

**MINUTES OF THE  
9-1-1 BOARD OF MANAGERS'  
REGULAR MEETING**

**May 11, 2011**

LOCATION: 9-1-1 Board Room  
150 Hilbig Road, Conroe, Texas

ATTENDING: Jody Binnion, President  
Paul Virgadamo, Vice President  
Ann Carr, Treasurer  
Ruben Garza, Secretary  
James Simon, Member  
John Young, Ex-Officio Member  
Larry Foerster, Legal Counsel  
Gordon Lopez, Executive Director  
Jeanne Frey, Database Manager  
Russell Steffee, Systems Operations Manager  
Regina Payne, GIS/Database Supervisor  
Terri Gill, Executive Assistant

GUESTS: Kelly Curry, Montgomery County Hospital District  
Lt. Joseph Sclider, Montgomery County Sheriff's Office  
Dianna Porche, AT&T

Chief Jody Binnion, President, called the meeting to order at 9:05 a.m., with all members present.

**PUBLIC COMMENTS**

No one requested to address the Board of Managers.

Mr. Gordon Lopez, Executive Director, introduced Mrs. Regina Payne, the new GIS/Database Supervisor, she will be a direct report to Jeanne (Frey), who will still maintain the umbrella coverage for database and GIS and the office management requirement. Please welcome Regina, she will be a welcome asset to our environment, with a lot of experience in the 9-1-1 business supporting the data integrity units and managing those units.

**NATIONWIDE RETIREMENT SOLUTIONS (NRS) PLAN SPONSOR DOCUMENTS**

Chief Binnion noted item one of the agenda, discuss and take action on Nationwide Retirement Solutions (NRS) Plan Sponsor Documents.

Mr. Lopez explained the plan through Nationwide is a 457 Plan and there is no matching contribution from the District. The IRS has enacted new regulations for these plans and the Board must accept the changes to the plan documents.

Mr. Paul Virgadamo made the motion to approve the revised plan documents. Chief of Staff Ann Carr seconded the motion. The motion carried with all in favor.

## **RETIREE COVERAGE FOR DENTAL AND VISION**

Chief Binnion noted item two of the agenda, discuss and take action on Retiree Coverage for Dental and Vision.

Mr. Lopez explained that Texas Municipal League had cancelled retiree's coverage for dental and vision in January of this year. The retirees may continue their existing policies with United Healthcare, however, United Healthcare will not bill the District for their coverage, and the retiree would have to be reimbursed if the board allowed, or perhaps obtain coverage through another provider. The board might elect not to provide this coverage in the future.

Mr. Lopez noted he had polled the other Districts and in most cases the retirees do not have dental and vision coverage. Only one respondent indicated their board had approved allowing their retirees to continue their coverage through United Healthcare and submit their invoices for reimbursement to the District.

Chief of Staff Carr noted many governmental entities are doing this now. Vision and dental are being dropped for retirees, there are so many plans being offered under an umbrella with a large group and they are more cost effective.

Mr. Lopez suggested the District has a few options, to reimburse the retirees for their plan costs, or modify the order to reflect reimbursement through any provider with a cost cap, or modify the order to reflect the District will no longer provide retiree dental and vision coverage.

Chief Binnion asked how much coverage we are currently providing. Ms. Terri Gill stated the District is currently spending about \$30 a month per retiree.

Mr. Virgadamo stated if they have worked long enough to retire and we were covering them at one time, I would hate to cut that. Chief of Staff Carr suggested the board set an amount, say \$45 per month and it would be up to the retiree to buy it. That is the fairest way. Mr. Virgadamo agreed.

Mr. Virgadamo asked if everyone would be okay with the \$45 cap. Chief of Staff Carr stated it is a fair amount.

Mr. Virgadamo made the motion to reimburse the retiree up to \$45 per month for dental and vision coverage, and must submit billing copies for reimbursement. Chief of Staff Carr seconded the motion. The motion carried with all in favor.

## **NEW MONTGOMERY COUNTY HOSPITAL DISTRICT INTERLOCAL AGREEMENT**

Chief Binnion noted item three of the agenda, discuss and take action on approval of negotiation for a new Montgomery County Hospital District Interlocal Agreement.

Mr. Lopez noted the Policy Sub-committee has been working to draft a new interlocal agreement to present to the hospital district, basically with their move, the old agreement does not hold, there are any number of caveats in the old agreement that have to be changed. What we are doing is seeking approval based on the review of the draft the Policy Sub-committee put together, with the advice of our legal advisor. We want to go ahead and submit the agreement to the Hospital District and start negotiating a new agreement for their new location.

Mr. Ruben Garza made the motion to negotiate an interlocal agreement with the Hospital District. Mr. Virgadamo seconded the motion. Chief Binnion asked if there would be further discussion.

Mr. Larry Foerster asked if the motion includes the draft submitted by the committee. Mr. Garza replied affirmatively.

Chief Binnion asked Mr. Kelly Curry if he had any comment. Mr. Curry replied he had not seen the agreement.

