

**Story County E911 Service Board
Board Proceedings
December 18, 2008**

The E911 Service Board met on 12/18/2008 at 1:00 p.m. in the Board of Supervisors Board Room at the Story County Administration Building. Chuck Cychosz, Mark Farren and Jerry Stewart present with Paul Fitzgerald presiding.

Guests: Shawn Bayouth, Ames Fire Department; Thomas Cahill, Cahill Law Office; Wayne Clinton, Story County Board of Supervisors; Jerry Deters, Westory Fire Department; Gearold E. Gull, City of Nevada; Doug Houghton, Ames Police Support Services; Wallace Loney, City of McCallsburg; Lysle MacDonald, City of Story City; Dina McKenna, Story County Sheriff's Office; Larry Milleson, City of Colo; Stephen Owen, Story County Attorney's Office; Clint Petersen, Ames Fire Department; Ken Peterson, City of Story City; Marilyn Polito, Mary Greeley Medical Center; Mark Pote, Huxley Police Department; Melissa Spence, Story County Emergency Management, Mike Tupper, Nevada Police Department; Jon Van Wyk, Story County Sheriff's Office; and Dana Wipperman, Nevada Fire Department.

Approval of minutes from previous Board Meeting

Cychosz moved; Stewart seconded to approve the minutes of the meeting 10/9/2008. Motion carried unanimously.

E911 Funding Grant Applications

E911 Funding Grant Chairperson Wipperman gave a brief overview of the 4 grant applications submitted for funding in the FY/2010. Story City Ambulance requested funds for 28 Minitor V pagers. The cost - \$12,488.00. They were inadvertently omitted in 2007 with the countywide pager funding. Kelley Fire requested an additional 6 Motorola portable radios. The cost - \$5,820.00. The portables will assist the department in meeting the minimum requirements for the use in Incident Command Structure situations. Story City Fire requested 3 additional Motorola portable radios. The cost - \$2,550.00. The portables are needed due to the increase of members. Story City 1st Responders did not exist in 2005 when the E911 Funding Grant Committee identified the departments in critical need. They requested 6 new Motorola portable radios. The cost - \$5,100.00. Each of the agencies was present to answer questions related to their requests. Houghton advised the funding committee had thoroughly discussed each application and would recommend all applications for approval. Cychosz questioned if tower fees would also be paid by the E911 Service Board. Hambly advised the additional yearly expense of \$891.00 would be paid by the Board. McKenna questioned the difference in radio prices between Kelley Fire and Story City. Chief Chinery and Chief MacDonald had spoken with two different vendors. Quotes will be received before ordering the portables. The final cost will be reviewed by the Board. Cychosz moved to support all 4 grants as written, with price clarification on the portable radios. Stewart seconded. Motion carried unanimously.

E911 Service Board Membership

Fitzgerald provided a brief history of the E911 Service Board and concluded by stating the only entities that can change the makeup of the Board are the original entities of the 28E Agreement. It was decided at the last meeting to send a letter to the original entities and see who would be interested in board membership. Responses were received from nine entities that would like representation on the board. Our attorney, Tom Cahill, advised us that we can maintain the 28E Agreement if all signatories agree to a modification. If the signatories can't agree to the amendment there is a concern the E911 Service Board would have to conform to Iowa Code 34A. Doing so would make all entities board members, whether they want to be or not. Some entities have stated they are comfortable with the way the board has been responsive to previous issues. A couple of entities want only one additional member.

Deter (representing Westory Fire Department) advised they are not opposed to more representation but are opposed to the size of the board if an additional nine members are added. He would like to propose 2 seats are added to the board: a civilian and one additional fireman. He would also like to put a term limit to these positions. If Westory doesn't sign the amendment to add nine members, the E911 Service Board will be forced to form a 34A Board with 20 plus members. It is not an efficient way to operate.

Polito (representing Mary Greeley Medical Center) advised they also don't want to encumber the Board. Law enforcement and fire are represented but emergency medical services (EMS) are not. I am here representing Mary Greeley, and request representation on the board.

