

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

January 20, 2009

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

ATTENDING: John Chancellor, President
Charlie Ray, Vice President
Jerry Bittner, Secretary
Ann Carr, Treasurer
James Simon, Member
Alfonso Martinez, Ex-Officio Member
Larry Foerster, Legal Counsel
Robert VanWassehnova, CPA
Gordon Lopez, Executive Director
Jeanne Frey, Database Manager
Chiu-Wen Ray, GIS Manager
Russell Steffee, Systems Ops Manager
Terri Gill, Executive Assistant

GUESTS: Gordon Vanauken, L. Robert Kimball and Associates
Alan Murreu, L. Robert Kimball and Associates
Lt. Robert Yetter, Conroe Police Department

Chief John Chancellor, President, called the meeting to order at 9:00 a.m., noting that all members are present, as well as legal counsel.

PUBLIC COMMENTS

No public addressed the board.

Chief Chancellor requested the Board address item five, review and discuss Attorney Generals Opinion #0668 relating to Open Meeting Agendas, as the first item of business.

ATTORNEY GENERAL'S OPINION #0668 RELATING TO OPEN MEETING AGENDAS

Mr. Larry Foerster stated the Attorney General's opinion is related to how we conduct our meetings and how we post our agendas. Mr. Foerster stated that typically the way we are doing it is fine, although the Board should be aware that anything that transpires in the meeting needs to be on the agenda. The Executive Director's Report that is submitted every month has several sub-categories. One thing that could be done is to list every category within the report giving the public notice of what is going to be covered. Another option is for the Executive Director to submit his report to the Board, sending it in advance, and if there is anything the Board would want to discuss in the meeting, they would notify him at least four days in advance to allow proper posting of the agenda.

Mr. Foerster stated for specific requests, contact the Executive Director, or if it's something that needs to be addressed by the Board, ask him to put it on the next agenda. Chief Chancellor inquired whether the item "other

matters” need no longer be on the agenda. Chief of Staff Ann Carr stated that the matters have to be listed. Mr. Foerster noted that the statute allows the board members to state during a meeting that they want to discuss a matter or matters at a future meeting.

Chief of Staff Carr inquired whether everyone had taken the Open Meetings and Public Information Act training? All of the board members have taken the training; Mr. Gordon Lopez will take the training.

PRESENTATION/PROGRESS REPORT ON ESI-NET PROJECT BY MR. GORDON VANAUKEN OF L. ROBERT KIMBALL & ASSOCIATES

Mr. Gordon Vanauken, Telecom Specialist with L. Robert Kimball and Associates, reviewed the Final Report for Microwave Assessment, noting that the report is a snapshot of the current county microwave system as it was during the assessment. As of today, in its current configuration, the microwave system will not be a piece of the ESI-Net solution. However, this may change as we proceed with the RFI and look at developing the network solution or options that are best for the District and the agencies it supports going forward.

Mr. Vanauken stated the second piece they are working on is the ESI-Net Request For Information (RFI) document. It will be distributed to various vendors in the industry today requesting IP network solutions to remedy current network issues and prepare us for future NG9-1-1 operations? Once the information has been received from the vendors, it will be evaluated, and will make some determinations of whether to proceed with a Request for Proposal (RFP) or pursue other avenues. The final product of the RFI and MW assessment project, based on the Kimball contract, will be a final recommendations report encompassing the microwave assessment plus the responses to the RFI. The intent is to place MCECD in a position to take full advantage of the NG9-1-1 systems that are rapidly being developed. The final report will offer various options and the pros and cons of those options.

Mr. Lopez stated we are hoping to get the RFI responses back by March 13. After March, we will work with Kimball, based on the contract, to review and evaluate the responses and analyze recommendations they, Kimball, provide in their final report.

2007/2008 ANNUAL AUDIT

Chief Chancellor noted item number two of the agenda, discuss and take action on 2007/2008 annual audit. Mr. Robert VanWassehnova stated he would hit some of the highlights and then take questions. Mr. VanWassehnova began with the balance sheet, stating three years were included in this year’s report for information and comparison purposes. He noted that as the cash has increased, so to have the expenses increased. Mr. VanWassehnova noted that the pension plan is 90% funded, which is excellent. Mr. VanWassehnova stated that the District’s system has always operated well, and with the personnel changes it has continued to do so.

Mr. Lopez asked, on page two, service revenues increased by 1.4%, while the total expenses increased by 11.1%, is this across the three-year period? Mr. VanWassehnova replied that it is the most current year, 2007 versus 2008.

Mr. VanWassehnova asked if there were any questions. Deputy Chief Bittner asked that when they give an unqualified opinion, is this considered an appropriate audit? Mr. VanWassehnova replied affirmatively, and this is what the District received.

