

MISSISSIPPI WIRELESS COMMUNICATION COMMISSION
October 2, 2014 Meeting Minutes
Place: 6th Floor MDOT Conference Room
401 North West Street
Jackson, MS

Commission Members Present:	
MS Association of Fire Chiefs	Lariviere, Chairman Tom
MS National Guard	Causey, Lt. Col. Ray
MS Association of Supervisors	Gray, Mr. Steve
MS Department of Environmental Quality	Harrell, Mr. Richard
MS Municipal League	Hinton, Mr. Chris
MS Department of Transportation	Huff, Mr. Willie
MS Department of Information Technology	Johnson, Mr. David
MS Highway Patrol	Smith, Mr. Tim
MS Department of Wildlife, Fisheries & Parks	Thornhill, Mr. Curtis
MS Department of Health	Vaughn, Mr. Wayne
MS Association of Police Chiefs	Waggener, Chief Perry
Advisory Board Members Present:	
Also in Attendance:	

Chairman Tom Lariviere called the meeting to order and approved the minutes from the September 4th, 2014, meeting. The motion to approve was made by Mr. Wayne Vaughn. Mr. Steve Gray seconded the motion and the motion passed with none opposed.

Ms. Vicki Helfrich gave the Project Update discussing several MOUs executed in the month of September for the City of Iuka, Coahoma County Sheriff Department, City of Clarksdale, and Town of Ashland; radios loaned out to the Copiah County Sheriff Department; events hosted during the month of September including the Standard Operating Procedures Technical Assistance Workshop held on the first of September that was facilitated by the Office of Homeland Security, Office of Emergency Communications; preparations for the Invest 92L Weather Event; finalization of FY15 Technical Assistance Request from OEC (we receive up to five requests per year); MSWIN system health issues, including the installation and implementation of the DSR (Dynamic System Resiliency) that actually provides the backup and redundancy between our zone controllers. Ms. Helfrich mentioned that for purposes of backup, zone 1 will backup zone 3 and the Master SOW will backup zone 2, and we're hoping in the very near future, Desoto County will be joining and will be providing a master core to backup zone 2. The number of users for September was 18,801 and the projection for fourth quarter is 20,467. MSWIN push-to-talks activity during the month was 2.8 million with 1,151 busies which is pretty negligible.

Mr. Bill Buffington reported on the status of the build-out saying we have targeted a couple of sites in some of the weak areas of the state. He said we may have lost the opportunity in the near future

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for use of a site Hancock County built because it was built without a permit. The Hancock County site is important to us, because we planned to use it as a test balloon on an existing site with FEMA, having never utilized a grant for an existing tower because so far everything's been new and built to their criteria. We have been told that we could finalize due diligence on an existing site within a 90-day time frame, which would be very helpful to us as we move forward targeting existing sites. Mr. Buffington also stated that if we pursue that site, it will be a lengthy process because they actually have to start at ground zero as if nothing had ever existed. Regarding Camp Shelby, he reported the airspaces have been cleared for the sites we're targeting: one at 400 feet and another at 300 feet. He discussed ongoing weekly conversations with AT&T and Verizon about their interest in partnering with the WCC and his expectation that we will have all the carriers interested at these two sites, because the air space and height are sufficient enough to accommodate the MSWIN site as well as four additional carriers. He reported the NEPAs are in process, the Perry County site is likely, we hope to have the clearance on the other NEPA site within a week or so, and at that point, we'll have all the due diligence ready to present to FEMA so we can use the grant funds to build those sites.

Ms. Helfrich provided the contract status. No new contracts have been executed but we've added one item: Towers of Mississippi – we're working on an amendment to provide a vehicle to continue the due diligence process for new sites. We plan to handle in stages as we determine where the sites are located and then add that those to the contract and move forward with due diligence filings. She reported our MOU with the Governor's Office regarding the closeout of the Broadband BTOP grant was just extended until the end of December. This extension will not be the last, as we are only allowed to request ninety-day extensions for the BTOP close-out and it will take another nine to twelve months to finalize the contract modifications and actually deconstruct the LTE network. This is primarily because we have to touch every site in the state and then ship the equipment to a predetermined destination. She reported NTIA's recommendation is that we donate the equipment to FirstNet and in return, we would be allowed to keep our microwave and radio equipment that MedCom purchased, but would have to forfeit our security interest in the LTE equipment. She said the Governor's Office is working on a letter to send to NTIA detailing our position as we want to make sure we don't have to spend any more money to deconstruct the network or ship the equipment and we want to ensure we are allowed to retain our microwave equipment. She explained we do not have a position on donating the equipment and are looking to NTIA for guidance. Regarding the transfer of the property to FirstNet, she said Butler|Snow (WCC counsel) is aware that if that occurs there will be some legal paperwork that has to be done.

