

MISSISSIPPI WIRELESS COMMUNICATION COMMISSION
April 6, 2017 Meeting Minutes

Place: Woolfolk Building – DFA, Room 145, 501 North West Street Jackson, MS

Commission Members Present:	
MS Department of Public Safety	Magee, Ken (Chairman)
MS Department of Emergency Management Agency	Smithson, Lee (Vice-Chairman)
MS Department of Wildlife Fisheries and Parks	Bolden, Michael
MS Municipal League	Brown, Johnathan
MS Association of Supervisors	Gray, Steve
MS Department of Transportation	Huff, Willie
MS Department of Information Technology Services	Johnson, David
MS Association of Fire Chiefs	Lariviere, Tom
MS Highway Safety Patrol	Loper, Don
MS Office of Homeland Security	McKee, Mark
MS Department of Environmental Quality	Sanders, Chris
MS Police Chiefs	Waggener, Perry
Advisory Members Present:	
House of Representatives Public Utilities Committee	Beckett, Representative Jim
Senate Appropriations Committee	Burton, Senator Terry

Chairman Ken Magee called the meeting to order at 1:30 PM and welcomed everyone. Chairman Magee recognized guests present, Senator Terry Burton and Representative Jim Beckett. Chairman Magee then called for the review of the March 2, 2017 meeting minutes after which he entertained a motion to approve the minutes, as they were transmitted. Chief Perry Waggener made a motion to approve the minutes, seconded by Mr. Donald Loper, and the motion carried with none opposed.

Ms. Vicki Helfrich gave the MSWIN Project Update for March 2017. She provided information on MOUs executed, radios loaned out, and activities the WCC staff participated in during the month. Ms. Helfrich also provided information on the number of current MSWIN users, the number of users projected for the 2nd Quarter, the top ten (10) state agencies by system use, and MSWIN top ten (10) local/other agencies by system use.

Mr. Bill Buffington gave an update on the MSWIN build-out status. Mr. Buffington reported that the two Hinds County Sites are fully integrated and working. Staff provided a SOW setup for coverage in Clinton that has now been moved to Warren County. Hinds County, the City of Jackson, and other cities in Hinds County are now fully covered by MSWIN. Mr. Buffington reported stellar network performance throughout the Warren and Hinds County coverage areas. The Detailed Design Review and Detailed Design Plans have been completed for the Camp Shelby Sites and Staff is also in receipt of the physical structure plans for the tower design with target construction dates to begin in June 2017. Due diligence process has begun for the Parchman Site and the coverage from this tower site will fill a gap in this area since there is not a tower in the Sunflower area of the state.

Ms. Helfrich then gave an updated contract status report. Ms. Helfrich reported finalization to the Amendment to MSWIN Contract 3429 LMR contract and the Amendment to Agreement 3639 BTOP Broadband Contract. These two projects are now moving forward. The WCC also has several professional service agreement renewals in process. Staff is also working on an extension request for the MICG Grant. The grant expires at the end of December 2017. Extension request can be filed for sixty (60) to ninety (90) days out.

Mr. Mark McKee then noted from his visit to Washington DC earlier in the week meeting with DHS in the National Grants Office. He noted that the MICG grant was awarded to the WCC back in 2008-2009, presently with approximately \$10 million remaining. Mr. McKee has explained to the National Grants Office reasons why the grant funds have not been spent; however, they are aware and would like the money to be spent as soon as possible.

Ms. Helfrich then reported the Legislative update. The WCC did receive a deficit appropriation for FY17 included in Senate Bill 3015 in the amount of \$1.4 million, available through June 30, 2018. The original deficit request was for a little over \$1.6 million which included funding for additional staff, however what was received will keep the system up and operational through the end of FY17. The WCC is very thankful to the Legislature for providing funding for the deficit request. The WCC also received \$7.8 million for FY18, monies included in Senate Bill 3001, which is about \$1 million under the LBO recommendation. The WCC will begin FY18 requesting a deficit appropriation. Ms. Helfrich asked for any questions.

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Chief Huff then asked if the \$7.8 million appropriation for FY18 would run out before January. Ms. Helfrich responded that the WCC typically operates on about \$10.1 million and with what we were given, we will get to January 2018. Chief Huff then asked if next year's deficit request would be higher. Ms. Helfrich responded that in the upcoming year, the deficit request will be \$2.4 million.

