

**MISSISSIPPI WIRELESS COMMUNICATION COMMISSION**

**June 13, 2013 Meeting Minutes**  
Place: 1<sup>st</sup> Floor MDOT Auditorium  
401 North West Street  
Jackson, MS

<b>Commission Members Present:</b>	
<b>MS Emergency Management Agency</b>	<b>Deb Biggers</b>
<b>MS Association of Fire Chiefs</b>	<b>Vice Chairman Tom Lariviere</b>
<b>MS Office of Homeland Security</b>	<b>Rusty Barnes</b>
<b>MS Department of Corrections</b>	<b>Audrey McAfee</b>
<b>MS Association of Supervisors</b>	<b>Steve Gray</b>
<b>MS Department of Environmental Quality</b>	<b>Keith Harkins</b>
<b>MS Department of Transportation</b>	<b>Willie Huff</b>
<b>MS National Guard</b>	<b>Gary Ladd</b>
<b>MS Municipal League</b>	<b>Quincy Mukoro</b>
<b>MS Department of Information Technology Services</b>	<b>Craig Orgeron</b>
<b>MS Association of Police Chiefs</b>	<b>Perry Waggener</b>
<b>Advisory Board Members Present:</b>	
<b>Also In Attendance – Speaker’s Office</b>	<b>Mandy Davis</b>

Vice Chairman Lariviere called the meeting to order at 1:30 PM and welcomed everyone. The Chairman asked if there were any changes to the May 2, 2013 minutes which had been emailed to Commission members. There were none and the Vice Chairman called for a motion to approve the minutes of the May 2, 2013 meeting as written. Mr. Keith Harkins made the motion to approve. Mr. Steve Gray seconded the motion and the motion passed with none opposed.

Vice Chairman Lariviere welcomed Deputy Director Deb Biggers who was representing Chairman Latham in his absence and noted that staff has been provided a proxy vote letter for Ms. Biggers.

Ms. Helfrich was asked to provide the MSWIN Project update. Ms. Helfrich noted that microwave installation upgrades in the southern part of the state are winding down and we are in the process of testing now with completion expected by the end of June. Staff is also working with MHP to get their consoles and control stations set up in the northern part of the state and console training for MHP has been set up for June 18 through June 20, 2013.

In addition, WCC staff worked with Arkansas Wireless Information Network (AWIN) to get a temporary patch in place for interoperability. An interoperability exercise between MDOT, MS Highway Patrol and Arkansas Highway Patrol was successfully completed and AWIN wants to work with us to put a permanent patch in place in Tunica and Greenville, MS.

The WCC is a partner in the Active Shooter Task Force and the School Safety Summit through the Governor's Office. MEMA is working with the Governor's Office to get everything in place. It will consist of four (4) meetings throughout the State this summer. We had one summit this past week.

The WCC staff is also working with different local entities such as Grenada County to get subscriber units in place; with Jones County to get their programming and subscribers in place; and have Permanent Use MOUs with Tallahatchie County, City of Oxford, City of Holly Springs, Yalobusha County and Jackson State University Police Department which have all joined MSWIN. We are also in talks with Benton County, Diamond Head and Grenada Police Department that are looking to join MSWIN. We are working

on Interoperability MOUs with Byram Volunteer Police and Fire Departments and Beaumont Police Department.

In last month's meeting we talked about getting a preventative maintenance agreement in place for the phases of MSWIN that are not under warranty before hurricane season began. Taylor Power Systems was the lowest bidder and they are performing maintenance now. Several private entities that are considered first responders such as ambulance services and public utilities, would like to join MSWIN. Over the next month we will come up with an agreeable user fee. These entities have agreed and understand that they will have to pay user fees to be on the system. We are working this out and will bring it to the Commission for approval. Over the last two months – April 13 – May 13 MSWIN had 1,063,970 push to talks (PTTs) and 49 busies; May 13 – June 13 we had 1,098,779 PTTs and 66 busies so the system is operating effectively above how it is designed to perform.

On LTE, we are still in Spectrum Lease negotiations with FirstNet. They passed a resolution this week to extend those negotiations for another 30 days until July 12, 2013. While Mr. Buffington and Ms. Helfrich were in Colorado at a Conference, they met with FirstNet many times and made sure that FirstNet understood the WCC/State's position which is that in order for the state to move forward on the LTE project, it would have to be at no additional cost to the state. FirstNet did send a letter to Chairman Latham, a copy of which is in today's handouts, basically stating their appreciation for staff working with them and that they understand the position of the Commission and will work with us to resolve the issues and get to a point where we can move forward.

