



AGENDA
NORTH CAROLINA 911 BOARD MEETING
And
WORK SESSION
May 28, 2015
Room 230
Whitted Human Services Building
300 West Tryon Street
Hillsborough, NC
9:00 AM – 2:00 PM

<u>Tab</u>	<u>Topic</u>	<u>Presenter</u>	<u>Time (min)</u>
	Welcome To Orange County	Earl McKee, Chairman Orange County Commissioners	
		Jim Groves, Orange Co Emergency Management Director	
1.	Chairman's Opening Remarks <i>* Resignation of Tommy Cole, Fire Chief recommended by the NC Firemen's Association, appointed by the Speaker of the House</i> <i>* Resignation of Lee Worsley, Representing the NC Association of County Commissioners, appointed by the Governor</i>	Chris Estes	5
2.	Ethics Awareness/Conflict of Interest Statement	Chris Estes	5
	<i>In accordance with G.S. 138A-15, It is the duty of every Board member to avoid both conflicts of interest and potential conflicts of interest. Does any Board member have any known conflict of interest or potential conflict of interest with respect to any matters coming before the Board today? If so, please identify the actual or potential conflict and refrain from any undue participation in the particular matter involved.</i>		
3.	Consent Agenda (<i>vote required</i>) (Complete Reports Located in Agenda Book On NC 911 Board Web Site https://nc911.nc.gov/911Board/Pastagendabooks.asp?year=2015) a) Minutes of April 24, 2015 Board Meeting b) PSAP Liaison Report c) Network Specialist Report - Bone d) Network Specialist Report - Corn	Chris Estes	10

- e) Update On 2014/2015 Revenue Expenditure Reporting
- f) Grant Project Updates
- g) CMRS March Fund Balance \$ 1,050,230
 - 1) CMRS March Disbursements \$ (61,417)
- h) PSAP March Fund Balance \$ 14,114,333
 - 1) PrePaid March CMRS Revenue \$ 464,695
- i) Grant Fund March Balance \$ 513,176
 - 1) Grant Fund March Encumbered \$ (25,812,170)

4. Public Comment Chris Estes

The NC911 Board welcomes comments from state and local government officials, first responders, finance directors, 911 directors, citizens and interested parties about any 911 issue(s) or concern(s). Your opinions are valued in terms of providing input to the 911 Board members. When addressing the Board, please state your name and organization for the record and speak clearly into the microphone.

Speakers:

- | | | | |
|----|--|----------------|----|
| 5. | Executive Director Report <ul style="list-style-type: none"> a) 911 Staff Update b) Legislative Update <ul style="list-style-type: none"> 1) H352 (Standard of Proof) 2) H380 (Statewide School Safety Management) 3) H506 (911 Fund Distribution) 4) H512 (Amend/Clarify Back-Up PSAP Requirements) 5) H730 (County Provide 911 Dispatch Services) 6) H812 (Grant Recipients Posted on Grantor Web Site) 7) S571 (Expand Uses of 911 Fee) 8) H892 (Speaker & President Pro Tem Appointments) 9) Meeting With Rep. Boles / Other Legislative Members c) Update On Bi-Annual Audit | Richard Taylor | 20 |
| 6. | Approval of FY2015-2016 Budget
<i>(vote required)</i> | Marsha Tapler | 10 |
| 7. | Approval of Secondary PSAP Funding <ul style="list-style-type: none"> a) Forsyth County – Town of Kernersville
<i>(vote required)</i> | Richard Taylor | 10 |
| 8. | Update From NextGen 911 Committee <ul style="list-style-type: none"> a) RFP for Technical Consultant | Jeff Shipp | 5 |
| 9. | Update From Funding Committee <ul style="list-style-type: none"> a) 20% Carry Forward Waiver Consideration <ul style="list-style-type: none"> 1) Brunswick County 911
<i>(vote required)</i> b) Approval of FY 2016 PSAP Funding
<i>(vote required)</i> | Jason Barbour | 10 |



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And

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May 28, 2015

Room 230

Whitted Human Services Building

300 West Tryon Street

Hillsborough, NC

Welcome To Orange County

Earl McKee, Chairman

Orange County Commissioners

Jim Groves,

Orange Co Emergency Management Director



Pinecroft Sedgefield Fire District, Inc.

2239 Bishop Road
Greensboro, NC 27406

Steve Allred, Chief
(336) 299-4421

www.psfed.com

May 5, 2015

To: Chris Estes, NC911 Board Chairman
Richard Taylor, NC911 Executive Director

From: Tommy Cole, NCSFA Past President

Re: NC Fire Service Representative on the NC 911 Board

Chairman Estes and Director Taylor,

I would like to start by thanking each of you for the service you provide to North Carolina. The NC911 Board is very near and dear to my heart. The decisions made by this board affects each citizen and each responder in NC on a daily basis. This is why it is so important to have board members that are active and engaged.

With all of this said, I have determined that I can no longer commit and give 100% to serving on the NC911 Board. I have added responsibilities with my job as I transition into a new position and my new responsibilities have direct conflicts with Friday meetings.

Because I can no longer fulfill my obligations, I am officially submitting my resignation effective immediately from the board. I have notified the NC State Firemen's Association Board and the NC Association of Fire Chief Board to jointly recommend a replacement to represent the NC Fire Service. NCAFC Executive Director Benny Nichols and/or NCSFA Executive Director Tim Bradley will be in touch on my replacement.

Thank you again for your support during my tenure on the board and your service to NC.

Respectfully,

A handwritten signature in blue ink, appearing to read "Tommy Cole".

Tommy Cole
NCSFA – Past President



County Manager

May 21, 2015

Mr. Chris Estes, Chair
North Carolina 911 Board
3700 Wake Forest Road
Raleigh, NC 27619

Dear Chairman Estes:

On May 20, I was appointed to become the next Executive Director of the Triangle J Council of Governments. As a result, my last day as Durham County Deputy Manager will be June 26, 2015 and at that time I will no longer work for county government.

Please accept this letter as notice of my resignation from the 911 Board, effective at the close of business on June 26, 2015.

I have thoroughly enjoyed the opportunity to work on statewide 911 issues with the other members of the 911 Board as well as the staff. If there is anything I can do to assist with the transition, please do not hesitate to let me know.

Sincerely,

Lee Worsley
Deputy County Manager

cc: Richard Taylor, 911 Board Executive Director
Kevin Leonard, NCACC Executive Director

Ethics Awareness/Conflict of Interest Statement

Chris Estes

In accordance with G.S. 138A-15, It is the duty of every Board member to avoid both conflicts of interest and potential conflicts of interest.

Does any Board member have any known conflict of interest or potential conflict of interest with respect to any matters coming before the Board today?

If so, please identify the actual or potential conflict and refrain from any undue participation in the particular matter involved.

Consent Agenda

Chris Estes

(vote required)

(Complete Reports Located in Agenda Book On NC 911 Board Web Site)

North Carolina 911 Board
Minutes
April 24, 2015
3514A Bush Street
Raleigh, NC

<u>Members Present</u>	<u>Staff Present</u>	<u>Guest</u>
Jason Barbour (NCNENA) Johnson County 911	Tina Bone (OITS)	Janice Bailey - Randolph Co 911
Darryl Bottoms (Police Chief) Pilot Mountain PD	Richard Bradford (DOJ)	George Bakolia - Retired
Rick Isherwood (CMRS) Verizon Wireless (Phone)	Dave Corn (OITS)	Randy Beeman – Cumberland Co Emergency Svcs
Rick Edwards (CMRS) Sprint	David Dodd (OITS)	David Boggs - Apex PD
Chris Estes (Board Chairman) NC State CIO	Marsha Tapler (OITS)	Byron Burns – Carolina Recording
Margie Fry (VOIP) Time Warner	Richard Taylor (OITS)	Meghan Cook - OITS
Len Hagaman (Sheriff) Watauga County	Aaron Soto - Stenographer	Sam Estridge - LTPC
Dinah Jeffries (APCO) Orange Co. EMS		Greg Foster - Alexander Co 911
Jeff Shipp (LEC) Star Telephone		Judy Griffin - Halifax Co E 911
Rob Smith (LEC) AT&T		Henry Hedgereth - Halifax Co 911
Jimmy Stewart (EMS Chief) Hoke County 911		Jeff Holshouser – Airbus/DS Com
Laura Sykora (LEC) CenturyLink		Heather Joyner - Halifax Co 911
Eric Cramer (LEC) Wilkes Communications (Phone)		Janet King – Randolph Co 911
Andrew Grant (NCLM) Town of Cornelius (Phone)		Glenn Lamb - Guilford Metro 911

		Mike Martin - TriTech
<u>Members Absent</u>	<u>Staff Absent</u>	Erica Matthews - Halifax Co 911
Tommy Cole (NCSFCA) Pinecroft-Sedgefield Fire Dist.		Jacyln McElwee - Halifax Co 911
Slayton Stewart (CMRS) Carolina West Wireless		Timmy Mitchell - Cumberland Co Emergency Svcs
Lee Worsley (NCACC) County of Durham		Melanie Neal - Guilford Metro 911
		Phil Penny – Mission Critical Partners
		Laura Piche – Orange Co Emergency Svcs
		Heather Pleasant - Halifax Co E 911
		Wesley Reid - City of Greensboro
		Jane Richardson – Randolph Co 911
		Joe Sewash – CGIA
		April Shaw - Halifax Co 911
		Candy Strezinski - Burke County 911
		Rick Thomas - Apex PD
		Desaree S Walter – Randolph Co 911
		Donna B Wright - Richard Co 911

Tab 1 - Chairman's Opening Remarks

Chairman Chris Estes called the meeting to order at 10:00am.

Chairman Estes welcomed the guests attending the Board meeting and recognized former Chairman George Bakolia and former Board Member Wesley Reid.

Technical difficulties are discovered over the telephone bridge, Chairman Estes calls a recess at 10:06 to resolve issues. Meeting resumes at 10:13AM

Tab 2 - Ethic Awareness/Conflict of Interest Statement

Chairman Estes read the Conflict of Interest Statement to the Board regarding the issues that would be discussed. Laura Sykora would be abstaining from Tabs 6, the Wake County vote in Tab 6 and Tab 8, the NG911 consultant selection and Rob Smith would be abstaining from the Wake County vote in Tab 6 and Tab 8, the NG911 Consultant selection. Jason Barbour had questions regarding a potential conflict of interest on item 8 due to prior business with one of the applicants; announces there is no conflict of interest.

Roll call is called for members on phone, 911 Board members Eric Cramer, Andrew Grant and Rick Isherwood were present Roll call proceeds to non-911 Board members, Tammy Aldridge, Sherri Bush, Brad Fraser, Ray Silance and Ryan Spong were present for the call.