Mr. Willie Huff asked if by security interest it means that we are giving up claim to the space on the towers that we've been unable to commercialize because of their inaction. Ms. Helfrich explained we're just removing LTE antennas, actually freeing up that space, and just as soon as we can get that equipment down and deconstruct the LTE network (not the microwave, just the LTE portion) and ship it off, the better for us, because then we have that space available for colocation. Mr. Huff asked if tower rent was more because we had placed the LTE equipment on the towers. Ms. Helfrich acknowledged that for twenty-four towers, there are clauses in the leases allowing for rent decrease of \$250 per month if the LTE equipment is removed. Regarding revenue generation – Ms. Helfrich reported a lot of progress has been made with the public safety NGOs, we have three signed MOUs: two electric power associations (Northeast MS EPA and Tippah EPA) and BNSF Railroad who are now working on purchasing their radio equipment.

Chairman Perry Waggoner reported the Procurement Review Committee (PRC) approved two requests: the first was Harrison County in the amount of \$157,171.00 and another sizable one from

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Coahoma County and the City of Clarksdale for a city-wide county cooperative system in the amount of \$642,291.00. The representative of Coahoma County/City of Clarksdale stated they currently have a VHF repeater operating on a 120 foot tower which does not provide adequate communications. They are requesting Motorola APEX subscriber portables and mobiles, 100 portables, collectively, between the two agencies, 80 mobiles and two separate dispatch console systems. One would go to the Sherriff's Department and one would go to the Police Department and they will operate independently of each other.

Chairman Lariviere asked if there were any questions or comments. Mr. Buffington acknowledged the pricing was in line. On behalf of the Procurement Committee, Mr. Waggener made a motion to approve the request. Lt. Col. Ray Causey seconded. The motion was carried.

Mr. Willie Huff made the Governance/Interoperability Committee report. There was nothing to report regarding the VOIP RFP. We have submitted additional verifications which have been returned. We plan to schedule a meeting to review the verifications and, hopefully, we'll have something to report at the November meeting.

Mr. Huff also made the Training Committee report. There was nothing to report on training.

Mr. David Johnson made the report of Approval of Expenditures. There was nothing to report on the approval of expenditures other than to say ITS is working diligently with DFA, keeping the doors open, paying salaries, tower leases, land leases, and utilities. Mr. Johnson said reporting is still an issue. He mentioned last month's projection was approximately \$9,000,000.00 for operations moving forward and said it looks like about \$8,500,000.00 as of this month. He reported no project milestones, so those grant balances are holding steady until BTOP gets closed out, as Vicki discussed, and Change Order #10 build-out moves forward. Chief Lariviere asked if we needed to ratify the report. Mr. Johnson reported that once they have cleared up issues with the new system, they would provide a cumulative, detailed report. So, the Commission can wait until they have a report prior to approval.

Chairman Lariviere asked if there is Other Business. Ms. Helfrich mentioned we were going to have a Joint Legislative Budget Committee Hearing on October 2nd, 2014, at 9:15 a.m. in the Woolfolk Building and suggested anyone who wanted to attend should arrive by 9:00 o'clock a.m. because we would be first on the docket. Mr. Huff said he thought it would be very beneficial if as many folks as possible could come to show their support for MSWIN.

A question was posed as to whether the MOUs with the railroad and EPAs would generate revenue for MSWIN. Ms. Helfrich explained that we're working on potential rates and based upon our discussions with both for profit and non-profit entities, we've come up with \$30/month for non-profit and \$35/month for profit. She went on to say we'll be adding additional fees for consoles but we've been trying to work out what the basic rate should be for radios. Mr. Timothy Smith asked if she had a ballpark figure as to how many radios would be added by each entity. Ms. Helfrich said we're looking at 40 for one entity and approximately 10 for the other. She said a lot of the entities will buy two or three radios to see how the radios work for the interoperability prior to making a final decision to use MSWIN as their primary system. Mr. Huff asked if the commission had adopted the fees yet and if they would need to do so in the future. Ms. Helfrich said the rates will be reviewed at the next Commission Meeting. Ms. Helfrich reminded everyone that the opinion we have received from our counsel is that our potential private users can only be public safety, non-governmental organizations whose sole or principle purpose has to be protecting life, health, or property. She

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said, as the network operator, we can't allow just any type of entity to utilize the system, we have to make those decisions on a case-by-case basis. A public safety NGO will need to sign an MOU with a clause stating that they are not going to use the network for commercial gain or for resale. She explained use of the system is just to allow them to do their jobs as first responders. Mr. Buffington added we can't be charging an arbitrary fee - the fee that the Commission would charge has to be a cost recovery. Mr. Buffington mentioned we'll probably have to put an addendum in the MOU regarding the rate their paying that explains how the rate is derived, but the thing for everybody to know is you can't just arbitrarily let anybody use MSWIN - you have to be able to make the case - the Commission has to decide the case is to benefit public safety, it can't be resold for profit, and we can't charge the users to make a profit.

The next monthly meeting will be held on November 6th, 2014, 1:30 PM in the MDOT 6th Floor Conference Room.

Chairman Lariviere took a motion to adjourn. Mr. Timothy Smith made the motion to adjourn and was carried with none opposed.

The meeting adjourned at approximately 2:30 PM.