Mr. Buffington and I are working on and actively pursuing ideas to demonstrate how we will generate revenue for the Business Plan that we are to have in place by the end of August and will present those ideas in the July meeting so the Commission can vote on which ideas it wants us to put in the plan.

Mr. Harkins was recognized to report for the Procurement Review Committee. Mr. Harkins noted that five (5) matters had been brought before the Committee this month. Four (4) did not require Commission approval because they were below the threshold required for Commission approval: The City of Petal PD - \$130,838; Franklin County Sheriff's Department - \$161,454; Marshall County Sheriff's Department - \$186,817; and Harrison County Sheriff's Department - \$162,715. All of those requests were MSWIN compliant and were approved without discussion. The fifth matter was a request from MEMA in the amount of \$358,678.98 for the expansion of their radio pool. Mr. Zach Houston from MEMA explained that the purchase of 100 portables was for Search and Rescue which is now under purview of MEMA so they have more personnel that need radios. Mr. Harkins stated that the Procurement Review Committee recommends approval of the request and made a motion for approval. The motion was seconded by Colonel Ladd and passed with none opposed.

Vice Chairman Lariviere noted that Mr. Harkins will be retiring from active service Mississippi Department of Environmental Quality at the end of June. He expressed thanks on behalf of himself and the Commission for the years that Mr. Harkins has served on the Commission.

Mr. Huff was recognized to report for the Governance/Interoperability Committee. Mr. Huff showed a short video of a vehicle stop in Ohio which turned into a bad situation for the first responders. At the end of the video, Mr. Huff asked the Commission to imagine that they were sitting there trying to call for assistance on an I-phone or other smart device. In that situation you do not have time for a dispatcher to ask 'what did you say?', 'Where are you?', 'What's going on?' etc. That is why we have noise canceling microphones, ACL, and a lot of things which our LMR system affords us so that when this type of things happens, we are providing first responders with what they need to do their jobs effectively.

During the past month, we had a meeting to discuss vendor presentations for Radio over IP (RoIP) – a bridge technology that allows smart phones to be hooked into our communications system for voice communications. We have some vendors that have a product they would like to demonstrate so we are trying to schedule some presentations to see what is available for the smart devices.

Mr. Huff noted that in the last meeting, he made a motion that we bring some direction from staff to this meeting on continuing with LTE. He stated that he does not know if WCC consul and staff have developed a motion or not, but if not, he has a motion that he wants to read today. After Mr. Huff read the motion, it was seconded by Colonel Ladd and the Vice Chairman called for discussion. Several comments were made by Commission members who felt that the motion was too limiting because it sounded as if we would be removing ourselves from further discussion with FirstNet. Mr. Huff stated that it does not mean that we can't talk to FirstNet as long as those conversations do not involve us putting more money in the project. Dr. Orgeron's opinion was that he thinks a statement is perfectly acceptable but since FirstNet is 'the law', all states must have conversations with them. We should consider the language and craft a more thoughtful statement which formalizes the Commission's concerns and which takes into consideration that the initial grant was awarded to the Governor's Office and that we have an MOU (a business agreement) with the Governor's Office which we must honor. Ms. Helfrich stated that she would request that someone from FirstNet come down before the July meeting to address the Commission's concerns. Mr. Huff agreed to withdraw the motion and Colonel Ladd withdrew his second of the motion.

The Vice Chairman called for the report of the Revenue Committee. Mr. Gray provided information which was included in the meeting handouts, about the Marketplace Fairness Act – Senate Bill 743 which allows the states to set up legislation for collection of uncollected tax on internet sales. The state stands to gain about \$300M dollars if this passes the House and become law. Because we are looking for revenue opportunities we hope to focus on public safety and position ourselves so that we could obtain some of these funds for MSWIN.

Dr. Orgeron provided the Report of Monthly Expenditures. Dr. Orgeron stated that \$499 thousand dollars was spent on operational expenses during the month. There were no milestone payments. \$63.7M dollars remain in grant funds. For FY13, in Jan 2013, we received an appropriation of 2M dollars. We requested \$4.5M dollars in deficit funding; at the beginning of the Legislative session we received a \$2.5M dollar deficit appropriation. We have \$1.7M dollars remaining from those two allocations. At the end of the Legislative session, the Commission received an additional \$2.0M deficit appropriation. As of the end of May 2013, there is \$3.7M dollars to spend in our operational fund with any unspent funds lapsing into the treasury. July 1, 2013, we will have access to \$6M dollars which is our appropriation for FY14. Mr. Huff said that he thought our legislation put that money in an account that rolls over year to year. Dr. Orgeron said that he called and asked and that is not the case.