Tab 3 - Consent Agenda

Executive Director Richard Taylor reviewed the following with the Board:

Minutes of March 27, 2015 Board Meeting

Richard Taylor identified corrections on page 5, Guilford was misspelled. On page 8 it was corrected to read "was recommended from committee" and not "Chairman Estes did not call the recommendation".

- A. Minutes of March 27, 2015 Board Meeting
- B. PSAP Liaison Report
- C. Network Specialist Report - Bone
- D. Network Specialist Report - Corn
- E. Update on 2014/2015 Revenue Expenditure Reporting
- F. Grant Project Updates
- G. CMRS March Fund Balance \$267,829
 - 1) CMRS March Disbursements \$ (3,522,430)
- H. PSAP March Fund Balance \$12,204,452
 - 1) PrePaid March CMRS Revenue \$943,247
- I. Grant Fund March Balance \$501,095
 - 1) Grant Fund March Encumbered \$(26,742,750)

Complete reports are located in the "Agenda Book" tab on the NC 911 Board Web Site

Chairman Chris Estes moved for a motion, Jason Barbour made motion was seconded by Dinah Jeffries. Motion passed unanimously.

Tab 4 - Public Comment

Floor was open for comment for the Board, no guest speakers were present for this meeting.

Tab 5 - Executive Director Report

Executive Director Richard Taylor announces a new staff member position that was recently filled had become vacant due to the staff member resigning. Applications for the position have already been closed as of last Friday (4/17) and are being reviewed by Human Resources. Expectations are within the next ten days for interviews to fill the position.

B) Legislative Update

1) H352 (Standard of Proof)

Standard of Proof bill refers to telecommunicator liability issues and was introduced last session but did not pass and has been reintroduced in this session. It will be heard on Friday in the House.

2) H380 (State School Safety Management)

Originally this bill was discussed at the 911 Board meeting in Burke County, Panic Button Bill. Favorable support in committee and was passed to the House floor where it was approved and is now in the Senate. Executive Director Taylor raised concerns that there is no funding attached to the bill. Chairman Estes notes there was money in DPI for this, Executive Director Taylor announces there is two million dollars of available funds, but raises concerns that this is not enough.

Richard Bradford stated he heard Mike Sprayberry, State Emergency Manager, speak about this bill at the recent FirstNet meeting to raise awareness of the cooperative effort between the 911 Board, Dept. of Public Instruction and the Dept. of Public Safety. Part of the funds available at DPI are appropriated but not spent. There is a contract for a pilot project, there were several comments that affect some change there was an outside assessment for efficacy and was discussed briefly.

3) H506 (911 Fund Distribution)

Referred to Local Government in the House and received a favorable vote and had not been scheduled in Finance yet. Executive Director Richard Taylor has spoken against this bill for the

broadness of the bill. Executive Director Taylor raised concerns regarding the misinformation going to legislators.

4) H512 (Amend/Clarify Back-Up PSAP Requirements)

Executive Director Taylor has not seen any particular action or movement on this bill.

5) H730 (County Provide 911 Dispatch Services)

Executive Director Taylor has received numerous calls regarding providing 911 service for municipalities and how they should be charged. Taylor believes there is confusion regarding situations in regards to performing services that are outside of 911 calls.

Dinah Jefferies requested information be put out breaking down exactly what outside 911 services that would be owed. Dinah performed a survey with 62 responses. The survey was not broken down in regards to which counties are splitting and how they are splitting the costs.

6) H512 (Grant Recipients Posted on Grantor Web Site)

Executive Director Taylor reviewed details with the Board regarding the names of grant recipients requiring to be posted on a Grantor website.

7) S571 (Expand Uses of 911 Fee)

As of April 24th 2015 this bill has not been heard, next week was noted to be a busy week due to being crossover week. Executive Director Taylor has asked to meet with Senator Davis and Rep. Boles to discuss their bills and provide further information.

Dinah Jeffries opened with a question if there was a misunderstanding that they do have an appeal. Executive Director Taylor has spoken to Marsha Tapler and Richard Bradford discussing that there is an appeal process that already exists in 911 Board policy and if there is a question that the statement will explain what the process is. Marsha brought to the Board that the appeal process has been used in the past. Executive Director Taylor announced that statements made will be attached to this form.

Laura Sykora makes a motion to oppose House Bill 506, Jeff Shipp seconded. Discussion was open to the Board, motion is open to voting. Motion passes unanimously.

H730 was opened to the Board for discussion. Richard Bradford discussed that with legislation it often needs to be understood what issue needs to be solved by the proposed bill. There was no further discussion.

C) Update on Bi-Annual Audit

Executive Director Taylor overviewed the current progress of the audit and having an outside eye looking at the performance. The audit itself is coming to a close, the auditor has met with the 911 Board Chair. The final report is slated to be performed by the State Auditor. Audit process is moving without issues as of this meeting. Executive Director Taylor offered recognition to Marsha for her duties.

D) Telecommunicator Recognition

1) Randolph County 911

This incident occurred back in December and involved two children being abandoned at a church in Asheboro and the murder of their mother. A portion of the 911 audio was played for the Board. The review of the audio demonstrated the professionalism and teamwork of the staff. The following members were introduced, Lt. Janet King, Sgt. Lane Richardson, Telecommunicators Dessaree Walter and Jamie Bailey.

On behalf of the Board, Chairman Estes presented an award to the telecommunicators of the Randolph 911 for outstanding teamwork and public safety.

2) Halifax County 911

The Board watched video and listened to the audio recording of phone calls made to 911 regarding the train that derailed and hit an 18-wheeler. Chairman Estes on behalf of the Board presented an award for Halifax County E-911 for Outstanding Teamwork, Professionalism and Commitment to Public Safety, April Shaw, Erica Matthews, Amber Smith, Heather Pleasant, Sheena Brown, Judy Griffin, Jaclyn McElwee and Halifax County 911 Director Heather Joyner were recognized.

APCO representative Dinah Jefferies offered recognition to the teams for their hard work.

Tab - 6 Update From Funding Committee

Funding committee was able to meet this week and will be meeting again on May 7th 2015 to have appeal documents reintroduced to the Board. The committee will review the appeal process for funding issue and will be having a work session with the 911 Board at the next meeting. In the previous committee meeting three funding reconsideration were presented. Jason offered the Board a reminder that the Funding Committee asks several questions of each funding reconsideration concerning the expenditure of funding especially if it is going to occur during the upcoming this fiscal year and if their fund balance is down to the 20% level. Further questions are deferred to 911 staff member Marsha Tapler.

1) Person County funding reconsideration is for the telephone expenses associated with the Intrado A911 solution which have increased telephone expenses by \$10,071.87. Some concerns

were if the system was ready. The system was scheduled to be ready in May, now set to occur July-August the billing would start in September. Another question is if they were within fund balance and their fund balance is below the 20% level. The funding committee were requested for \$538,786. Recommendation was from committee, no conflicts of interest arise, and the vote is unanimous in favor of the Committee recommendation.

2) Raleigh-Wake 911 provided documentation of their fund balance was being spent down this fiscal year. Their fund balance will be used against console furniture total and a logging recorder. Original request was for \$8 million dollars, most capital purchases with the Funding Committee and discussions they approved the phone systems was the phone system was going to be installed and include ESINet for the main and the backup. Expectation is to use two hundred and sixty six thousand fund balance would be used after their capital expenditures. They are asking for \$2,861,093.36 for their distribution and will come back to the Board on a later date regarding the capital in the first quarter of August. Recommendation was from committee, no conflicts of interest arise, and the vote is unanimous in favor of the Committee recommendation.

3) Stanly County has \$ 575,000 in fund balance balance, however in order to get the grant project completed they withheld payments to the vendor to move the process. The 507,000 dollars is to be used to pay backlog of phone expenses and drop their fund balance down to \$ 45,000. They are asking for reconsideration for upcoming costs with radio equipment as well as recorder and CAD server migration. They are asking for funding on a monthly basis as they have financed it for over 15 years. The cost was originally for \$771,255 for their radio which was lowered during discussions due to ineligible costs that were removed. \$30,000 of fund balance was applied, they are asking for \$567,082.99.

APCO Representative Dinah Jefferies opened discussion regarding the 15 year lease. There was further discussions regarding the past due payment for phone service. Richard Taylor clarified that the past due bill was separate from the grant contract and was only outstanding in the County's attempt to bring awareness of the outstanding issues with the grant project to the vendor. Recommendation was from committee, **Laura Sykora abstained citing a conflict**, and the vote is unanimous in favor of the Committee recommendation.

Tab 7 - Update On FY16 Grant Cycle

Richard Taylor announced the grant cycle closed on April 10th. The Grant Committee will have access to the twenty three grant applications when they are posted to the secure website. Taylor discussed the grant priorities with the Board. The recommendation of the staff is that end of life replacement was be like last year for the biggest priority and regional initiative/Back-up was second. 75% of the weighted score went to the End of Life Replacement, Regional Initiative/backup made to 25%. Laura Sykora motions to approve, motion is seconded by Len Hagaman.

Jeff Shipp brought forward that the increased communications between the Board, staff and PSAPs probably accounts for the increased number of grant applications.

Motion is moved for approval, voting is unanimous, motion approved.

Tab 8 - Update from NextGen 911 Committee

Jeff Shipp opens with a motion a motion to close the public meeting pursuant to North Carolina General Statute 143-318.11(a)(1) for the purpose of receiving information that is not yet public regarding the recommendation for award pursuant to North Carolina General Statute 147-33.95 and the Board’s discussion of the RFP evaluation, and management of the procurement process, and consulting with counsel. Jason Barbour seconded the motion.

Richard Bradford discussed the procurement authority and under the authority the RFP is a public document, at this point in time the offers received from the vendors and the details and the evaluations of those offers are not yet public. The information when the contract is awarded becomes public record unless the information is a trade secret. Why the decisions were made cannot be made in open discussion, however in a closed discussion cannot be voted in.

Motion on the table: Close the public part of the meeting for the Board to get further information. If the motion is not approved the Board will not be able to hear any non-public information. There will be no vote during the non-public meeting.

Laura Sykora confirmed that she can vote on this motion, as she has abstained from the actual selection. Motion on table for voting, voting passes unanimously. Public Board meeting is closed at 11:40am.

Closed Board Meeting

Meeting opens up at 11:42AM Board, roll-call for online members. Material presented at this meeting the completion of the award is an administrative process. If the Board chooses to approve this award everything discussed in this meeting is public record immediately. Richard Bradford informed the Board that minutes will be taken during this meeting and if approved will become public record.

NextGen Technical Support RFP

Chairman Estes opened the closed session asking Jeff Shipp to begin the discussion regarding the RFP award selection. Mr. Shipp asked Dave Corn to present the findings of the committee. The Technical Support RFP was issued December 2nd, 2014 with responses due back on February 13, 2015 creating a

- A statewide ESI (IP) network
- A GIS routing solution
- A hosted call handling solutions,
- A Network Operations Center and Help Desk (NOC) solution
- A CAD interoperability solution
- A radio interoperability solution

He stated that it was the Board's goal to find a vendor who had experience of doing this with other states and to allow vendors to also present their unique offerings.

