

911 hearing 7.28.05

STATE OF TENNESSEE
TENNESSEE EMERGENCY COMMUNICATIONS BOARD
DEPARTMENT OF COMMERCE AND INSURANCE

BOARD MEETING

JULY 28, 2005

Transcript of Proceedings

Cannon & Stacy
Court Reporters
P. O. Box 150
Portland, Tennessee 37148
(615) 323-0249

Reported by: Elizabeth R. Redman

2

- 1 BOARD MEMBERS PRESENT
- 2 Mr. Randy Porter, Chair
Ms. Wanda Moody, Vice Chair

- 3 Mr. Charles Bilbrey, Member
- Mr. Ike Lowry, Member
- 4 Mr. Freddie Rich, Member
- Mr. Johnny Vickers, Member
- 5 Ms. Katrina Cobb, Member
- Mr. Mike Taylor, Member

6

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BOARD MEMBERS NOT PRESENT

8

Mr. Tom Beehan, Member

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STAFF MEMBERS PRESENT

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- Mr. J. Don Johnson, Auditor
- 12 Mr. Duple Travillion, Government External Affairs
- Ms. Lynn Questell, General Counsel
- 13 Ms. Vanessa Williams, Assistant Executive Director

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1 CHAIR PORTER: This is the
2 July 28, 2005 Tennessee Emergency Communications Board
3 Meeting. Good morning to everyone. Good to see
4 everyone back today. And we have all of our members
5 present, except for Mr. Beehan, who will not be here
6 today. So we have a quorum if the record will show.
7
8 Welcome to everyone in our
9 audience. Thank you for coming out this morning and
10 being with us. We have quite a bit of lengthy agenda
11 today. But hopefully, if things work out right, we'll
12 try to get finished as soon as possible and work

12 through it as fast as we can. Our first item on
13 agenda is our report from the interim Executive
14 Director, Lynn Questell.

15 MS. QUESTELL: Thank you,
16 Mr. Chairman. The first thing that I'd like to report
17 on today is the progress wireless carriers are making
18 toward Phase II deployment. As of July 7th, Verizon
19 is fully deployed in Tennessee. Cingular has not yet
20 deployed in Sequatchie County, but states it will be
21 in the near future, and most likely by August 31st.
22 Sprint is Phase II deployed everywhere it offers
23 service in our state. T-Mobile is fully deployed with
24 the exception of Sequachie County and deployment for
25 Sequatchie is scheduled for November. Advantage

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1 Cellular began offering Phase II service in Grundy and
2 Van Buren Counties in late May. And at present,
3 Eloqui is not offering service in Sequachie County.

4 As a lot of you may know, I was
5 interested in kind of keeping track of the misroutes
6 that might be happening in our state. And I am
7 pleased to tell you that this does not appear to be
8 much of a problem.

9 We've received a good number of
10 reports, but few of them show potential misroutes. We
11 would not generally consider a wireless call from an
12 area that bordered a county going into the adjoining
13 county to be a misroute, that's, basically, the way

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14 wireless service works right now. That's the way the
15 antennas are pointed, and there's not an error as far
16 as that goes. And I'd appreciate it if y'all would
17 stop sending me those reports, if you don't mind. But
18 if you sense anything peculiar about the call, please
19 let me know. Send me one of those reports. That
20 would be great.

21 What we're really concerned about
22 are calls in Davidson County that are received in
23 Hamilton County, when you get something like that you
24 know that's not right. And that's what I'm trying to
25 keep track of.

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1 Lowden County has opened a
2 trouble ticket with Cingular Blue on some calls to
3 Polk County and they're working on that. And Hamilton
4 County has reported that they've had some wireline
5 routing issue. But BellSouth is working on those, and
6 the fear is that they are incomplete number porting.
7 And that may be more of an issue than we are
8 realizing. The incomplete number porting can screw up
9 the 911 tally stuff or ante stuff.

10 My next thing would be the route
11 outs. If you remember during the January 2005
12 meeting, the Board directed Staff to research route
13 outs. Route outs are situations in which 911 calls in
14 one county are purposefully routed out of the caller's
15 county to a PSAP in another county where the calls

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16 have been manually transferred back to the caller's
17 county for a response. This is due to having two
18 separate local exchange carriers offering service in
19 the same county. And the Board had agreed to pay the
20 nonrecurring cost to correct the route outs in
21 Bledsoe.

22 I'm happy to report the rerouting
23 in Bledsoe should start within the next two or three
24 weeks. The parties involved in working that out are
25 Bell South, Bledsoe Telephone Cooperative, Bledsoe

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1 Emergency Communications District, Central
2 Communications, and our technical consultant
3 participated in a conference call last week. And I
4 think they have worked out most of the details to fix
5 that.

6 The Board also asked Staff to
7 obtain estimates on how to correct the rest of the
8 route outs in the state. And we sent letters to every
9 wireline carrier in this state to make sure whether
10 they had route outs or not.

11 And at this point, we have
12 learned that Twin Lakes Telephone Coop has route outs
13 in Bledsoe, Clay, Fentress, Jackson, Macon, Putnam,
14 Overton, and Smith Counties. And Frontier has route
15 outs in Clayborne, Cumberland, Jackson, Obion,
16 Overton, Union, and White Counties.

17 The non-recurring charges to

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18 correct the route outs for Twin Lakes would be \$336.50
19 each. The monthly recurring costs to correct the
20 route outs for Twin Lakes would be 128 to \$200 a month
21 recurring. For Frontier, the non-recurring would be
22 \$395.46; the monthly recurring cost would be between
23 210 and 364.

24 Because of the amount of these
25 recurring costs and the fact that most of the route

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1 outs are in some of our most rural, most financially
2 challenged districts, I would like to ask the Board if
3 it would consider also absorbing the recurring costs
4 to correct these route outs. To correct them, it's
5 about trunking and providing trunking for an
6 additional carrier into the PSAP. And so this is a
7 cost that other districts that don't have two
8 different dialects operating in the same counties
9 don't have.

10 And it's -- I fear that the
11 districts that won't be able to absorb this will just
12 choose to not have these route outs fixed. And it
13 becomes an issue where a customer who's paying an
14 emergency telephone service charge to one district in
15 a specific county is not getting full service in that
16 county. Their calls are being sent to another county
17 at best. In some cases they may actually be being
18 sent to an administrative line. I would really like
19 for us to just make sure this doesn't happen in our

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20 state. And I would very much like the Board to
21 consider covering the recurring costs as well as the
22 nonrecurring costs.

23 CHAIR PORTER: That would be an
24 action item that we need to vote on. You've heard the
25 report from our Executive Director about the cost and

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1 estimates to --

2 MEMBER COBB: I so move.

3 CHAIR PORTER: I have a motion.
4 Do I have a second?

5 MEMBER BILBREY: Second.

6 CHAIR PORTER: A motion and
7 second that we approve fixing the route outs in the
8 state so that all of the 911 calls are going to the
9 call that actually this originates. Is there any
10 discussion?

11 Hearing none. All favor say
12 "aye."

13 THE BOARD: Aye.

14 CHAIR PORTER: All opposed
15 like-sign?

16 (Pause)

17 CHAIR PORTER: Motion carried.

18 And as I forgot to do in the beginning, let me just
19 remind everybody because of the noise in the room and
20 our little PA system that we've had for years,
21 everybody try to talk in your mics as much as possible

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24 So the bottom line is that
25 dispatcher training regulations are not in effect at

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1 this time and probably won't be for several more
2 months at best.

3 We also had questions about the
4 GIS Mapping Policies. During our last meeting, the
5 Board amended Policy 20 to require that emergency
6 communications districts that do not have GIS Mapping
7 systems get one and have it fully operational no later
8 than December 31, 2005. And mainly, they've been
9 focused on what happens if a district does not meet
10 that deadline. And I would like to propose a
11 clarification.

12 I think the Board showed how
13 crucial it believes GIS Mapping is to 911 when it
14 established the \$50,000 reimbursement programs for the
15 GIS Mapping systems in 2002. And by unanimously
16 amending Policy 20, as I described just a second ago,
17 and by adopting Policy Number 33, which makes
18 possessing an operative GIS Mapping system part of
19 minimum standard of care for the operation of a PSAP,
20 the Board was saying that the time for districts that
21 don't have GIS Mapping systems to get them is sooner
22 rather than later. And later would be no later than
23 December 31st.

24 If that's the goal, and I think
25 it is, then it seems counterproductive to completely

1 withdraw the financial support if the district does
2 not meet the deadline. We all know that each district
3 is different and that there may be legitimate reasons
4 for not meeting that deadline. Though, of course, we
5 would hope that each and every district would meet
6 that deadline.

7 If the Board has no objection,
8 I'd recommend that it decide whether to continue the
9 reimbursement for districts that do not meet the
10 deadline on a case-by-case basis. The districts that
11 would fail to meet the December 31st deadline, who
12 would still want the reimbursement, would have to come
13 before the Board during the meeting and explain the
14 circumstances justifying their failure to obtain a GIS
15 Mapping system during the four years that this
16 reimbursement program has been in effect.

17 Would the Board object to
18 addressing the failure to meet this deadline on a
19 case-by-case basis?

20 CHAIR PORTER: As you all well
21 know, the one thing, especially for the directors that
22 are sitting here and the Board's members know how
23 GIS -- without GIS Mapping wouldn't be able to plot
24 that Phase II call. Phase II would mean a whole lot
25 to us. And I think the Board has been very lenient as

1 giving up four years on this mapping trying to give
2 away \$50,000 for folks to come and get the free money.
3 And in most cases, in large cities, it won't pay for
4 all of the GIS Mapping, but it will pay for some of
5 it. In the smaller counties, most of the counties
6 that I know of, it pays for their full system.

7 So it seems like at somewhat time
8 there's always a few stragglers that we have to round
9 up and get in.

10 How does the Board feel that if
11 after December 31st if we still have some counties
12 that haven't done it, do we still force them or try to
13 force them? Do we turn off the money and them have to
14 come to us on an individual case-by-case basis to get
15 approved and give us some good reason why we should do
16 that? I guess is what I'm asking. And how does the
17 Board feel about that?

18 MEMBER TAYLOR: I would have a
19 question of how many districts are in non-compliance.

20 MS. QUESTELL: There is somewhere
21 around 20 that we sent certified letters out to every
22 district that had not requested the \$50,000
23 reimbursement. But what that range is in there is
24 that a lot of them have their GIS Mapping systems,
25 they just haven't asked for the reimbursement yet.

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1 And there's a world of difference there. I do not
2 know how many have not even started that. I expect
3 very few, but somewhere around 20 have not asked for
4 the reimbursement. That's really all we know at this
5 point.

6 MEMBER TAYLOR: So, basically, we
7 don't know?

8 CHAIR PORTER: It's going to be
9 less than 20, and I guess somewhere around the 10 to
10 12.

11 MEMBER TAYLOR: Do we have an
12 idea of why they're not, either in the process or --

13 CHAIR PORTER: I think some of
14 the counties may not have had anybody in the county
15 that was GIS oriented or anybody that was willing to
16 take the ball and run with it. You do have some
17 counties -- districts -- let me rephrase that -- 911
18 districts that never come to a 911 board meeting.
19 They never come to a TEMA meeting, and they don't keep
20 up with what's going on.

21 And if you don't know about it
22 sometimes and you don't have somebody that's -- maybe
23 that's the job of either the 911 Board director or the
24 chairman of the 911 to keep up with what's going on in
25 the state. I think it's a lack of knowledge in some

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1 counties is probably a lot of it.

2 MEMBER TAYLOR: I've had a few
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3 contact me with the misunderstanding that they had to
4 have theirs done before it could take place. And
5 really it's not tied to that. It's totally separate.

6 CHAIR PORTER: Right.

7 MEMBER TAYLOR: It could be tied
8 to it.

9 CHAIR PORTER: Some of them think
10 that they have to wait until the State does the base
11 mapping program with the tax on the property
12 assessor's stuff too. That's not true. It's going to
13 happen in every county, but that's not required to do
14 what we're doing.

15 MEMBER TAYLOR: I hate to add
16 onto the staff's of responsibility, but is there any
17 way we can contact those districts that we think may
18 not be complying and maybe offer assistance between
19 now and December 31st?

20 MS. QUESTELL: Sure.

21 MEMBER TAYLOR: And, maybe the
22 Board can say we'll go ahead and extend your deadline
23 until the end of the year, next year, whatever. I
24 mean, I think this is important enough that we need to
25 continue on ensuring the --

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1 MEMBER BILBREY: When's our next
2 board meeting?

3 MS. QUESTELL: September 15th.

4 MEMBER BILBREY: Why don't we
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5 find out something about this before we start pushing
6 this thing out. Let's stick with our December
7 deadline. I don't like not adhering to it. Let's
8 find out between now and this next meeting all of
9 these people that haven't complied. Find out why, and
10 let's discuss it further and see what needs to be done
11 then before we do anything.

12 MS. QUESTELL: The Staff can
13 certainly do that. We will contact every district
14 and get a status report on where they are with their
15 GIS Mapping and report back at the next meeting.

16 MEMBER RICH: What if you don't
17 get a state report back? What if they just refuse to
18 answer your questions and they self-purport that
19 they're not GIS remitted? There's no way we can go
20 into each county and just look.

21 MS. QUESTELL: Then we'll report
22 back to you that they wouldn't tell us.

23 MEMBER BILBREY: Let's find out
24 first.

25 MEMBER TAYLOR: I mean, I think

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1 you can take everybody off the list who's gotten a
2 reimbursement.

3 MS. QUESTELL: Yeah.

4 CHAIR PORTER: We're talking
5 about just the ones that haven't done anything.

6 VICE CHAIR MOODY: I was
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7 wondering if we find that there's some counties who
8 are desirous of trying to implement it but do need
9 technical assistance, are we prepared, then, to try to
10 provide any technical assistance in helping them?

11 MS. QUESTELL: Ms. Wanda, we have
12 already started doing that. We've sent our technical
13 people to a number of districts to kind of help them
14 and give them some direction on how to do RFPs or how
15 to work with what they've got. And we'd be more than
16 happy to do that. All the districts have to do is
17 ask.

18 We are entitled by law to provide
19 technical advisory assistance upon request, so they
20 would just have to request.

21 VICE CHAIR MOODY: I would
22 wonder, then, in your contacting districts and if you
23 ascertain that they're still indicating that there's a
24 problem that a specific overture be made to provide
25 that technical assistance.

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1 MS. QUESTELL: Yes, ma'am.

2 CHAIR PORTER: I think in the end
3 when it comes down to December 31st of this year, I
4 think we're going to find we're probably going to be
5 about 95 to 98 percent. There is always going to be
6 that two or three that are sticking out for whatever
7 reason. And I think we'll have to address them at
8 some point between now and that time.

9 So is that agreeable with
10 everyone that the Staff brings back a report at the
11 next board meeting on those that aren't?

12 (Pause)

13 CHAIR PORTER: All right.

14 MS. QUESTELL: Thank you. The
15 next thing I'd like to do is report on the status of
16 districts that have previously been determined to be
17 financially distressed. Since the board was created,
18 six districts have been determined to be financially
19 distressed. Pickett County was found to be financially
20 distressed in December 2000. Campbell and Hawkins
21 were found to be financially distressed in February
22 2001. Cocke and McNairy during the April 2001
23 meeting, and Morgan during the May 2002 meeting.

