

ALABAMA WIRELESS 9-1-1 BOARD MEETING
Birmingham Regional EMS
1114 16th Street South
Birmingham, Alabama

Minutes of September 24, 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: Bill Brodeur, Roger Wilson and Johnny Hart. The Board's accountant, Ralph Dowdy, and its attorney, James T. Sasser, were also present.

The agenda for this meeting was previously published on the Board's website, however it was noted that the accountant's contract is up for renewal.

Upon motion by Mr. Hart and seconded by Mr. Knight, a motion was made to amend the agenda to include as a new item the renewal of the accountant's contract with the Board. Voting in favor of said motion were Mr. Wilson, Mr. Hart, Mr. Brodeur, Ms. Bonet and Mr. Knight. There were no nays. The agenda, as amended, was unanimously adopted.

Upon motion by Mr. Knight and seconded by Ms. Bonet, the minutes of the August 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 litigation. A final Order was issued by Judge Privett on September 15, 2010.

ALABAMA WIRELESS 9-1-1 BOARD MEETING

Minutes of September 24, 2010 Meeting

Therefore, T-Mobile has 42 days from that date within which to perfect an appeal to the Alabama Supreme Court, which T-Mobile has indicated they intend to do.

Mr. Sasser next addressed the TracFone litigation. Jim Williams, representing TracFone, was present at the meeting. Discussions ensued between Board members and Mr. Williams regarding TracFone's last confidential settlement offer. The Board unanimously voted to reject the TracFone offer and to give TracFone seven days in which to either accept the previous proposal made by the Board to TracFone or proceed with litigation. The Board instructed Mr. Sasser to inform Mr. Kauffman of its decision and to act accordingly.

Mr. Sasser expects an Attorney General's opinion regarding the issue of payment of Phase II cost reimbursements to carriers, who self recover before the next Board meeting.

Mr. Sasser also reported that he has received responses from about one half of the carriers offering prepaid service in Alabama regarding how they identify their customers and remit the .70 monthly fee to the Board. He is hopeful that all responses will be in by the next Board meeting.

The next order of business was the accountant's report. Mr. Dowdy presented the monthly financial statement. From the most recent financial statement, revenues appear to be down approximately \$400,000.00 from the same time last year. He is not sure whether this is an anomaly or a trend. He will watch this closely.

Mr. Dowdy reported that the Phase II account had been changed in the DOT/DOC Grant Fund Account.

Mr. Dowdy also reported that ECD certification requests were sent out in the last month's remittance to the ECD's. Approximately ten have been received, thus far.

Upon motion by Mr. Brodeur and seconded by Mr. Knight, the monthly financial report was unanimously approved.

Mr. Dowdy also presented the Board with a final number of ECD's participating in the ANGEN project. The City of Gardendale has now bought into the project for \$5,510.00. There are only ten (10) of the 88 ECD's not participating in the project.

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 September, 2010:

<u>Carrier</u>	<u>Nonrecurring</u>	<u>Recurring</u>	<u>Total</u>
----------------	---------------------	------------------	--------------

ALABAMA WIRELESS 9-1-1 BOARD MEETING

Minutes of September 24, 2010 Meeting

Cellular South	-	3,784.28	3,784.28	July & August
Corr Wireless	-	23,161.38	23,161.38	
Pine Belt Cellular	-	7,288.70	7,288.70	
	<u>\$</u>	<u>-</u>	<u>\$ 34,234.36</u>	<u>\$ 34,234.36</u> <u>(34,234.36)</u>
Remaining Balance Available				<u>\$ 5,344,426.97</u>

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

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

MDA	\$200.00 for monthly web site maintenance
MDA	\$9,263.30 for monthly accounting services
James T. Sasser	\$405.00 for legal services related to T-Mobile litigation
James T. Sasser	\$577.50 for monthly legal services related to TracFone litigation
James T. Sasser	\$4,152.57 for monthly legal services
Bradley Arant Boulton, Cummings	\$268.75 for TracFone litigation
Bradley Arant Boulton, Cummings	\$48.75 for TracFone litigation
Johnny Hart	\$157.52 for two months travel expenses
Auburn University Montgomery	\$750.00 for services related to the DOT Grant

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

The next order of business concerned the ANGEN 9-1-1 project and specifically, the \$950,000.00 matching grant from DOT. Mr. Wilson reported that an RFP is being written by the AUM staff and should be sent out approximately seven to ten days after the Alabama NENA Conference in October. Mr. Wilson said a live demonstration would be presented at the Alabama NENA Conference on the afternoon of Monday, October 11. Shelby and Elmore Counties will be participating in the demonstration conducted by Alabama SuperComputer Authority.

Mr. Wilson brought up an issue that had been raised by John Ellison, of Shelby County. It appears that 241 residents reside in Jefferson County but are served by the City of Helena and should be counted within the ECD for Shelby County rather than Jefferson County. No action

ALABAMA WIRELESS 9-1-1 BOARD MEETING

Minutes of September 24, 2010 Meeting

was taken at this meeting and Mr. Sasser requested to review the law and report back to the Board accordingly.

The next order of business was the renewal of the Board's contract with MDA as Board Accountant. The terms of the contract will remain the same. Upon motion by Mr. Hart and seconded by Mr. Knight, the Board unanimously approved the renewal of the contract with MDA. Mr. Sasser was instructed to make sure the contract complies with State law and all requirements of the Contract Review Committee are met.

There being no further business, the Board adjourned at approximately 10:40 a.m. The Board set the next scheduled meeting for Monday, October 11, 2010, at the Perdido Beach Resort, Orange Beach, Alabama at 10:00 a.m. The Cost Recovery Committee will meet at 9:30 a.m. (CDT).

APPROVED THIS 11th DAY OF Oct, 2010

Robert Wilson
CHAIRMAN

Bill Brodeur
SECRETARY