Evaluation Criteria :

Bidder Qualifications 20%

Technical Experience of key personnel: 20%

References: 10%

Response to statement of work (RFP section 3.6) 30%

Lessons Learned 10%

Cost: 10%

Scoring of each vendor was displayed:

Federal Engineering: 60

Mission Critical Partners:48

L.R. Kimball: 37

RCC Consultants: Non Responsive

NCOIC Network Centric Operations Industry Consortium: Non Responsive

TSS Technology Systems Solutions Partners: Non Responsive

Vendor Presentations were scheduled and questions created before Vendors came in. Each vendor was provided these questions in advance to prepare themselves.

The Committee voted on in that meeting to move forward with Federal Engineering and Mission Critical Partners.

Follow up conference calls were made with Federal Engineering and Mission Critical Partners. The intent of the conference call was to ensure each vendor had a clear understanding of what the Board wanted.

Each vendor was then given an opportunity to present its Best and Final Offer (BAFO). It is recommended by the NG911 Committee that Federal Engineering is the company to proceed with. Through the process they scored the highest and were voted the best by the committee.

Discussion is held regarding the locations of each of the vendors and if they have had any previous experience inside North Carolina. Federal Engineering does not have an office in NC, Mission Critical Partners does have a location in North Carolina. Federal and Mission Critical Partners have not done any statewide work in North Carolina. Mission Critical Partners has done twenty four previous jobs in the state.

The Board discusses Federal Engineering's history of being very well regarded and having done similar work in at least 14 other states and has had good feedback.

Mission Critical Partners has done 4 sites, feedback for Mission Critical was positive. During last discussions Mission Critical Partners did an excellent job, however Federal still performed highly.

Jason brought up if Federal Engineering wanted to keep the approach, M.C.P. were very insistent of changing the specifications.

In the final documentation Mission Critical Partners, no response regarding waiting for the standards to change with CAD changes. Radio operability was to do a feasibility analysis and to suggest and migrate PSAPS to a common radio platform which the Board has no responsibility with radio.

The Board asked them (MCP) to take out two hosted solutions, and they responded back they would still provide two hosted solutions. Even if the Board would go with Mission Critical Partners they would not get the specifications they wanted. Discussion is held over showing the committee a slide presented to the Board due to a strong presentation from Federal Engineering. Information on the Board would become public.

The Board is informed they are allowed this as long as it doesn't identify with any particular vendor. Discussion is held concerning which slides need edits to remove information to be able to present to Public before voting. BAFO costs were discussed, recommended against showing due to not all vendors costs are not available.

Board members are informed they can speak about Federal engineering only, The BAFO will be signed by the Chairman and that will be given back to the Vendor. When that's done there is a notice over the state system to notify everyone that the contract is awarded and that the vendors can look at the documents and the files. If the Vendors want to protest, they can. Richard Taylor will need to be approved to sign the BAFO as the Chairman will be out of town for the next week.

Board members who have used vendors in the past do not have to abstain from this vote. Meeting is closed at 12:12pm to resume the public session.

The meeting is reconvened at 12:16pm with verification after technical difficulties. Roll-call for online members is called, meeting resumes with Andrew Grant and Eric Cramer absent.

Committee Chair Jeff Shipp brings forward from committee recommendation for the RFP for Technical Consultant and is moved from committee to discussion.

The Board and audience are shown edited screenshots to comply with regulations regarding the respondents and criteria. The Board reviews slides regarding respondent's demonstrated concise and thorough awareness of the requested evaluation criteria, a more collaborative approach, suggest real world practical experience, significant number of consulting clients for statewide and regional NG911 activities.

Board is presented with Federal Engineering's bid of \$472,380

A recommendation from the NG911 Committee is made to award technical consultant contract to Federal Engineering for \$472,380 and also to give authority to Richard Taylor for signature of Best and Final Offer. Discussion is held over the six respondents to the RFP and documentation regarding respondent's answers. Vote is called for on the recommendation. Vote is unanimous and motion is passed. Board members Rob Smith and Laura Sykora abstained.

Tab 9 - Update on Statewide Assessment Project Cost Analysis

Richard Taylor brings before the Board the total projected costs, and man hours required. The project has been assigned to David Dodd. It is brought before the Board with the total projected costs \$31,283 which is already in the budget. Taylor recommends that due to the required man hours needed for the project to hire a contractor utilizing the State's temporary agency services. Laura Sykora brings into question regarding approval of the entire \$31,000, Executive Director Taylor feels better approving the costs to move forward.

Motion is made by Jeff Shipp to proceed with the project based on the analysis cost, it is noted that if the amount goes over budget they would have to come to the Board for approval. Laura Sykora seconded the motion. Motion is moved to a vote, vote carries unanimously.

Tab 10 - Presentation of FY 2015-2016 Budget

The information reviewed by the Board is noted to be only for presentation and will not be voted until next month. Marsha Tapler presents the estimated budget for personnel for the 2015 year at \$419,179 and the proposed budget of \$606,725 for SFY 2016. It is recommended that the position held by Dave Corn is a contract position is recommended to be moved to a regular full time position. Also recommendation is to add another financial review position.

Marsha is adding an additional audit for next year as there will be more information needed and more required man hours. For other information technology services are currently budgeted at \$80,000. Increase to \$100,000 including for Project Manager in OITS. There has been discussion about getting receipts through the bank system, having capability of doing the annual

revenue/expenditure automated online and would also be handled by the OITS/Project Management group. Budget increases were noted for travel expenses for Board member travel, information was spread out to better identify what the money was actually for.

Staff travel is proposed with a 10% increase to account for additional in state travel for PSAP Manager training sessions and for out-of-state travel. Board member/non-state employee travel is being separated to distinguish between actual Board member travel expenses and costs for providing meals at Board meetings and training sessions.

Marsha presented the next area covers the data and cellular information. This was decreased approximately 12%. Funds regarding advertising remain at \$100,000 for training.

Richard Taylor discusses the purchasing of tablets to be provided for all the Board chairs for electronic agenda books to move towards holding Committee meetings and Board meetings to be total paperless. Also the purchase of RDDM's for ECaTS remains the same.

Marsha noted to the Board an increase due to a change in CMRS Cost Recovery expenditures. One vendor had a small increase this year and to avoid any potential problems an increase from \$9.5 million to \$9.6 million is recommended for next year.

In the PSAP expenditures an increase from \$54 million to \$60 million is being recommended to cover the additional costs anticipated for back-up PSAP plans being approved, additional secondary PSAP funding and for funding reconsiderations anticipated in the next fiscal year. In the Grant Fund, revenues are derived from transfers from the PSAP and CMRS Fund. What is being recommended is only an estimate at this time of \$16.1 million.

Lauren Sykora opened with questions regarding the budget costs, Marsha was informed that the budget may drop with prepaid revenue according to the Department of Revenue. When she did the projections everything was in line, and in the last couple of months, things have changed and during the next meeting this will be further clarified. Estimated Year End is what the Board should receive and noted the Board may not receive all revenues as estimated.

In the "Roll-Up" format, total revenues for FY16 reflects \$83.6 million without interest and the Grant Fund. The Admin fund does reflect more expenditures over revenue and will require going against Admin Fund Balance for \$940 thousand. Total revenues projected are \$ 126,681,963.

Total expenditures recommended are \$ 113,248,963 not including the Telecommunications Relay Fee.

Tab 11 - Update From Standards Committee

a) Enforcement Subcommittee Policy for Subcommittee Travel Expenses

Enforcement Subcommittee work is winding down and an offer of joining the standards committee was extended to the subcommittee and but one has accepted the offer to join the Standards Committee. Ms. Sykora brought forth a motion from the committee to reimburse the members of the peer review group the cost of travel as they go and travel to the PSAPs. The reimbursement would be at the prevailing state rate. Chairman Estes clarified that the reviewers would be people working "in the field" from PSAPs, coming in at the Board's request and being reimbursed at the state rate. Motion is put to vote, motion passes unanimously.

b) 911 Standards Adoption / Rulemaking Status / 911 Standards Timeline Review

Richard Bradford's timeline was presented to the Board, indicating the process Marsha Tapler took with edits and requests over a several year period in preparing the fiscal note.

The timeline indicated that work on the fiscal note started in April 2012. In June, the fiscal note was sent to OSBM. Eleven months later OSBM indicates the fiscal note is not completed as directed and Marsha sought further guidance. In November 2013 it's noted that none of OSBM's comments have any effect on the proposed rules.

Mr. Bradford reported that there is a requirement for any rule that has a substantial financial impact that the agency provide at least two alternatives. In December of 2014 there is comment in the email thread that a table provided by OSBM doesn't seem to calculate correctly because it doubles the receipts and disbursements. The table being used could not be easily explained; follow up information provided with the table intended to show figures of the Net Benefit or Net Cost. Some information is indeed entered twice, cost some place, benefit some place which would explain the appearance of "doubling".

Mr. Bradford reiterated that the staff has been trying to move forward and part of the discussion over the last three years has been trying to help OSBM understand the 911 system. Marsha Tapler explained that the table has been corrected to ensure that if someone picked up the document and read the table they would not be confused with the "doubling".

Laura Sykora asked what the next step would be in the process. Richard Bradford stated that we are awaiting approval of the fiscal note from OSBM. During the meeting Marsha received the timeline for OAH filing the rules for publication is May 8th. And the rules would be published by June 1st.