24 Under the Board's Policy
25 Number 16, financially distressed districts are to

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1 remain subject to the supervision and evaluation of
2 the Board for a period of not less than two
3 consecutive years of positive cash flow. And I am
4 pleased to tell you that Cocke, Hawkins, McNairy,
5 Morgan, and Pickett Counties since have satisfied that
6 criteria and are no longer financially distressed. As
7 you know --

8 CHAIR PORTER: That is really
9 great.

10 MS. QUESTELL: Pickett
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15 CHAIR PORTER: I think that would
16 be just putting an added extra burden on these folks
17 that really doesn't need to be gone through.

18 MS. QUESTELL: Well, could we
19 also do kind of a truncated application process where
20 they don't have to go through the hearing and all of
21 that stuff, and they could just provide us with the
22 information that's in the application so we could
23 do a paper review to see where they are financially
24 without --

25 CHAIR PORTER: -- to get an idea

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1 if we need to go further or not?

2 MS. QUESTELL: Yes.

3 CHAIR PORTER: Is the Board okay
4 with us doing this or not? Do we need a motion or --

5 MS. QUESTELL: I don't think we
6 do. I think this is just a procedural thing. But I
7 wanted to make sure everyone is okay with it because
8 the order did say this meeting we should be looking at
9 it, but it's just not feasible.

10 CHAIR PORTER: Is everybody
11 agreeable that we postpone it to one of our future
12 meetings and ask the district to get us the data that
13 we need and then we'll discuss it and make a decision
14 at that future meeting?

15 MEMBER BILBREY: Just make sure
16 we get enough data.

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17 MS. QUESTELL: Yes, sir, that is
18 the whole point.

19 CHAIR PORTER: Good.

20 MS. QUESTELL: Thank you.

21 I just wanted to give kind of a
22 general update about VOIP. I know that it's something
23 that's very timely since the FCC issued its order
24 right before our last meeting. And I wanted to kind
25 of give you an update on the timelines. Because now

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1 the timelines really have been bumped up. Because the
2 way FCC orders work is they don't become effective
3 until they're published in the Federal Register and
4 then 30 days after that.

5 So the operative dates,
6 basically, are July 29th and November 29th -- or at
7 least they were until two days ago. Two days ago, the
8 July 29th deadline was going to be for the VOIP
9 providers to assure that they have told all of their
10 customers about the 911 limitations of their service.
11 And the FCC, two days ago, issued an order that said
12 that it was going to postpone the enforcement of that
13 until August 31st so that they can get their ducks in
14 a row, pretty much, as far as showing proof that
15 they've notified their people.

16 The things that are really going
17 to affect us and 911 provisioning are the deadlines
18 November 28th. At that point, most VOIP providers

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21 like to try to get some thought on how to best deal
22 with this situation. Something has to be done. The
23 FCC has not really offered any leadership and we would
24 like to focus on this. So I will be updating
25 everybody and sending out a notice when we get

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1 everything. We are ready to move.

2 MEMBER RICH: Mr. Chairman, can
3 we go back to the part of the report, the training
4 section there since we've had this handout since then?

5 CHAIR PORTER: Sure.

6 MEMBER RICH: And just go ahead
7 and include this in our report.

8 CHAIR PORTER: We had a request
9 that came in last minute from the TEMA board
10 directors. I guess it met yesterday. And they were
11 asking that the EBC study doing some possible funding
12 back out to the district to help do some training of
13 the new dispatcher for requirements. And I think the
14 request was for the EPC to study it, for the Staff to
15 study it, and if there was any possibility in the
16 future of doing any kind of reimbursement there.

17 MEMBER RICH: Yes. I would just
18 like to go ahead and move that we received this and
19 let's look into it as time draws near. As you all
20 know, the state of Tennessee being with EMS mandated
21 things for us to do and there has never been any
22 funding to follow up on that. I'd hate for us to

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23 leave the districts hanging out like that.

24 MEMBER LOWRY: Second.

25 CHAIR PORTER: I have a motion

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1 and a second that we accept TEMA's request and that
2 Staff study the request, will bring us back up to date
3 at a future meeting. Is there any discussion?

4 VICE CHAIR MOODY: I assume that
5 in doing this you're going to look at the alternative
6 ways of providing that training which, of course, was
7 one of the key issues that was brought up in public
8 hearings that we had across the state back in the
9 fall. That will be a consideration, will it not?

10 MS. QUESTELL: Yes, ma'am. And
11 we will bring what we find to you at the next meeting.

12 CHAIR PORTER: We've looked at a
13 lot of alternatives. One of them being public
14 television using its backbone to broadcast the
15 training session. Ms. Katrina will be able to help us
16 along with that and a lot of possibilities. That's a
17 good point. Any other discussion or questions?

18 (Pause)

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

21 THE BOARD: Aye.

22 CHAIR PORTER: All opposed like
23 sign.

24 (Pause)
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25

CHAIR PORTER: Motion carried.

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1 Is that your report,

2 Ms. Questell?

3 MS. QUESTELL: Yes, sir.

4 CHAIR PORTER: The next item on
5 the agenda is the consideration for Carroll and
6 Henderson County for the 40,000 reimbursement that we
7 have done for Tier IV and Tier V counties replacing
8 their ANI and ALI controllers. And we have requests
9 for those.

10 Do you want to take them
11 individually or do you want to take them both at one
12 time?

13 MS. QUESTELL: I'd like to do it
14 at one time, if that's all right.

15 CHAIR PORTER: Okay. You've got
16 a request, I think, in each one of your packets from
17 those counties. The one from Henderson County,
18 they're replacing their controller -- actually the
19 whole 911 system. It looks like a total of about
20 272,000. Of course, we reimburse them for 40 for the
21 controller.

22 And it looks like on Carroll
23 County, their replacement controller is the cost of
24 81,000. And we will reimburse them up to 40 on it
25 also.

1 June 30, 2006.

2 Do you have a report?

3 MS. QUESTELL: Yes, sir. About

4 30 rate increases will expire on June 30th, 2006.

5 What I'm asking and proposing is we find a procedure

6 for dealing with those that will be organized and that

7 will avoid the train wreck that will happen if we wait

8 until the last minute. So as we all know, the

9 emergency communications law, particularly the

10 sections on funding, could potentially be subject

11 to amendment next year. And that's why we chose

12 June 30th to end these rate increases because that's

13 the last day of the legislative session.

14 But as I said, from a practical

15 standpoint, there's no way to deal with these in one

16 meeting. So what we propose is to extend the rate

17 increase that has been granted that has the deadline

18 of June 30th, 2006 until June 30th, 2007 with the

19 following conditions:

20 The first one would be on or

21 before June 30th, 2006, the districts that want an

22 extension would be required to file a request

23 justifying a need to continue the rate increase. And

24 in the request, the districts should be required to

25 describe how they used their rate increase and to

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1 describe the process of how much they accomplished
2 according to the schedule that they had proposed when
3 they initially sought the rate increase. And the
4 staff would create a very simple form the districts
5 could fill out to request this. And this would kind
6 of provide -- the form would have the criteria that
7 the Board would use to decide about the rate increase.

8 Second is, as I said, the
9 extension would last until June 30th, 2007, but the
10 districts would have to provide an updated financial
11 statement to accompany their request.

12 The third would be that the
13 extension would be made with the understanding that
14 during the 2006/2007 fiscal year, at some point during
15 that time, the Board would consider their rates and
16 whether to continue their rate increase request. And
17 depending on, like, why the district needed the rate
18 increase, if it's for equipment or something like
19 that, we might send the technical consultant to go to
20 the district and see what they had accomplished.
21 That's just a thought.

22 Anyway, this process would allow
23 a thorough but expedited review of the rates if the
24 districts wanted them to be extended. And it would
25 provide an organized way of dealing with this mass of

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1 deadlines.

2 And what the Board could do would

3 be to deal or address four to six of these requests at
4 each meeting during the year following June 30th,
5 2006. I wanted to give people -- to at least get
6 people thinking about this ahead of time because we
7 are going to have to deal with this, and this is one
8 way that we could.

9 I am certainly open to other
10 ideas, but it's just from a practical standpoint that
11 we need to start thinking about it and let people
12 know. Because there's going to be questions, and we
13 want to be totally open about how we're going to deal
14 with this.

15 So the Staff asks the Board to
16 consider this proposal.

17 CHAIR PORTER: I've heard a
18 request from the Staff and we've got a bunch coming at
19 us. I think it's very good working at them a few at a
20 time instead of trying to do too much at one time. So
21 what's the will of the Board on the Staff's request to
22 here a motion?

23 MEMBER COBB: I motion.

24 CHAIR PORTER: A motion,
25 Ms. Cobb. Second?

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1 VICE CHAIR MOODY: Second.

2 CHAIR PORTER: Ms. Wanda.

3 Approve staff's request with all of the considerations
4 and stipulations that we have to look for in getting

5 data in and reviewing these. And then, the Staff will
6 decide which ones come back to us and which meeting to
7 try to scatter them out.

8 MEMBER RICH: Does this mean that
9 all of them will come back to us in 2007? Will it be
10 necessary that all of them come back to us, or do
11 y'all just choose the ones that look exactly right?

12 MS. QUESTELL: They'll all have
13 to be considered by the Board, but we'll try to make
14 that process as smooth and simplified as possible
15 because of the amount. And I would plan that at the
16 next meeting, the Staff would develop a form with the
17 specific criteria we would be looking at to help you
18 analyze these. And we'll put that out for your
19 consideration at the next meeting so that we'll all
20 know exactly what's going to be the focus.

21 MEMBER RICH: And what about
22 those that may need an increase or an extension?

23 MS. QUESTELL: This would only be
24 for the districts that are seeking an extension of
25 that rate increase that we put a Sunset date on them

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1 of June 30th, 2006. Because there are so many of them
2 that would be coming due at that date, we'd just have
3 to find a practical way to kind of deal with them in
4 an organized way.

5 MEMBER BILBREY: Another thing,
6 most of these are maximized anyway.

7 CHAIR PORTER: There was very few
8 that were.
9 MS. QUESTELL: I'm sorry. Maybe
10 I didn't understand your question. I apologize.
11 CHAIR PORTER: Any other
12 discussion?
13 (Pause)
14 CHAIR PORTER: Hearing none, all
15 in favor say "aye."
16 THE BOARD: Aye.
17 CHAIR PORTER: All opposed like
18 sign?
19 (Pause)
20 CHAIR PORTER: Motion carried.
21 The next thing on the agenda is
22 consider initiating a program that promotes the
23 consolidation of rural communications districts with
24 other ECDs. We have to reimburse that consolidation
25 up to 300,000.

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1 Do you want to talk about that?
2 MS. QUESTELL: Yes. Thank you,
3 sir.
4 Staff is proposing this new
5 funding initiative to help rural districts that are
6 struggling financially. And because our law says --
7 specifically says that encouraging consolidation of
8 emergency communications is Tennessee public policy,

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9 this initiative would cover up to \$300,000 of the cost
10 associated with a rural district consolidating with
11 another district.

12 At this time, we're not proposing
13 to extend the program to districts considering
14 consolidation with counties or cities or county/city
15 departments. The maximum cost of the consolidation,
16 up to 300,000, could be determined in each individual
17 case through a site visit and an analysis by our
18 technical consultant. And they would work with the
19 district to formulate a consolidation plan. And they
20 would provide an opinion on a projected cost
21 associated with the project. And that then would be
22 presented to this board for its approval.

23 A requirement of the
24 consolidation program would be that the districts
25 enter into written intergovernmental agreements about

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1 their consolidation and the Board would then reimburse
2 up to the estimated amount. This program would be
3 subject to availability of funds, but our Mayor has
4 said that he does not believe this program would be
5 any kind of financial problem for the Board.

6 CHAIR PORTER: One of the things
7 that we saw -- of course, we've only had two districts
8 that merged over in particular. We did reimburse a
9 lot of those costs. I don't know the exact total, but
10 I'm guessing somewhere in the 150- to \$200,000 range.

11 If it had not been for that money, those two little
12 counties would have never been able to merge because
13 of the merge cost.

14 But one of the things we've also
15 been preaching is consolidation. And we thought it
16 might attract districts that are sitting out there
17 that would like to merge, but they can't because of
18 financial constraints, that the Board try to help
19 that, if at all possible. So we need to bring that
20 option aboard and see what you all think.

21 MEMBER LOWRY: Where is Campbell
22 County in the district? What bracket are they in?
23 What I was getting at was, do you want to hold the
24 district as rural? Is there any other county around
25 Campbell County that's having trouble?

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1 CHAIR PORTER: Yeah. They've got
2 another district in their district. And that's the
3 reason they're financially distressed because the city
4 split off and did their own district.

5 MEMBER LOWRY: I don't know if
6 they qualify. Would they qualify as a rural district
7 or not?

8 CHAIR PORTER: Campbell does. It
9 falls as a city district, but Campbell's a Tier IV.

10 MR. JOHNSON: Campbell's a Tier
11 III.

12 CHAIR PORTER: And that would be

13 the decision we'd have to make.

14 MEMBER Lowry: I meant, doing
15 them individually is a problem.

16 VICE CHAIR MOODY: In conjunction
17 with what Ike was saying, and I know this is not the
18 issue that we're talking about per se, but I wonder if
19 there would be any points at some time for this board
20 to think about assisting those districts whereby they
21 consolidated within a county for additional funds like
22 Campbell County. And also, where you consolidated
23 central dispatch within a county.

24 CHAIR PORTER: That's good
25 points. Of course, one of the reasons this board was

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1 set up was to stop the cities from pulling out on
2 their own and creating their own districts. And I
3 would love to see the ones that split up go back
4 together. Ike, I know you're one of them.

5 But when you're in financial
6 distress and it's causing that kind of problem, it
7 just doesn't make much sense that we not work towards
8 that.

9 But I like that idea, Wanda. If
10 we've got the funds to be able to help some of them --
11 we wouldn't be able to do \$300,000 for every one of
12 them, but we might be able to give them some money
13 that would help them to be able to pay for this.

14 VICE CHAIR MOODY: Do you have a

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15 motion on this one?

16 CHAIR PORTER: Not yet.

17 VICE CHAIR MOODY: I'm going to
18 move that this be approved.

19 CHAIR PORTER: I have a motion to
20 approved the 300,000 -- up to \$300,000 on reimbursing
21 the cost of two districts wanting to consolidate. Do
22 I hear a second?

23 MEMBER COBB: I second.

24 CHAIR PORTER: Second, Ms. Cobb.

25 And let me make one for

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1 discussion to start off with. I've had a few phone
2 calls that I think folks misunderstood when they saw
3 the agenda, that the \$300,000 is just one district
4 merging with another district, that if you've got two
5 dispatch centers inside one county wanting to merge,
6 that the \$300,000 was not for that. So we want to
7 make sure we get that corrected and everyone
8 understands up front.

9 Any discussions.

10 MEMBER LOWRY: Also, it's -- my
11 understanding is that 300,000 is 300,000 for that
12 project, not 300,000 per district.