Chief of Staff Carr asked who is preparing the interlocal. Mr. Foerster replied the interlocal is prepared, it was sent by Gordon to the board.

Mr. Lopez stated he has a cover letter we would like the Board President to sign, addressed to the Chairman of the Hospital District Board as well as Mr. Curry.

Chief Binnion took the vote. The motion carried with all in favor.

## **CONSENT AGENDA**

Chief Binnion noted item four of the consent agenda, approval of meeting minutes for February 3 and April 12, 2011. Chief of Staff Carr made the motion to approve the minutes. Mr. Virgadamo seconded the motion. The motion carried with all in favor.

Chief Binnion noted item five of the consent agenda, approval of monthly financial statements for the periods ending January 31, February 28 and March 31, 2011. Mr. Virgadamo made the motion to approve the financial statements. Mr. James Simon seconded the motion. The motion carried with all in favor.

Chief Binnion noted item six of the consent agenda, approval of the quarterly financial statement for the period ending March 31, 2011. Mr. Garza made the motion to approve the quarterly financial statement. Mr. Virgadamo seconded the motion. The motion carried with all in favor.

Chief Binnion noted item seven of the consent agenda, other matters requiring attention but not immediate action, item a, 9-1-1 Network Update.

Mr. Lopez explained the District has been making its current networks more robust to prepare for the NG9-1-1 networks and fix existing problems. In looking for ways to diversify, we discovered that Consolidated had a co-location site in downtown Houston with AT&T, and found out that Consolidated had constructed fiber up Highway 59. We took the existing facilities and split them up, some coming up I-45, others up Hwy 59. Another serendipitous portion was that Consolidated was also building fiber rings around the county, so we could take advantage of that aspect without much added cost. This provided a somewhat self-healing network, via the fiber-rings that gave us redundancy and a diverse path into the county. We have reached the final leg of the network elements, Consolidated will provide a totally new fiber link to 150 Hilbig, and the last mile will be totally diverse and robust.

Chief Binnion noted item seven of the consent agenda, other matters requiring attention but not immediate action, item b, NG9-1-1 Project Update.

Mr. Russell Steffee, Systems Operations Manager, explained we currently have 9-1-1 equipment at all sites, except the new Hospital District location. We are testing the new equipment upstairs. The field engineers from Cassidian are working on the PRI circuit from the neutral to the EOC. Training will begin next week to train the trainers. The trainers will then train the call-takers. The Conroe Police Department will go live on June 6<sup>th</sup>, Woodlands Fire Department will go live on June 20<sup>th</sup>, the Sheriff's Office will go live on July 11<sup>th</sup> and the Hospital District will go live at the new facility on August 1<sup>st</sup>. For a short time the old and new systems will run side by side, once everyone is comfortable the old Positron system will be removed.

Chief Binnion noted item seven of the consent agenda, other matters requiring attention but not immediate action, item c, Smart 9-1-1.

We had a presentation by Smart 9-1-1 on April 12<sup>th</sup>, it is an interesting application, and we have requested more information from the Smart 9-1-1 team. We are very interested in the interface elements and the network set-up. Smart 9-1-1 provides subscriber information, the residents have to subscribe to the application and it is enhanced

information the subscriber might wish to provide, and is totally dependent upon the subscriber to be kept up to date. It is not based on any current databases, CodeRed depends on the ALI database to send out crisis alerts, except for weather, CodeRed will automatically take care of anyone who has a landline or VoIP record in the District's database.

Chief of Staff Carr asked if there would be a fee to the subscriber. Mr. Lopez replied not based on the way Smart 9-1-1 presents it. The cost is based on the number of workstations, 43 with the new system; the price is \$7,000 per station. We had a conference call with them yesterday requesting more detailed information on the costing and the physical network elements.

Smart 9-1-1 does not have a footprint in Texas at this point. They are a relatively new company. Many companies claim to be NG9-1-1 compliant, however the standards have not yet been established.

Mr. Kelly Curry asked if the pricing was one-time or ten to twenty percent for the renewals or, it sounds like a big bite. Mr. Lopez replied that is the annual cost. They stated they are willing to negotiate the price.

Chief Binnion noted item seven of the consent agenda, other matters requiring attention but not immediate action, item d, Budget Meetings with the Financial Sub-committee.

Mr. Lopez reported the budget meetings for the Financial Sub-committee have been set for June 16<sup>th</sup> and 23<sup>rd</sup>.

Chief Binnion noted item seven of the consent agenda, other matters requiring attention but not immediate action, item e, Other 9-1-1 Items.

Mr. Lopez reported we have been chasing a rabbit called workers' compensation with Montgomery County. In late 2009 when we received the CPA's audit, he noted that we were paying 10% for workers' compensation for the call-takers upstairs. We approached the Auditor's office, explaining the rate is very high for clerical staff. They did not charge us workers' compensation for about one year, as they investigated the issue. In November 2010, they set the rate at .53%, and recently changed the rate to .96%. We have discussed this with both our legal counsel and CPA. Are we entitled to some compensation? We are not asking the board to recommend any action at this time. There was some discussion that the rate was so high due to trustees being allowed in the facility.