Adjourned

Chairman Estes made a motion to adjourn the meeting, motion is passed unanimously. Meeting is adjourned at 1:03pm

**PSAP FUND REVENUE/DISTRIBUTION
(20% /80% PLAN)**

	July-14	August-14	September-14	October-14	November-14	December-14	January-15	February-15	March-15	April-15
CMRS Revenue	720,011.52	760,591.34	744,087.78	725,863.98	682,290.22	791,928.81	763,139.22	662,519.54	771,443.07	843,699.30
Interest	1,308.96	1,284.10	1,243.77	365.38	601.90	619.92	757.60	1,125.08	1,044.87	118.76
CMRS Disbursement	(912,182.16)	(254,378.40)	(580,834.03)	(291,686.14)	(783,990.84)	(353,348.49)	(61,467.66)	(289,124.09)	(3,522,430.32)	(61,416.85)
GRANT Allocation			(2,820,000.00)							
CMRS Prev Balance	3,507,043.71	3,316,182.03	3,823,679.07	1,168,176.59	1,602,719.81	1,501,621.09	1,940,821.33	2,643,250.49	3,017,771.02	267,828.64
CMRS Fund Balance	\$3,316,182.03	\$3,823,679.07	\$1,168,176.59	\$1,602,719.81	\$1,501,621.09	\$1,940,821.33	\$2,643,250.49	\$3,017,771.02	\$267,828.64	\$1,050,229.85

	Revenue						GRANT Allocation	Monthly Expenditure	Fund Balance
	PSAP 80%	Wireline	VOIP	Prepaid Wireless	Interest	Total			
									\$ 11,660,098.37
Jul-14	2,880,046.14	1,202,394.16	772,862.48	696,794.39	4,351.98	\$ 5,556,449.15		(4,326,375.73)	12,890,171.79
Aug-14	3,042,365.40	1,181,933.32	758,835.01	733,286.36	4,991.37	5,721,411.46	\$ -	(4,239,388.56)	14,372,194.69
Sep-14	2,976,351.07	1,381,427.94	786,153.68	820,620.85	4,675.01	5,969,228.55	\$ (12,460,531.75)	(4,284,497.33)	3,596,394.16
Oct-14	2,903,455.95	1,352,361.85	790,518.55	740,436.34	1,124.88	5,787,897.57		(4,365,454.43)	5,018,837.30
Nov-14	2,729,160.88	1,210,820.02	807,306.78	771,452.47	1,884.82	5,520,624.97		(4,365,454.43)	6,174,007.84
Dec-14	3,167,715.16	1,314,173.44	831,225.79	728,512.64	2,548.85	6,044,175.88		(4,365,454.43)	7,852,729.29
Jan-15	3,052,556.82	1,062,874.68	894,126.74	840,718.12	3,065.33	5,853,341.69		(4,314,348.68)	9,391,722.30
Feb-15	2,650,078.15	1,108,059.04	780,286.24	712,558.10	3,997.50	5,254,979.03		(4,314,348.68)	10,332,352.65
Mar-15	3,085,772.42	1,354,126.98	799,723.98	943,246.70	3,577.48	6,186,447.56		(4,314,348.68)	12,204,451.53
Apr-15	3,374,797.16	1,504,647.89	874,677.53	464,695.41	5,411.78	6,224,229.77		(4,314,348.68)	14,114,332.62
May-15	0.00	0.00	0.00	0.00	0.00	0.00		0.00	14,114,332.62
Jun-15	0.00	0.00	0.00	0.00	0.00	0.00		0.00	14,114,332.62

CASH BASIS REPORTING

PSAP Grant-Statewide 911 Projects Fund

Fund Balance	Grant Completion (+/-)	Total Disbursed FY 2011 - FY2014	Jul-14	Aug-14	Sep-14	Oct-14	Nov-14	Dec-14	Jan-15	Feb-15	Mar-15	Apr-15	May-15	Jun-15	Remaining Grant Balance
			\$30,687,627.04	\$29,851,172.54	\$28,269,188.55	\$42,529,323.84	\$41,633,954.07	\$38,609,686.69	\$36,717,249.85	\$34,900,612.88	\$29,603,771.41	\$27,243,844.92	\$26,325,345.87	\$26,325,345.87	
Grant Award FY2011:	FY2011 Grant Award Total	Completed Grant Disbursement													
Stanly County	866,250.00										-275,000.00				416,250.00
Grant Award FY2012:	FY2012 Grant Award Total	Completed Grant Disbursement													
Burke County	7,280,630.00									-4,481,832.61					328,671.80
Rockingham County	7,826,000.00			-1,021,458.53	-400,382.97	-343,452.27	-567,774.24	-171,884.30	-1,001,157.20		-134,071.64	-147,371.61			1,347,051.18
Grant Award FY2013:	FY2013 Grant Award Total	Completed Grant Disbursement													
Brunswick County	2,100,000.00										-685,056.85				1,244,565.89
Lenoir County	7,400,000.00		-563,633.57			-306,506.67		-1,368,853.49			-820,208.32				804,441.73
Scotland County	2,100,000.00	\$ (2,100,000.00)			-197,850.54	-85,410.83	-263,083.80								0.00
Grant Award FY2014:	FY2014 Grant Award Total	Completed Grant Disbursement													
Anson County 2014-01	949,000.00						-51,630.70								151,565.64
Bladen County 2014-02	300,000.00														124,484.69
Gates Co. Central 2014-03	149,000.00										-72,223.41	-86,999.21			-10,222.62
Henderson County 2014-04	3,600,000.00														897,950.61
Hertford County 2014-05	4,250,000.00														4,007,528.25
Orange County 2014-06	625,828.00														625,828.00
Swain County 2014-07	610,000.00														164,886.13
Grant Award FY2015:	FY2015 Grant Award Total	Completed Grant Disbursement													
Caldwell County	1,022,399.00														1,022,399.00
Dare County	7,002,795.00														7,002,795.00
Haywood County	2,694,827.00														2,607,396.12
Swain County	859,681.00														101,962.30
STATEWIDE PROJECTS:															
E-CATS	3,000,000.00														674,553.93
Orthoimager Image 12	3,541,341.00	3,346,129.70	195,211.30												0.00
Ortho Project II Image 13	3,946,827.00	3,623,949.59	322,877.41												0.00
Ortho Project III Image 14	3,987,667.00														653,937.34
Ortho Project III Image 15	3,719,332.00														3,323,247.73
Approved Transfer from PSAP Fund					15,280,531.75										
Interest			11,453.77	11,559.05	9,195.44	13,302.26	15,635.57	15,939.45	14,332.65	14,855.13	10,250.02	12,080.65			
Total Ending Fund Balance			\$ 29,851,172.54	\$ 28,269,188.55	\$ 42,529,323.84	\$ 41,633,954.07	\$ 38,609,686.69	\$ 36,717,249.85	\$ 34,900,612.88	\$ 29,603,771.41	\$ 27,243,844.92	\$ 26,325,345.87	\$ 26,325,345.87	\$ 26,325,345.87	\$ 25,489,292.72

Encumbered: \$ 25,489,292.72
Grant Fund Total \$ 836,053.15

The NC911 Board welcomes comments from state and local government officials, first responders, finance directors, 911 directors, citizens and interested parties about any 911 issue(s) or concern(s).

Your opinions are valued in terms of providing input to the 911 Board members.

When addressing the Board, please state your name and organization for the record and speak clearly into the microphone.

Speakers:

Executive Director Report

a) 911 Staff Update

Richard Taylor

Executive Director Report

b) Legislative Update

Richard Taylor

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

H

2

HOUSE BILL 352
Committee Substitute Favorable 4/29/15

Short Title: Standard of Proof/Public Safety Dispatchers.

(Public)

Sponsors:

Referred to:

March 26, 2015

1 A BILL TO BE ENTITLED
2 AN ACT TO ALTER THE STANDARD OF PROOF FOR PUBLIC SAFETY
3 TELECOMMUNICATORS AND DISPATCHERS.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** Chapter 99E of the General Statutes is amended by adding a new
6 Article to read:

7 "Article 7.

8 "Liability for Public Safety Telecommunicators and Dispatchers.

9 **"§ 99E-56. Standard of proof.**

10 In any civil action arising from any act or omission by the defendant in the performance of
11 any lawful and prescribed actions pertaining to the defendant's assigned job duties as a 911 or
12 public safety telecommunicator or dispatcher at a primary public safety answering point as
13 defined in G.S. 62A-40(18) or at any public safety agency to which 911 calls are transferred
14 from a primary PSAP as defined in G.S. 62A-40(16) for dispatch of appropriate public safety
15 agencies, the plaintiff's burden of proof shall be by clear and convincing evidence."

16 **SECTION 2.** This act is effective when it becomes law and applies to any cause of
17 action arising on or after that date.



GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

H

2

HOUSE BILL 380
Committee Substitute Favorable 4/21/15

Short Title: Statewide School Safety Management.

(Public)

Sponsors:

Referred to:

March 30, 2015

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE DEPARTMENT OF PUBLIC SAFETY TO IMPLEMENT
A STATEWIDE SCHOOL RISK AND RESPONSE MANAGEMENT SYSTEM, TO
MAKE CONFORMING CHANGES TO OTHER SCHOOL SAFETY REQUIREMENTS,
AND TO PROVIDE FOR GRANTS FOR ADDITIONAL SCHOOL COUNSELORS.

The General Assembly of North Carolina enacts:

SECTION 1.(a) G.S. 115C-47(40) reads as rewritten:

"(40) To ~~adopt emergency response plans.~~ Local boards Adopt School Risk Management Plans. – Each local board of education shall, in coordination with local law enforcement and emergency management agencies, adopt emergency response plans a School Risk Management Plan (SRMP) relating to incidents of school violence-violence for each school in its jurisdiction. In constructing and maintaining these plans, local boards of education and local school administrative units shall utilize the School Risk and Response Management System (SRRMS) established pursuant to G.S. 115C-105.49A. These plans are not a public record as the term "public record" is defined under G.S. 132-1 and shall not be subject to inspection and examination under G.S. 132-6."

SECTION 1.(b) Local boards of education shall adopt a School Risk Management Plan as required by this section by March 1, 2017.

SECTION 2. G.S. 115C-105.49 reads as rewritten:

"§ 115C-105.49. **School safety exercises.**

(a) At least ~~every two years, once annually,~~ each local school administrative unit is encouraged to shall require each school under its control to hold a full systemwide school safety and school lockdown exercise with the school-wide tabletop exercise and drill based on the procedures documented in its School Risk Management Plan (SRMP). The drill shall include a practice school lockdown due to an intruder on school grounds. Each school is encouraged to hold a tabletop exercise and drill for multiple hazards included in its SRMP. Schools are strongly encouraged to include local law enforcement agencies that are part of the local board of education's emergency response plan. and emergency management agencies in its tabletop exercises and drills. The purpose of the ~~exercise tabletop exercises and drills~~ shall be to permit participants to (i) discuss simulated emergency situations in a low-stress environment, (ii) clarify their roles and responsibilities and the overall logistics of dealing with an emergency, and (iii) identify areas in which the ~~emergency response plan~~ SRMP needs to be modified.



1 (b) ~~As part of a local board of education's emergency response plan, at least once a~~
2 ~~year, each school is encouraged to hold a full schoolwide school safety and lockdown exercise~~
3 ~~with local law enforcement agencies. For the purposes of this section, a tabletop exercise is an~~
4 ~~exercise involving key personnel conducting simulated scenarios related to emergency~~
5 ~~planning.~~

6 (c) For the purposes of this section, a drill is a school-wide practice exercise in which
7 simulated scenarios related to emergency planning are conducted.

8 (d) The Department of Public Safety, Division of Emergency Management, and the
9 Center for Safer Schools shall provide guidance and recommendations to local school
10 administrative units on the types of multiple hazards to plan and respond to, including intruders
11 on school grounds."