13 CHAIR PORTER: Right.

14 VICE CHAIR MOODY: And it's a one
15 time.

16 MEMBER TAYLOR: And it may be

17 less.

18 MEMBER BILBREY: Up to 300,000.

19 CHAIR PORTER: Right. Just like
20 we reimburse for any controllers and stuff. If it's
21 less than that, we only go with whatever the action or
22 course was.

23 MS. QUESTELL: Well, actually,
24 what I was proposing was that the technical
25 consultants go to the district and work with the

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1 district and develop an estimated cost that would be
2 brought back to the Board for the Board to consider
3 that. Then this board would approve it or not approve
4 it, whatever amount they thought was reasonable up to
5 300,000, so that we would be very careful about how
6 much we were offering for this.

7 CHAIR PORTER: And the other
8 thing, if you had 25 come at us one at a time wanting
9 to merge -- of course, we don't have enough money to
10 do that -- so we'd get -- it would kind of be a
11 first-come-first-serve basis. And the Board would
12 sign off of every one of them.

13 MS. QUESTELL: That's correct

14 CHAIR PORTER: Wanda, do you want
15 to try to include what you're talking about or do you
16 want to see how this goes and add to it from there?

17 VICE CHAIR MOODY: I would think
18 that would be a separate issue, and that's why I

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19 didn't pursue it any further. I think we ought to
20 vote on this and then the other, if the Board -- maybe
21 that would be some direction that we'd want to give
22 the Staff to explore. And then bring the
23 recommendation back to the next meeting.

24 MEMBER TAYLOR: I think the
25 understanding permits that's an issue that needs to be

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1 addressed.

2 CHAIR PORTER: Any other
3 discussion?

4 (Pause)

5 CHAIR PORTER: All in favor say
6 "aye."

7 THE BOARD: Aye.

8 CHAIR PORTER: All opposed like
9 sign.

10 (Pause)

11 CHAIR PORTER: Motion carried.
12 Do you want to make your motion
13 now about the other and just get that on the record?

14 VICE CHAIR MOODY: Yeah. I'd
15 like to request -- for this board to request the Staff
16 to study this issue of consolidating districts within
17 counties, and also, even consolidation of central
18 dispatch and come back next time and present to us
19 their recommendations and findings and if some funds
20 could be available to assist in that.

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21 Because my own personal feeling
22 is, it really helps a county when you only have one
23 911 district and you have a central dispatch. I just
24 think it's a better service to the people. And after
25 all, that's what it's all about, is service to the

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1 people. Otherwise, you wouldn't be having a 911 in
2 the first place.

3 MEMBER TAYLOR: I would second.

4 CHAIR PORTER: Second,

5 Mr. Taylor.

6 Any discussion.

7 (Pause)

8 CHAIR PORTER: Do you understand
9 what we said?

10 MS. QUESTELL: Yes, I do. We
11 would be delighted to do that research.

12 CHAIR PORTER: Hearing no
13 discussion, all in favor say "aye."

14 THE BOARD: Aye.

15 CHAIR PORTER: All opposed like
16 sign.

17 (Pause)

18 CHAIR PORTER: Motion carried.

19 Next item on the agenda -- and I
20 purposely held off on this for a little while to let
21 things kind of fall in place and I want to say Lynn
22 has done a great job. She has some big shoes to fill,

23 and she's doing a great job. And I'm so pleased with
24 the job she has done, and I haven't heard any
25 complaints. That's almost unheard of in this world

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1 anymore. But you've done a great job.

2 But on a more permanent basis, we
3 need to start looking at the process of hiring us a
4 permanent executive director. And so I thought I'd
5 put that on the agenda today for us to try to start
6 looking at the process.

7 Do you want to talk about it any
8 at all?

9 MS. QUESTELL: Yes, if you don't
10 mind.

11 CHAIR PORTER: We have a -- what
12 do you call this?

13 MS. QUESTELL: Job description.

14 CHAIR PORTER: -- job description
15 in your packet.

16 Go ahead.

17 MS. QUESTELL: Well, the Staff
18 recommends that the Board use the same hiring process
19 that they used to hire Anthony Haynes. That the Board
20 would announce that it would be accepting resumes for
21 a certain period of time, like between two weeks and a
22 month; and the position would be advertised in various
23 newspapers across the state and posted on our website
24 and on the Department's personnel website; and then,

1 through those resumes and weeded down. And then we
2 interviewed the folks that met that. And then we
3 picked out like the top four or five, or whatever it
4 was, and then the whole board sat in and interviewed
5 the top picks.

6 It doesn't make any difference to
7 me how we do that. I'm not going to go that way. It
8 just happened to be the first time we had to go
9 through this and that's how we did it. If anybody has
10 a better idea, I'm all for it, as to how you want to
11 do it.

12 Anybody have comments or
13 suggestions to do it differently?

14 VICE CHAIR MOODY: I think last
15 time, if I remember, Mr. Chairman, we also advertised
16 in national publications and did kind of a national
17 search. And had we not done that, we probably would
18 not have had Anthony with us. There's that
19 possibility. I don't see that we need to this time.

20 I think what you've come up with
21 in terms of a plan going ahead and doing advertising
22 and seeing what kind of applications we get, and you
23 as Chair going through and evaluating the applications
24 and eliminating those who don't meet to criteria, and
25 then, I guess, picking what you consider being the top

1 five and having the Board looking at them and then
2 doing the interview --

3 CHAIR PORTER: Is everybody
4 comfortable with that?

5 MEMBER Lowry: Is there a
6 protocol that says the whole board has to look at the
7 top six? I don't see why we couldn't cut that down
8 like to top three to four.

9 CHAIR PORTER: Get a smaller
10 group.

11 MEMBER Lowry: We all have to
12 know by then what you're going through.

13 CHAIR PORTER: I'm willing to do
14 whatever. And the other thing too, if we get it --
15 we're only looking at six weeks between now and the
16 next board meeting. I don't want to rush anything.
17 What we're looking for is a permanent thing. And if
18 it takes us until the November board meeting, I don't
19 want to put a deadline on something that we're not
20 going to be able to meet.

21 VICE CHAIR MOODY: What's going
22 to be the deadline for receiving applications?

23 CHAIR PORTER: In publication,
24 the best we could do would be the first week in
25 August.

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1 MS. QUESTELL: That depends on
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2 the Department of Personnel. They're getting much
3 more quick as we go on. My guess is they could get it
4 out for sure by the second week of August into the
5 publications. I would have to check with them and I'm
6 sure they could do it as quick as they probably could.

7 CHAIR PORTER: How's this? How
8 about we get it out in the publications, we start
9 accepting the resumes and a normal deadline somewhere
10 between 14 and 28 days, and then at the September
11 board meeting I could bring you a report kind of where
12 we've come so far. But push out to the November board
13 meeting the last time those folks have interviews and
14 make a final decision by the November board meeting.

15 MEMBER COBB: Possibly by the
16 September meeting we might have your top five or six
17 to look at those resumes so we could actually
18 introduce them.

19 CHAIR PORTER: Yes, that'll work.
20 Do we need a motion on that?

21 MS. QUESTELL: No, I don't think
22 so. I think that's procedure.

23 CHAIR PORTER: Okay. If
24 everybody is in agreement then we'll move on.

25 The next item is a request by

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1 Cingular Wireless to amend the cost of recovery plan.

2 MS. QUESTELL: Yes. Cingular had
3 initially sought to amend it's plan to cover

4 additional nonrecurring costs incurred to purchase
5 upgrades to Location Messaging Units in the Knoxville
6 area. At the last meeting, our technical consultant
7 asked the Board to postpone in deciding this because
8 he had some questions that Cingular had, through time
9 constraints, not been able to respond to. The Board
10 deferred ruling on this request.

11 Since then, Cingular submitted
12 further information at the request of the technical
13 consultant to clarify the amendment and the additional
14 information provided this justification for the
15 amended request and the cost and to be reasonable in
16 the opinion of the Board's technical consultant. He
17 recommends that the amended request from Cingular be
18 approved.

19 The specifics to this are
20 proprietary, so we can't go into them in detail in a
21 public meeting. But he feels that the additional
22 equipment that has been requested is reasonable and is
23 required to provide wireless and 911 locations
24 services to state citizens.

25 CHAIR PORTER: We've been

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1 requested from Staff to approve any cost in coverage
2 to Cingular. Do I here a motion?

3 MEMBER TAYLOR: So moved.

4 CHAIR PORTER: Motion,

5 Mr. Taylor.

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6 Do I have a second.
7 VICE CHAIR MOODY: Second.
8 CHAIR PORTER: Ms. Moody.
9 Any discussion.
10 (Pause)
11 CHAIR PORTER: Hearing none, all
12 in favor say "aye."
13 THE BOARD: Aye.
14 CHAIR PORTER: All opposed like
15 sign.
16 (Pause)
17 CHAIR PORTER: Motion carried.
18 Everybody okay to hold off on a
19 break to do one county, or do you want to break now.
20 MEMBER BILBREY: Do a county.
21 MEMBER TAYLOR: Keep going.
22 CHAIR PORTER: Our next item on
23 the agenda will be the rate increase request from
24 Giles County, and also a consideration on whether
25 they're a financially distressed district or not.

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1 Are the Giles County folks in the
2 audience?
3 (Pause)
4 CHAIR PORTER: If you would come
5 on up and have a seat at the table. Each one of you
6 try to get a microphone, if you can. And who's going
7 to be the spokesman for the group today?

8 MR. BASS: I assume I will, sir.

9 CHAIR PORTER: Okay. If you
10 would, introduce yourself and introduce your two
11 guests that you have with you.

12 MR. BASS: I'm Eddie Bass. I'm
13 the sheriff of Giles County. I'm also the chairman of
14 the board for the local 911 district. To my right is
15 Michael Goode, the director of our center; and vice
16 chairman, Chief Jimmy Thompson of Pulaski Fire
17 Department.

18 CHAIR PORTER: For your benefit
19 and for the folks in the audience that may not have
20 been to one of our rulings before, we have kind of an
21 orderly way that we go through these rate increase
22 requests.

23 We would hear from our
24 accountant, Don Johnson, and his brief overview of all
25 of the data, number crunching, and so forth that we've

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1 done. And we'll hear from Kimball and Associates, our
2 technical advisor, as to the site visit. Then we'll
3 hear from the district any comments that any of y'all
4 would like to make or any things you'd like to say.
5 And after that point, we'll close the comments section
6 up and the Board will do deliberations and decide on
7 granting your request.

8 Don?

9 MR. JOHNSON: Okay. All right.

10 This is Giles County coming before you for a rate
11 increase. Their director is Mike Goode. Their
12 chairman is Eddy Bass. The certified population as of
13 year 2000 is 29,447. They're a Tier IV district.
14 Their 2000 annual budget was estimated at 482,160.

15 They're coming to you for a rate
16 increase of a \$1.50 residential and business \$3.00.
17 They would like to have the rate increase to repair
18 some equipment and replace some, and also allow them
19 to have an Equipment Replacement Fund. They also need
20 to obtain professional services to clean up,
21 disconnect, redesign, and reinstall all cabling, cross
22 connections, junction boxes, and other related wiring
23 in equipment room and dispatch area, also installing
24 new CPE equipment because they won't be able to have
25 it -- it won't be able to support them after January

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1 of 2007.

2 They also want to purchase new
3 console furniture to be more ergonomically correct,
4 and additional formal training for call-takers and
5 staff. They feel like they need to purchase a vehicle
6 for their addressing and mapping, and also develop,
7 like I said before, a Capital Equipment Placement
8 Plan. In the future they want to use that Capital
9 Replacement Plan for expanding or building.

10 Page 3 gives you a breakdown of
11 their equipment that they would like to purchase. And

12 keep in mind, all of these is not in one year. It's
13 just over time. We've got the equipment for the
14 estimated costs of anywhere from 100,000 to 150,000;
15 the CAD system is 100,000 to 120,000; console
16 furniture, 36,000; purchase of a vehicle estimated at
17 24,000; mapping equipment 9,500; future expansion or a
18 new building they estimated the cost of 500,000 to
19 800,000.

20 On number 8 on page 3 gives you a
21 list of all the counties on all of the agencies that
22 they support. And you've got your call numbers. On
23 page 4 on number 11, gives you the list of employees
24 that they have. They have one director, eight
25 full-time dispatchers, and five part-time dispatchers.

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1 All of the employees are employees of the Giles County
2 District. And with this rate increase, they would use
3 some of it to increase the salaries of their
4 dispatchers.

5 Number 13 gives you before an
6 approved column on how they were planning on doing it.
7 And they are wanting to provide 100 percent of the
8 premium for the insurance. With this rate increase,
9 they would like to add three to five new employees.
10 And also if they are disallowed for this rate
11 increase, they figured that they will request
12 additional funding from the City of Pulaski and Giles
13 County.

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14 As far as actions taken before
15 they came here to meet with us, they had a county-wide
16 referendum held August 1st, 1996. And that referendum
17 was defeated by a vote of 1,483 for and 2,850 against.
18 Then they requested an additional 40,000 each from
19 Giles County and City of Pulaski for the 2005/2006
20 budget year.

21 As far as outstanding debt, they
22 have none. They have three 911 trunk lines, two
23 administrative lines. Their service provider is
24 BellSouth in Ardmore telephone company. As of May of
25 2005, the residential customers were 11,282. Their

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1 business customers were 2,398.

2 Like I said before, on their
3 equipment that they want to purchase is not going to
4 be done in one year. So in 2006, they would like to
5 replace the Central Link Equipment. And that's
6 estimated at \$150,000. In 2007, they want to replace
7 their CAD and console furniture. In 2008, they would
8 like to purchase a new vehicle for their mapping. And
9 then, in 2009, or possibly later, they want to
10 purchase a larger facility for their emergency
11 dispatch center.

12 In the financial information
13 section at the bottom of page 7, you see in 2002,
14 2003, and 2004, the change in net assets, which is
15 after the accounting procedure has been changed to --

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16 it used to be called "net income." They have three
17 consecutive net losses, which pretty much through the
18 law puts them in a financially distressed district.

19 As far as the last five audit
20 reports, they've corrected most of them except for
21 one, which has been a repeat finding since 2000, and
22 that's the overexpenditure of their budget. In 2004,
23 they had overexpenditure of their budget of 8,254,
24 which is off of ten budget items.

25 For the financial projections on

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1 table 5, they put in their request for the \$1.50
2 residential and the \$3.00 business. For the fiscal
3 year '06, they projected to have 164,364 without the
4 rate increase. And with the rate increase, they
5 project 289,404. And their change net assets would be
6 39,053. They do not expect any growth in their number
7 of landline customers, so all of those would stay the
8 same across the board.

9 So in 2007, their change in net
10 assets would be 60,125. And when you get down to
11 fiscal year '09, their change in net assets would be
12 negative 13,585. And it would continue on to 2010 as
13 a negative 26,671.

14 Going through my projections on
15 table 6, at first when their projections were done,
16 they expected a full year from July to June. But
17 because this board meeting was done in July, I put in

18 them not being able to start getting their full rate
19 until September of 2005. So I have them as a positive
20 change in net assets of 13,886 in the fiscal year '06.
21 And a positive change in net assets of 67,934 for
22 fiscal year 2007. And I have a negative change in net
23 assets in 2009 and 2010 of 10,776 and 2,262,
24 respectively.

