

**ALABAMA WIRELESS 9-1-1 BOARD MEETING**  
**Birmingham Regional EMS**  
**1114 16<sup>th</sup> Street South**  
**Birmingham, Alabama 35205**

**Minutes of July 30, 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/Treasurer  
Leslie Bonet  
Jeremiah Knight

Board Members Senator Bobby Singleton and Representative Tommy Sherer were 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, Bill Brodeur, and Johnny Hart. 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. Knight and seconded by Ms. Bonet, the agenda which was previously published on the board's website was unanimously adopted.

Upon motion by Mr. Brodeur and seconded by Mr. Hart, the minutes of the June 25, 2010 meeting were unanimously approved.

The next order of business was the attorney's report. Mr. Sasser reported on the status of the T-Mobile and TracFone litigation. No final Order has yet been issued by Judge Privett in the T-Mobile litigation; however, one is expected in the next few days or weeks. It is fully expected that T-Mobile will appeal that Order to the Alabama Supreme Court.

As for the TracFone litigation, a hearing on TracFone's Motions and the Board's Motions was held on July 26, 2010, before Judge Karen Bowdre in the United States District Court of the Northern District of Alabama. Judge Bowdre ruled for the Board on all outstanding motions. Therefore, the only pending litigation is in the Circuit Court of Madison County now. There are

ALABAMA WIRELESS 9-1-1 BOARD MEETING  
Minutes of July 30, 2010 Meeting

ongoing settlement negotiations with TracFone and we are waiting for issues to be clarified regarding how TracFone identifies its Alabama customers and also clarification as to the Board's involvement regarding point of sale legislation. Mr. Sasser expressed optimism that this litigation could possibly be settled by the fall.

The next order of business was the accountant's report. Mr. Dowdy presented the monthly financial statement. He noted that revenues appeared to have increased 2% over the same time last year, and it appears that there are approximately 3.5 million wireless connections in Alabama remitting to the Board.

Mr. Dowdy reported that the special allocation of \$600,000 had been made with \$120,000 being put into escrow for the carriers and \$451,976.38 allocated for the D.O.T. grant. 11 ECDs chose to receive their allocation rather than participate in the next generation project and 77 ECDs have agreed to participate and therefore assign their allocation back to the Board.

Mr. Dowdy also discussed the pending audit for the fiscal year ending September 30, 2009. He had spoken with Christine Parrish, and the preliminary audit is complete. Mr. Dowdy discussed possible findings that the examiners may find and it was discussed that the accountants need to review vendor bills more closely in the future - as to detect any discrepancies with Alabama law and their contracts.

Mr. Dowdy also informed the Board that the accountants would not be attending the August monthly meeting in Orange Beach, due to the excessive costs that would be incurred as a result of them attending.

Upon motion by Ms. Bonet and seconded by Mr. Knight, the Board unanimously adopted the motion accepting the monthly financial report.

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

9/30/10 Phase I reimbursements requested and paid during July, 2010:

<u>Carrier</u>	<u>Nonrecurring</u>	<u>Recurring</u>	<u>Total</u>	
Clear Talk	\$ 2,000.00	-	\$2,000.00	
Corr Wireless	\$ -	\$23,161.38	\$23,161.38	
	<u>\$ 2,000.00</u>	<u>\$23,161.38</u>	<u>\$25,161.38</u>	(25,161.38)

**Remaining Balance Available** \$4,447,985.02

Upon motion by Mr. Hart and seconded by Ms. Knight, the Board unanimously approved the Cost Recovery Committee recommendations.

ALABAMA WIRELESS 9-1-1 BOARD MEETING  
Minutes of July 30, 2010 Meeting

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

James T. Sasser	\$1,015.00 for legal services related to TracFone litigation
James T. Sasser	\$4,393.56 for monthly legal services
MDA	\$8,487.29 for monthly accounting services
MDA	\$200.00 for monthly web site maintenance
Kassouf & Co.	\$ 30.79 work related to the T-Mobile litigation

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

Mr. Wilson next reported on the status of the DOT grant. The Board received its first invoice from the Center for Advanced Technology at AUM in the amount of \$6,303.75 for services rendered pursuant to the Memorandum of Agreement with the Board regarding the development of a RFP for the Next Generation Network. Upon motion by Mr. Hart and seconded by Ms. Bonet, the Board unanimously authorized payment of this invoice.

Mr. Wilson also reported that the timeline had been extended regarding this project. Apparently the ANGYN committee of Alabama NENA wants to make a demonstration of the network at the annual NENA meeting in October. It is felt that any RFP should be sent out after that demonstration in October. This will probably mean that it will be February 2011 before the Board will receive the results of the RFP.

There being no further business, the Board adjourned at approximately 10:50 a.m. CDT. The Board set the next scheduled meeting for Wednesday, August 25, 2010 at the Perdido Beach Resort, Sand Dollar Room in Orange Beach, Alabama. The Cost Recovery Committee will meet at ~~12:30 p.m.~~ <sup>1:00 pm</sup> (CDT), and the Board meeting will follow at ~~1:00 p.m.~~ <sup>1:30 pm</sup> (CDT).

APPROVED THIS 25<sup>th</sup> DAY OF Aug, 2010

  
\_\_\_\_\_  
CHAIRMAN

  
\_\_\_\_\_  
SECRETARY