

**Statewide Emergency Services Internet Protocol Network
Steering Committee
January 25, 2018**

The January 25, 2018 In-Person meeting of the ESINet Steering Committee was held at 11:00 AM. Melissa Wulliger called the roll.

Members present or via telephone:

Stu Davis, Committee Chair

Senator Frank Hoagland, Ohio Senate

Representative Rick Carfagna, Ohio House of Representatives (arrive at 11:10)

Matthew Hiscock, Ohio Municipal League (arrived at 11:08)

Commissioner Ed Humphrey, County Commissioners' Association of Ohio

John Leutz, County Commissioners' Association of Ohio

Jason Loree, Ohio Township Association

Tom Robbins, Ohio Municipal League

A quorum was present

Other Attendees:

Rob Jackson, Ohio 9-1-1 Administrator

Sharon Jennings, DAS Attorney

Staff from Senator O'Brien's Office

Staff from Representative Patmon's office

Mr. Davis opened the meeting by thanking everyone for attending and then turned it over to Mr. Jackson to work through the agenda. He proceeded with the first agenda item, which was to approve the meeting minutes from December 2017. Mr. Jackson asked if any of the members present had any revisions or comments regarding the minutes. There were no changes, so Mr. Jackson requested a motion. *A motion was made by Mr. Robbins to accept the minutes and was then seconded by Mr. Leutz. There were no discussions and a roll call vote was taken:*

Senator Hoagland – Yes

Commissioner Humphrey – Yes

Mr. Loree - Yes

Mr. Leutz - Yes

Mr. Robbins-Yes

All committee members voted to approve the minutes.

Next, Mr. Jackson asked for subcommittee updates. Jeff Smith, Chair of the Technical Standards Sub-Committee, was not able to attend. However, the Technical Committee had not met since the last Steering Committee meeting, and therefore had no updates to report. Jay Somerville, Chair of the PSAP Operations Sub-Committee, offered the same report.

Mr. Jackson provided an update on the RFP. All vendors have been contacted and initial discussions have started with the highest ranked vendor.

9-1-1 Administrator update – Everyone previously received an update on the Support and Compliance Program including comments from our Committee. The education sessions are scheduled. There are eight across the state. We have already received 140 responses regarding attendance. In addition, there are two practice audits scheduled. The program schedule will be broken down into three phases:

- Educational and Training
- Implementation
- Operations

One phase highlighted is the first year starting May 2018 which will be a compressed year. It is called the implementation phase. Since the program is new to all, if a county is out of compliance, we will offer assistance, but not progress down the path of funding penalties during the implementation phase. Mr. Hiscock shared that he is appreciative of the assistance the Ohio 9-1-1 Program Office has given the counties.

Moreover, as stated in our plan, the 9-1-1 Program Office created a training video to address the required two hours of continuing education. The County 9-1-1 Coordinator Focus Group that assisted in developing the Support and Compliance Program also assisted with determining the subject matter. They suggested material and the 9-1-1 Program Office pulled a variety of experts together to create the videos. Once posted, everyone will be notified.

Mr. Jackson addressed the issue of a 32% discrepancy with wireless devices - what has been reported to the FCC what funding resulted from the \$.25 cellular telephone fees. The Department of Taxation has been very involved in these discussions and have made suggestions regarding ORC 128. Michael O’Leary, Department of Taxation, presented a chart of the funds collected and identified the current set up. Mr. O’Leary also presented a report identifying the funding trends over the past couple of years. It included cash balances verses revenue. The trend reported showed an \$800,000 gap. The cash balances, built when the 9-1-1 fee was higher, have been slowly eaten away, and there are issues with reporting/collection timelines. Mr. O’Leary spoke to Mr. Parry from Federal Engineering. Right now, the 32% gap is difficult to identify because the information received from the FCC is not tied to taxes or fees. Mr. Leutz is concerned that the \$.25 is not meeting the counties’ obligation by \$800,000 and Mr. O’Leary concurred.

The topic of auditing carriers’ reports was discussed, because they must report funds correctly. Mr. Robbins questioned if this was coming from the vendor side, and if so, he felt that to be a red flag. A new version of the suggested change in the ORC will be presented to the committee for review. Mr. O’Leary briefly discussed the timeline when reporting the revenue. There is a short four-day window that does not always work when revenue posts and when it is paid out to the counties. The proposed language was reviewed and edits will be further discussed when revising the ORC.