25 The net assets for fiscal year

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1 2010 is projected to increase to 283,629. And the
2 ending balance for fiscal year 2010, it should be
3 in their negative 14,762. This difference here from
4 page 10 and the table is because I had to go back and
5 put in the vehicle that they were planning to purchase
6 in that last year. So that made it a negative 14,762.

7 They have received funding from
8 the County and the City of Pulaski. On page 11, it
9 gives you a breakdown of the revenue for what they've
10 done for the past five years. And that's -- on page
11 12, it gives you a comparative of their revenues and
12 expenditures from their annual budgets all the way
13 from 2000 to 2004. And in the past, they've received,
14 especially last year, a total of 182,758 from the City
15 and the County.

16 And as you can see from 2002 and
17 2004, like before, it does show that they are
18 classified as financially distressed by having three
19 negative changes in net assets.

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20 And that's pretty much all I
21 have.

22 CHAIR PORTER: Any questions of
23 Don?

24 MEMBER BILBREY: Don, let me ask
25 you one thing. In the local agreement on the City and

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1 County appropriation, it looks like in 2001 we had
2 about an additional 100,000 or so. If you look, it
3 went from 185,000 in 2000 to 265,000 in 2001 and back
4 to 182- in 2002. What happened there? Do you know?

5 MR. JOHNSON: No, I don't.

6 MR. GOODE: The County and City
7 went in and bought the CAD system. They put the money
8 up for a CAD system for the city police and the 911
9 and the Giles County Sheriff's Department all
10 together. And they funded all of that money through
11 that center. And that's how come that rise and then
12 it drops back off to what it was the next year.

13 MEMBER BILBREY: A one time
14 funding for equipment?

15 MR. GOODE: Yes, sir.

16 MEMBER BILBREY: That's it.

17 CHAIR PORTER: Other questions of
18 Don?

19 VICE CHAIR MOODY: One question I
20 have, Don. Going back to what you were saying and
21 projecting with the rate increase to 2010 and then

22 looking at the loss that's going to be there, the
23 change in assets and keeping in mind what they have
24 projected they plan to use this increase for in 2010
25 in terms of a building and that sort of thing, then,

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1 obviously, based on these figures, they're not going
2 to be able to do all of the things they were
3 projecting they were going to do and they are going to
4 have to reprioritize what their plans are.

5 MR. JOHNSON: Yes, ma'am.

6 VICE CHAIR MOODY: Am I right in
7 my thinking?

8 MR. JOHNSON: Yes, ma'am. They
9 may have to hold off on a few things.

10 VICE CHAIR MOODY: I'm assuming
11 you folks in Giles County have taken that into
12 account, have you not?

13 MR. GOODE: Yes, ma'am. They
14 requested a five-year plan. Now, when we come to
15 funding, we understand we're just going to be able to
16 do what we can.

17 MEMBER TAYLOR: It just seems to
18 me we're projecting or approving to go right back into
19 a financial distressed district without thinking
20 they're going to have to cut some spending or they're
21 going to have to --

22 CHAIR PORTER: Other questions or
23 comments?

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(Pause)

25

CHAIR PORTER: Thank you, Don.

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1

Dave Kimball, would you come on up and give us an overview of your site visits that y'all did in Giles County?

4

MR. MAZEAU: Good morning. I'm David Mazeau, Senior Project Manager with Kimball and Associates, and I will report the counties we look at today.

8

Our technical assessor went to Giles County July 7th of this year, just a few weeks ago, verifies that the current service charges are at 65 cents residential and \$2.00 commercial. This district has requested an increase to \$1.50 residential and \$2 commercial. It was observed as monetarily that it was necessary for the improvement that they've identified --

16

CHAIR PORTER: Talk just a little louder, Dave, or get down in the mic a little more.

18

MR. MAZEAU: I was afraid I was talking a little too loud.

20

CHAIR PORTER: No. We're having trouble hearing you.

22

MR. MAZEAU: The request was validated as being necessary for the equipment upgrades and HAZMAT stuff they do need. We identified that the computer aided system they do have is over

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1 nine years old and the type is primarily a records
2 management system as opposed to a CAD system.

3 The 911 telephony is a Motorola
4 Centralink. The version that they have now is was
5 installed in May of 1994. That makes it over 11 years
6 old. The vendor indicates that it will not be
7 supported after this year. Even though it may not be
8 supported if they have the in-house staff, the parts
9 would not be available. So this needs to be replaced.
10 Telephony is the foundation of all of wireless to
11 wireline calls. They should review.

12 The mapping system is identified
13 as an important function for their needs for wireless
14 to wireline calls. The voice recorder, it's a Mercom
15 DVD-based. It will need to be replaced in the future
16 as the County has identified.

17 Our recommendations from this
18 assessment is that the Board consider these requests,
19 approving it. This will allow the County and district
20 to develop their implementation and HAZMAT plan for
21 their equipment, to upgrade and replace that equipment
22 that they've identified, and now, as identified, and
23 for them to initiate a Capital Improvement Plan.

24 CHAIR PORTER: Questions of
25 Kimball on-site visit?

1 MEMBER LOWRY: Has Kimball or
2 staff reviewed -- are there any designed local
3 agreements?

4 MR. JOHNSON: No.

5 MEMBER BILBREY: There are no
6 interlocal agreements, no agreement between -- it says
7 here County and City of Pulaski.

8 CHAIR PORTER: Sheriff, do y'all
9 have any local agreement between the County, the City,
10 and the 911 board as it stands right now?

11 MR. BASS: (Shakes head.)

12 MR. GOODE: And one thing, the
13 additional \$40,000 requested for both the City and the
14 County was denied too.

15 CHAIR PORTER: They kept
16 refunding the same amount that you had last year?

17 MR. GOODE: Yes, sir.

18 CHAIR PORTER: It's kind of scary
19 to look at some of these pictures about how they wire
20 some of our 911 centers.

21 MR. GOODE: I think that's over a
22 ten-year period where they've just piecemealed, keep
23 adding on.

24 CHAIR PORTER: Keep adding pieces
25 and pieces. Any questions of Kimball?

1 (Pause)

2 CHAIR PORTER: Thank you, David.

3 Okay. Now's the time that we
4 hear from the District. Any comments that you, Mike
5 or Jim, want to make?

6 MR. BASS: Just very brief,
7 Chairman. We came here last fall. I don't remember
8 what month it was. I became the new Chairman and
9 Mr. Goode, the new director. And we're not trying to
10 blame in any way. We're wanting to go forward, as I
11 told you, and we feel like we can. Personally, I am
12 pleased with our new director and what I have seen.

13 Basically, I want to say is that
14 we feel the money is necessary. We've looked into,
15 for lack of a better word, any waste in the past and
16 so forth. This money is going to be necessary to go
17 forward.

18 And I want to thank this Board
19 for working with us, Kimball and Associates for the
20 work they've done. As I told you last fall, I want to
21 be able to sit here, Ms. Questell or somebody bringing
22 our name up as not financially distressed anymore, and
23 hopefully not too distant in the future, but probably
24 a couple of years away anyway.

25 And thank you y'all, again. If

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1 you have any questions, feel free to throw them my

2 way.

3 CHAIR PORTER: Mike, anything you
4 want to say? You don't have to. If you want to, it's
5 okay.

6 MR. GOODE: Well, I understand.
7 I appreciate the Board's time, and especially the
8 Staff because they helped a lot put these reports
9 together, and Kimball and Associates. And I
10 understand that this is not going to get us out of the
11 woods, and I'm trying to work on the City and County.
12 This is something, I think, that has been overlooked
13 in the past. I believe I can get them to come around
14 in a future date, but I wasn't able to do it at this
15 time because it's going to take more funding from them
16 to keep us operational. I do understand that.

17 CHAIR PORTER: Jim, do you have
18 anything you want to say?

19 MR. THOMPSON: I'll just echo
20 what the Sheriff said and the Chairman. And we
21 appreciate all the help with Kimball doing the
22 evaluation of us. And I also echo what Mike said. I
23 don't think that the County and City up until a year
24 or so ago realized the situation we were in. And I've
25 only been on the board about a year and a half. And,

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1 you know, I didn't realize it either until I got on
2 the Board. And we haven't had an increase from the
3 County and City, but I feel like if we can get this

4 increase, then they too can see that we do have a
5 problem and they need to help us with it. And I think
6 that will eventually happen.

7 CHAIR PORTER: Questions of the
8 district board?

9 MEMBER BILBREY: Yes. I'm trying
10 to find a letter here that I had that I can't seem to
11 find. There was a consent letter -- do you remember
12 that? Back in 2004.

13 CHAIR PORTER: Yes.

14 MEMBER BILBREY: And all of
15 these items were right here. It was actually
16 October 8th, 2004. And there were a bunch of items
17 involved that we requested -- 15 items, in
18 fact -- from the Kimball report. And there were a lot
19 of things that were supposed to be done, so I
20 understand. And I guess what I'm looking for is, are
21 you guys familiar with all of those recommendations
22 back in 2004 when you were here before? I didn't know
23 how many things have been done and what's been folded
24 up on that. Do you remember what we're talking about?
25 MR. GOODE: The report did start

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1 last year and then it was put on hold. And the final
2 report isn't issued out until this year. And
3 Ms. Questell has asked about some of the actions we
4 have taken and I have replied to her. Monetarily,
5 anything extra, we don't have the money to do. It

6 doesn't matter any recommendation at this time. If it
7 takes additional funds, I don't have it right now.
8 We're just keeping the doors open.

9 MEMBER BILBREY: They don't
10 require funding.

11 MS. QUESTELL: I think the thing
12 that would be most helpful that was in that order in
13 the consent agreement that we entered into with Giles
14 County in 2004 was that we established some timelines
15 for implementing the Kimball recommendations. And
16 it's not y'all's fault at all because the report
17 wasn't finalized until June. So no one is casting
18 excursions. We're just wanting to help you move ahead
19 and help get organized.

20 And also, while I'm talking from
21 a legal perspective, because y'all have had negative
22 net assets for three consecutive years, under
23 786-304(d), you would be considered financially
24 distressed. So that would put you under the
25 supervision and evaluation of the Board, and we want

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1 to help you. We want to move forward. So, I guess I
2 would ask that in the next few weeks that we get
3 together either on the phone or I'll come down and see
4 y'all and we'll set up a timeline for what we can
5 realistically do as far as the recommendations that
6 Kimball made and move ahead.

7 And we want to work with you to

8 do this in the most feasible responsible way. So
9 after this is through, we'll try to get together with
10 your agreement and set that up.

11 MR. GOODE: That would be fine.

12 MS. QUESTELL: The other thing I
13 would like to say to y'all is that we have a policy,
14 Policy Number 25, that says, basically, in a nutshell,
15 get a local agreement in writing. And it might help
16 y'all when you're discussing your situation with the
17 County and the City to show them this policy. Which
18 I'll provide you with a written representation of it
19 so you can show them that we want this in writing.
20 That way once they agree to it in writing, you can
21 enforce it much more easily.

22 MR. GOODE: I'm trying.

23 MS. QUESTELL: Yes, sir.

24 CHAIR PORTER: We'll help you all
25 we can.

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1 And, Charles, just for Giles'
2 benefit, that report didn't actually get to them until
3 May 27th.

4 MR. BILBREY: Right. And I'm
5 just bringing that out. From what I see here in front
6 of me, a lot of things are going to have to be
7 covered.

8 CHAIR PORTER: You're bringing
9 out a good point.

10 MEMBER BILBREY: And we need to
11 make sure all of these items are addressed one way or
12 the other either by us, by them, or whomever. A local
13 agreement is a very important document that we really
14 want to see.

15 CHAIR PORTER: And we can make
16 that part of our findings that that be a requirement
17 to ask somebody from the other districts.

18 MEMBER BILBREY: But like we
19 said, what we're here for is to help everybody. And
20 it's really for their benefit, and we're going to work
21 together and try to make this thing work.

22 CHAIR PORTER: That's exactly
23 right. I just didn't want them to take all of the
24 blame.

25 MEMBER BILBREY: I didn't mean

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1 that. I want to know what they thought about it and
2 where we are. But they do have the report now --

3 CHAIR PORTER: That's correct.

4 MEMBER BILBREY: -- as of June,
5 so we're all in the same playing field.

6 MR. GOODE: Yes, sir.

7 MEMBER BILBREY: We know where we
8 are.

9 MR. GOODE: Yes, sir.

10 VICE CHAIR MOODY: Would it be
11 appropriate, then, to recommend approval of this rate

12 increase with the stipulation that Giles County follow
13 the recommendations as outlined in the Kimball report?

14 I would move.

15 CHAIR PORTER: You move that,
16 Ms. Wanda?

17 VICE CHAIR MOODY: I would move.

18 CHAIR PORTER: Do I have a
19 second?

20 MEMBER VICKERS: Second.

21 CHAIR PORTER: Do you want to ask
22 questions?

23 MR. GOODE: To my understanding,
24 we're already under you. We signed an agreement last
25 year. We're already under y'all's guidelines and are

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1 supposed to abide by an agreement between us.

2 CHAIR PORTER: What Ms. Moody is
3 saying, though, is that we would increase your rates
4 based upon you getting your interlocal agreements and
5 all of these things done with Kimball. And that gives
6 us the option that if Giles County doesn't do those
7 things, then the Board could come back and take that
8 rate increase away. It kind of makes everybody work
9 real close together for the next little while.

10 MEMBER RICH: Mr. Chairman, I
11 will say that Mike, being a neighbor of mine, and we
12 have a similar operation and similar equipment -- and
13 I again, I offer my service, Mike, if you need copies

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14 of my interlocal or if there's anything that you need
15 that I haven't already provided to you, it'll just
16 take a phone call to get it.

17 MR. GOODE: Thank you.

18 MEMBER BILBREY: And another
19 thing, I know we've spoken of this before, but we
20 would like to have some kind of a status report on
21 these items one at a time.

22 CHAIR PORTER: Lynn, can you make
23 that --

24 MS. QUESTELL: Yes, sir.

25 CHAIR PORTER: -- status every

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1 six months or --

2 MEMBER BILBREY: Six months would
3 be fine.

4 MS. QUESTELL: Yes, sir. No
5 problem.

6 MEMBER Lowry: On our new rate
7 increases, what are we doing? Are we bringing them
8 back, or what are they going to fall under? What time
9 frame? They're a little different circumstance.

10 CHAIR PORTER: Well, financial
11 distress puts them under a little different of a
12 thing, but that's the question we're going to have to
13 answer today.

14 VICE CHAIR MOODY: Haven't we in
15 the past been approving them on a three-year basis?

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16 CHAIR PORTER: Three-year basis.

17 Do you want to do that one?

18 VICE CHAIR MOODY: I would
19 include in my motion that this would be for three
20 years with the stipulation, of course, that if out of
21 the case study something very different comes forward,
22 then at that time we would need to look at it.

23 CHAIR PORTER: So you make that
24 June 30th of 2008?

25 VICE CHAIR MOODY: When do we

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1 think this can go into effect?

