

**STATE OF VERMONT
ENHANCED 9-1-1 BOARD
General Meeting #3
14 July 2020**

FINAL
approved as written
approval date: 11/5/20

Location: Meeting held via Microsoft Teams due to the pandemic.

10:03 AM – Call to Order

Chair Marcoux brought the meeting to order. The following were in attendance via Microsoft Teams:

Board Members Present

Sheriff Roger Marcoux, Chair
Chief Steven Locke, Vice-Chair
Captain Lance Burnham
Dale Porter
Jerome Pettinga
Kelly Kennedy
Brian Keefe (*left the meeting at 11AM*)

Others Present

Stephen Whitaker
Cecile Betit
Jonathan Gibson
Lee Krohn
Jim White
Gordon Mathews
Dylan Zwicky
Matt DeTura
Brian Otley
David Borsykowsky
Michael Chowaniec
John Cummings
Tiffany Smink
Drew Fioranelli
Amber (last name unclear on recording)
Stacey (last name unclear on recording)
Michelle (last name unclear on recording)
Lexie (last name unclear on recording)

Staff Members Present

Barbara Neal, Executive Director
Soni Johnson, Board Clerk

Approval of Minutes

- ❖ General Meeting #2 – 4/8/20 – Motion: Chief Locke made a motion to accept the minutes as written; 2nd by Jerome Pettinga. There was no discussion and the motion passed unanimously by roll call vote.
- ❖ Special Meeting #2 – 4/15/20 – Motion: Jerome Pettinga made a motion to accept the minutes as written; 2nd by Captain Burnham. There was no discussion and the motion passed unanimously by roll call vote.

Board Membership Updates – Chair Marcoux informed board members that Chief Rick Garey has retired. Chair Marcoux has contacted the VT Chiefs of Police Association; they will work on finding a replacement for the board vacancy. Chair Marcoux has also been in touch with the Administration concerning a new E911 Board Chair.

INdigital Implementation Status/Results of IVV Procurement – Executive Director Neal
Implementation

- Implementation of the INdigital 911 system is scheduled for 10/12/20.
- Board staff are finalizing interconnection agreements with telephone companies and working with them on training for the new database platform.
- The Enhanced 911 Training Coordinator is receiving training on the new call-handling system.
- Call-taker training on the new system will commence in September.

IVV

- Two bids were received in response to the simplified bid RFP issued.
- Recommendation will be discussed later in executive session.

Public Comment – Mr. Whitaker questioned why his request for a copy of the simplified bid IVV RFP was denied. David Borsykowsky detailed the reasoning behind the denial of Mr. Whitaker’s public records request.

❖ *Motion: A motion was made to enter into executive session to discuss IVV RFP responses and IVV contract negotiations. Moved by Jerome Pettinga; 2nd by Dale Porter.*

Discussion: This is a change in the time for executive session as listed on the agenda; why is it necessary? A quorum will remain available even if a board member must leave early, so the agenda should not be changed.

The motion failed unanimously by roll call vote. Executive Session was not entered at this time.

Outage Notification Rule - Executive Director Neal spoke to the status of the Outage Notification Rule and discussed possible revisions to the rule as detailed in the handouts provided to board members prior to the meeting. Stakeholders/members of the public have been asked to submit written comments to the Board by Friday, 7/17.

The handouts (*OutageReporting_ProposedRule_withs301Requirements_Rev4_CleanCopy_070920 (002).pdf*; *OutageReporting_ProposedRule_withs301Requirements_Rev4_TrackChanges_070920 (002).pdf*; *TextofEmergencyRegulationsNew.pdf*) are available from the Board Office by request.

Board Comments

- The draft rule references zip codes and population by zip code. Does the E911 Board work with zip code/population information on a regular basis? Will issues with USPS assignment of zip codes in VT be an issue?

Public Comments

- Outage notification rule is good and necessary.
- Will the revised rule have to go before LCAR again?
- The Board should dictate what information contained in outage notification reports is confidential.
- Any information marked as confidential by carriers should have an explanation as to why the carrier believes it is confidential.
- Coverage areas provided by wireless carriers are inaccurate; the Board should insist that verified coverage areas be entered into record.
- Carrier confidentiality claims should not be taken into consideration when withholding information provided in an outage notification report.
- Outage notification thresholds – California’s rule has a one hour notification requirement and Vermont’s requirement is two hours. The draft rule should be updated to one hour.

Stakeholder Comments

- Confidentiality of information provided on outage reports continues to be an issue. The wireless industry remains concerned that the confidentiality protections in the rule do not appropriately protect sensitive network information.
- Changes to the draft rule have been generally helpful and aligning with California’s rule will be helpful from an implementation standpoint. However, California’s rule is an emergency rule and the final rule may be different.
- Industry needs clarification of the timing of the implementation of this rule; where does it currently stand in the rulemaking process?
- Most stakeholders said they would provide written comments to the Board by the 7/17 deadline. Note: All comments received will be posted to the Enhanced 911 Board website.

Chair Marcoux asked board members to form a committee to review all comments submitted to the Board by 7/17/20. Chief Locke, Captain Burnham, and Dale Porter (dependent upon availability) volunteered.

Budget and VUSF Status

- The first quarter of the FY21 budget was approved by the legislature. The legislature will reconvene in August 2020 to discuss the remainder of the FY21 budget.

- Executive Director Neal provided an update on the VUSF shortfall for FY20 and the expected shortfall for FY21.

Public Comment – Stephen Whitaker commented that:

- VUSF money currently set aside for broadband connectivity should be used to correct the shortfall in E911’s funding.
- The E911 Board should discuss recommending that the VUSF charge be extended to cover broadband.

Executive Session

- ❖ *Motion: A motion was made to enter into executive session to discuss IVV RFP responses and IVV contract negotiations. Moved by Chief Locke; 2nd by Captain Burnham. There was no discussion and the motion passed unanimously by roll call vote. Executive Session was entered at 11:20 AM. Board members, E911 Executive Director, Board Clerk, and David Borsykowsky remained for executive session; all other attendees left the meeting at this time.*
- ❖ *Motion: A motion was made to exit executive session. Moved by Jerome Pettinga; 2nd by Kelly Kennedy. There was no discussion and the motion passed unanimously by roll call vote. Executive Session ended at 11:48 AM.*

Note: Stephen Whitaker rejoined the meeting at this time.

Motion

- ❖ *Motion: A motion was made to have the Executive Director (Barbara Neal) proceed with contract negotiations & execution with the recommended vendor for the IVV contract. Moved by Chief Locke; 2nd by Jerome Pettinga. There was no discussion and the motion passed unanimously by roll call vote.*

New Business - none

Next Meeting Date & Adjournment

- The Outage Notification Rule Sub-Committee will meet on Tuesday, 7/21.
- A special meeting, to discuss final revisions to the Outage Notification Rule, will be held on Tuesday, 7/28/20 (meeting will take place via Microsoft Teams).
- The next quarterly board meeting will take place in October 2020; date and location TBD.

Motion: There being no further business, Chief Locke made a motion to adjourn; 2nd by Jerome Pettinga. There was no discussion and the motion passed unanimously by voice vote. The meeting adjourned at 11:54 AM.

Respectfully submitted:

Soni Johnson
Soni Johnson, Board Clerk

7/23/20
Date