12 **SECTION 3.** Article 8C of Chapter 115C of the General Statutes is amended by
13 adding a new section to read:

14 **"§ 115C-105.49A. School Risk and Response Management System.**

15 (a) The Department of Public Safety, Division of Emergency Management, and the
16 Center for Safer Schools shall construct and maintain a statewide School Risk and Response
17 Management System (SRRMS). The system shall fully integrate and leverage existing data and
18 applications that support school risk planning, exercises, monitoring, and emergency response
19 via 911 dispatch.

20 (b) In constructing the SRRMS, the Division of Emergency Management and the
21 Center for Safer Schools shall leverage the existing enterprise risk management database, the
22 School Risk Management Planning tool managed by the Division. The Division shall also
23 leverage the local school administrative unit schematic diagrams of school facilities. Where
24 technically feasible, the system shall integrate any anonymous tip lines established pursuant to
25 G.S. 115C-105.51 and any 911-initiated panic alarm systems authorized as part of an SRMP
26 pursuant to G.S. 115C-47(40). The Division and Center for Safer Schools shall collaborate with
27 the Department of Public Instruction and the North Carolina 911 Board in the design,
28 implementation, and maintenance of the SRRMS.

29 (c) All data and information acquired and stored in the SRRMS as provided in
30 subsections (a) and (b) of this section are not considered public records as the term "public
31 record" is defined under G.S. 132-1 and shall not be subject to inspection and examination
32 under G.S. 132-6."

33 **SECTION 4.(a)** G.S. 115C-105.51 reads as rewritten:

34 **"§ 115C-105.51. Anonymous tip lines, lines and monitoring and response applications.**

35 (a) Each local school administrative unit is encouraged to develop and operate an
36 anonymous tip line, in coordination with local law enforcement and social services agencies, to
37 receive anonymous information on internal or external risks to the school population, school
38 buildings—buildings, and school-related activities. The Department of Public Safety, in
39 consultation with the Department of Public Instruction, may develop standards and guidelines
40 for the development, operation, and staffing of tip lines.

41 (b) ~~The Department of Public Instruction, in consultation with the Department of Public~~
42 ~~Safety, may develop standards and guidelines for the development, operation, and staffing of~~
43 ~~tip lines. The Department of Public Safety, Division of Emergency Management, and the Center~~
44 ~~for Safer Schools, in collaboration with the Department of Public Instruction, shall implement~~
45 ~~and maintain an anonymous safety tip line application for purposes of receiving anonymous~~
46 ~~student information on internal or external risks to the school population, school buildings, and~~
47 ~~school-related activities.~~

48 (c) ~~The Department of Public Instruction may provide information to local school~~
49 ~~administrative units on federal, State, local, and private grants available for this purpose. The~~
50 ~~Department of Public Safety, Division of Emergency Management, and the Center for Safer~~
51 ~~Schools, in collaboration with the Department of Public Instruction and the North Carolina 911~~

1 Board, shall implement and maintain a statewide panic alarm system for the purposes of
2 launching real-time 911 messaging to public safety answering points of internal and external
3 risks to the school population, school buildings, and school-related activities. The Department
4 of Public Safety, in consultation with the Department of Public Instruction and the North
5 Carolina 911 Board, may develop standards and guidelines for the operations and use of the
6 panic alarm tool.

7 (d) The Department of Public Safety shall ensure that the anonymous safety tip line
8 application is integrated with and supports the statewide School Risk and Response
9 Management System (SRRMS) as provided in G.S. 115C-105.49A. Where technically feasible
10 and cost-efficient, the Department of Public Safety is encouraged to implement a single
11 solution supporting both the anonymous safety tip line application and panic alarm system.

12 (e) All data and information acquired and stored by the anonymous safety tip line
13 application are not considered public records as the term "public record" is defined under
14 G.S. 132-1 and shall not be subject to inspection and examination under G.S. 132-6.

15 (f) Notwithstanding subsection (e) of this section, the Division may collect the annual
16 aggregate number and type of tips sent to the anonymous tip line. The collection of this
17 aggregate data shall not have any identifying information on the reporter of the tip, including,
18 but not limited to, the school where the incident was reported and the date the tip was
19 reported."

20 **SECTION 4.(b)** The Department of Public Safety shall implement an anonymous
21 safety tip line application and a statewide panic alarm system as required by this section by July
22 1, 2016.

23 **SECTION 5.** G.S. 115C-105.52 reads as rewritten:

24 **"§ 115C-105.52. School crisis kits.**

25 The Department of Public Instruction, in consultation with the Department of Public Safety
26 through the North Carolina Center for Safer Schools, may develop and adopt policies on the
27 placement of school crisis kits in schools and on the contents of those kits. The kits should
28 include, at a minimum, basic first-aid supplies, communications devices, and other items
29 recommended by the International Association of Chiefs of Police.

30 The principal of each school, in coordination with the law enforcement agencies that are
31 part of the local board of education's ~~emergency response plan,~~ School Risk Management Plan,
32 may place one or more crisis kits at appropriate locations in the school."

33 **SECTION 6.** G.S. 115C-105.53 reads as rewritten:

34 **"§ 115C-105.53. Schematic diagrams and emergency access to school buildings for local**
35 **law enforcement agencies.**

36 (a) Each local school administrative unit shall provide the following to local law
37 enforcement agencies: (i) schematic diagrams, including digital schematic diagrams, and (ii)
38 either keys to the main entrance of all school buildings or emergency access to key storage
39 devices such as KNOX® boxes for all school buildings. Local school administrative units shall
40 provide updates of the schematic diagrams to local law enforcement agencies when substantial
41 modifications such as new facilities or modifications to doors and windows are made to school
42 buildings. Local school administrative units shall also be responsible for providing local law
43 enforcement agencies with updated access to school ~~building key storage devices such as~~
44 ~~KNOX® boxes when changes are made to these boxes or devices.~~ buildings when changes are
45 made to the locks of the main entrances or to key storage devices such as KNOX® boxes.

46 (b) The Department of Public Instruction, in consultation with the Department of Public
47 Safety, shall develop standards and guidelines for the preparation and content of schematic
48 diagrams and necessary updates. Local school administrative units may use these standards and
49 guidelines to assist in the preparation of their schematic diagrams.

1 (c) Schematic diagrams are not considered a public record as the term "public record" is
2 defined under G.S. 132-1 and shall not be subject to inspection and examination under
3 G.S. 132-6."

4 **SECTION 7.** G.S. 115C-105.54 reads as rewritten:

5 **"§ 115C-105.54. Schematic diagrams and emergency response information provided to**
6 **Division of Emergency Management.**

7 (a) Each local school administrative unit shall provide the following to the Division of
8 Emergency Management (Division) at the Department of Public Safety: (i) schematic diagrams,
9 including digital schematic diagrams, and (ii) emergency response information requested by the
10 Division for the School Risk Management Plan ~~(SRMP) and the School Emergency Response~~
11 ~~Plan (SERP)~~ (SRMP). Local school administrative units shall also provide updated schematic
12 diagrams and emergency response information to the Division when such updates are made.
13 The Division shall ensure that the diagrams and emergency response information are securely
14 stored and distributed as provided in the SRMP ~~and SERP~~ to first responders, emergency
15 personnel, and school personnel and approved by the Department of Public Instruction.

16 (b) The schematic diagrams and emergency response information are not considered a
17 public record as the term "public record" is defined under G.S. 132-1 and shall not be subject to
18 inspection and examination under G.S. 132-6."

19 **SECTION 8.(a)** G.S. 115C-218.75 reads as rewritten:

20 **"§ 115C-218.75. General operating requirements.**

21 (a) Health and Safety Standards. – A charter school shall meet the same health and
22 safety requirements required of a local school administrative unit. The Department of Public
23 Instruction shall ensure that charter schools provide parents and guardians with information
24 about meningococcal meningitis and influenza and their vaccines at the beginning of every
25 school year. This information shall include the causes, symptoms, and how meningococcal
26 meningitis and influenza are spread and the places where parents and guardians may obtain
27 additional information and vaccinations for their children.

28 The Department of Public Instruction shall also ensure that charter schools provide parents
29 and guardians with information about cervical cancer, cervical dysplasia, human
30 papillomavirus, and the vaccines available to prevent these diseases. This information shall be
31 provided at the beginning of the school year to parents of children entering grades five through
32 12. This information shall include the causes and symptoms of these diseases, how they are
33 transmitted, how they may be prevented by vaccination, including the benefits and possible
34 side effects of vaccination, and the places where parents and guardians may obtain additional
35 information and vaccinations for their children.

36 The Department of Public Instruction shall also ensure that charter schools provide students
37 in grades seven through 12 with information annually on the preventable risks for preterm birth
38 in subsequent pregnancies, including induced abortion, smoking, alcohol consumption, the use
39 of illicit drugs, and inadequate prenatal care.

40 The Department of Public Instruction shall also ensure that charter schools provide students
41 in grades nine through 12 with information annually on the manner in which a parent may
42 lawfully abandon a newborn baby with a responsible person, in accordance with G.S. 7B-500.

43 The Department of Public Instruction shall also ensure that the guidelines for individual
44 diabetes care plans adopted by the State Board of Education under G.S. 115C-12(31) are
45 implemented in charter schools in which students with diabetes are enrolled and that charter
46 schools otherwise comply with the provisions of G.S. 115C-375.3.

47 The Department of Public Instruction shall ensure that charter schools comply with
48 G.S. 115C-375.2A. The board of directors of a charter school shall provide the school with a
49 supply of emergency epinephrine auto-injectors necessary to carry out the provisions of
50 G.S. 115C-375.2A.

1 (b) ~~Emergency Response Plan.~~ School Risk Management Plan. – Each charter
2 school, in coordination with local law enforcement ~~agencies, and emergency management~~
3 ~~agencies,~~ is encouraged to adopt ~~an emergency response plan~~ a School Risk Management
4 (SRMP) relating to incidents of school violence. In constructing and maintaining these plans,
5 charter schools may utilize the School Risk and Response Management System (SRRMS)
6 established pursuant to G.S. 115C-105.49A. These plans are not considered a public record as
7 the term "public record" is defined under G.S. 132-1 and shall not be subject to inspection and
8 examination under G.S. 132-6.

9 Charter schools are encouraged to provide schematic diagrams and keys to the main
10 entrance of school facilities to local law enforcement agencies, in addition to implementing the
11 provisions in ~~G.S. 115C-105.49(b)~~ and G.S. 115C-105.52.

12 (c) Policy Against Bullying. – A charter school is encouraged to adopt a policy against
13 bullying or harassing behavior, including cyber bullying, that is consistent with the provisions
14 of Article 29C of this Chapter. If a charter school adopts a policy to prohibit bullying and
15 harassing behavior, the charter school shall, at the beginning of each school year, provide the
16 policy to staff, students, and parents as defined in G.S. 115C-390.1(b)(8).

17 (d) School Safety Exercises. – At least once a year, a charter school is encouraged to
18 hold a full school-wide lockdown exercise with local law enforcement and emergency
19 management agencies that are part of the charter school's SRMP.