2 CHAIR PORTER: We've kept them
3 all on June 30th.

4 VICE CHAIR MOODY: Okay. That
5 will be fine.

6 CHAIR PORTER: It will be easier
7 for us to keep up with it.

8 MR. JOHNSON: Mr. Chairman, if
9 I'm not mistaken, in the past on these distress
10 districts, a time period has never been set. It was
11 just until they had a positive --

12 CHAIR PORTER: -- until they got
13 positive.

14 MR. JOHNSON: -- positive in
15 change in net assets.

16 CHAIR PORTER: Except for Morgan.

17 MS. QUESTELL: They said --

18 CHAIR PORTER: Somehow or another
19 it got done different than the rest of them. What do
20 you want to do, Ms. Wanda? Do you want to leave that
21 as part of your motion?

22 VICE CHAIR MOODY: I don't know.

23 CHAIR PORTER: And then, Don did
24 bring up a good point with the distressed district.
25 The Staff is constantly monitoring these districts for

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1 changes and everything.

2 VICE CHAIR MOODY: Let's just
3 leave the motion that we made initially and leave it
4 as stands.

5 MEMBER LOWRY: (Shakes head.)

6 MEMBER BILBREY: What was it?

7 CHAIR PORTER: Take the deadline
8 out since it's a financial distress if the Staff
9 monitors them all of the time. If we see changes,
10 they can be brought back to the board.

11 MEMBER BILBREY: This is for this
12 one particular one, which means we have to address it
13 later on than the others?

14 CHAIR PORTER: That's correct.
15 Other questions or comments?

16 (Pause)

17 Hearing none, all in favor say
18 "aye."

19 THE BOARD: Aye.

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20 CHAIR PORTER: All opposed like
21 sign.
22 (Pause)
23 CHAIR PORTER: Motion carried.
24 Break. Take about a five- or
25 ten-minute break.

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1 (Break in the proceedings.)
2 CHAIR PORTER: Come back to order
3 and move along with the agenda. I think our next item
4 on the agenda is the Meigs County agenda, the Meigs
5 County rate increase request. If the Meigs County
6 people would, come up to the table.
7 I had some comments from members
8 of the audience about not being able to hear out in
9 the audience. I know we have a troubled sound system.
10 So I want to remind everybody again, if you would, get
11 up in your mic so that the audience can hear.
12 MR. SMITH: Mr. Chairman, I'm
13 Christopher Smith. I'm the Chairman of Meigs County
14 Communications District. To my right is Kelly
15 Bredwell. She is our 911 director. To my left is
16 Sheriff Walter Hickman. Also joining us today is Ken
17 Jones, the County Mayor of Meigs County, and Mike Mahn
18 our attorney is also with us.
19 CHAIR PORTER: Good. It's good
20 to have y'all with us. We'll go through the same
21 process that we did with the previous county. And

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22 we'll start with you, Don, and let's go through the
23 numbers with us.

24 MR. JOHNSON: All right. This is
25 Meigs County coming for a rate increase. The Director

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1 is Kelly Bredwell and Chairman is Christopher Smith.
2 The certified U.S. population for the county is
3 11,086. The current budget for 2005 was 103,450. The
4 tier level is a Tier V county. They come in today for
5 request for the maximum level for \$1.50 residential
6 and \$3.00 business.

7 As far as the history of their
8 rate increase of trying to extend it, they've not had
9 a rate increase since the inception of the district.
10 They want to use the rate increase for increase
11 dispatcher salaries to the appropriate level; to
12 purchase equipment and software to aid in the
13 emergency medical dispatch; and also the training for
14 the emergency medical dispatch. They want to replace
15 the aging 911 controller and relieve some of the cost
16 of communications for the sheriff's department.

17 On page 3 it gives you a list of
18 the agencies that they support. And as far as the
19 number of employees, they have one employee, which is
20 the director. They don't have any other type of
21 employees such as dispatchers or supervisor or
22 anything. The director is employed by the Meigs
23 County Sheriff Department, but the district pays the

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24 Meigs County Sheriff's Department \$75,000 a year. And
25 this covers the salary for the director and one of the

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1 Meigs County Sheriff County employees who works as a
2 dispatcher. The district's total salary for
3 dispatcher is planned to increase 3 percent per year
4 over the next five years if they were to get the rate
5 increase. Other than that, they don't plan to add
6 anymore dispatchers within the next five years.

7 If this rate increase is
8 rejected, they would plan to go to the County
9 Commission and ask for a 1 cent increase in the
10 property tax. As far as actions taken to getting
11 additional revenue, they've received the \$10,000
12 reimbursement grant for the mapping maintenance. They
13 don't have any outstanding debt. They have five 911
14 trunks, four administrative office lines, and their
15 service provider is BellSouth. As of April 2005, the
16 residential customers were 4,500; the business was
17 466.

18 Looking at their financial
19 situation on page 7 gives you a comparative of their
20 audit reports in the past from 2003 to 2004. And at
21 one point, their change in net assets were going down.
22 But as far as 2004, it went back up. So they're doing
23 all right so far. I don't know what their 2005 will
24 produce. But in their last five audit reports, as far
25 as the findings, they've had repeat findings for over

1 back of the case study. And I also gave you a summary
2 of the interlocal agreement. It starts on page 9.

3 That's all I have.

4 CHAIR PORTER: Questions of Don?

5 (Pause)

6 CHAIR PORTER: Don, on those
7 operating expenses for the director administrative
8 assistance to dispatchers, all of that is just
9 flow-through money going back to the County?

10 MR. JOHNSON: (Shakes head.)

11 CHAIR PORTER: They don't
12 actually have any employees?

13 MR. JOHNSON: That's basically
14 how their case studying was explained.

15 MEMBER BILBREY: In reality it's
16 not the district budget per se, it's sort of the
17 County budget going through the district.

18 CHAIR PORTER: I guess that
19 brings just a general accounting question then, as far
20 as districts go. Since all of that money is
21 flow-through money, do you still need it divided out
22 in the budget as far as director or dispatch and
23 stuff, or would that still in the line item that code
24 for --

25 MR. JOHNSON: Are you talking

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1 about the 75? Most of time I would think it would be
2 more of an impact fee going to the County.

3 CHAIR PORTER: But is there
4 anything wrong with doing it this way? Should that be
5 something we should look at?

6 MR. JOHNSON: I can check into
7 it.

8 CHAIR PORTER: Anybody else have
9 any questions?

10 (Pause)

11 CHAIR PORTER: Okay. Dave.

12 MR. MAZEAU: Thank you. Our
13 assessor did a site visit and interviews with County
14 and district staff on May 11th this year and found
15 that the current service charges are 65 cents
16 residential and \$2.00 commercial. The District
17 requests an increase to \$1.50 residential and \$3.00
18 commercial.

19 We identified that this is
20 necessary for the salary increases that they'd like to
21 implement and to initiate a Capital Improvement Fund
22 to assess the equipment, dispatch, telephony, the
23 mapping, voice recorders, which are all within the
24 past three years. I believe the installation was all
25 upgraded and installed recently.

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1 Our recommendation from the
2 assessment and interviews is that the board would

3 approve their request for increase. The increase of
4 service charge would be used to increase the salaries
5 of the staff and to initiate a Capital Improvement
6 Fund to be proactive in assessing and enhancing the
7 equipment that was recently installed so it would have
8 a longer lifecycle until they need to upgrade and
9 replace.

10 CHAIR PORTER: Any questions of
11 Dave from Kimball?

12 (Pause)

13 CHAIR PORTER: Thanks, Dave.

14 Okay. Having no questions of
15 Kimball, then it's to the district. And y'all can
16 make any comments or statements that you'd like to
17 make.

18 MR. SMITH: Mr. Chairman, first,
19 I would like thank Mr. Johnson for the hard work he's
20 put it in with our director to get us to this point
21 here. We couldn't have done it without him. We
22 appreciate his guidance and long hours in this.

23 I'd like to say we're before you
24 to request this rate increase so that we can
25 adequately respond to the challenges set before us as

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1 a district who has Watts Bar Nuclear Power Plant in
2 our backyard and a north/south corridor. It's going
3 to be an increased highway flow parallel to I-75 and
4 US 27. So we're seeing tremendous growth for the

5 county.

6 At the recent state we're in here
7 in the equipment reserves, we need to build those back
8 up; the emergency medical dispatcher training; replace
9 our 911 vehicle; a new PSAP controller in the fiscal
10 year 2007. This rate increase will allow us to do
11 that.

12 CHAIR PORTER: Anybody else want
13 to make any comments?

14 MS. BREDWELL: I think Chris
15 basically summed it all up, Chairman Smith, by stating
16 that we are growing at a relatively large rate. And
17 we appreciate help from the Board and allowing us to
18 be here today. We just thank all of you guys for the
19 opportunity. And we thank you too, Don.

20 CHAIR PORTER: Sheriff, do you
21 have anything you want to say?

22 MR. BASS: Not really, just the
23 Board and the help and guidance in the last few years.
24 We've got a good operation. Our 911 is something I
25 never expected to see. I've been there a long time,

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1 so I figured I'd be gone when it got to the point it
2 is. But I think it was through the past years that we
3 built, it took us a while to get there, but we're real
4 proud of it. And I think we need the money to
5 continue it.

6 And the people in our county, I
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7 just feel like when they approved 911 back in the
8 '90s, it was like a 97 to -8 percent. And I believe
9 if it was put to vote, that they would approve of it.
10 So we respectfully ask you to consider it.

11 CHAIR PORTER: Okay. Board
12 members, do you have questions of the District?

13 VICE CHAIR MOODY: I'm curious
14 about one thing in reading through the application.
15 Do you have a city in Meigs County?

16 MR. BASS: Yes, ma'am, we do.
17 Decatur.

18 VICE CHAIR MOODY: Decatur.
19 Okay. Does it have a city property tax?

20 MR. BASS: Yes, it does.

21 VICE CHAIR MOODY: They're not in
22 any way providing any funds for the operation?

23 MR. BASS: We're a small county
24 and a small city, and we do a lot of in-town things.
25 And just for example, our city police department has

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1 two school officers in our county schools. They kept
2 us in our court. We work real close together. So
3 it's just been an issue that's never been -- we feel
4 like that the service that we get from them, that they
5 pay us back in other ways. If that make sense.

6 VICE CHAIR MOODY: I understand
7 what you're saying. Just interested.

8 MEMBER BILBREY: Along that same
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9 line, in reading this, it's sort of hard to follow.
10 Under a cooperative, I guess, effort there, can you
11 sort of explain where the employees are and who works
12 for whom? I know the Sheriff evidently has just about
13 all of it as far as the employees doing the work and
14 the responsibility and all of that.

15 What's the situation with the
16 District itself? How many employees do you have and
17 what do you do besides -- I mean, just to give us an
18 idea who's on first, second, and third. It's hard to
19 follow.

20 MR. SMITH: As of this year in
21 2005, we went from one employee to zero. So we have
22 people dispatching a -- we have four dispatchers that
23 are Sheriff's Department employees. The Sheriff's
24 Department is the dispatching agency. The director
25 is, as of July first last year, a Sheriff's Department

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1 employee. And that was done for a few reasons.

2 One, economies have scaled moving
3 an employee to a county with health insurance with a
4 lot better benefits. And also, it just made more
5 sense for personnel management issues. We're a board
6 that meets perhaps monthly; at most, every other
7 month. And that's not a good model to be a personnel
8 management body. So the District has no employees,
9 we're happy to say. We just shuffled that over to the
10 county. Does that answer your question?

11 MEMBER BILBREY: Yes. That's
12 what I wanted to hear.

13 MEMBER LOWRY: How are you
14 protected for your director? If the sheriff decides
15 to get rid of her, where does the 911 Board come in?

16 MR. SMITH: Well, the Sheriff's
17 obligation through the County is to provide us mapping
18 and addressing and dispatching. And if the Sheriff
19 decided to replace the director with another director,
20 that post-agreement would be his prerogative.

21 However, my tenure in Meigs
22 County in working with the Sheriff and knowing the
23 other parties were such that we as a board felt
24 comfortable going into an agreement where we did not
25 lock the sheriff dispatching agency down to a

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1 personnel review board or anything like that.

2 Our working relationship outside
3 of this agreement has been phenomenal in regards to
4 communication. So we get a lot more from the
5 Sheriff's Department, and he gets a lot more from us
6 than what you see here on this piece of paper. But
7 per his agreement, he has to provide mapping and
8 addressing and dispatching. If not, then we call our
9 attorney and we do what we need to do. We look for
10 other options, but I don't see that happening.

11 MEMBER TAYLOR: Are the Sheriff's
12 employees civil service?

13 MR. BASS: No, sir, not at this
14 time. We are looking through our County Commission to
15 a limited civil service, but we are not at this time.

16 CHAIR PORTER: Chris, of course,
17 I don't believe everything you read, but we've read
18 about Meigs County back in the past. And y'all are
19 making it sound like that all of the problems have
20 pretty much been fixed and everybody's getting along
21 now. Is that --

22 MR. SMITH: Yes, sir, they have
23 been. When I came on board two or three years ago,
24 perhaps, it wasn't hard to get on the board. Let me
25 say that. Nobody wanted to be on that board. And

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1 just a few -- just taking a step back and taking a
2 deep breath and looking at it and say how do we design
3 the system to service the people in this district and
4 just work together this is what we've come up with.
5 And it's been working very well.

6 CHAIR PORTER: Does the -- in the
7 documents there's a little bit of a conflict. Who
8 actually does the addressing and mapping? Is it
9 somebody that works for the Sheriff's Department, or
10 is it somebody in the district?

11 MR. SMITH: It is the director,
12 who is a Sheriff's Department employee.

13 CHAIR PORTER: So basically, the
14 Sheriff's Department is doing everything involving

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15 dispatching, mapping, everything. And the Board's
16 just paying a certain amount of money to the County
17 each year for all of the services.

18 MR. SMITH: That's the model we
19 moved to. If we were a larger county, I think we'd
20 have a different model. But for our size, this is the
21 model that worked best.

22 MEMBER BILBREY: In reality, what
23 you have done is you have formally and informally
24 contracted everything out to the Sheriff's Department.

25 MR. SMITH: Yes, sir, exactly.

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1 MEMBER BILBREY: That's the
2 bottom line.

3 VICE CHAIR MOODY: I guess in
4 view of this organizational structure -- I guess the
5 \$64,000 question would be, Sheriff, if this rate
6 increase is not approved, since you have the
7 responsibility for operating that program, what would
8 you do?

9 MR. BASS: I hope I don't have to
10 make that decision. You know, I could not run the
11 dispatching through my County money. Our 911 Board
12 could not provide dispatchers, a building, the proper
13 equipment that we need. We have to do it together at
14 this point.

15 If we had plenty of money and
16 could go here and build the dispatching center where

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17 it's all alone, I would be for it. But in our
18 particular county, we must work together. I have no
19 plans of that happening.

20 I think that we have a good
21 agreement with the County. We've done a lot of
22 renovation on our jail. Our dispatching center is
23 gradually getting more of itself and away from the
24 jail. Kelly oversees everything concerning dispatch.
25 I'm lucky enough that if there's a decision that needs

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1 to be made, she'll come to me. Otherwise, there's a
2 lot of days she will be in there with the dispatchers.
3 And we're just looking for better ways to serve the
4 people and make 911 better for our county.