Chief of Staff Ann Carr noted that in the future the District faces the possibility of doubling the District’s contribution for its retirement plan, should the Board prepare this year for changes in the next budget year? Mr. VanWassehnova replied that he has seen that the District’s contribution percentage had gone up at the beginning

of the year, and is not sure how the actuarial assumptions work. Chief of Staff Carr stated we need to plan for the possibility of a 60% increase in the District's contribution towards retirement for each employee.

With no further questions, Chief Chancellor requested a motion. Chief Charlie Ray made the motion to accept the 2007/2008 financial statements. Mr. James Simon seconded the motion. The motion carried with all in favor.

ORDER AUTHORIZING SIGNATURES OF FISCAL AGENTS WITH BANK OF AMERICA

Chief Chancellor noted item three, review and approve order authorizing signatures of fiscal agents with Bank of America, a housekeeping item. Ms. Terri Gill, Executive Assistant requested that each member sign the duplicate original order.

Chief of Staff Carr made the motion that Mr. Lopez and all Board Members are to be considered authorized agents. Chief Ray seconded the motion. The motion carried with all in favor.

RESOLUTION AMENDING AUTHORIZED REPRESENTATIVES WITH TEXPOOL

Chief Chancellor noted item four, review and approve resolution amending authorized representatives with Texpool, a housekeeping item requiring signatures only.

Items:

- **CITY OF CONROE CALL-TAKING INTERLOCAL**
- **MONTGOMERY COUNTY CALL-TAKING INTERLOCAL**
- **INTERLOCAL AGREEMENT WITH CITY OF SHENANDOAH AND THE POSSIBILITY OF A NEW BACK-UP CENTER**
- **INTERLOCAL AGREEMENT WITH THE WOODLANDS FIRE DEPARTMENT FOR SUBLEASE AND RELATED MATTERS FOR BACK-UP COMMUNICATION AND EMERGENCY OPERATIONS CENTER**
- **MONTGOMERY COUNTY INTERLOCAL AGREEMENT FOR THE SHARING OF COSTS RELATED TO THE MCECD COMMUNICATIONS CENTER**
- **MONTGOMERY COUNTY HOSPITAL DISTRICT INTERLOCAL AGREEMENT FOR THE SHARING OF COSTS RELATED TO THE MCECD COMMUNICATIONS CENTER**

**Please note: All of the Interlocals listed on the agenda were discussed as one item, with no action taken.

Chief Chancellor noted item six, review and discuss City of Conroe call-taking interlocal agreement. Mr. Lopez stated the interlocal agreements were placed on the agenda as the majority require annual review.

Chief Chancellor requested that Mr. Lopez work with Mr. Foerster and the staff to draft interlocals to present to the Board. Chief Ray and Chief of Staff Carr requested that we create parity in the agreements and Secretary Bittner recommended they include performance standards.

Mr. Lopez stated, from his standpoint we would approach the coordinators in each one of the agencies to go ahead and address these interlocal agreements. He will send a letter to the chiefs and higher ups. Chief Chancellor commented affirmatively. Chief of Staff Carr requested that Mr. Lopez address the higher ups and copy the Board Members.

AUTHORIZING USERS AND POLICY AND PROCEDURE FOR USE OF CODERED

Chief Chancellor noted item twelve of the agenda; discuss and take action on authorizing users and policy and

procedure for use of CodeRED. Ms. Jeanne Frey, Database Manager, explained the agencies involved had met and were asked to review the draft presented by Captain Randy McDaniel. Only one response has been received. Ms. Frey stated she was in the process of creating a protocol manual, based on a sample received from another district.

Chief Chancellor stated the district can push out the Weather Warning to citizens, get the Courier to publish a public service announcement. Chief of Staff Carr noted we need an interlocal agreement and this Board, 9-1-1, this district paid for it. We should set the criteria, when it will used, who is in charge, and who is authorized. Chief Ray stated the district should set some protocol, but each agency is going to be responsible for initiating it, and can implement it.

Mr. Lopez stated he will go ahead and generate a protocol and bring it back to the board. It will be provided to the board before the next meeting.

Chief Ray requested we show item number twelve as deferred.

DISCLAIMER/NON-DISCLOSURE AGREEMENT FOR MCECD GIS DATA

Chief Chancellor noted item thirteen of the agenda; discuss and take action on disclaimer/non-disclosure agreement for MCECD GIS data. Mr. Foerster stated at the last meeting he had produced a disclaimer based on some concerns Chiu-Wen Ray had about passing out some information that we could not verify was correct. Chief Ray quoted from the November 18, 2008 minutes, "Following a brief discussion of the disclaimer/non-disclosure agreement was deferred to the January 19 meeting, to allow Mr. Larry Foerster to confer with Marshall Shirley and Marcus Winberry."