20 (e) School Safety Information Provided to Division of Emergency Management. – A
21 charter school is encouraged to provide the following: (i) schematic diagrams, including digital
22 schematic diagrams, and (ii) emergency response information requested by the Division for the
23 SRMP. The schematic diagrams and emergency response information are not considered public
24 records as the term "public record" is defined under G.S. 132-1 and shall not be subject to
25 inspection and examination under G.S. 132-6."

26 **SECTION 8.(b)** Each charter school is encouraged to adopt a School Risk
27 Management Plan by March 1, 2017.

28 **SECTION 9.(a)** G.S. 115C-238.66 reads as rewritten:

29 "**§ 115C-238.66. Board of directors; powers and duties.**

30 The board of directors shall have the following powers and duties:

31 (1) Academic program. –

32 a. The board of directors shall establish the standard course of study for
33 the regional school. This course of study shall set forth the subjects
34 to be taught in each grade and the texts and other educational
35 materials on each subject to be used in each grade. The board of
36 directors shall design its programs to meet at least the student
37 performance standards adopted by the State Board of Education and
38 the student performance standards contained in this Chapter.

39 b. The board of directors shall conduct student assessments required by
40 the State Board of Education.

41 c. The board of directors shall provide the opportunity to earn or obtain
42 credit toward degrees from a community college subject to Chapter
43 115D of the General Statutes or a constituent institution of The
44 University of North Carolina.

45 d. The board of directors shall adopt a school calendar consisting of a
46 minimum of 185 days or 1,025 hours of instruction covering at least
47 nine calendar months.

48 (2) Standards of performance and conduct. – The board of directors shall
49 establish policies and standards for academic performance, attendance, and
50 conduct for students of the regional school. The policies of the board of
51 directors shall comply with Article 27 of this Chapter.

- 1 (3) School attendance. – Every parent, guardian, or other person in this State
2 having charge or control of a child who is enrolled in the regional school and
3 who is less than 16 years of age shall cause such child to attend school
4 continuously for a period equal to the time that the regional school shall be
5 in session. No person shall encourage, entice, or counsel any child to be
6 unlawfully absent from the regional school. Any person who aids or abets a
7 student's unlawful absence from the regional school shall, upon conviction,
8 be guilty of a Class 1 misdemeanor. The principal shall be responsible for
9 implementing such additional policies concerning compulsory attendance as
10 shall be adopted by the board of directors, including regulations concerning
11 lawful and unlawful absences, permissible excuses for temporary absences,
12 maintenance of attendance records, and attendance counseling.
- 13 (4) Reporting. – The board of directors shall comply with the reporting
14 requirements established by the State Board of Education in the Uniform
15 Education Reporting System.
- 16 (5) Assessment results. – The board of directors shall provide data to the
17 participating unit in which a student is domiciled on the performance of that
18 student on any testing required by the State Board of Education.
- 19 (6) Education of children with disabilities. – The board of directors shall require
20 compliance with laws and policies relating to the education of children with
21 disabilities.
- 22 (7) Health and safety. – The board of directors shall require that the regional
23 school meet the same health and safety standards required of a local school
24 administrative unit.

25 The Department of Public Instruction shall ensure that regional schools
26 comply with G.S. 115C-375.2A. The board of directors of a regional school
27 shall provide the school with a supply of emergency epinephrine
28 auto-injectors necessary to carry out the provisions of G.S. 115C-375.2A.

- 29 (7a) ~~Emergency Response Plan.~~ School Risk Management Plan. – Each
30 regional school, in coordination with local law enforcement agencies, is
31 encouraged to adopt ~~an emergency response plan~~ a School Risk
32 Management Plan (SRMP) relating to incidents of school violence. In
33 constructing and maintaining these plans, a regional school may utilize the
34 School Risk and Response Management System (SRRMS) established
35 pursuant to G.S. 115C-105.49A. These plans are not considered a public
36 record as the term "public record" is defined under G.S. 132-1 and shall not
37 be subject to inspection and examination under G.S. 132-6.
- 38 (7b) Schematic diagrams and school crisis kits. – Regional schools are
39 encouraged to provide schematic diagrams and keys to the main entrance of
40 school facilities to local law enforcement agencies, in addition to
41 implementing the provisions in ~~G.S. 115C-105.49(b)~~ and G.S. 115C-105.52.
- 42 (7c) School safety exercises. – At least once a year, a regional school is
43 encouraged to hold a full school-wide lockdown exercise with local law
44 enforcement and emergency management agencies that are part of the
45 regional school's SRMP.
- 46 (7d) Safety information provided to Division of Emergency Management. – A
47 regional school is encouraged to provide the following: (i) schematic
48 diagrams, including digital schematic diagrams, and (ii) emergency response
49 information requested by the Division for the SRMP. The schematic
50 diagrams and emergency response information are not considered public

1 records as the term "public record" is defined under G.S. 132-1 and shall not
2 be subject to inspection and examination under G.S. 132-6.

- 3 (8) Driving eligibility certificates. – The board of directors shall apply the rules
4 and policies established by the State Board of Education for issuance of
5 driving eligibility certificates.
- 6 (9) Purchasing and contracts. – The board of directors shall comply with the
7 purchasing and contract statutes and regulations applicable to local school
8 administrative units.
- 9 (10) Exemption from the Administrative Procedures Act. – The board of directors
10 shall be exempt from Chapter 150B of the General Statutes, except final
11 decisions of the board of directors in a contested case shall be subject to
12 judicial review in accordance with Article 4 of Chapter 150B of the General
13 Statutes.
- 14 (11) North Carolina School Report Cards. – A regional school shall ensure that
15 the report card issued for it by the State Board of Education receives wide
16 distribution to the local press or is otherwise provided to the public. A
17 regional school shall ensure that the overall school performance score and
18 grade earned by the regional school for the current and previous four school
19 years is prominently displayed on the school Web site. If a regional school is
20 awarded a grade of D or F, the regional school shall provide notice of the
21 grade in writing to the parent or guardian of all students enrolled in that
22 school.
- 23 (12) Policy against bullying. – A regional school is encouraged to adopt a policy
24 against bullying or harassing behavior, including cyber-bullying, that is
25 consistent with the provisions of Article 29C of this Chapter. If a regional
26 school adopts a policy to prohibit bullying and harassing behavior, the
27 regional school shall, at the beginning of each school year, provide the
28 policy to staff, students, and parents as defined in G.S. 115C-390.1(b)(8)."

29 **SECTION 9.(b)** Each regional school is encouraged to adopt a School Risk
30 Management Plan by March 1, 2017.

31 **SECTION 10.** G.S. 166A-19.12 is amended by adding a new subdivision to read:

32 "(22) Serving as the lead State agency for the implementation and maintenance of
33 the Statewide School Risk and Response Management System (SRRMS)
34 under G.S. 115C-105.49A."

35 **SECTION 11.** By December 1, 2015, the Department of Public Safety, Division of
36 Emergency Management, and the Center for Safer Schools shall provide a report to the Joint
37 Legislative Commission on Governmental Operations on (i) the status of the School Risk and
38 Response Management System (SRRMS) implementation under G.S. 115C-105.49A, as
39 enacted by this act, and (ii) the anticipated annual cost to operate and maintain the system.

40 **SECTION 12.** Subject to the availability of funds, it is the intent of the General
41 Assembly to provide funds during the 2015-2017 fiscal biennium to provide grants to local
42 school administrative units, regional schools, and charter schools for additional school
43 psychologists, school counselors, and school social workers. These funds shall be matched on
44 the basis of one dollar (\$1.00) in State funds for every one dollar (\$1.00) in local funds and
45 shall be used to supplement and not to supplant State, local, and federal funds expended for
46 school psychologists, school counselors, and school social workers.

47 The State Board of Education shall include need-based considerations in its criteria
48 for awarding these grants to local school administrative units. The State Board shall give lower
49 priority to local school administrative units that have received a grant for school resource
50 officers pursuant to Section 8.36 of S.L. 2013-360.

1 **SECTION 13.** This act is effective when it becomes law. Sections 2, 3, 5, 6, and 7
2 of this act apply beginning with the 2015-2016 school year.

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

H

1

HOUSE BILL 506

Short Title: 911 Fund Distribution. (Public)

Sponsors: Representatives Boles and McNeill (Primary Sponsors).
For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.

Referred to: Local Government, if favorable, Finance.

April 2, 2015

1 A BILL TO BE ENTITLED
2 AN ACT TO CLARIFY AND AMEND THE PROCEDURES AND SCOPE OF EXPENSES
3 ELIGIBLE FOR 911 FUND DISTRIBUTIONS AND TO STUDY THE STRUCTURE,
4 OPERATIONS, AND FUNCTIONS OF THE 911 BOARD.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 62A-46 reads as rewritten:

7 "**§ 62A-46. Fund distribution to PSAPs.**

8 (a) Monthly Distribution. – The 911 Board must make monthly distributions to primary
9 PSAPs from the amount allocated to the 911 Fund for PSAPs. A PSAP is not eligible for a
10 distribution under this section unless it complies with the requirements of this Article, provides
11 enhanced 911 service, and received distributions from the 911 Board in the 2008-2009 fiscal
12 year. The Board may reduce, suspend, or terminate distributions under this subsection if a
13 PSAP does not comply with the requirements of this Article. The Board must comply with all
14 of the following:

15 ...
16 (4) Additional distributions. – In the first quarter of the Board's fiscal year, the
17 Board must determine whether payments to PSAPs during the preceding
18 fiscal year exceeded or were less than the eligible costs incurred by each
19 PSAP during the fiscal year. If a PSAP receives less than its eligible costs in
20 any fiscal year, the Board may increase a PSAP's distribution in the
21 following fiscal year above the base amount as determined by the formula to
22 meet the estimated eligible costs of the PSAP as determined by the Board.
23 The Board may not distribute less than the base amount to each PSAP except
24 as provided in subsection (b1) of this section. The Board must provide a
25 procedure for a PSAP to request a reconsideration of its distribution or
26 eligible expenses.

27 (5) Appeal of distribution denial. – A decision by the Board to deny a
28 distribution for expenses incurred by a PSAP shall be in writing and must
29 include the following elements:

- 30 a. The reason for the denial.
31 b. A statement notifying the PSAP of the right to appeal or request
32 reconsideration of the denial.
33 c. Information about the procedure for filing an appeal or requesting
34 reconsideration of the denial.

35 ...



