

ALABAMA WIRELESS 9-1-1 BOARD MEETING
600 University Park Place, Suite 400
Birmingham, Alabama
Minutes of June 26, 2009 Meeting

Prior notice of this regularly scheduled meeting of the Alabama Wireless 9-1-1 Board was given in accordance with the Alabama Open Meetings Act.

The roll was called and the following Board Members were present:

Ron Sleeper - Chairman
Bill Brodeur - Secretary/Treasurer
Leslie Bonet
Roger Wilson

Board Members Johnny Hart, Representative Tommy Sherer and Senator Bobby Singleton were absent.

A quorum was established.

The meeting was called to order at 9:30 a.m. by Chairman, Ron Sleeper, who acted as presiding officer of the meeting.

It was noted that the Cost Recovery Committee met at 9:00 a.m. Members attending the Cost Recovery Committee Meeting were as follows: Bill Brodeur, and Roger Wilson. The Board's accountants, Ralph Dowdy and Regina McDaniel, along with the Board's attorney, James T. Sasser, were also present.

A motion to amend the agenda which was previously published on the Board's website was made by Mr. Brodeur and seconded by Ms. Bonet, to move item (h) from the accountant's report to the head of the agenda. The agenda which was previously published on the Board's website, as amended, was then adopted unanimously.

Upon motion by Ms. Bonet and seconded by Mr. Wilson, the minutes of the May 22, 2009 meeting were unanimously approved.

The first item on the agenda was the report on information received by various Alabama financial institutions on their deposit agreements, the related impact on ACH transactions and compliance with the Alabama's SAFE Program. Present were representatives from Wachovia/Wells Fargo, Ellen Steinberg, Amanda Stricklin and Trey Williams.

The Board was informed that the outside audit for the fiscal year September 30, 2008 was needed by Wachovia/Wells Fargo to resolve issues regarding ACH transactions. A motion was made by Mr. Brodeur and seconded by Mr. Wilson to authorize the accountants to give the outside audit to Wachovia. Said motion passed unanimously.

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The representatives from Wachovia/Wells Fargo expressed their desire to continue the banking relationship with the Board asked the Board to communicate any problem the Board had to them and they would endeavor to resolve them if at all possible. The Board thanked the representatives from Wachovia/Wells Fargo for attending the meeting and those representatives were excused.

The next order of business was the attorney's report. Mr. Sasser informed the Board that a hearing on the parties' Cross Motions for Summary Judgment in the T-Mobile litigation was scheduled for June 30, 2009. He was hopeful that the Board would get a ruling from the Court by the end of July.

The final audit of TracFone, which had been conducted by Kassouf & Co. was received by the Board. An attorney for TracFone, Jim Williams, was present at the meeting. He acknowledged to the Board that TracFone had received the Board's demand letter requesting that it remit the sum of \$1,789,343.25. TracFone requested that the Board voluntarily agree to stay any litigation concerning the issues raised in the demand letter until a ruling on the T-Mobile Litigation was received. Mr. Sasser felt that it was not necessary to do anything regarding TracFone's request to "stay" at the present and hopefully the Circuit Court in Madison County would rule on the motions for Summary Judgment prior to July 31, 2009, thereby providing some guidance on how to go forward with TracFone.

Mr. Sasser updated the Board on the petition filed with the FCC challenging TracFone's request as designation in Alabama as an Emergency Telecommunications Carrier. No action has been taken on the petition by the FCC.

The next order of business was the accountant's report. Mr. Dowdy presented the monthly financial statement for the month ending May 31, 2009. Upon motion by Ms. Bonet and seconded by Mr. Brodeur, the Board unanimously approved the monthly financial statement.

The Board requested that Mr. Dowdy present to the Board all Phase II requests for cost recovery from the carriers for fiscal years 2007, 2008 and 2009, and have that information available for the Board at the next monthly meeting.

It was reported that the City of Bessemer, the City of Midfield, and Coosa County have now been certified as Phase II compliant.

As previously authorized by the Board, Perry County had it's Phase II system tested prior to June 14, 2009 and it was deemed capable of receiving and processing Phase II calls, however, Perry County has not been certified yet, but should be prior to July 1, 2009. If that, in fact, occurs and Perry County is certified, then all ECDs in Alabama will be Phase II capable.

Mr. Dowdy estimated that there would be approximately \$524,000.00 left in the Phase II Implementation Fund to distribute to all ECDs in September.

