

**STATE OF VERMONT
ENHANCED 911 BOARD**

Special Meeting #1 – 4/2/24

6 Baldwin Street, Room #315, Montpelier, VT and via Microsoft Teams

10:00 AM – Call to Order

Chair Roger Marcoux brought the meeting to order. The following were in attendance:

Board Members Present

Sheriff Roger Marcoux, Chair
Captain Lance Burnham
Kelly Kennedy
Eric Nordenson
Brian Keefe (arrived after roll call)

Staff Members Present

Barbara Neal, Executive Director
Soni Johnson, Board Clerk

Others Present

Christian Pedoty
Michelle Lama
Matt DeTura
James White
David Borsykowsky
Stephen Whitaker

Approval of Agenda

Motion: Jerome Pettinga made a motion to accept the agenda as written; 2nd by Captain Burnham. There was no discussion and the motion passed unanimously by voice vote.

Public Comment

Stephen Whitaker provided comments concerning:

- Board members need to be more engaged and not led around by the Executive Director.
- A fundamental change to statute has been proposed by the Executive Director without review or discussion by Board members. This change would impact the privacy protections currently in place for 911 data (wholesale data will be collected and distributed from the 911 Board to VEM).

Legislative Update

Executive Director Neal provided an update on the following:

- H.622 would create an EMS Board (E911 Board chair or designee would be appointed) tasked with development of a five-year EMS plan. The Executive Director has not been asked to testify on this bill and doesn't have any concerns with this bill as it exists now.
- H.657 is a modernization of Vermont's communication taxes and fees. It would restructure the Vermont Universal Service Fund. Executive Director Neal has testified at House Ways and Means concerning this bill and has conveyed the Board's concerns that the bill, as currently written, would not change the fund disbursement hierarchy nor the 17% "off the top" disbursement to the Vermont Community Broadband Board.
- S.310 is a bill related to the government response to natural disasters. Section 19 (which was removed from the bill by the Senate Finance Committee) contained a requirement that VoIP service providers provide customer information for the purposes of public notifications by VEM and proactive system maintenance. It also required carriers to notify their own customers of outages impacting access to 911 or the ability to receive emergency notification from the State. Section 20, which remains in the bill, would provide funding to allow the Enhanced 911 Board to re-examine a 2011 study into tariff charges paid to legacy wireline carriers. There will be additional opportunities for testimony in the House in support of returning the section 19 language to the bill.

Executive Director Neal also responded to Mr. Whitaker's public comment. State statute already allows the use of data from carriers and others for the purposes of responding to emergency calls, system maintenance/quality

control, a reverse notification/public notification system, and other purposes specified in 30 VSA 7059. The Board has an agreement with VEM concerning the confidentiality of that information. VoIP service provider data would be treated with the same confidentiality restrictions.

Board Membership

Executive Director Neal provided an update on current and upcoming vacancies on the Board. While the search for replacements is ongoing, there is a concern that multiple vacancies could make it difficult for a quorum to be reached at future meetings. It has been suggested that the Board could go to the Legislature to request a change in statute to address the quorum requirements. Executive Director Neal asked the Board if she should work with legal counsel and draft language that could be presented to the Legislature. Board members determined that Executive Director Neal should draft language in case it is needed.

Executive Director Authority/Responsibility

The Board is aware that concerns have been raised by a member of the public and some legislators about the Executive Director’s authority to make recommendations related to s.310. Chair Marcoux reviewed the job duties of the Executive Director; one of these duties is to communicate with and/or advise the legislature on issues pertaining to the Board, the statewide system, and enhanced 911 in general. Chair Marcoux stated his perspective that Executive Director Neal is trusted to deal with legislative issues as they arise and is very good at keeping Board members informed. Chair Marcoux then solicited input from other Board members as to whether this was a proper course of action; all other members present concurred. Chair Marcoux stated that he would convey the message to legislators as necessary

Next Meeting Date & Adjournment

- The next quarterly board meeting will take place on 5/14/24.
- *Motion: There being no further business, Captain Burnham 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 10:32 AM.*

Respectfully submitted:

Soni Johnson
Soni Johnson, Board Clerk

4/4/24
Date