Senator Burton asked if he could provide an update to the deficit request given since he was intimately involved in the decision making. Senator Burton responded that we came woefully close to a Senate Bill that included user fees this year. After documents were provided by Ms. Helfrich, Mr. Buffington, and Staff, a determination was made not to charge user fees. This was based on federal grant guidelines as well as the fact that Senator Burton personally made a statement that we would not charge locals user fees. As a result, user fees were not included for this year. Senator Burton then recommended that the WCC explore every avenue to generate revenue using the MSWIN System. Members of the Legislature expect the WCC to determine how to generate funds to help sustain operations for FY18. Senator Burton offered his help in finding a solution since it will become more difficult in the future to fund the WCC deficit through legislative appropriation without user fees. Chairman Magee thanked Senator Burton for his input and asked for further questions.

Ms. Helfrich then provided an update on FirstNet. On March 30, 2017, FirstNet and the US Department of Commerce signed a twenty-five (25) year agreement with AT&T as the lowest cost, best value for the deployment of the nationwide public safety broadband network (NPSBN). Ms. Helfrich then highlighted the terms of the agreement. There will be a State Point of Contact Meeting in June 2017 to review the State Plan guidelines and processes. The Draft State Plan is set to be delivered in the summer of 2017, with an opportunity to review the Draft Plan while providing feedback to FirstNet. The final State Plan will be issued in the fall of 2017 to the Governor triggering the ninety (90) days to opt-in or opt-out timeline. If the State opts-in, the plan will include a five (5) year buildout. If the Governor opts out, then an entirely new process will begin with the State requesting access to the spectrum from FirstNet. Ms. Helfrich asked for any questions.

Chief Huff asked if there will be a fee attached with the network provided by the agreement between FirstNet and AT&T. Ms. Helfrich responded that there will be fees charged. Chief Huff then responded that with the billion dollar taxpayer investment to utilize AT&T, they will be against paying fees. Chief Huff then asked what the role of the WCC will be during this time. Ms. Helfrich then discussed that the role of the WCC as the governance entity for public safety, will be to review the State Plan in determining whether it meets the needs of the public safety users in Mississippi. The WCC will also provide the Governor with a recommendation to either opt-in or opt-out of the NPSBN. Chief Huff asked if there will be any chance that FirstNet will be using the MSWIN network infrastructure in order to defer some expenses. Ms. Helfrich agreed that would be very beneficial and should be included in discussions with AT&T, especially since the State has infrastructure in the rural areas where AT&T does not. Ms. Helfrich provided that Mr. Chuck Murph, Region 4 FirstNet representative, will be here in May 2017, possibly with AT&T, to answer any further questions.

Senator Burton then added that it is very important for AT&T to take into consideration the State's \$300 million system infrastructure. A lot of taxpayer dollars have been put into this system and it is doing well with everything that the legislature and the WCC can do to make sure it has been made available to first responders, because we did use taxpayer dollars to build it. Senator Burton also stated that another problematic thing is that AT&T's coverage in the rural parts of the State is horrendous, and not sure what FirstNet can offer beyond AT&T. It is hoped that documents from AT&T for engineering coverage maps, and not just those that they show to customers, will be honest and upfront showing the actual coverages. Ms. Helfrich agreed on rural concerns and that MSWIN is still the avenue for mission critical voice communications for the state. Ms. Helfrich asked for any further questions.

Chairman Magee called for the report of the Procurement Review Committee. Chairman Perry Waggener reported two (2) procurement requests were brought before the Committee, neither requiring full Commission approval. Chairman Waggener stated the first was from Vicksburg/Warren County, in the amount of \$248,046 dollars to add a voice recorder to their existing system. Chairman Waggener then stated the second procurement request was from UMMC, in the amount of \$23,556 dollars for three (3) subscriber units to be installed in new ambulances. Both procurement requests were approved by the Procurement Review Committee. Chairman Magee asked if there were further questions for the LPR Committee and or any of the Representatives and thanked them for their work.