Mr. Dowdy informed the Board he had not heard any additional information from the Examiners of Public Accounts regarding the audit for the fiscal year ending September 30, 2008.

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The next item of business was regarding the RFP sent to accounting firms to conduct the outside audit for the Board. Two accounting firms, Noel Tallon and Jerry Mercer, submitted proposals to conduct the outside audit for the Board for \$4,500.00. The Board had already received a proposal from Jeff Hilyer & Associates to conduct the audit for \$5,500.00. A discussion ensued regarding the selection of the accounting firm to conduct the outside audit. A motion was made to select Jerry Mercer, CPA of Huntsville, Alabama to conduct the outside audit for the next fiscal year for the Board by Mr. Wilson and seconded by Mr. Brodeur. A roll call vote was called for and Mr. Wilson, Ms. Bonet and Mr. Brodeur voted "Aye". There were no "Nays" and the Motion passed unanimously.

The next order of business was the Cost Recovery Committee report. The Committee reported that Pine Belt Cellular had amended its cost recovery plan to include an additional \$4,414.87. The Committee thought the increase was warranted and upon motion by Mr. Wilson and seconded by Ms. Bonet, the Board unanimously approved the amendment to the cost recovery plan of Pine Belt Cellular.

The Cost Recovery Committee recommended approval of the following:

9/30/08 Phase I reimbursement requested and paid during June, 2009:

Carrier	Nonrecurring	Recurring	Total	
Corr Wireless *	\$ -	\$ 13,702.64	\$13,702.64	\$ (13,702.64)

Already pre-approved final audit now received.

9/30/09 Phase I reimbursements previously approved and paid during June, 2009:

Carrier	Nonrecurring	Recurring	Total	
Clear Talk	-	6,688.76	6,688.76	(6,688.76)

9/30/09 Phase I reimbursements requested and paid during June, 2009:

Carrier	Nonrecurring	Recurring	Total	
AT&T	\$ -	\$ 54,092.57	\$ 54,092.57	
Alltel	-	53,129.12	53,129.12	
Cellular South	-	23,205.92	23,205.92	
Clear Talk	-	3,344.38	3,344.38	
Corr Wireless	-	12,889.08	12,889.08	
Pine Belt Cellular	-	10,272.73	10,272.73	
Sprint Nextel	16,212.00	1,155,839.74	1,172,051.74	
	<u>\$ 16,212.00</u>	<u>\$ 1,312,773.54</u>	<u>\$ 1,328,985.54</u>	<u>(1,328,985.54)</u>

Remaining Balance Available \$ 3,175,542.47

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Upon motion duly made by Mr. Wilson and seconded by Ms. Bonet, the Board unanimously approved the Cost Recovery Committee's recommendations.

The following invoices were submitted for approval to the Board by the Cost Recovery Committee:

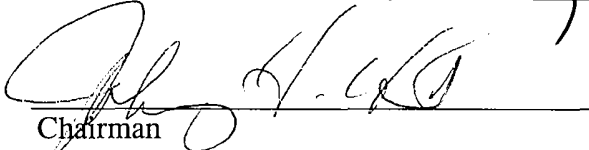
MDA	\$8,483.79 for monthly accounting services
MDA	\$ 200.00 for website maintenance
James T. Sasser	\$2,415.00 for legal services related to T-Mobile litigation
James T. Sasser	\$4,906.45 for monthly legal services
Kassouf & Co.	\$4,369.75 for accounting work related to TracFone audit
Insurance Facilities	\$4,500.00 for premium for directors and officers liability insurance
Johnny Hart	\$ 75.39 for mileage reimbursement
Etowah County	\$ 74.89 for mileage reimbursement
Walker County	\$ 52.93 for mileage reimbursement
Roger Wilson	\$ 156.57 for expense reimbursement for Phase II Certification

Upon motion duly made by Ms. Bonet and seconded by Mr. Wilson, the Board unanimously authorized payment of these invoices.

The Board set the next regularly scheduled meeting for Friday, July 24, 2009 at 600 University Park, Suite 400, Birmingham, Alabama. The Cost Recovery Committee will meet at 9:00 a.m. and the Board Meeting will follow at 9:30 a.m.

There being no further business, the Board adjourned at approximately 11:15 A.M. (CST).

Approved this 22nd day of July, 2009


Chairman


Secretary