

ALABAMA WIRELESS 9-1-1 BOARD MEETING
Southern Linc Conference Room
600 University Park Place, Suite 400
Birmingham, Alabama 35209

Minutes of February 19, 2010 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:

Roger Wilson- Chairman
Johnny Hart-Vice Chairman
Bill Brodeur-Secretary
Leslie Bonet
Jeremiah Knight

Board Member Representative Tommy Sherer arrived at the meeting at approximately 9:40, therefore he was present. Board member Senator Bobby Singleton was absent.

A quorum was established.

The meeting was called to order at 9:30 a.m. by Chairman, Roger Wilson, 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: Roger Wilson, Johnny Hart, and Bill Brodeur. The Board's accountants, Ralph Dowdy and Regina McDaniel, along with the Board's attorney, James T. Sasser, were also present.

Upon motion by Mr. Hart and seconded by Mr. Bonet, the agenda which was previously published on the Board's website was unanimously adopted.

Upon motion by Mr. Hart and seconded by Ms. Bonet, the minutes of the January 15, 2010 meeting were unanimously approved.

The first item on the agenda was the attorney's report. Mr. Sasser reported on the status of the T-Mobile litigation, and informed the Board that no ruling has been issued on the parties' cross motions for summary judgment. He will continue to monitor this situation and let the Board know when the Court rules.

Mr. Sasser also reported that he had some communication with AT&T regarding clarification of whether or not AT&T charges its customers for cost recovery. He still has an issue that needs to be resolved before any monies may be paid to AT&T.

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Mr. Sasser reported that the Governor's office had approved out of state travel for Board members Wilson, Hart, and Brodeur to attend the "911 Goes to Washington" meeting in March.

The next item on the attorney's report was regarding the litigation with TracFone. Since these discussions related to litigation, Mr. Sasser informed the Board that these matters would be an exception to the Open Meetings Act requirement that the Board's meetings be held openly. Mr. Daniel Kaufmann, who is assisting the Board in litigation with TraceFone was also present at the meeting. Upon motion by Mr. Sherer, and seconded by Ms. Bonet, a motion was made for the Board to go into executive session to discuss the litigation with TracFone. Members Wilson, Hart, Brodeur, Bonet, Knight and Sherer voted in favor of the motion. There were no dissenting votes against going into executive session. Visitors were excused for approximately twenty minutes. The executive session began at 10:00 a.m.

After approximately twenty minutes in an executive session, the Board reconvened.

The next order of business was the accountant's report. Mr. Dowdy presented the monthly financial statement for the month ending January 31, 2010. Upon motion by Ms. Bonet, and seconded by Mr. Hart, the Board unanimously approved the monthly financial statement.

Mr. Dowdy reported that the independent audit of the Board had been completed by Jerry Mercer, and had been disseminated to the Board and timely submitted to the Examiners of Public Accounts. Upon motion by Mr. Knight, and seconded by Ms. Bonet, the Board accepted the independent financial audit unanimously.

Mr. Dowdy reported that he had been in contact with the examiners, however, the examiners still had not scheduled a time to begin the fiscal year 2009 audit.

Mr. Dowdy reported that as of February 18, 2010, there were only 7 ECD's who have not sent in their annual certification to the Board. Mr. Wilson indicated that he spoken with the City of Hoover and the City of Bessemer and their certifications were in the mail. Therefore there were 5 of the 88 ECD's who had not sent their certifications in as of February 18, 2010. Those ECD's are: City of Birmingham, City of Dadeville, City of Midfield, City of Fairfield, and Washington County. If these certifications are not received in a timely manner, then that ECD will not be eligible to receive disbursements from the Board, pursuant to the Board's previously adopted regulations regarding cooperation from the ECD's for document requests.

Mr. Wilson indicated that he had developed a form for each ECD to fill out regarding who their operation/financial point of contact was to help facilitate the compliance with communication with the Board in the future.

The next order of business was the Cost Recovery Committee Report. The Cost Recovery Committee recommended approval of the following:

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Carrier	Nonrecurring	Recurring	Total
AT&T	\$ -	\$ 80,518.46	\$ 80,518.46
Alltel	-	16,997.59	16,997.59
Cellular South	-	32,868.91	32,868.91
Clear Talk	-	3,344.38	3,344.38
Corr Wireless	-	22,615.44	22,615.44
Southern Linc	-	82,842.56	82,842.56
	<u>\$ -</u>	<u>\$239,187.34</u>	<u>\$239,187.34 (239,187.34)</u>

Remaining Balance Available \$4,001,870.26

Upon motion made by Mr. Sherer, and seconded by Mr. Hart, 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:

James T. Sasser	\$ 6,939.00	for monthly legal services
James T. Sasser	\$ 4,270.00	for legal services related to TracFone litigation
MDA	\$ 8,461.70	for monthly accounting services
Kassouf & Co.	\$ 165.00	expert witness fees related to TracFone litigation
Mercer & Associates	\$ 4,500.00	for the annual independent audit of the Board
Johnny Hart	\$ 64.93	for travel reimbursement
Roger Wilson	\$ 1,083.80	airfare/related expenses for "911 Goes to Washington"

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

The next item on the agenda was the issue regarding the DOT grant that the Board had previously agreed to participate in with the Department of Homeland Security. A Memorandum of Understanding has been provided by Mr. Art Faulkner to Mr. Sasser, and he has reviewed that document. It was noted that 58 ECD's had previously agreed to assign their portion of additional funding the Board would make from its administrative fund. Mr. Coleman of Alabama NENA is going to contact the other 30 ECD's again to make sure that they do not want to participate in the Grant proposal. The \$600,000.00 administrative fund disbursement will consist of \$480,000.00 to the ECD's, and \$120,000.00 to the carriers. It will take approximately 2 ½ years to complete the project. There is \$686,000.00 in grant funds available. It was indicated that a RFP will need to be done by the Board within 60 days for a consultant, and the Board will disseminate and come up with specs for the RFP in that timeframe. The Board authorized Mr. Wilson to enter into the Memorandum of Understanding with the Alabama Department of Homeland Security.

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The Board set the next scheduled meeting for Friday, March 26, 2010 at 1114 16th Street South, Birmingham, Alabama 35205. The Cost Recovery Committee will meet at 9:00 A.M. (CST) and the Board meeting will follow at 9:30 A.M. (CST).

There being no further business, the Board adjourned at approximately 10:40 AM. (CST).

Approved this 26th day of March, 2010.

Ray D. Wilson
Chairman

Bill Brodeur
Secretary