Ms. Helfrich commented on future expenditures of FY13 funds, stating that we owe Motorola close to \$2M dollars for maintenance and operation of the LMR network. Motorola has worked with us allowing us to pay that in arrears; our monthly expenses are close to \$500K dollars monthly; and that leaves us at about \$1.2M dollars. That money was budgeted for two things: 1. We expected System Acceptance by the end of June and we have a 5% holdback. Most of that will be paid out of MICG but we have fourteen (14) denied sites which will be paid out of state funds – approximately \$700K dollars. 2. The remaining money, close to \$300K dollars would have been used for LTE if we had moved forward. We had an accident while transporting one of our Sites on Wheels (SOWS) and it was badly damaged. We are working with insurance to determine what is covered and if we can go ahead and repair our SOW this month. Preventative Maintenance will be paid out of this month's expenditures as well. Mr. Keith Harkins made a motion to approve monthly expenditures. The motion was seconded by Colonel Ladd and passed with none opposed.

Vice Chairman Lariviere then called for other business. At that time, Ms. Helfrich presented several items for the Commission to vote on. The first was Change Order #10. This is a net zero contract change order. One component of Change Order #10 is that it has been determined by MHP that the 811 Digital Vehicle Repeaters in the contract are not what they need. Instead, MSWIN agrees to add eight (8) sites for additional coverage which will essentially zero out that \$9M dollars and benefit not only MHP but all MSWIN users. Another component is that we will upgrade our Master Site redundancy to Dynamic System Resiliency for approximately \$2M dollars. This is an option in our contract that we can opt to do now because our platform has been upgraded allowing us to do this for \$2M dollars rather than the original \$4 – 5M dollars. Mr. Huff made a motion to approve Change Order #10. The motion was

seconded by Mr. Waggener and passed with none opposed. Second was the LMR Maintenance and Operations contract with Motorola. Ms. Helfrich noted that our 2 year warranties have begun to expire. Eventually all warranties will expire in February 2015. Last year we chose to sign a 1 year agreement for several reasons but primarily because of funding issues and the concern of the WCC and the Legislature about the on-going costs of the network. This is a four (4) year contract. It will increase every year – the FY14 cost - \$2.2M dollars will increase to \$3.1M dollars and will level out at \$4.1M dollars. Motorola has worked out a proposal for us that will provide a credit to the State each year – first year credit is \$280K dollars, second year credit is \$600K dollars and it levels out on the third and fourth years with a \$1.4M dollar credit. The total cost would have been \$13.5M dollars but with the proposal is now \$9.6M dollars. The only condition is that if we break the contract before the four year term is up, we would have to repay the credit. If we go with a year to year contract, we do not get a credit. This is an item we can put in our Business Plan to show how we are cutting costs. We are happy with the proposal and do not feel we can cut costs any more than this and recommend approval of the Maintenance and Operations contract. Mr. Huff made a motion to approve the Maintenance and Operations contract. The motion was seconded by Colonel Ladd and passed with none opposed.

The last item was a request to approve an NTIA grant proposal for planning and outreach. The proposal was submitted in March, is still in discussion and has not been awarded as yet. The point of the grant is for states to set up government structures and provide outreach. It is a \$1.9M dollar grant with 50% for governance and planning and the other 50% for data collection which will be determined by NTIA. What we put together was an outreach campaign because we already have governmental structure in place. The proposal is to have 2 personnel on staff or via contract. It is a 3 year grant and the totals you see are over 3 years. We want a point person for the broadband education outreach because we don't have the staff on hand to do that. It includes funding for travel (in state and out-of-state) and funding for an outreach campaign. The proposal divides the state in 3 regions and we would have annual conferences in each region. There is also money for web site development. The match proposed is all in-kind for time worked by Mr. Buffington, Ms. Helfrich and whoever is overseeing the work for us and office space for personnel. The grant is to be awarded sometime in mid-July. This will allow us to go out and talk to entities about broadband, what it is and what the end goal is. This should have been done before we began the LTE project. Mr. Harkins made a motion to approve the grant proposal. The motion was seconded by Deputy Director Biggers and the Vice Chairman called for discussion. Commission members discussed the proposal and it was decided that the motion to approve the grant proposal be modified to say that it would be approved with the Commission having authority for acceptance or denial of the awarded grant. The modified motion was seconded by Deputy Director Biggers and passed with none opposed.

There was no additional other business for discussion.

The next meeting will be held on July 11, 2013 at 1:30 PM in the 6<sup>th</sup> Floor MDOT Conference Room. Colonel Ladd made the motion to adjourn. The motion was seconded by Mr. Keith Harkins and passed with none opposed.

Meeting adjourned at approximately 3:10 PM.