore, Tom Heater, Jim Suchan and Barb Vos.

Wendi Hess – Will we ever see any improvement in the wireless network? Will we every see the calls as Phase II when they come in? Right now majority of our calls come in Phase I.

Announcements

The next meeting of the E911 Council will be on September 29, 2010 – West Des Moines City Hall Council Chambers at 9:00 a.m.

Adjournment

Meeting was adjourned at 10:36 a.m.

Respectfully submitted,

Sally Hall, Secretary