Mr. Jackson suggested a review of the proposed ORC to include all edits presented over the last couple of meetings. The goal is to combine the recommended changes from the PSAP Operations Sub-Committee, the Department of Taxation and some of the discussed auditing language to arrive with a final version to present to legislators.

Mr. Jackson continued to say there are a few topics where decisions are needed: The make-up of the County 9-1-1 Planning Committee, the funding source for the statewide NG9-1-1 core services and local funding being added.

Mr. Leutz opened a topic of conversation by proposing a change to the ORC 128.06(A). As stated in his handout, he recommended language be removed from paragraph A. One request was the president or a member appointed by the board of county commissioners' president should serve as the chairperson of the committee.

Second discussion by Mr. Leutz included adding members to the board. Leave the current option of three or five plus two additional members based on county population. He wanted to remove a commission having unlimited members. By adding two, the commission member nominates two people and the nomination must be confirmed unanimously by other members of the committee.

For the record, Commissioner Humphrey agrees with Mr. Leutz, and Mr. Loree believed the language was a reasonable recommended change. Mr. Jackson asked that the Fire Chiefs and BSSA weigh in on this proposal. The Executive Director of the BSSA felt it was necessary for those counties, where the sheriff coordinates 9-1-1 dispatch, that the sheriff should be on the committee. The Fire Chief Assoc rep concurred with the proposal from Mr. Leutz and indicated there were probably police chiefs and fire chiefs with similar thoughts as the sheriffs as far as having a seat at that table. Mr. Hiscock had a different perspective regarding the local planning committee and disagreed with Mr. Leutz's proposed changes of who the two additional members should be. He believed the current wording suffices and equally spreads representation. Mr. Leutz suggested the next version should read each new member must be added by a unanimous vote. Mr. Leutz will rewrite his proposal with all comments and present it at the next in-person meeting.

Mr. Jackson moved into discussions regarding the funding piece. Mr. Leutz shared another document outlining his universal access fee and amount. Mr. Leutz said that a \$.50 universal device fee was unrealistic and probably was not possible. He does not like the concept of locking in a number. He believed the members should be able to set a fee in an appropriate range to be revisited every two or five years. Currently, 97% of the fee is going to local government. The correct fee needs to be further discussed. The high-end recommendation is \$.50 and low end is \$.25. Mr. Hiscock asked if there were any range parameters in the Ohio Revised Code now. Mr. Somerville shared there are no ranges nor sliding scale. Mr. Carfagna believed that if they worked within the parameters of changing it, it should be capped by either a cent or two at a time or maybe a percentage. Department of Taxation said they would need timeframes

built into those changes. Department of Taxation would need at least a six-month notice before implementing a fee change. Mr. Carfagna recaps the timeframe of incorporating a change. Mr. Hiscock was concerned about technology changing so quickly that setting caps and long timeframes should be carefully considered. Mr. Robbins supported a sliding scale so that the Committee could quickly change with technology. Mr. Hoagland asked what is the fee that allows success and would eliminate the 32% gap. There were no answers to that question at that time. He shared that part of what is difficult was the vendor cannot be awarded a contract until there are funds available. Legislations cannot award funds because an amount has not been requested. The question was raised how can a request be set when the cost has not been identified. Mr. Jackson referred to DAS Legal Representative, Ms. Sharon Jennings, who outlined information restrictions associated with the RFP.

Mr. Leutz said the Steering Committee needs to identify what items the State will pay, what are the local counties expected to pay and what the state will subsidize the counties for when buying what is necessary to follow the State's guidelines. Mr. Somerville was confident that his committee and the Technical Sub Committee can provide an itemized list.

Mr. Jackson stated a list will be compiled attempting to address or answer the questions raised in today's meeting. It was agreed that the baseline of \$.25 was a good starting point. In addition, a number will be put together that will not disclose the current bidder of the contract. It will detail if a county opts in or opts out. Either way, there will be a list. Mr. Hixon would like to be involved in creating and identifying terms on that list. The Committee would like the fees broken down into percentages.

Lastly, Mr. Jackson asked if any committee members had new business to discuss:

Senator Hoagland - No

Representative Carfagna - No

Commissioner Humphrey – No

Mr. Hiscock - No

Mr. Leutz – No

Mr. Loree - No

Mr. Robbins-No

Mr. Jackson consulted the calendars of the Steering Committee members for a date to have the teleconference in February. February 22, 2018 worked for most of the committee. Mr. Jackson then requested a motion to adjourn the meeting. *Mr. Leutz made a motion to adjourn, which was seconded by Mr. Robbins. All were in favor and the meeting was adjourned at 12:58PM.*