Mr. Lopez stated it is a disclaimer from the standpoint that it protects the district from liabilities. The disclaimer protects us from saying that the data provided is always valid and absolute. Chief of Staff Carr stated this was the text Marshall Shirley has seen and approved, and that Marcus Winberry concurs.

Chief Chancellor requested a motion. Chief Ray made the motion to allow the staff to handle the disclaimer issue. Mr. Simon seconded the motion. The motion carried with all in favor.

CONSENT AGENDA

Chief Chancellor noted items fourteen and fifteen of the Consent Agenda. Chief of Staff Carr made the motion to approve these items in their entirety. Mr. Simon seconded the motion. The motion carried with all in favor.

There were no invoices requiring approval.

OTHER MATTERS REQUIRING ATTENTION AND NOT IMMEDIATE ACTION

A. Income and Expenses, comparing the 2005/2006, 2006/2007, 2007/2008 and 2008/2009 Fiscal Years

Mr. Lopez stated he wanted to provide information on income comparisons, total revenue on wireline. Wireline is a direct surcharge that comes to us, set at \$0.62, while with VoIP we get \$0.50 on the revenue stream. The other factor is wireless, which is charged at \$0.50, those revenues go to the state, and CSEC determines, based on the population base how the monies are distributed back to us. Mr. Lopez stated he is concerned about the 2008/2009 budget figures that may be impacted anywhere from five to ten percent based on the figures which point to dropping revenues and the impact of the economic downturn on Telco, VoIP and Wireless revenues as a whole..

B. Conclusion of Pendleton Contract (CAD)

Mr. Lopez noted that the last contract with Pendleton ended December 15th. The consultant owes the CAD subcommittee a final position paper. From the district’s standpoint, we would prefer not to extend the retainer contract until there is some sub-committee consensus to move forward on a standard CAD system. Chief Ray stated, “Again going back to our minutes from the last meeting; we were supposed to get a report at this meeting.” Chief Chancellor replied he had not finished, and I am okay with terminating the contract for now.

Chief Chancellor requested a motion to adjourn. Chief of Staff Carr made the motion to adjourn. Deputy Chief Bittner seconded the motion. The motion carried.

The meeting adjourned at 10:58 a.m.

Attest:

Jerry Bittner
Secretary

John R. Chancellor
President

NOTICE OF REGULAR MEETING

January 20, 2009

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., Tuesday, January 20, 2009**, at the **MCECD 9-1-1 Boardroom, 150 Hilbig Road, Conroe, Texas**. The purpose of the meeting is as follows:

Open Meeting.

Public Comments.

1. Hear a presentation/progress report on ESI-Net project by Mr. Gordon Vanauken of L. Robert Kimball & Associates.
2. Discuss and take action on 2007/2008 Annual Audit.
3. Review and approve Order Authorizing Signatures of Fiscal Agents with Bank of America.
4. Review and approve Resolution Amending Authorized Representatives with Texpool.
5. Review and discuss Attorney General's Opinion #0668 relating to Open Meeting Agendas.
6. Review and discuss City of Conroe Call-taking Interlocal Agreement.
7. Review and discuss Montgomery County Call-taking Interlocal Agreement.
8. Review and discuss Interlocal Agreement with City of Shenandoah and the possibility of a new back-up center.
9. Review and discuss Interlocal Agreement with The Woodlands Fire Department for Sublease and Related Matters for Back-up Communication and Emergency Operations Center.
10. Review and discuss Montgomery County Interlocal Agreement for the Sharing of Costs Related to the MCECD Communications Center.
11. Review and discuss Montgomery County Hospital District Interlocal Agreement for the Sharing of Costs Related to the MCECD Communications Center.
12. Discuss and take action on Authorizing Users and Policy and Procedure for Use of CodeRED.
13. Discuss and take action on Disclaimer/Non-Disclosure Agreement for MCECD GIS Data.

CONSENT AGENDA

14. Approval of meeting minutes for November 18, 2008.
15. Approval of monthly financial statements for the periods ending October 31, 2008 and November 30, 2008.
16. Review and approve invoices and payment of accounts.
17. Consider and discuss other matters requiring attention and not immediate action.
 - A. Income and Expenses, comparing the 2005/2006, 2006/2007, 2007/2008 and 2008/2009 Fiscal Years
 - B. Conclusion of Pendleton Contract (CAD).
18. Adjourn meeting.

Gordon Lopez, Executive Director