



**Olene Walker**  
Governor  
**Philip Bates**  
Chair  
**Randy Auman**  
1<sup>st</sup> Vice Chair  
**Terry Ingram**  
2<sup>nd</sup> vice Chair

# Utah 911 Committee

October 28, 2004

## Attendees

## Agency

Philip Bates	Dept of Public Safety
Tim Cornia	Dept of Public Safety
Roxann Cheever	SLC PD
Barry Conover	Utah State Tax Commission
Jeff Dial	St George PD
Carol Groustra	Dept of Public Safety
Kelly Green	Dept of Administrative Services (AGRC)
Melissa Mullins	Provo City Dispatch
Dave Bolda	Provo PD
David Spatafore	Valley Emergency Communications Center
Nancy Gibbs	UTRA
Joel Moreno	McIntosh
Jeff Winegar	McIntosh
Camille Anthony	Dept of Administrative Services
Randy Auman	Logan PD
Laonna Davis	Dept of Public Safety
Doug Chandler	Dept of Administrative Services (ITS)
Roger Anderson	Davis County SO
Dean Cox	Washington County SO
Chuck McCown	URTA
Terry Ingram	Valley Emergency Communications Center
Dave White	QWEST
Brett Ball	Summit County SO
Veronica Bullock	Grand County
Mike Mathieu	Ogden

Meeting called to order by Phil Bates

Phil presented a verbal agenda to work from and discussed the following:

- Identify where committee resides and responsibilities of committee

  - Committee is conducted under the Department of Public Safety

  - DPS has responsibility for administrative tasks of committee

- Identify who is on committee and responsibilities

  - Copies of House Bill 36 were distributed to the group

- Explanation of how people were chosen to be on committee

  - Some were chosen by COG, by governor, by Association, and by agency

  - HB 36 was referred to in order to clarify this

- Discussed the PSAP registry maintained by FCC

  - Copies of registry as currently maintained by FCC were distributed to group

  - Phil asked the committee to review the information and update it with the following

    - PSAP ID, county, agency/dept, PSAP status, contact name, phone number, email, mailing address, city, zip

Phil said he would email an electronic copy of the document out to committee members for them to update

We moved to discuss the requirements of the committee chair. Dave Spatafore was helpful in discussing this as he was heavily involved in getting this legislation drafted.

It was clarified that this is a one-year term

Discussion occurred on how to rotate the chair position among the different groups as listed in subsections (1) (a), (b), and (d) of HB 36

Dave Spatafore clarified the intent of the legislation (to rotate the chair among the 3 different groups listed in HB 36)

A motion was made to create a 1<sup>st</sup> and 2<sup>nd</sup> vice chair (motion was passed unanimously in the affirmative)

Lots were cast to determine the two-year and four-year terms of the COG's and AOG's. The following were the results:

Five County – 4 year  
Mountainland – 2 year  
Southeast – 4 year  
Bear River – 2 year

Lots were cast to determine the two-year and four-year terms of the four Counties. The following were the results:

SL County – 4 year  
Davis – 2 year  
Utah County – 4 year  
Weber County – 2 year

Nominations were taken for a chair

Terry Ingram nominated Phil Bates to chair  
Randy Auman seconded the nomination  
No other nominations were made  
Motion to have Phil Bates as chair passed unanimously

Nominations for 1<sup>st</sup> Vice Chair

Phil nominated Terry Ingram as 1<sup>st</sup> Vice by Phil  
Was seconded  
No other nominations were made  
Motion to have Terry Ingram as 1<sup>st</sup> vice passed unanimously

Nominations for 2<sup>nd</sup> Chair out of Association

Randy Auman was nominated to chair  
Was seconded

Because Randy only serves a two year term based on the outcome of casting lots previously conducted in the meeting, Doug Chandler made a motion to move Terry to 2<sup>nd</sup> Vice and have Randy fill the 1<sup>st</sup> vice chair position

Laonna Davis seconded the motion  
Motion passed unanimously

Next, a meeting schedule was determined. It was decided the best time to meet was:

3<sup>rd</sup> Thursday of month  
10 am

Both November 18<sup>th</sup> and December 16<sup>th</sup> were set aside for the next meeting times

Both meetings are to begin at 10 am

Both meetings will be held at the capitol (exact location to be determined)

Dave Spatafore was asked to explain the responsibilities of the committees. He handed out an email he had previously sent to Phil Bates titled 911 Committee Responsibilities – Based upon HB 36, which outlined duties and powers of committee.