5 CHAIR PORTER: Y'all have come a
6 long way. I know you have.

7 MR. BASS: I agree with you,
8 Randy. I know you and I have talked and I'm really
9 proud of our system at this time.

10 CHAIR PORTER: I'm impressed with
11 the pictures and what I see that y'all have done.

12 Any other questions for the
13 District?

14 MEMBER LOWRY: Are you on the
15 board, Sheriff?

16 MR. BASS: Not at this time. I
17 served for several years there when it was originally
18 started. I'm not on it this time. I attend all of

19 the meetings, Kelly and I. The Board -- their
20 influence is on -- we know what they want, and that's
21 pretty well what they get.

22 MEMBER LOWRY: From the 911 Board
23 side, do you all have some good contracts in place to
24 protect the Board and the Sheriff?

25 MR. SMITH: Yes, sir, I'm very

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1 confident in our legal agreement, any recourse we
2 would have to protect ourselves.

3 CHAIR PORTER: Any other
4 questions?

5 (Pause)

6 CHAIR PORTER: Folks, thank you.
7 We appreciate it.

8 Okay. Board open for motions
9 concerning Meigs County raises.

10 MEMBER TAYLOR: I move.

11 MEMBER COBB: I second.

12 CHAIR PORTER: I have a motion by
13 Mr. Taylor and a second by Ms. Cobb that we approve
14 the rate increase. That also brings up our previous
15 thing on Sunset as to how -- what we want to do with
16 this. I guess now would be an appropriate time. Do
17 we want to do three years on this one and knowing that
18 if anything changes, that we might have to come back;
19 but otherwise, we should have three years?

20 MEMBER BILBREY: Yes. I think
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21 three years is appropriate.

22 CHAIR PORTER: Is that agreeable,
23 Mr. Taylor and Ms. Cobb, to make it June 20th, 2008?

24 MEMBER TAYLOR: (Shakes head.)

25 MEMBER COBB: (Shakes head.)

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1 CHAIR PORTER: Open discussion.
2 (Pause)

3 CHAIR PORTER: Hearing none, all
4 in favor say "aye."

5 THE BOARD: Aye.

6 CHAIR PORTER: All opposed like
7 sign.

8 (Pause)

9 CHAIR PORTER: Motion carried.
10 Good luck, y'all.

11 Next item on the agenda is the
12 request for rate increase from Sequatchie County.

13 Come on up, Mike. Are you by yourself today?

14 MR. MAHN: Yes, sir.

15 CHAIR PORTER: That could be good
16 and bad.

17 MR. MAHN: Well, yeah. I've got
18 my esteemed representatives here that can hopefully
19 give legal counsel.

20 CHAIR PORTER: Okay. Don, you're
21 on Sequatchie.

22 MR. JOHNSON: All right.

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23 Sequatchie County has come here for a request for a
24 rate increase. The director is Michael Tweedy, and
25 Chairman is Dan Otten. Their U.S. certified county

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1 population as of 2000 is 11,370. They're a Tier V
2 district. And they come here to request a rate
3 increase for residential \$1.50 and business \$3.00.
4 They figured that the rate increase would, if it was
5 effective as of July 1st -- which it will probably
6 more likely be effective September. They figured in
7 fiscal year '06, they would have an increase of
8 68,331; in '07, 73,114; and fiscal year '08, 78,232;
9 and fiscal year '09, 83,708; and in the fiscal year
10 2010, 89,568.

11 They want to get the rate
12 increase, basically, for salaries and to help out in
13 the operations of the district. Also, they want to
14 purchase some equipment with that rate increase. They
15 want to get five additional Motorola CDM1250 136-174
16 megahertz radios. They currently only monitor one
17 frequency at a time. And that's an estimated cost of
18 \$10,000.

19 They also want to get two
20 repeaters sites. One is to replace a repeater, and
21 the other is to buy a new one to help out on
22 everything. Both of those repeaters would be about
23 \$31,000 apiece.

24 And also, the rest of the rate
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25 increase they would like to use for expenses, at least

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1 \$3,000 worth for equipment purchases.

2 On page 3 it gives you a list of
3 the agencies that they support. They have one
4 director, four full-time dispatchers, and one
5 part-time dispatcher. Employees are employees of the
6 District. Currently, the dispatcher's salary is \$8
7 per hour to \$9.25 per hour beginning the fiscal year
8 2006 and 2007. They do not intend to add any
9 additional dispatchers at this time.

10 If the rate increase is rejected,
11 Sequatchie County would probably go to the Sequatchie
12 County Commission for the additional funding, such as
13 property taxes and wheel taxes. They also would like
14 to probably end up applying to the TECB as a
15 financially distressed district for emergency funding.

16 As far as other methods to try to
17 increase their rate is, the Board met with the County
18 and the City on July 11, 2005. Both have agreed to
19 fund the District a total amount of \$75,000, which
20 means that Sequatchie County would give \$50,000 per
21 year and the City of Dunlap would give \$25,000 a year.

22 As far as outstanding debt,
23 building purchase right now is -- they have a \$91,800
24 balance as of this writing of the application.

25 As far as the 911 trunks, they

1 waive our rules. Lynn, is that right?

2 MS. QUESTELL: Yes.

3 CHAIR PORTER: I don't want us to
4 go any further until we make a decision on that.

5 MEMBER BILBREY: Mike, do you
6 know why is the chairman is not here?

7 MR. MAHN: Yeah. Mr. Chairman,
8 the chairman would have been here. He's a funeral
9 director. And Mike has informed me that he has a
10 funeral service this morning unexpected that
11 necessitated him to be in Dunlap. Otherwise, he would
12 have been here. And I think both of us apologize for
13 not sending an advanced notice as soon as we learned.
14 But I think that's -- Mike, do you want to add
15 anything?

16 MR. TWITTY: I was not aware
17 until late last night. I had one of my employees have
18 a heart attack yesterday and I was tied up with that.
19 He's in Memorial Hospital now. And Mr. Otten had some
20 things come up last night that facilitated him not
21 being here. It was a matter of getting here myself
22 this morning.

23 MEMBER TAYLOR: Mr. Chairman, I
24 move we suspend the rules and continue with the
25 hearing.

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1 CHAIR PORTER: Do I have a
2 second?

3 VICE CHAIR MOODY: Second.

4 MEMBER BILBREY: Let me question.

5 Are you authorized on a proxy standpoint to speak for
6 him?

7 MR. TWITTY: I have a contract.

8 MR. MAHN: As Chairman, yes, we
9 do. Under the resolution approved by the District, it
10 authorized counsel, the director, and the chairman to
11 do all things reasonable and necessary to represent
12 the District before this board.

13 CHAIR PORTER: It gave the
14 chairman. Did it give the director?

15 MR. MAHN: Yes, sir, it did. It
16 mentioned all three.

17 CHAIR PORTER: Motion and a
18 second to suspend the rules to continue this.

19 MEMBER LOWRY: As for the future,
20 would it be in order to send that in and put it in the
21 packet so we'll have it on file in case --

22 MR. MAHN: I believe it's part of
23 the petition. I don't have it in front of me, but
24 that's my memory. The resolution that the District
25 passed following the public hearing has a language in

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1 the "now, therefore" provision at the end of the
2 resolution.

3 CHAIR PORTER: I don't have it
4 and you don't.

5 Do you have a copy of it with
6 you, Mike?

7 MR. MAHN: No, I don't. We will
8 provide that. It was filed as part of the original
9 petition.

10 MR. JOHNSON: Of the rate
11 increase?

12 MR. MAHN: Yeah. In that
13 notebook. I believe I made that part of it.

14 MR. JOHNSON: It may be upstairs.
15 I can check.

16 CHAIR PORTER: But you're saying
17 for the record that this has been passed by the Board?

18 MR. MAHN: Yes. The Board passed
19 it. It was the first thing the Board did following
20 the public hearing was to pass a resolution
21 authorizing the petition and authorizing the director
22 and chairman and myself to do all things necessary to
23 present the petition to the Board.

24 CHAIR PORTER: And folks, I'm not
25 trying to stir anything up. I just want to make sure

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1 we don't violate one of our policies and rules and
2 then turn around and this thing be back to us.

3 MEMBER BILBREY: And I understand
4 that too, Randy. But this is important enough that we
5 want the right people to be here. We don't want to
6 make it a habit of not --

7 CHAIR PORTER: It definitely
8 makes me feel better to at least the chairman hear
9 from the board. It's nice when folks bring their
10 county executive mayors and everybody is on line. I
11 just don't want us to do anything here that would come
12 back.

13 And I agree, Charles. We want to
14 be careful.

15 MEMBER LOWRY: Kimball may have
16 something.

17 CHAIR PORTER: Do you have that
18 document today?

19 MR. MAZEAU: I don't have it with
20 me.

21 MS. COBB: Can we move forward on
22 that stipulation of receiving that document within 24
23 hours?

24 CHAIR PORTER: Can you produce
25 that for us?

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1 MR. MAHN: Yes, sir.

2 CHAIR PORTER: We have counsel on
3 the record saying that it does exist.

4 MR. MAHN: I want to see it. I
5 would bet my life on anything. I wrote it yesterday.
6 But last time I saw that, I believe that language was
7 in there.

8 VICE CHAIR MOODY: Vanessa's gone

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9 upstairs. She's going to check.
10 CHAIR PORTER: We've got a
11 motion. We'll vote on that. And if the Board wants
12 to continue, we'll continue. Hopefully we'll know
13 something before we have to make our final decision.
14 Is there a motion on the floor to
15 suspend the Rules and proceed with the rate increase
16 hearing? Any more discussion?
17 (Pause)
18 CHAIR PORTER: All in favor say
19 "aye."
20 THE BOARD: Aye.
21 CHAIR PORTER: All opposed?
22 (Pause)
23 CHAIR PORTER: Motion carried.
24 Sorry, Don. I just didn't want
25 us to get too far. Did you have anything else that

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1 you needed?
2 MR. JOHNSON: No.
3 CHAIR PORTER: Any questions for
4 Don on the financial?
5 MEMBER BILBREY: Yeah. Let me
6 ask one thing. Don, this and several of these
7 districts, they have these over-expenditures
8 repeatedly. Do you get any response from them why are
9 they doing this? Are they paying attention to budget?
10 MR. JOHNSON: Most of the time --

11 MEMBER BILBREY: When they say
12 just concurring and going ahead and doing it again
13 doesn't cut it.

14 MR. JOHNSON: It's just one of
15 those things that's happening. And we don't actually
16 know the response until we get the audit report. And
17 then --

18 MEMBER BILBREY: This is the
19 second one we've seen like this for years.

20 MR. JOHNSON: It's a lot of them
21 like that.

22 MEMBER BILBREY: It's over
23 expended, still concurring and going ahead and doing
24 it again.

25 MR. JOHNSON: Yes, sir. There's

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1 a lot of them like that.

2 CHAIR PORTER: Is there any
3 penalty or any kind of thing for audit findings?

4 MEMBER BILBREY: Jerry, do you
5 want to answer that? Can you answer that? Is there
6 anything we can do relative to -- now, County audit
7 can, but can we do anything with a district out there
8 that has the repeat findings or does Audit?

9 CHAIR PORTER: Jerry, if you're
10 going to talk, come up to the podium to make sure we
11 can hear you. That's a good question. I'd like to
12 hear your answer.

13 MR. BURGESS: My name is Jerry
14 Burgess. I work as a consultant for the District
15 County Audit Controllers Office. On that type
16 finding, though, there's not anything you can really
17 do. If there was something criminal, you could turn
18 it over to the District Attorney. But that's not
19 really a criminal thing. Really there's not much
20 enforcement out there.

21 CHAIR PORTER: I always wanted to
22 know. Thanks, Jerry.

23 MR. MAHN: Mr. Chairman, I'd just
24 like to inform the Board most of those findings
25 occurred prior to the arrival of a full-time director,

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1 who now Michael provides very hands-on active
2 financial management. Our director who handled this
3 previously, and does a wonderful and conscientious
4 job, but was not able to keep up with a monthly status
5 of expenditures as against a line item. And I think
6 that's what happens.

7 You know, the 911 districts are
8 subject to an audit standard that's not common with
9 other governmental units. In that, most governmental
10 units reconcile their budgets at the end of the year.
11 But the auditors -- most 911 auditors -- not all, but
12 most write up a district if at any time during the
13 year there's an overage. And they're amended at that
14 point prior to there being an overage.

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15 And I think that's what happened
16 in Sequatchie's instance. But now, with an active
17 accounting management that's one of Mr. Tweedy's
18 duties, we should not have that occurrence in the
19 future. But we do take it seriously regardless of
20 personality or the lack of personality.

21 MEMBER BILBREY: We need to start
22 considering something on repeat findings that we need
23 to have some kind of a stipulation that we've created
24 ourselves. We can do that.

25 CHAIR PORTER: It's not that

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1 difficult to do budget at the end of the year to make
2 sure your budget balances. I mean, that's not that
3 big of a deal.

4 Let me interject and I'll just
5 read y'all the statement that is in the packet. It is
6 signed by the Chairman of the Board and the Secretary
7 of the Board. It says:

8 "We do hereby authorize the
9 Chairman and legal counsel and the director to do all
10 things reasonable and necessary to submit this
11 resolution and other documents to the ECB for the
12 purpose stated and to make representations as deemed
13 appropriate consisting with authority given by the
14 Board."

15 It's signed Board Chairman and
16 Secretary.

17 MEMBER BILBREY: That's all
18 relative. I do have one more question, though. You
19 are increasing population at 10.2 percent per year; is
20 that true?

21 MR. TWEEDY: Projected, yes, sir.

22 MEMBER BILBREY: Is it helping?

23 MR. TWEEDY: We're assimilating
24 that information off of the new residences that are
25 coming in and the national standing of 2.7 people

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1 coming in per residence. And building out on that is
2 a projection of the 10 percent. I also mentioned the
3 911 center of Sequatchie County has been operational
4 for 90 days. So we don't really have a foundation yet
5 as to give our total expenditures.

6 In reality, these are all
7 projected figures that we can give on the best
8 information that we have that the State has assisted
9 us in compiling. So some of these issues used are
10 fluid at the moment, as best I can explain.

11 MEMBER BILBREY: Why would it be
12 increasing that much? What is there that's causing
13 this to happen?

14 MR. TWEEDY: Why would what
15 increase, sir?

16 MEMBER BILBREY: The population
17 increase.

18 MR. TWEEDY: Right now we have a

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19 four-lane freeway that just opened up. We are
20 adjacent to Hamilton County. We have a beautiful
21 valley if you have ever been through Sequatchie. It's
22 a draw for people coming out of Florida, Louisiana,
23 and Mississippi, and also Hamilton County. And the
24 four-lane freeway opened up the valley. It is no
25 longer land locked via two mountains on either side of

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1 you. And that freeway, basically, connects Sequatchie
2 to the rest of the world now.

3 MEMBER BILBREY: The one thing
4 you need to think about in the nine or nine and a half
5 years, that you are going to double in size.

