



South Dakota 9-1-1 Coordination Board

Meeting Minutes for May 25, 2012

Held via Teleconference

Board members present: Doug Barthel, Dennis Falken, Marlene Haines, Gary Jaeger, Craig Price, Ted Ruffedt, Jr., Jody Sawvell, Lou Sebert, Kelly Serr, Tracy Turbak

Board members absent: Jeff Carmon

Others present: Jenna Howell (DPS Attorney), Angie Lemieux (DPS), Shawnie Rechtenbaugh (State 9-1-1 Coordinator), Scott McMahon (Watertown Police Department), Julie Wegener (Lake County 911), Chief Paul Schueth (Winner Police Department), Greg Brooks (Intrado), Stacen Gross (GeoComm), Matt Tooley and Jen Disburg, Sioux Falls Metro 911

I. Call to Order and Roll Call

Meeting called to order at 11:02 AM CST by Chairperson Ruffedt. Roll call was taken and a quorum was present.

II. Approval of Agenda

Motion to approve agenda.

Moved by: Sebert Seconded by: Jaeger

Discussion: None

Conclusion: Roll call vote conducted. Motion passed unanimously.

Yeas: Barthel, Falken, Haines, Jaeger, Price, Ruffedt, Sawvell, Sebert, Serr

Nays: none

III. Public Comment

No public comment.

IV. PSAP Compliance Reviews – procedure and checklist

- i. Metro 911 Population Count.** Coordinator reported on discussions with DPS staff and Metro 911 to determine the correct population count for Metro 911 for calculation of incentive fund remittance.
- ii. 911 Ordinance Collection.** Coordinator reported on working with DOR and DPS to collect the 911 ordinance from each public entity (county or city) to identify the public agency where the surcharge will be remitted to. To date about 1/3 of the counties in SD have submitted their ordinance. We will continue to partner with SD Association of County Commissioners and the SD Municipal League to gather the necessary ordinances.

- iii. **Compliance Review Procedure.** A draft procedure had been provided to the board for consideration. Discussion followed regarding the Coordinator making the compliance/non-compliance determinations versus the Board. If the Coordinator makes the determination, the Board would be in a better due process position for handling potential appeals. If the board makes the determination, the process from on-site review to approval could be anywhere from 45-60 days. The steps involved would be: conduct on-site review, write review report, submit report with recommendation to the board, provide two-week notice to board members of board meeting, board meets and makes final determination, written notice is then provided to the PSAP, and notice provided to DPS of which PSAPs qualify for incentive payment. These steps would need to be completed on or before July 31st for all 11 PSAPs in order to ensure payment in late August. If final determination is made by the Coordinator, the timeframe could be reduced by 15 to 30 days. Attorney Howell commented the Board could authorize the Coordinator to make the determination acting as an agent of the Board. Discussion continued with comments that the checklist really stands for itself and that it appeared to make sense to have the Coordinator make the determination keeping the Board available for the appeal process if needed.

Tracy Turbak joined the call.

Attorney Howell noted due process for an appeal with be to the board first, followed by the Hearing Examiners Office, the Circuit Court and finally the State Supreme Court.

Motion to approve the PSAP Compliance Review Procedure.

Moved by: Sebert Seconded by: None

Discussion: The motion died due to lack of second.

Motion to approve the PSAP Compliance Review Procedure with changes as discussed: have the Coordinator make the determinations of compliant or non-compliant based upon the Checklist. A report summarizing each review and the findings will be provided to the board at their regularly scheduled meeting.

Motion by: Serr Seconded by: Falken

Discussion: Clarification that the procedure will change to reflect that the Coordinator will conduct the review, compile the report and make the determination of either compliant or non-compliant. The report will then be provided to the board and the PSAP within 30 days of the on-site review.

Conclusion: Roll call vote conducted. Motion passed unanimously.

Yeas: Barthel, Falken, Haines, Jaeger, Price, Ruffledt, Sawvell, Sebert, Serr, Turbak

Nays: None

- iv. **Compliance Review Checklist.** This document includes the relevant ARSD and the benchmarks to measure compliance during an on-site review. Board members agreed the checklist should be public and provided to all PSAPs prior to an on-site review. This is a working document and the Coordinator may make slight changes to the document as needed.

Motion to approve the Compliance Review Checklist as revised.

Moved by: Sebert Seconded by: Jaeger

Discussion: The document has been revised since the first excel based document was provided to the board.

Conclusion: Roll call vote conducted. Motion passed unanimously.