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1 (c) Use of Funds. – A PSAP that receives a distribution from the 911 Fund may not use
 2 the amount received to pay for the lease or purchase of real estate, cosmetic remodeling of
 3 emergency dispatch centers, hiring or compensating telecommunicators, or the purchase of
 4 mobile communications vehicles, ambulances, fire engines, or other emergency vehicles.
 5 Distributions received by a PSAP may be used only to pay for the following:

- 6 (1) The lease, purchase, or maintenance of:
- 7 a. Emergency telephone equipment, including necessary computer
 - 8 hardware, software, and database provisioning.
 - 9 b. Addressing.
 - 10 c. Telecommunicator furniture.
 - 11 d. Dispatch equipment located exclusively within a building where a
 - 12 PSAP or back-up PSAP is located, ~~excluding the costs of base station~~
 - 13 ~~transmitters, towers, microwave links, and antennae used to dispatch~~
 - 14 ~~emergency call information from the PSAP or back up~~
 - 15 ~~PSAP located.~~
 - 16 e. Base station transmitters, towers, microwave links, antennae, and all
 - 17 other transmission equipment located on or otherwise attached to any
 - 18 tower used to dispatch emergency call information from the PSAP.

19"

20 **SECTION 2.(a)** The Legislative Research Commission shall study the structure,
 21 operations, and functions of the 911 Board. The study shall include the following issues:

- 22 (1) The composition of the 911 Board and appropriate placement of the 911
- 23 Board within State government.
- 24 (2) The development of operating standards for Public Safety Answering Points
- 25 (PSAPs), including standards for the content and delivery of training and
- 26 certification for telecommunicators assigned to PSAPs.
- 27 (3) The administration of the 911 Fund.
- 28 (4) Any other issues the Commission finds relevant to the structure, operations,
- 29 and functions of the 911 Board.

30 **SECTION 2.(b)** The Commission shall report its findings and any
 31 recommendations for statutory or administrative changes to the Joint Legislative Commission
 32 on Governmental Operations no later than January 31, 2015.

33 **SECTION 3.** This act becomes effective July 1, 2015.

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015**

H

1

HOUSE BILL 512

Short Title: Amend/Clarify Back-Up PSAP Requirements. (Public)

Sponsors: Representatives S. Martin, Steinburg, Saine, and B. Brown (Primary Sponsors).
For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.

Referred to: Local Government.

April 2, 2015

A BILL TO BE ENTITLED
AN ACT TO DELAY IMPLEMENTATION OF BACK-UP PSAP REQUIREMENTS, TO
DEFINE UNIFORM STANDARDS FOR BACK-UP PSAPS, AND DEVELOP A
MASTER PURCHASING LIST FOR 911 SYSTEM ELIGIBLE EXPENSES.

Whereas, Session Law 2014-66 amended Article 3 of Chapter 62A of the North Carolina General Statutes to require development of a back-up PSAP when calls cannot be completed by the primary PSAP; and

Whereas, the changes in Session Law 2014-66 are applicable to 911 fund distributions made on or after July 1, 2016; and

Whereas, many counties in North Carolina are unable to fully implement a back-up PSAP by July 1, 2016; and

Whereas, counties would save cost and increase efficiency by partnering under a standard model for a back-up PSAP developed by the 911 Board; and

Whereas, the assistance of the 911 Board in facilitating group procurement pricing for eligible 911 expense items would save money and eliminate price disparities between larger and smaller jurisdictions; Now, therefore,

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 62A-46(e)(4a) reads as rewritten:

"(4a) ~~A~~ By July 1, 2016, a PSAP must have a plan and means for 911 call-taking in the event 911 calls cannot be received and processed in the primary PSAP. ~~PSAP, or have made substantial progress toward implementation of the plan and means.~~ The plan must identify the alternative capability of taking the redirected 911 calls. This subdivision does not require a PSAP to construct an alternative facility to serve as a back-up PSAP."

SECTION 2. The 911 Board shall investigate alternatives for facilitation of uniform procurement and pricing of 911 eligible expenses through bulk purchasing and other means. No later than May 1, 2016, the Board shall report its findings, including any requests for legislative action, to the Joint Legislative Oversight Committee on Information Technology.

SECTION 3. This act is effective when it becomes law.



GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

H

2

HOUSE BILL 730
Second Edition Engrossed 4/28/15

Short Title: County Provide 911 Dispatch Services. (Public)

Sponsors: Representative Saine (Primary Sponsor).
For a complete list of Sponsors, see Bill Information on the NCGA Web Site.

Referred to: Local Government.

April 15, 2015

1 A BILL TO BE ENTITLED
2 AN ACT TO PROHIBIT THE DOUBLE TAXATION OF CITY RESIDENTS FOR 911
3 DISPATCH SERVICES.

4 Whereas, property owners in the State's cities pay both city and county ad valorem
5 taxes; and

6 Whereas, these property owners should receive the benefit of their county taxes; and

7 Whereas, the property taxes paid by city residents should be considered adequate
8 compensation for the provision of county dispatch services within the city; Now, therefore,
9 The General Assembly of North Carolina enacts:

10 SECTION 1. Article 23 of Chapter 153A of the General Statutes is amended by
11 adding a new section to read as follows:

12 "**§ 153A-457. 911 dispatch services.**

13 If a county operates a 911 public safety answering point that is funded, in whole or in part,
14 by county ad valorem taxes, the county shall provide 911 dispatch services without additional
15 charge to any city located within the county's jurisdictional limits if the governing body of the
16 city adopts a resolution requesting the dispatch services."

17 SECTION 1.5. The provisions of this act shall not apply if a county and city have
18 entered into an agreement or contract for the sharing of the costs of 911 dispatch services on or
19 before the date this act becomes law. The agreement or contract between the county and city
20 shall remain effective until it expires or is terminated by the parties in accordance with the
21 terms of the agreement or contract.

22 SECTION 2. This act becomes effective July 1, 2015.



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GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

H

2

HOUSE BILL 812
Second Edition Engrossed 4/29/15

Short Title: Grant Recipients Posted on Grantor Web Site. (Public)

Sponsors: Representatives Riddell, Saine, Bradford, and Bishop (Primary Sponsor).
For a complete list of Sponsors, see Bill Information on the NCGA Web Site.

Referred to: Regulatory Reform.

April 15, 2015

A BILL TO BE ENTITLED

AN ACT TO ENSURE THAT INFORMATION ON GRANT FUNDS AWARDED BY
STATE AGENCIES IS READILY AVAILABLE ON STATE AGENCY WEB SITES.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 143C-2-5 reads as rewritten:

"§ 143C-2-5. Grants and contracts database.

(a) The Director of the Budget shall require the Office of State Budget and Management, with the support of the Office of Information Technology Services, to build and maintain a database and Web site for providing a single, searchable Web site on State spending for grants and contracts to be known as NC OpenBook.

(b) ~~Each head of a principal department listed in G.S. 143B-6~~ The head of each State institution, department, bureau, agency, or commission, or a designee, shall conduct a quarterly review ~~monthly~~ of all State contracts and grants administered by that ~~principal department~~ agency.

(c) All State institutions, departments, bureaus, agencies, or commissions ~~subject to the authority of the Director of the Budget~~ that maintain a Web site shall be required to include an access link to the NC OpenBook Web site on the home page of the agency Web site. Each agency shall also prominently display a search engine on the agency Web site home page to allow for ease of searching for information, including contracts and grants, on the agency's Web site."

SECTION 2. The State Chief Information Officer, through the Digital Commons Project, shall ensure that the data on grants or awards of public funds to non-State entities that is available on the NC OpenBook Web site is displayed in a consistent and easily accessible manner on the Web sites of all State institutions, departments, bureaus, agencies, and commissions.

The State Chief Information Officer shall fully implement this act by December 31, 2015.

The State Chief Information Officer shall report to the Joint Legislative Oversight Committee on Information Technology and the Fiscal Research Division prior to August 1, 2015, on a time line for implementing this act.

SECTION 3. This act is effective when it becomes law.



**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015**

S

1

SENATE BILL 571

Short Title: Expand Uses of 911 Fee. (Public)

Sponsors: Senators Bryant, J. Davis, Foushee (Primary Sponsors); D. Davis, Lowe, and Waddell.

Referred to: Rules and Operations of the Senate.

March 30, 2015

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE FOR THE APPEAL OF DENIAL OF DISTRIBUTIONS TO PSAPS
3 MADE BY THE 911 BOARD, AND TO EXPAND THE USES OF THE PSAP FUND
4 BALANCES.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 62A-46(a) is amended by adding a new subdivision:

7 "(5) Appeal of distribution denials. – A PSAP may appeal or request
8 reconsideration of the Board's decision to deny a distribution for an
9 expenditure. The Board shall establish procedures for appeals or
10 reconsiderations of an expenditure denial. A decision to deny a distribution
11 for an expenditure made by a PSAP must be in writing and must include the
12 following:

13 a. The reason for the denial.

14 b. A statement notifying the PSAP of the right to appeal or request
15 reconsideration of the denial.

16 c. Information about the procedure for filing an appeal or requesting
17 reconsideration of the denial."

18 **SECTION 2.** A local government entity may use the fund balance of the PSAP as
19 of June 30, 2014, as shown on the PSAP Distribution Report of the 911 Board, to provide for
20 public safety needs, including costs that are not eligible expenses under G.S. 62A-46, provided
21 the expenditures do not impair operability, maintenance, replacement or repair of essential
22 equipment during time frame of the current distribution period. All other funds in the
23 Emergency Telephone System Fund must be used for eligible expenses under Article 3 of
24 Chapter 62A of the General Statutes.

25 **SECTION 3.** This act is effective July 1, 2015.



GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

H

4

HOUSE BILL 892
Committee Substitute Favorable 4/22/15
Senate State and Local Government Committee Substitute Adopted 5/19/15
Fourth Edition Engrossed 5/20/15

Short Title: 2015 Speaker and PPT Appointments.

(Public)

Sponsors:

Referred to:

April 15, 2015

A BILL TO BE ENTITLED

AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE
RECOMMENDATION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES
AND THE PRESIDENT PRO TEMPORE OF THE SENATE.

Whereas, G.S. 120-121 authorizes the General Assembly to make certain
appointments to public offices upon the recommendation of the Speaker of the House of
Representatives and the President Pro Tempore of the Senate; and

Whereas, the Speaker of the House of Representatives and the President Pro
Tempore of the Senate have made recommendations; Now, therefore,
The General Assembly of North Carolina enacts:

PART I. SPEAKER'S RECOMMENDATIONS

SECTION 1.1. Effective January 15, 2015, the Honorable Charles Travis, III, of
Mecklenburg County is appointed to the North Carolina Turnpike Authority for a term expiring
on January 14, 2019.

SECTION 1.2. John D. "JD" Solomon of Johnston County is appointed to the
Environmental Management Commission for a term expiring on June 30, 2017, to fill the
unexpired term of Benne C. Hutson.

SECTION 1.3.(a) Representative Dan Bishop of Mecklenburg County is appointed
to the Justus-Warren Heart Disease and Stroke Prevention Task Force for a term expiring on
June 30, 2015, to fill the unexpired term of Tom Murry.