Chairman Magee called for the report of the Governance/Interoperability Committee. Chief Huff reported the

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committee met to discuss AVL and GPS utilizing the MSWIN system with guidelines. This will be a work in progress to update the Full Commission at future meetings. Another item that was discussed was the topic of encryption. The system was paid for with grant funding from Homeland Security and one of the requirement guidelines of the original grant is that the MSWIN system should only have the recommended AES standard 256 bit key encryption. There have been requests for vendor specific enabled encryption on MSWIN, usually due to non-standard proprietary encryption was active on the radios at the time of purchase. Currently, there is signed paperwork acknowledging the MSWIN System should be using non-standard based encryption only. Chief Huff gave each member of the Commission the encryption rule written in 2011. The WCC was unaware that proprietary encryption had been enabled on some devices creating an inability to interop. Chairman Magee agreed that we should be operating in compliance with guidelines of the grant requirements with an easy fix, grandfathering those to switch over and to stop allowing agencies to join the system that do not comply and require them to each have a plan to go to standard encryption. WCC legal advisor stated that we are obligated to do everything possible to comply with the grant requirements. Suggestion was made to reword MOUs, with highlighted areas leaving no room for confusion or addendums, to be signed and certified for compliance. The Commission's position has been and continues to be that AES encryption software is to be used on MSWIN. Two other items Chief Huff discussed were the (1) Use of the State Common Channel for NAWAS and (2) the MSWIN Radio Training program which has been developed by Staff. Chairman Magee asked for further questions.

Chairman Magee called for approval of expenditures. Mr. David Johnson reported the expenditures for the month of March 2017, which included a fourth budget reduction of \$41,417 dollars, bringing the total budget cuts for FY17 to \$366,254 dollars. Mr. Johnson noted that there were \$539,000 dollars in expenditures for the month of March 2017 bringing the cumulative total expenditures to \$6.2 million dollars; leaving the remaining operating balance for FY17 at \$2.457 million. There was no grant expenditure activity for the month of March 2017. Program income of \$3,700 dollars was collected for NGO use of the MSWIN System. Chairman Magee asked if there were further questions. Chairman Magee called for a motion to approve the monthly expenditures. Mr. Steve Gray made a motion to approve the monthly expenditures, the motion was seconded by Mr. Tom Lariviere, and the motion carried with none opposed.

Chairman Magee asked for any other business. Ms. Helfrich then presented for approval the request for extension of the current contract between the WCC and G S Holdings, Inc. for technical project advisory services. In 2013, the WCC issued a Letter of Configuration (LOC) based upon General RFP No 3708, at that time seeking consulting services of a highly-qualified professional with extensive expertise and experience in the construction, deployment, and operation of wireless communication infrastructure, specifically for the deployment of MSWIN. On November 7, 2013, the Commission approved the current five (5) year contract with G S Holdings, Inc. (formerly Mr. Bill Buffington). March 2016, the Commission approved a second renewal of one year. The final renewal term of the contract is set to begin on May 1, 2017. Again, this is a five (5) year contract that will expire on April 30, 2019. This contract is for 2,500 hours annually at an hourly rate of \$105. With the recent BTOP and MICG grant extensions, the WCC continues to require the technical project advisory services of GS Holdings. We are currently expanding data capacity at multiple sites and have just completed the detailed design review of towers and installation drawings of three new tower sites, two at Camp Shelby and one at Parchman. We are not expecting any further federal funding delays for either project. The anticipated project completion date for BTOP is June 2020 and December 2019 for the MICG project. Staff is recommending to the Commission the renewal of the current contract with G S Holdings, Inc. through April 30, 2019 to ensure continuity of implementation and support of MSWIN at a not-to-exceed cost of \$262,500 per year for a total not-to-exceed cost of \$525,000 for the renewal term, pending ITS Board approval. Chairman Magee entertained a motion to approve. Chief Huff made a motion to renew the contract for the technical project advisory services with G S Holdings, Inc. for 2 years, 5000 hours and not to exceed \$525,000 dollars, pending ITS Board approval. The motion was seconded by Mr. Lariviere and with none opposed. Chairman Magee asked for any further business.

With no other business to discuss, the Chairman announced that the next meeting will be on Thursday, May 4, 2017, 1:30 PM, in Room 145 of the Woolfolk Building at 501 North West Street, Jackson, MS. The Chairman entertained a motion to adjourn. Mr. Steve Gray made a motion to adjourn. The motion was seconded by Mr. Mark McKee, and the motion carried with none opposed. The meeting adjourned at approximately 2:30 PM.