Yeas: Barthel, Falken, Haines, Jaeger, Price, Ruffledt, Sawvell, Sebert, Serr, Turbak

Nays: None

V. **Board Liaison**

Ruffledt proposed the board consider contracting with Tom Sandvick to work as a board liaison to assist with the upcoming compliance reviews. Mr. Sandvick and the Coordinator would complete the reviews together. Mr. Sandvick would not have the same authority as the Coordinator to determine compliance or non-compliance. Ruffledt suggested the board consider a one year agreement, reimbursed monthly at an hourly rate, to assist with the reviews and any other items that might be related.

For consistency, Serr thought it would be better for Mr. Sandvick and the Coordinator to do all eleven reviews together.

Mr. Sandvick requested \$22/hr plus travel at state rate. A scope of work is in draft form and the Coordinator can work with Mr. Sandvick to negotiate a draft and then provide it to the board for review.

Haines suggested we table discussion about contracting with a board liaison until the Coordinator can visit with Mr. Sandvick to see how they can coordinate schedules and conduct the reviews between June 15 and July 15th.

The Coordinator noted that SB174 stipulated incentive payments be made quarterly and that quarterly disbursement could potentially solve many of the timeline issues. Lemieux shared she believes Jungman suggested monthly would be nice to keep the money flowing in and right back out to the PSAPs. Lemieux is not aware of any problem that quarterly payments would create, but does want to follow up with Jungman. Ruffledt commented it would be best to continue this item until the Coordinator and Lemieux can visit with Jungman.

Motion to Continue this item to the June 14th Board Meeting in Oacoma

Moved by: Sebert Seconded by: Haines

Discussion: None

Conclusion: Roll Call vote conducted. Motion passed unanimously.

Yeas: Barthel, Falken, Haines, Jaeger, Price, Ruffedt, Sawvell, Sebert, Serr, Turbak

Nays: none

VI. Press Release regarding SB 174 and phone bill increase

Jenna Howell left the meeting at this time.

Via email, Jeff Carmon requested the board do a press release shortly before July 1 to help remind the public their phone bill will increase in July due to the passage of SB 174. DPS Public Information Officer Terry Woster has the draft release and it will be provided to the Board at the June 14th meeting for review and approval.

VII. 911 Coordination Board Grant Program Update

The Coordinator reported that a letter of award has been sent to both the Brookings (\$21,903.16) and Deuel County (\$10,370.90) PSAPs and that she is working to finalize the agreement and invoicing.

Turbak asked if there were other applications submitted to the grant program. Ruffedt advised these are the only two requests he is aware of to date.

VIII. Response Letter to Grant County sent May 22, 2012

Ruffedt provided a response letter to the Grant County Auditor who wrote and requested clarification on allowable uses of 911 surcharge funds. Ruffedt advised he spoke with the Grant County Auditor who was appreciative of the clarification and just wants to ensure they are in compliance with the administrative rules.

IX. Closure on Butte County PSAP issue

Ruffedt reported the PUC received a complaint related to a 911 service outage and they passed it along to the board. Ruffedt looked into the issue which was related to how the 911 call routing was set up in one exchange. Both telephone companies involved identified the problem and corrected it quickly to ensure 911 service was restored in that area. This identified a potential issue that could be happening elsewhere in the state, so Ruffedt drafted a letter to the telephone companies to help ensure this issue isn't happening elsewhere. The letter will be going out shortly and Ruffedt will report back to the PUC as a courtesy.

X. Other Business

- i. Falken reported this is budget time for the cities and counties and as soon as we can get a number out to the 11 PSAPs so they have a projection of what revenue they can expect it would be helpful. Ruffedt reported it will be difficult to provide any other projections until the rules compliance reviews are completed because the incentive amounts will be based on the final number of PSAPs determined to be compliant.
- ii. The Coordinator will look into making the Annual Reports submitted by the counties, cities and PSAPs web based for next year.
- iii. Board member terms expiring.

SD Association of County Commissioners – Gary Jaeger. Expires 6-30-12

SD Service Providers – Jody Sawvell. Expires 6-30-12

SD Municipal League – Tracy Turbak. Term expires 6-30-12

SD Municipal League – Lou Sebert. Term expires 6-30-14, but he will not be running for mayor so someone will need to be appointed to carry out the rest of his term.

- iv. Future meeting dates: June 14th, Cedar Shore. August 23rd, Cedar Shore. October 11th location yet to be determined.
- v. The board agreed to work with Sioux Falls Metro 911 to pay \$3,000 for an audit of AT&T 911 surcharge remittance. The Coordinator has received a copy of the audit and an invoice and will work with DPS staff to process the payment.

XI. Adjourn

Motion to adjourn.

Moved by: Sebert Seconded by: Haines

Discussion: None

Conclusion: Motion carried.

Meeting adjourned at 12:21pm central time.