6 MR. TWEEDY: Hopefully.

7 MEMBER BILBREY: And hopefully
8 the tax situation will come along.

9 MR. TWEEDY: It will. One of the
10 problems, though, is our infrastructure is very basic
11 at best. We have one radio frequency that handles ten
12 emergency responding agencies. I have one radio that
13 is functional in doing that. All of these issues are
14 conservative but to build out an infrastructure that
15 is going to support that type of population increase,
16 it is going to take the corporation of the State Board
17 in mentoring me in putting in the right infrastructure
18 there with the hardware to handle all of this.

19 MEMBER BILBREY: The reason I'm
20 asking these questions is that this is a different

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21 situation where all of these rural counties that don't
22 have enough people are losing out. He's going to have
23 an entirely different problem, and I noticed that in
24 reading this. And I'm just wondering where it all is
25 coming from. It's going to be a real problem on the

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1 other end.

2 CHAIR PORTER: Oh, it is. And I
3 guess that kind of population is a good problem to
4 have, but it brings with itself -- I thought 10
5 percent, wow, that's unbelievable.

6 MEMBER BILBREY: We're used to
7 going the other way.

8 CHAIR PORTER: Questions of the
9 numbers or anything of Don?

10 (Pause)

11 CHAIR PORTER: Okay. Dave, you
12 want to give us your site visit?

13 MR. MAZEAU: Will do. We had an
14 assessor go to the county and visit and observe and
15 assess the history July 5th this year. Their current
16 service charges are 65 cents for a residential line
17 and \$2 commercial. We do know that the request is to
18 increase to \$1.50 residential and \$3 commercial.

19 It is determined that this is
20 necessary for the upgrade replacement of the equipment
21 that they'll need in light of normal service amount of
22 the population growth they're expecting to have and to

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23 provide additional staff for their center and will
24 provide the cost of living increases for the employees
25 at the center.

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1 There is no computer-aided
2 dispatch at this time, the use of record management
3 system for call tracking, the telephony is supplied by
4 their local exchange carrier, TCI, which is of January
5 this year. There is no mapping at this time. There
6 is an RFP that may have been issued since this report
7 was submitted. MSAG Data Consultants, the vendor in
8 the GIS Mapping field, is currently building that
9 database for the 911 use in preparation for
10 particularly securing a system for that. And the
11 voice logger is a NICE Mirra II version. It was sold
12 just this year. So the equipment stands ready to
13 provide the services needed.

14 Our recommendations from this
15 assessment is that the Board consider approval on this
16 request. Again, to increase the staff and address the
17 infrastructure as needed for the condition as assessed
18 now.

19 CHAIR PORTER: Questions of Dave
20 on his site visit?

21 MEMBER LOWRY: Did you say there
22 is no mapping? I thought this was in place.

23 MR. TWEEDY: No, sir. The 40,000
24 that you allocated for us to purchase the software, I

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25 had the hardware in place. That was donated by

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1 Hamilton County. The issues of what we're building up
2 right now, I just released the RFP for the software
3 itself. But once that's populated onto the hardware,
4 we will be GIS as far as showing the map. Now, we do
5 have the XY40 capability in the software that we
6 employ that gives us that information.

7 But the only matter is we might
8 have to fix point, that is, to migrate that into a
9 generic piece of Microsoft software. And that's very
10 time consuming to do that at this point in time. But
11 we will integrate with a controller and have GIS fully
12 functional here in the next couple of months.

13 CHAIR PORTER: Other questions of
14 Dave?

15 (Pause)

16 CHAIR PORTER: Thanks, Dave.

17 Okay. Mike and Mike, it's
18 y'all's turns to make these statements.

19 MR. TWEEDY: Well, basically,
20 short and sweet, it's an issue y'all worked with us
21 since I've come on board in July 7th of last year. My
22 one-year tenure has just passed and we've been
23 operating for 97 days now. We will build a track
24 record of financial representation the next time we
25 come up here what will better serve us in validating

1 our points.

2 I ask you to be flexible this
3 time because we don't really have anything to
4 substantiate all of our needs at this point in time.
5 And I thank you for your past mentoring and look
6 forward to working with all of you to maintain the
7 build out of 911 center in Sequatchie County.

8 MR. MAHN: Mr. Chairman, I want
9 to thank you personally and Mr. Haynes, if he were
10 here. He really deserves a lot of accomodation.
11 Because he probably was like, I'm not going to say a
12 doubting Thomas, but he'd have to see it to believe it
13 that Sequatchie would ever get to this point because I
14 know that Ms. Questell, Mr. Johnson, and you have
15 visited there personally and witnesses their struggle.
16 They had a tremendous political problem that really
17 cost them a couple of years in their progress.

18 They have been really blessed
19 with Mr. Tweedy's arrival, who has brought in a level
20 of professionalism and expectations. And it's gotten
21 wonderful local cooperation and leadership so they are
22 coming.

23 And it would not have happened
24 but for the patient support -- and it's difficult,
25 Mr. Haynes can attest. I guess he would not abandon

1 them. He would not give up on Sequatchie. And I know
2 it was hard and they are the last. And yet Mike has
3 brought them to a level of performance that you'll be
4 proud of.

5 CHAIR PORTER: I hope so. This
6 is good. Questions of the District?

7 (Pause)

8 CHAIR PORTER: I've got one. I
9 was just hearing you talk about all the agencies being
10 on one regular frequency and everything. That's
11 really scary.

12 MR. TWEEDY: Yes, sir.

13 CHAIR PORTER: How does
14 Sequatchie County -- do you know how they spent their
15 Homeland Security grant money for the past couple of
16 years, all that money that came about to buy radios
17 with?

18 MR. TWEEDY: The mentioning of
19 politics moments ago, there is no knowledge of anybody
20 currently in the structure of Sequatchie County as to
21 what transpired. And that's the travesty of what
22 we're dealing with. So we're picking up, basically,
23 from square one and building out, not only a PSAP, but
24 a new government structure within the auditing and
25 financial issues in Sequatchie County. And the State

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1 has been very assisting on all levels. It's a work in
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2 progress.

3 CHAIR PORTER: It just worries me
4 that knowing all of those millions of dollars -- and I
5 know Sequatchie wouldn't have got any kind of that
6 amount, but even the smallest of county got several
7 thousand dollars a year the past few years of Homeland
8 Security grant money. And repeaters, they're not that
9 expensive. You know, 10- or \$12,000 and you could buy
10 one.

11 MR. TWEEDY: Right.

12 CHAIR PORTER: I think this
13 concerns me where that money went to. I know that's
14 not this board's --

15 MR. TWEEDY: Well, prior to
16 you've had the name repeater when you mention it to a
17 government agency, they went, oh, great, well
18 wonderful, what's the cost? And you give them the
19 cost and it's an issue of, well, we don't think you
20 need a repeater.

21 Now, 911 being in place, we have
22 that capability now to give those explanations where
23 those explanations are needed and to validate the
24 need. It goes hand in hand with the Sheriff's
25 Department, the city police department, and the other

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1 agencies that respond. But, yes, one frequency -- we
2 are totally shut down, literally, when we have more
3 than one incident transpire in Sequatchie County right

4 now.

5 VICE CHAIR MOODY: You know,
6 following up on that, I've noticed, at least in our
7 area, considerable additional security, Homeland
8 Security money is available. I would encourage you to
9 actively pursue trying to obtain some of that so that
10 you can alleviate some of that.

11 MR. TWEEDY: Yes, ma'am, I am.
12 We're working with TEMA at this time up in Region 39.
13 We're also watching every subtlety that's coming out
14 of federal government now, as far as frequency issues,
15 radios, and any additional infrastructures that they
16 can facilitate for us.

17 CHAIR PORTER: I would think your
18 reason -- and I'm sure your Homeland Security reason
19 is the same as ours. Your '05 money grant contracts
20 just came back, and I'm sure your region got about a
21 million dollars of that money. And I can't believe
22 they wouldn't help a county like Sequatchie spend 15-
23 or \$20,000 to make sure you've got enough radio
24 frequency. It would seem like grant money well spent.
25 So I hope y'all will follow that path.

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1 MR. TWEEDY: We're trying.

2 MEMBER LOWRY: Do y'all dispatch
3 the EMS?

4 MR. TWEEDY: Yes, sir. We do
5 EMS. We do sheriffs, city police department,

6 volunteer fire department, THP, rescues.

7 MEMBER Lowry: Like on 1552, 205?

8 MR. TWEEDY: 1552 and 1554, 205.

9 CHAIR PORTER: So EMS is on 205
10 in Sequatchie County?

11 MR. TWEEDY: Yes. Now, they have
12 their own ambulance frequency between ambulances and
13 the hospital, which is on a straight structure. But
14 we dispatch, we report, we give all of the time in and
15 out, numbers on one frequency.

16 CHAIR PORTER: One frequency?

17 MR. TWEEDY: Yes, sir.

18 CHAIR PORTER: Other questions,
19 discussion?

20 (Pause)

21 CHAIR PORTER: Okay. Guys, thank
22 you. The Board is going to deliberate now, and the
23 floor is open to motions concerning Sequatchie County.

24 VICE CHAIR MOODY: Mr. Chairman,
25 I would move that this increase be granted.

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1 CHAIR PORTER: I have a motion to
2 grant the rate increase request. Is there a second?

3 MEMBER VICKERS: Second.

4 CHAIR PORTER: Mr. Vickers.

5 And do we want to put the same
6 June 30th, 2008 stipulations to sunset?

7 VICE CHAIR MOODY: Yes.

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8 CHAIR PORTER: Motion seconded on
9 the floor. Is there discussion?

10 (Pause)

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

13 THE BOARD: Aye.

14 CHAIR PORTER: All opposed like
15 sign.

16 (Pause)

17 CHAIR PORTER: Carried.

18 Thanks. Good luck to y'all. I
19 hope you can make things work.

20 MR. TWEEDY: We're very
21 optimistic. Thank you.

22 CHAIR PORTER: Next item on the
23 agenda is the Stewart County rate increase request.

24 Do the Stewart County folks want to come to the table?

25 Introduce yourself and the folks

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1 you have with you.

2 MR. DOUGLASS: Good morning, sir.

3 My name is Steve Douglass. I'm the Chairman of the
4 Stewart County 911 Committee. And I have with me this
5 morning Jim (inaudible) -- who is our -- we call him
6 treasurer, but he's really a financial officer.

7 CHAIR PORTER: Can you speak up a
8 little in the mic?

9 MR. DOUGLASS: Yes. If I can

10 make a minor statement to you. I apologize for our
11 absence in the meeting last quarter. There were
12 medical situations that occurred in my family and I
13 was unable to be there. And I hope I answered to all
14 whenever we wrote in the letter. And we apologize for
15 that and sorry for any inconvenience that we might
16 have caused you.

17 CHAIR PORTER: I think your
18 apology was well received. That was very good, the
19 letter that you sent. We'll go through Stewart
20 County, then, with the same way we did with all of the
21 rest of them. We'll start with Don on the numbers.

22 MR. JOHNSON: Mr. Chairman,
23 Stewart County has come in here for a rate increase.
24 They have a chairman by the name of Steve Douglas.
25 They do not have a director. U.S. certified county

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1 population as of 2000 is 12,370. Their current annual
2 budget of 2005, it was 110,016. They're a Tier V
3 district. And they come in today for a rate increase
4 of a \$1 and 2.50.

5 They want to use this rate
6 increase to pay their dispatchers salaries. The
7 current revenue projections are not sufficient to
8 allow them to have a minimum of two dispatchers at all
9 times, so that's the reason why they want to increase
10 their salaries.

11 Then, on page 2, gives you a list
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12 of the agencies that they support. As far as the
13 number of employees, they have no employees and they
14 recently agreed to fund the sheriff for two
15 dispatchers depending on the continuation of the
16 Board's dispatcher grant and the approval of the rate
17 increase.

18 As far as if they don't get the
19 rate increase, they would end up planning to reduce
20 dispatcher coverage to an affordable level. And as
21 far as any other actions to increase their revenue,
22 they have not had any other action to do so.

23 Outstanding debt, they have none.
24 They have two 911 trunk lines and four administrative
25 office lines. Their service provider is BellSouth.

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1 And the recent number of customers is 5,445 for
2 residential, and business is 813.

3 On page 6 on Table 4, it gives
4 you a comparative of their annual audit reports from
5 their operating statement from the fiscal year 2003 to
6 2004. And as you can see, that they're changing in
7 net assets has been increasing for the past four
8 years. And they have a total cash in cash equivalence
9 of 186,177.

10 As far as the last five audit
11 reports, the findings, they started out in 2000 with a
12 finding of one, which was lease purchase agreements,
13 but they got that corrected. As far as the others,

16 else.

17 And that's pretty much it.

18 CHAIR PORTER: Questions of Don
19 on Stewart County?

20 MEMBER LOWRY: Has Stewart County
21 received a dispatcher grant?

22 MR. JOHNSON: Yeah, they're in
23 the process.

24 CHAIR PORTER: Anymore questions
25 of Don?

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1 (Pause)

2 CHAIR PORTER: Okay. Dave.

3 MR. MAZEAU: Thank you. Our
4 assessor did a site visit with district staff on April
5 15th of this year. It verifies that current charges
6 are 65 cents residential and \$1 commercial. The
7 requested increase to \$1 residential and \$2.50
8 commercial, that would be necessary have two full-time
9 positions in the Sheriff's Department to pay salaries,
10 as pointed out, and to initiate a Capital Reserves
11 Fund.

12 The computer-aided dispatch
13 system is M & M's system as installed in 2000. The
14 telephony is the Positron safety system installed in
15 1999 and upgraded in 2004. Mapping is by Info-Code,
16 and it was installed in 2004. And the voice recorder
17 is a Dictaphone DVD-based installed in June of 2002.

18 This assessment interviews due to our recommendations
19 that the Board consider approval of this request and
20 to fund two full-time positions and to initiate a
21 Capital Improvement Fund to help as needed.

22 CHAIR PORTER: Questions of
23 Kimball?

24 (Pause)

25 CHAIR PORTER: Thank you, Dave.

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1 Now, we'll let any comment or
2 remarks that y'all would like to make from the
3 district.

4 MR. DOUGLAS: We want to thank
5 the Board for everything you've done for us, really.
6 The guidance of Mr. Don Johnson and Ms. Questell is
7 very much appreciated.

8 As you know, in small counties
9 we are all volunteers. We have no employees. We
10 have no one full time watching over us. But we have
11 Don Johnson and Ms. Questell, and we appreciate that
12 very much.

13 What we are trying to do, we are
14 trying to make sure we have two dispatchers at every
15 shift. That is one of the things that the EMS
16 director has requested that we do for him. We have no
17 hospital in our county. The distance that we have to
18 travel depends -- we could almost be in Clarksville
19 and Vanderbilt life flight could be there as quickly

20 as we can.

21 We're doing fine. When you've
22 been poor and not had a lot in your life, you don't
23 realize that you're poor and you've not had a lot and
24 you get by without it and you get along and everything
25 goes fine. Everybody kicks in. Everybody understands

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1 their part. And so we're thankful for everything we
2 get from you, and we appreciate it.

3 And again, our thanks to
4 Mr. Johnson and Ms. Questell.

5 CHAIR PORTER: Thanks, Steve.
6 Jim, did you have anything you
7 want to say?

8 UNIDENTIFIED SPEAKER: No. I
9 just want to reiterate everything he said, for being
10 so helpful, very responsive, and extremely helpful.
11 We do appreciate it.