Mr. Paul Virgadamo stated the issues should not be co-mingled. The issue is that we paid ten percent workers' compensation when we should have paid less than one percent. We need to resolve that issue.

Chief of Staff Carr asked who is at the table. Risk Management, the Auditor and the District? Who's talking for the District? Ms. Frey replied that she has, dealing with Ray Armstead.

Mr. Virgadamo stated, "Ann can probably get this solved by four o'clock." Chief of Staff Carr replied, "You've got a lot of faith Paul."

Mr. Lopez stated the overcharge is about \$180,000. Chief of Staff Carr asked back to what year? 2004 through 2009. Chief of Staff Carr asked if Mr. Foerster would weigh in with a legal opinion. Mr. Foerster replied affirmatively. Chief of Staff Carr asked that he do so, she would like to be involved in this matter. We need to get this resolved on behalf of the District; if there's been an overcharge the county owes the District. If they have a position, I'd like for you (Foerster) to get with Phyllis Rainey to make certain they don't have a piece of paper we don't have.

Mr. Lopez stated Chief John Chancellor of Shenandoah has formally approached him about taking over the EOC room in Shenandoah. He wanted to formalize an agreement to allow them to keep the furniture. The back-up center will be obsolete, and we have no need for the furniture. We will strike an agreement to reflect that. We have received pricing for a wireless network and plan to ask for space on their tower and that of the Woodlands

Fire Department for the antennas.

Chief Binnion asked if an agreement is necessary? Mr. Foerster stated we should just make sure the board approves whatever transaction we do.

Mr. Lopez asked if the board had any stakeholder communications that he needs to take action on or follow-up on, or any kind of action you deem necessary.

Mr. Ruben Garza noted the Executive Director's contract is up in June. Chief Binnion asked to schedule a special meeting on June 16<sup>th</sup> in conjunction with the meeting of the Financial Sub-committee.

Mr. Virgadamo made the motion to adjourn. Mr. Simon seconded the motion. The motion carried with all in favor.

The meeting adjourned at 9:50 a.m.

Attest:

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Ruben Garza  
Secretary

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Jody Binnion  
President



Montgomery County Emergency Communication District  
 Post Office Box 1830, Conroe Texas 77305-1830  
 Phone: (936) 523-5911 / Fax: (936) 539-9111

## NOTICE OF REGULAR MEETING

May 11, 2011

Notice is hereby given to all interested members of the public, of a meeting of the Board of Managers of the above styled District, at **9:00 a.m., Wednesday, May 11, 2011**, at the **MCECD 9-1-1 Boardroom, 160 Hilbig Road, Conroe, Texas**. The purpose of the meeting is as follows:

### Open Meeting.

Public Comments. Please sign in and limit comments to three (3) minutes.

1. Discuss and take action on Nationwide Retirement Solutions (NRS) Plan Sponsor Documents.
2. Discuss and take action on Retiree coverage for dental and vision.
3. Approval of negotiation for a new Montgomery County Hospital District Interlocal Agreement.

### CONSENT AGENDA

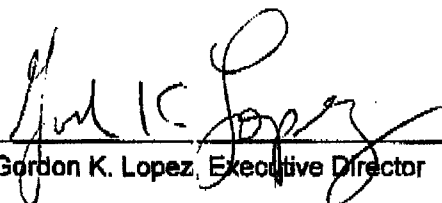
4. Approval of meeting minutes for February 3 and April 12, 2011.
5. Approval of monthly financial statements for the periods ending January 31, February 28, and March 31, 2011.
6. Approval of quarterly financial statement for the period ending March 31, 2011.
7. Consider and discuss other matters requiring attention but not immediate action.
  - a. 9-1-1 Network Update
  - b. NG9-1-1 Project Update
  - c. Smart9-1-1
  - d. Budget Meetings with the Financial Sub-committee
  - e. Other 9-1-1 items
8. Adjourn meeting.

Doc# 11-0635

### POSTED

05/06/2011 12:30PM

Shelby Sodalak  
 MARK TURNBULL, COUNTY CLERK  
 MONTGOMERY COUNTY, TEXAS

  
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 Gordon K. Lopez, Executive Director

Parking is available in front of the Law Enforcement Center. Please go to the Information Booth in the Center's main lobby and inform the attendant you are here for the 9-1-1 Board Meeting. You will be met at the access gate near the flagpoles. You may also call (936) 523-5911 from the gate located on Hilbig Road. The gate will be opened via remote.

*The Montgomery County Emergency Communication District reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code, Section 561.071 (Consultation with Attorney); 561.072 (Deliberations about Real Property); 561.073 (Deliberations about Gifts and Donations); 561.074 (Personnel Matters); 561.076 (Deliberations about Security Devices); and 561.087 (Economic Development).*