Tupper (representing Nevada Police Department) stated he was confused by today's discussion. It sounds like the E911 Service Board and the Board of Supervisors do not have the authority to change the membership. Fitzgerald reiterated the only entities who have the authority are the original signers of the 28E Agreement. In order to modify the agreement, all signatories have to agree to the modification. We are just talking with the entities that want on and the possible future make up of the board. I have been advised of an Emergency Management Meeting on January 14th followed by a Mayors Meeting. It has been suggested to bring this discussion to the Mayors Meeting and find out who wants on the board. We can then direct our attorney to write the legal document and circulate it for signatures. Tupper asked what will happen if one signer doesn't want to change things. Fitzgerald advised that Cahill will need to answer the legal questions. Tupper stated the City of Nevada doesn't want to encumber the board either but they want to be part of the process and be represented on the board as do a number of other entities. I have received a number of comments and concerns from the EMS community. The City of Nevada believes the Board is law enforcement heavy and they are concerned about the lack of fire and EMS representation. Fitzgerald stated the board has always said we want to be inclusive not exclusive. The City of Nevada has charged this board with lawsuits if we don't change the membership. The only entities that can change the agreement are the entities that signed it. Tupper advised it was his understanding that the Board of Supervisors are responsible to see that the E911 Service Board is set up

according to the statute. Fitzgerald advised he would like to put this issue to rest. Today the Board would like to give everyone an opportunity to state their wishes and concerns. The next forum will be the Mayors Meeting on January 14th. It is an open public meeting and anyone is welcome to attend.

Cahill advised his interpretation of this issue has only two options. We can either amend the present 28E Agreement or move to 34A. The desirability of going with the amendment would produce a smaller board. The intent was not to exclude anyone. For all practical purposes, it seemed more realistic to determine who actually wanted to be on the board, rather than to start all over with 22 or 24 members.

Fitzgerald advised that 9 additional agencies have indicated their desire to be on the board. This will increase the membership to 14. The workload can be shared as well as the costs. In the past, Story County, Ames Police and Iowa State University have split the costs for equipment.

Stewart advised that he wanted to clarify an issue. Iowa State University has appointed him to the E911 Service Board. It is only logical if we run the Public Safety Answering Point (PSAP) and hire the people for the center that we are a member. We put in thousands of dollars for staffing and equipment. The University has chosen to appoint law enforcement but it is not earmarked that way in the 28E Agreement. Cahill emphasized the point that the entities control the member appointed to the board. The City of Ames has chosen to appoint the Chief of Police.

Gull (representing the City of Nevada) inquired if the E911 Service Board had a budget other than the money each entity put in for the public safety answering points (PSAPs)? Fitzgerald advised the Code of Iowa limits the uses of 911 surcharges. If equipment is necessary to operate the center that is not included in the budget, the members will go back to their respective entities and propose the funds be divided between the 3 agencies. For example, we have been trying for several years to build the infrastructure for mobile data terminals. They would go into squad cars, fire trucks, and ambulances. Before we can do that we need to have the infrastructure in place to handle this technology. The 3 entities have kicked in funds to move forward more rapidly. The PSAP will serve everyone. They will dispatch the fire trucks, ambulances and squad cars. Gull stated the ultimate goal is basically the management of 911 funds. Nevada just wants the opportunity to have representation on the board. Fitzgerald stated there isn't a fee to join or any absolute expense but when there is a major project, he doesn't think it's inappropriate to ask the entities for additional funding. They will be receiving the benefit. All agencies contribute a lot of hours for the advancement of 911.

Cychosz advised he was concerned with the two entities that disagree with the additional members. Chinery advised the City of Kelley is part of Westory Fire Department. They agree with the points that Deters presented. Fitzgerald advised, the Board will see who signs the amendment. If it is not unanimous, the Board will seek advice from our attorney. The two options appear to be: amend the 28A agreement or form a 34A board. This will be presented at the Mayors Meeting on January 14th. We'll then direct our

attorney to draft an amendment to the 28E Agreement and circulate it to the signatory entities. We'll move forward as rapidly as possible. Cychosz agreed. It will give the agencies another venue where any concerns can be discussed. Farren stated he didn't know if additional members will be beneficial but equal representation is needed.