The fund was explained:

.13 per month to counties  
Additional .03 per month to counties 3-6 class  
.13 can go anywhere  
.04 to wireless (radio) for phase-one (out of .65)

Appropriations have to be done by legislators. The committee only recommends to the legislature

Review of section 53-10-605 as stated in Dave Spatafore's handout discussing the distribution of funds and qualifying factors for that to occur

Responsibility of the committee to submit a report to the legislature (section 69-2-5)

If we ever have surplus funds, we should make explanations as to why to prevent from losing it

Responsibility for committee to oversee phase 2 wireless in Utah

Chuck McCown had question as to whether we can create rules for expense reimbursement out of .53 cents  
Money has to be used in PSAP where money was collected. Cannot be moved to another PSAP  
2002 bill addressing appropriate spending in PSAPs  
Committee is not an audit authority  
Committee does answer how we get to phase 2 wireless

Terry Ingram pointed out the broad language on how money can be used and talked about how Carol Groustra had found Kentucky legislation describing how money could be used. He also pointed out we should identify long-term goals and start those projects down the road and while we are waiting for those projects to complete, we can work on short-term projects.

Phil asked when the annual report was due. Dave pointed out there was no official due date but gave us some guidelines. It was pointed out that there are two budget years represented in Utah but was agreed upon that since the legislation was enacted on July 1, that July 1- June 30 would be the budget year we would follow.

Barry Conover from the tax commission discussed how money was collected and dispensed.

Legislation was enacted sending money to city instead of PSAP

Tax decided to honor inter-local agreements allowing for money to go directly to PSAP

Funds are being collected electronically

Through the course of this process, it was realized some vendors had operations out of state. The

hurricanes in Florida have severely impacted on large vendor's ability to upload money data

Small vendors were paying when convenient (when there was enough to send)

Large amounts of money in account trying to determine who gets what

Tax is using a benchmark of past data to determine an estimate of how much to send. Supplemental distributions are being made based on these benchmarks

There are penalties for vendors not paying on time. A 10% fine can be assessed as well as 5% interest.

Cannot release what vendors are paying what amounts because of the confidentiality under sales tax law.

Pointed out there are different numbers being reported between poison control revenue and e-911 collection. Those subscriber numbers should be the same.

Barry gave an email address where he may be contacted for further information.

BCONOVER@UTAH.GOV

Chuck McCown asked if there were any efforts being made to collect from voice over IP.

Barry stated there were no taxes on the Internet and pointed out that there is discussion as to whether voice on data lines is voice or data.

Mike Mathieu asked how money can be reconciled between budgets and tax collection. Barry Conover pointed out that July money from carriers is due to tax in August and distributed in September.

Should we provide a web site for this committee? Dean Cox made a motion to create the web site. It was asked whether the site had to be secure. It was agreed that secure info would not be posted on site. Motion passed unanimously.

#### RFP for consulting firm

Terry Ingram indicated he felt this committee was a follow up to legislation from 2 years ago to determine PSAP and 911 needs and felt that we needed a consulting firm to direct the committee. He pointed out 25% of the state was not on e-911. He proposed we form a subcommittee to write an RFP to address the issue of a consultant.

Camille Anthony indicated that because the money collected was state tax dollars, we would need to follow state procurement guidelines in any purchases made by the committee with 911 funds.

Randy asked what the consulting firm would be used for. Terry indicated they would be used to look at existing equipment in every PSAP. He said the committee does not have the time or expertise.

Motion to create RFP was made by Terry Ingram, seconded by Chuck McCown, and passed in the affirmative

#### Training and Education

Phil indicated that it might be beneficial to have training for the committee on national issues

#### By-laws

Phil indicated DPS had an attorney the committee could use to help the committee create by-laws. Phil will check to see if the DPS attorney has any boilerplates that we can use to get the committee started.

#### Providing a report to the legislature

It was asked if we need to form a subcommittee to collect the info and compile the report to send to the legislature or if we needed dedicated staff to do this. Mike Mathieu pointed out tax compiles a report of monies distributed to the PSAPs. Phil asked who tracks the money and grants. Dean suggested DPS have HR do a review of costs for an employee to do those tasks. Phil committed to talking to HR about this and to bring info back to the next meeting.

Chuck McCown distributed a handout to the group with bullet points on Allowable Expenses, Non-allowable expenses and allegations of misuse of 911 money in other states. Chuck committed to sending an electronic copy of the document for distribution by email and posting on the Utah 911 Committee Web Site.

Nancy Gibbs asked where the state was on GIS mapping for the rural parts of the state. She knew that a project had been started but requested a status update.

Kelly Green from AGRC indicated some work had been done on the project but that AGRC had not met with counties to define issues and needs such as what format the data needs to be in. AGRC has a lot of centerline data but no street names on the data at this point. Terry pointed out that while AGRC was funded .01 cents per 911 charge, they had their budget cut by an equivalent amount they would receive working to complete the 911 mapping. They inherited more work without getting any money. Chuck asked how much of the state had been mapped. Kelly did not know but Camille committed to having Dennis Goreham, the AGRC manager, at the next meeting to make a presentation with that info.

Mike Mathieu asked for everyone to take some time to read the legislation to understand what we are trying to do.

Doug Chandler made a motion to adjourn. Unanimously passed in the affirmative

Meeting adjourned.