12 CHAIR PORTER: Ms. Moody was
13 questioning, are you sheriff?

14 MR. DOUGLASS: He's the treasurer
15 of our committee.

16 CHAIR PORTER: Thank you. We
17 appreciate that.

18 Questions of the district from
19 the board members?

20 MEMBER BILBREY: You don't have a
21 director, right?

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22 MR. DOUGLASS: That's correct.

23 MEMBER BILBREY: Well, you have
24 no employees.

25 MR. DOUGLASS: We do now. We

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1 have a gentleman that we do employ.

2 MEMBER BILBREY: Would the
3 director be your employee?

4 MR. DOUGLASS: There is no
5 director.

6 MEMBER BILBREY: Are you going to
7 hire one or not hire one?

8 MR. DOUGLASS: We don't see the
9 necessity for it right now. As you say, we are a
10 small county. And the County Court helps us a great
11 deal of with supplying of the salaries for the
12 dispatchers. We supplement that with the dispatchers
13 grant. And this rate increase will insure that we
14 have dispatchers on at every shift.

15 With the County contributing as
16 much as they do, with the Sheriff's Department
17 dispatchers being from the county payroll, it allows
18 us the ability to do things as far as from equipment
19 standpoint and buy up-to-date equipment and things
20 like that. But we're getting along fine, and we see
21 no need to use the expenses for a director.

22 MEMBER BILBREY: Then who is the
23 operational director on a daily basis?

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24 MR. DOUGLASS: The operational
25 director on a daily basis is the chief dispatcher of

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1 the Sheriff's Department.

2 MEMBER BILBREY: The chief
3 dispatcher, in reality, is acting as the 911 director;
4 is that true?

5 MR. DOUGLASS: I see your point.
6 I'm scared to call them an emergency communications
7 district director. One of these days that situation
8 will arise and we'll be able to get there.

9 MEMBER BILBREY: Somebody -- I
10 understand you're talking about the way the Board
11 works and all of that, but someone -- the Board can't
12 run the operation. Somebody's got to be responsible
13 for it.

14 MR. DOUGLASS: Correct. If you
15 want to put it to a person like that, we'll say the
16 Sheriff himself does that. He relies heavily upon --
17 he has a lady in the office that is the chief
18 dispatcher. Did it answer the way you wanted it to be
19 answered?

20 MEMBER BILBREY: It answered it.
21 I'm not sure if I agree with it.

22 MEMBER LOWRY: Who handles the
23 telephone contracts and all of that stuff?

24 MR. DOUGLASS: Our committee
25 does.

1 MEMBER Lowry: When a 911 trunk
2 goes down who gets up at 2:00 in the morning and gets
3 the telephones up?

4 MR. DOUGLASS: I have been up at
5 2:00 in the morning. But generally, the dispatchers
6 are very good with those. They will grab those and
7 take off with them. All of the books are there with
8 them. They grab them. BellSouth has been good to us.
9 We had a shutdown one time, bellSouth called me at
10 home and I went back to the dispatch center.

11 MEMBER BILBREY: What kind of
12 longevity do you have with the dispatchers?

13 MR. DOUGLASS: Five to ten years.
14 Lucy has been there ten years, fifteen.

15 CHAIR PORTER: So basically,
16 Steve, you as the chairman, you kind of acting as the
17 director too?

18 MR. DOUGLASS: If you're more
19 comfortable with that.

20 CHAIR PORTER: But the Sheriff is
21 over the employees on a day-to-day basis.

22 MR. DOUGLASS: Yes, they are
23 Sheriff's employees. They are.

24 CHAIR PORTER: But y'all are
25 taking care of the day-to-day operations of the 911,

1 right? Is that the way it is?

2 MR. JOHNSON: Mr. Chairman,
3 usually whenever I want something done, I have to call
4 these people.

5 MEMBER BILBREY: So he's actually
6 acting as the --

7 MR. JOHNSON: -- contact person.

8 MEMBER BILBREY: As far as we're
9 concerned, he would be the person to go to.

10 MR. DOUGLASS: I work between the
11 jail and the hardware store, Bill.

12 CHAIR PORTER: Other questions of
13 the District?

14 (Pause)

15 CHAIR PORTER: Hearing none.
16 Thanks. We appreciate it. We appreciate you coming.

17 Okay. Board, we're open for
18 discussion on the Stewart County rate increase.

19 MEMBER LOWRY: I make a motion to
20 approve.

21 MEMBER RICH: Second.

22 CHAIR PORTER: Motion by
23 Mr. Lowry, second by Mr. Rich, to approve with the
24 same June 30th, 2008 sunset.

25 Discussion?

1 MEMBER BILBREY: Are the use of
2 these funds strictly for funding those two positions?

3 CHAIR PORTER: They've only got
4 one dispatcher out. Absolutely. It is kind of scary
5 to think that one dispatcher is handling everything.

6 MR. DOUGLASS: We've got the
7 frequencies and it is a stretch, literally. And the
8 dispatchers are more comfortable. The County's more
9 comfortable. Each department is more comfortable.

10 CHAIR PORTER: You've got to have
11 some topnotch dispatchers for one person to be able to
12 handle all of that.

13 MR. DOUGLASS: Yes.

14 CHAIR PORTER: Any discussion?

15 (Pause)

16 CHAIR PORTER: Hearing none, all
17 in favor say "aye."

18 THE BOARD: Aye.

19 CHAIR PORTER: All opposed like
20 sign.

21 (Pause)

22 CHAIR PORTER: Motion carried.
23 Thanks and good luck to you.

24 MR. DOUGLASS: Thank you.

25 CHAIR PORTER: That being the

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1 Last item on the agenda, let's talk about future board

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2 meetings. We currently have board meetings
3 September 15th at 9:00 a.m. The only thing, as it
4 stands right now, we may not have enough items on the
5 agenda that we may want to meet or not depending on
6 how things go over the next 30 days. What I'd like to
7 do is leave that meeting, if it's okay with y'all, at
8 the call of Chair. And if we have enough to bring you
9 to Nashville, we will. And if we don't, we'll skip
10 that meeting then.

11 And our next meeting will be
12 November 10th at 9:00 a.m. And then I would like for
13 us to schedule our January board meeting. The room is
14 available for January the 26th, which is on a
15 Thursday. And that should give enough time between
16 our November board meeting and the holidays and
17 everything for there to be enough items to have a
18 board meeting to wait until the latter the part of
19 January if the 26th is agreeable with everybody.

20 MEMBER RICH: So you want us to
21 look on the September meeting at the applications for
22 the director's job?

23 CHAIR PORTER: If everything goes
24 through. I'm using worst case scenario that that
25 thing won't get in the paper as quick as we think it's

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1 going to and everything won't move as fast as we think
2 it is, from dealing with government for 25 years. So
3 we'll leave that September 15th meeting. If we need

4 to meet, we will. I won't bring folks in from all
5 over the state just to have one agenda.

6 VICE CHAIR MOODY: Could you,
7 Mr. Chairman, if the publication or applications come
8 in and you've had a chance to review them and have
9 eliminated some and come up with your top three or
10 four, could you maybe send those to us -- copies of
11 those to us and let us --

12 CHAIR PORTER: I think that's --

13 VICE CHAIR MOODY: -- see them in
14 advance.

15 CHAIR PORTER: Yeah. And I'd
16 like to do that. If we just get bombarded with a
17 bunch of them, I'll try to weed them down as best I
18 can. But if we don't get very many, we may wind up
19 sending all of them to you. I don't want to kill a
20 bunch of trees. But I'll send you ones that are part
21 of the requirements.

22 But, yeah, we'll try to put those
23 together and be sure that you can be looking at them.
24 And if we need to, we can always call a board meeting
25 somewhere in between September and November.

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1 VICE CHAIR MOODY: Could we even
2 also, if as things evolve, maybe have a teleconference
3 board meeting on -- if that's the only item we have.

4 CHAIR PORTER: Teleconference.
5 Does it have to be an emergency to do that?

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6 MS. QUESTELL: It would have to
7 be a special emergency meeting. The issue is how do
8 you do that and have it be a public meeting? And
9 unless it's an emergency, we're not permitted to do
10 that.

11 CHAIR PORTER: I was thinking we
12 got into that before, and it was something that had to
13 be done right then and couldn't wait.

14 VICE CHAIR MOODY: Okay.

15 CHAIR PORTER: Is everybody okay
16 with those dates?

17 MEMBER TAYLOR: 9:00 a.m.,
18 January.

19 CHAIR PORTER: 9 a.m. One final
20 piece of business. We have with us today our past
21 Executive Director, Anthony Haynes. I see him sitting
22 in the audience. He has just come in. And I wanted
23 to say a few words, and we have a plaque we want to
24 give Anthony on behalf of the Board.

25 And I'd just like to say I knew I

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1 was going to miss him. I just didn't realize how much
2 until it happened. And I'd have to say that Anthony's
3 tenure here with 911 in the state of Tennessee -- some
4 folks can't always say this, but he left 911 in a lot
5 better shape than he found it. And I am deeply in
6 debt to Anthony and the job that he did. And I am so
7 happy for what he's doing now and the job that he's

8 in. But I have to say that we deeply miss you.

9 The other thing that I want to
10 say too is, is that a lot of folks when they leave and
11 go to a new job -- of course, you're so hectic with
12 the new one that the old one becomes history real
13 quick. And Anthony has been great to communicate with
14 not only me and Lynn, but all of the staff, making
15 sure that this transition is a very smooth one. And I
16 think that speaks highly of Anthony Haynes and the
17 person that he is.

18 We want to give you something on
19 behalf -- if you would come forward, Anthony -- that
20 shows our appreciation for you and for the job that
21 you did for 911 in the state of Tennessee. It says
22 the Tennessee Emergency Communications Board expresses
23 its appreciation to Anthony C. Haynes for his
24 leadership, dedication, and service to the 911
25 community as executive director, 2002 through 2005.

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1 Anthony, thank you. We really
2 miss you. We wish you well in everything you're
3 doing. Would you like to say a few words?

4 MR. HAYNES: Sure. Thank you,
5 Mr. Chairman, for those kind words. And as you well
6 know, that any successes we had we stood on the
7 shoulders of the people in this state making that
8 happen. But I want to thank you all for having me
9 here today. And this will certainly be one of my more

10 prized possessions. What they call in Washington, the
11 "I love me" wall. It'll have a special place.

12 I really enjoyed my time here
13 working with you all. I can honestly say there's been
14 no greater honor I've ever had in public service than
15 serving as your executive director in trying to
16 achieve for the taxpayers and citizens in this state
17 what they envisioned when they passed that great law
18 years ago with the imperfections it might have. But
19 we've certainly, as a family, in Tennessee made that
20 work to the point that nationally they look and say,
21 wow, what if we could do that in Idaho? What if we
22 could do that in Oklahoma. And those calls have come
23 in from time to time.

24 I also want to thank you for the
25 friendship that we've developed. I know that wherever

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1 I travel throughout my the state, my new University of
2 Tennessee family, or working with county officials,
3 different names come up, and, oh, yeah, I know them.
4 As a matter of fact, I used to work for them. So it's
5 great to do that.

6 But also I want to thank you,
7 too, for the way that you've done this job. Whenever
8 you're in government and you have the power not only
9 to fund, but the power to enforce what the law
10 requires you to do, it's very hard to do that in a
11 judicious matter that makes as many people happy and

12 feel like you've done very responsibly. But I was
13 always proud of whether I was up in the halls of the
14 General Assembly or in the corridors of Congress or
15 the FCC to wear your name and to be your spokesperson.
16 Because out of all of the wireless boards across the
17 country every one knew that the Tennessee Board was
18 ethical. They tried their best to be fair. The PSAPs
19 didn't own them, but the industry didn't own them.
20 The citizens of the state owned them.

21 And it was so great when I'd go
22 to these meetings and look around and I'd see a state
23 and I'd go, I know who owns you; I know what industry
24 owns you; or I know what company owns you. But to
25 come back home and know nobody owns this group. They

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1 try to be fair. Sometimes you're going to disappoint
2 some people in not giving them what they want, but I
3 was always pleased to work for you because you always
4 strive to maintain that integrity.

5 I'm going to say one more thing
6 and then I'll be quiet. But I want to complement the
7 staff that you have. Every day that made it such a
8 pleasure to come into work. It didn't matter if it
9 was a minute before quitting time, if something came
10 up, it was the job had to be done. Phone calls
11 started going to daycare and to wives and spouses that
12 we're going to be late. And there was never a second
13 guess or a second word about staying here. Not

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14 because they worked for me, but because they were
15 serving this board and the hard working people that
16 you've heard from today in the 911 community.

17 They've always figured that if
18 these guys could do what they do in their hometowns,
19 the least they could do here in Nashville is give them
20 a little bit more time at the end of every day. And
21 don't worry about claiming overtime, they never got a
22 dime. They just did it because it was the right thing
23 to do. And that was always a pleasure to come here
24 because they had in their hearts serving the public
25 instead of serving the pocketbook. And it was just

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1 wonderful.

2 So thank you for the opportunity
3 to be here with you. I miss you as well, but you're
4 going to achieve even greater things in the future.
5 And hopefully, maybe one day, we can figure ways to
6 get not only UT, but our educational state together
7 with 911 and maybe address some of the policies and
8 training and different issues that are out there today
9 that we might could be working on. Thank you very
10 much. It was great to be with you.

11 CHAIR PORTER: Thank you.

12 Any other business that needs to
13 come before the Board?

14 (Pause).

15 BOARD MEMBER: Motion to adjourn.

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16 CHAIR PORTER: I have a motion to
17 adjourn. Do I have second?
18 MEMBER TAYLOR: Second.
19 CHAIR PORTER: All in favor say
20 "aye."
21 THE BOARD: Aye.
22 CHAIR PORTER: All opposed like
23 sign.
24 (Pause)
25 CHAIR PORTER: Motion carried.

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1 (End of the proceedings.)
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1 ERRATA PAGE

2 Page/Line Change

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I, _____, have read the

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20 foregoing transcript and hereby affix my signature
21 that same is true and correct, except as noted above.
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1 REPORTER'S CERTIFICATE
2
3 STATE OF TENNESSEE)
4 COUNTY OF WILSON)
5 I, Elizabeth R. Redman, court reporter
6 and notary public in and for the State of Tennessee,
7 DO HEREBY CERTIFY that the foregoing
8 transcript of the proceedings were taken at the time
9 and place set forth in the caption thereof; that the
10 proceedings were stenographically reported by me in
11 machine shorthand; and the foregoing proceedings
12 constitute a true and correct transcript of said
13 proceedings to the best of my ability.
14 I FURTHER CERTIFY that I am not related
15 to any of the parties named herein, nor their counsel,
16 and have no interest, financial or otherwise, in the
17 outcome or events of these proceedings.
18 IN WITNESS WHEREOF, I have hereunto
19 affixed my signature and seal of office this the
20 13th day of September, 2005.
21

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Elizabeth R. Redman, Notary Public
State of Tennessee

23

24

25 My Commission Expires: February 14th, 2009.

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