Emergency Notification System

Fitzgerald provided a brief summary of the previous meeting concerning the purchase of an emergency notification system. It is the opinion of the State E911 Program Manager that the purchase is not an eligible expense. Our attorney advised the Board has 3 options; (1) Purchase the system with 911 surcharges. If there were to be an audit they could repay the funds or appeal the issue. (2) Appeal the issue now and request an administrative hearing. (3) Divide the cost between the interested entities. The present cost is \$25,000 yearly. Cychosz stated the appropriate step should be to appeal the opinion of the Program Manager to the State. Cychosz asked if there would be a downside to that approach. Cahill advised the opinion of the present manager is different from the previous manager and the statute has not changed. An appeal would be the direct approach. Gull asked how the county notification system would work with entities that already have a system in place. Houghton advised that the Board is looking for an emergency notification for use in emergency circumstances, where life and property are endangered. Mary Greeley has advised they are moving forward with their purchase of Code Red. Their cost is \$7,000. If Story County purchased the system at a later time, the systems could be integrated and allocate the costs, for a total cost of \$25,000. Extra services can be purchased on the notification system for a wider range of uses. Fitzgerald advised a vote was already on record from last meeting to pursue this avenue if needed. A letter will be sent to the State asking to be put on the agenda. Cychosz advised the Board needed to make a decision so they can move forward.

Iowa Statewide Interoperable Communication System Board Grant Fund Task Force

McKenna advised Governor Culver had appointed an Iowa Statewide Interoperable Communication System Board (ISICSB) and tasked them with devising a statewide communication plan. It not only consists of radio, but also data, voice, 911 and Wi-Fi. Through that board, agencies had the opportunity to apply for public safety interoperable communication funds. The Story County E911 Service Board submitted an application to upgrade the current radio infrastructure for the entire county. This includes upgrading mobiles and portables for law enforcement, fire and EMS to be P25 700MHz compliant. We were fortunate enough to receive \$358,000. That amount will only afford us the ability to bring all three PSAP consoles to P25 compliance. This is the interoperable piece that gets the county into the statewide system. Before the Board can move forward, a decision needs to be made as to what direction they need to go with the radio system. Cychosz advised that a task force would be appropriate. The task force should have broad representation and be able to get some technical advice. Cychosz moved, Stewart seconded the Board Chair put together a list of members for the task force and circulate it to the Board for approval, prior to official appointment. Motion carried unanimously.

Old Business

None

New Business

Chief Petersen reported Ames Fire submitted an application last fiscal year to the Federal Emergency Management Agency (FEMA) for Fire Act Grant Funding. Ames Fire received tentative approval last week if they match the funding with \$17,500. The application was for the implementation of mobile data. Ames Fire is aware that mobile data was delayed in Story County due to the process of selecting a new Computer Aided Dispatch (CAD) system. Ames Fire can receive \$70,000 if they are able to secure the match by the first week in January. \$18,720 will be needed for infrastructure. This will allow the fire apparatus to receive data so it is an eligible expense for the E911 surcharge. McKenna asked if the server would be located on the Multi-Agency Network. Petersen advised it would. Ames Fire would use cell phone cards until the CAD is in place. Fitzgerald asked if the funds would be needed this fiscal year. Petersen stated it could be this fiscal year, next fiscal year or maybe both. Farren stated he thought it was a good project and Fitzgerald and Stewart concurred. Farren moved to fund \$17,575.46 for Ames Fire, either this fiscal year or next. Stewart seconded, motion carried unanimously.

Comments from the Public

None

Comments from E911 Service Board Members

None

Farren moved; Stewart seconded to adjourn. Motion carried unanimously.