SECTION 1.3.(b) Representative Larry Yarborough of Person County is appointed
to the Justus-Warren Heart Disease and Stroke Prevention Task Force for a term expiring on
June 30, 2015, to fill the unexpired term of Mark Hollo.

PART II. PRESIDENT PRO TEMPORE'S RECOMMENDATIONS.

SECTION 2.1.(a) Daniel J. Zeller of Guilford County is appointed to the State
Ethics Commission for a term expiring on December 31, 2016, to fill the unexpired term of
Francis X. DeLuca.

SECTION 2.1.(b) Effective January 1, 2015, Dr. Clarence G. Newsome of
Mecklenburg County is reappointed to the State Ethics Commission for a term expiring on
December 31, 2018.

SECTION 2.2.(a) James S. Stewart of Hoke County is appointed to the 911 Board
for a term expiring on December 31, 2017.



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1 **SECTION 2.2.(b)** Effective January 1, 2015, Jeffrey A. Shipp of Sampson County,
2 Richard A. Edwards of Mecklenburg County, and Slayton S. Stewart of Forsyth County are
3 appointed to the 911 Board for terms expiring on December 31, 2018.
4

5 **PART III. EFFECTIVE DATE**

6 **SECTION 3.** This act is effective when it becomes law.

Executive Director Report

Richard Taylor

b) Legislative Update

9) Meeting With Rep. Boles / Other
Legislative Members



Rep. Jamie Boles
Moore County



Rep. George Cleveland
Onslow County



Rep. Allen McNeil
Randolph County



Rep. Jason Saine
Lincoln County

Executive Director Report

Richard Taylor

c) Update On Bi-Annual Audit

Approval of FY2015-2016 Budget

(vote required)

Marsha Tapler

NC 911 Board Proposed Budget 2015-2016

ADMINISTRATIVE EXPENDITURES	Budget SFY2015	Estimated Year-End Total SFY2015	Proposed Budget SFY2016	COMMENTS
SPA-Reg Salaries	334,000	319,491	451,390	<i>FY2015 Full Year 5 FTE & .33 FTE OITS Personnel 1 Network Analyst (additional) 1 911 Financial Review Specialist (additional)</i>
EPA&SPA Longvty Pay	2,500	3,165	3,300	
Social Sec Contrip-Recpt	32,088	21,996	36,736	
Reg Retire Contrib Recpt	47,682	49,840	73,042	
Med Ins Contrib-Recpt	26,500	22,408	39,817	
UNEMP Comp Payments to DE	9,000	980	1,000	
Flexible Spending	600	458	600	
NONTAX Emp Cell Ph Reimb	840	840	840	
Contractor (s) Paid through Beacon	0	0	0	
Personnel Services Total	\$ 453,210	\$ 419,179	\$ 606,725	
Legal Services	34,000	33,082	34,000	<i>DOJ/Richard Bradford</i>
Finan/Audit Services	20,000	28,000	30,000	<i>911 Board Audit/OSA Hours Contract personnel costs for analyzing, designing, and/or implementing support for a system or systems modification.</i>
Other Information Technology Services	80,000	0	5,000	
PC/Printer Support	1,000	1,000	1,000	<i>ITS Desktop</i>
Application Development	500	2,192	10,000	<i>Web Development</i>
IT Project Management/Analysis Services	80,000	0	100,000	<i>OITS/Proj Mgr - Board projects - Internal</i>
Admin Services - Temp Agency	80,000	57,844	80,000	<i>911 Special Assignments Network Analyst Stenographer</i>
Miscellaneous Contractual Service	555,000	0	500,000	<i>Approved Technical Support NG911</i>
Miscellaneous Contractual Svcs- Training	35,000	7,099	15,000	<i>PSAP Training</i>
Workshop/Conf-Exp (Contractual)	55,000	21,822	30,000	<i>PSAP Managers Meetings/ Board workshop</i>
Workshop/Conf-Room Rental	37,000	0	10,000	<i>PSAP Managers Meetings/ Board workshop</i>
Contractual Services Total	\$ 977,500	\$ 151,038	\$ 815,000	
Rent/Lease Motor Vehicle	23,500	22,162	29,549	<i>4 FTE</i>
Rent/Lease-Voice Comm Equip	360	0	360	
Operational Services Total	\$ 23,860	\$ 22,162	\$ 29,909	

NC 911 Board Proposed Budget 2015-2016

ADMINISTRATIVE EXPENDITURES	Budget SFY2015	Estimated Year-End Total SFY2015	Proposed Budget SFY2016	COMMENTS
<i>Travel expenses -5.33 FTE & Temp Personnel</i>				
Trans Air-Out State	3,000	6,505	7,000	<i>Nena, 911 goes to Washington, NASNA, APCO</i>
Transp-Grnd In-State	3,100	3,099	4,000	
Trans Grnd-Out In State	350	350	350	
Transp Other In State	1,200	460	1,000	
Transp-Other Outstate	600	350	600	
Lodging In-State	32,000	25,339	32,000	
Lodging Out-State	3,800	7,636	8,800	
Meals- In State	18,000	14,874	18,000	
Meals-Out state	1,500	1,999	2,200	
Travel - Staff Total	\$ 63,550	\$ 60,612	\$ 73,950	
BD/Non-Emply Transp	4,000	2,576	4,000	
BD/Non-Emply Subsis	10,000	15,980	4,000	
BD/Workshops-Conference Expense	0	0	17,000	<i>Board Meeting, Standards, NG911, Funding, Education, PSAP Mgrs Mtg</i>
Board Member Total	\$ 14,000	\$ 18,556	\$ 25,000	
Telephone Service	3,500	4,434	5,500	
Telecommun Data Charge	5,400	4,923	5,400	
Teleconference charges	1,500	1,490	4,000	
Cellular Phone Services	4,500	2,246	4,500	
Email and Calendaring	940	520	940	
Video Transmission Charge	21,000	3,141	3,000	
Computer/Data Process Sv	4,500	4,500	4,500	
Electronic Services	5,900	4,400	5,900	
Managed Desktop Services	5,100	5,620	7,000	
Pos, FR&DEL Postal Meter	600	250	300	
Print, Bind, Duplicate	40,000	272	300	<i>Public Education Materials</i>
Advertising	35,000	0	100,000	<i>Public Education</i>
Property Insurance	25	18	25	
Registration Fees	4,500	4,127	4,500	
Training	37,000	300	4,000	<i>Employee</i>
Membership Fees	7,500	6,732	7,500	<i>NENA/APCO & Next Gen 911</i>
Supplies	1,200	420	1,200	
Other Purchased Services Total	\$ 178,165	\$ 43,393	\$ 158,565	

NC 911 Board Proposed Budget 2015-2016

ADMINISTRATIVE EXPENDITURES	Budget SFY2015	Estimated Year-End Total SFY2015	Proposed Budget SFY2016	COMMENTS
Furn-Office	500	3,839	800	
Computer and Printer Purchases	12,000	7,768	7,768	<i>Board Tablets.</i>
Oth Equip Audio/Visual	1,000	370	3,000	
ECATS PSAP Funding	50,855	7,568	10,000	<i>Initial License Expense for RDDM</i>
Equipment Total	\$ 64,355	\$ 19,545	\$ 21,568	
Transfer to ITS	33,000	22,463	33,000	<i>Cost Allocations - OITS</i>
	\$ 33,000	\$ 22,463	\$ 33,000	

CMRS Cost Recovery & PSAP Expenditures	Budget SFY2015	Estimated Year-End Total SFY2015	Proposed Budget SFY2016	COMMENTS
CMRS Statutory Distri/911	9,500,000	8,698,353	9,600,000	<i>Cost Recovery</i>
PSAP Statutory Distri/911	54,000,000	51,772,184	60,000,000	<i>PSAP Distribution/Reconsiderations/Secondary PSAPs</i>
	\$ 63,500,000	\$ 60,470,537	\$ 69,600,000	

Grants	Budget SFY2015	Proposed Budget SFY2016	COMMENTS
FY2016 Awarded Grants (projected estimated)	14,500,000	16,100,000	<i>Estimated Remaining PSAP fund balance transferred during 1st quarter FY2016</i>
Encumbered for Open Awards:	36,347,285	25,785,246	<i>This amount is subject to change due to payments made after budget approval.</i>
	\$ 50,847,285	\$ 41,885,246	

Current Status Open Grants:	Possible Carry Forward FY2016	COMMENTS
Stanly (06/8/2015)	416,250	
ECaTs Call Tracking System (04/30/2015)	732,153	
Burke -2012 (01/31/2014)	328,672	Incomplete billing.
Rockingham -2012 (06/30/2015)	1,494,423	
Brunswick 2013 (06/30/2014)	1,244,566	Extension
Lenoir/Jones 2013 (12/31/2014)	804,442	Extension
Anson 2014 Enhancement & Repl (06/30/2015)	151,556	
Bladen 2014 Enhancement/Backup (06/30/2015)	124,485	
Gates 2014 PSAP Upgrade (10/31/2014)	72,223	Extension
Henderson 2014 PSAP Relocation (06/30/2015)	1,030,572	
Hertford 2014 PSAP Consolidation (06/30/2016)	4,007,528	
Swain 2014 Equip Ehhancement (06/30/2015)	322,260	
IMAGE14 (06/30/2015)	698,347	
IMAGE15 (06/30/2016)	3,597,820	
Caldwell - 2015 (12/31/2015)	1,022,399	
Dare-Tyrrell Regional PSAP (06/30/2018)	7,002,795	
Haywood Enhancement & Repl (12/31/2015)	2,632,793	
Swain-Jackson 2015 Regl PSAP Proj (06/30/2015)	101,962	
Total	\$ 25,785,246	

Revenue/Interest	Budget SFY2015	Estimated Year-End Total SFY2015	Proposed SFY2016	COMMENTS
CMRS Fund:				
Interest/div Invest/Plan CMRS	20,000	11,135	15,000	
CMRS Receipts	9,000,000	8,869,167	9,500,000	
PSAP Fund:				
Interest/div Invest/Plan PSAP	30,000	40,290	43,000	Increase due to Prepaid
Wireless (Derived from CMRS Receipts)	37,000,000	35,316,669	37,000,000	
Wireline Receipts	17,000,000	14,890,895	17,000,000	
VOIP Receipts	9,500,000	9,628,052	9,800,000	
Prepaid Wireless Receipts	6,732,000	9,316,835	9,500,000	
Admin Fund:				
Interest/div Invest/Plan Admin.	15,000	12,407	14,000	
Administrative 1%	810,000	787,693	810,000	
GRANT FUND:				
Interest/div Invest/Plan	175,000	155,364	175,000	
Total	\$80,282,000	\$79,028,508	\$83,857,000	

ESTIMATED FY2016:

Transfer to GRANT fund at Year-End \$ 16,100,000

TRS FUND	Budget SFY2015	Estimated Year-End Total SFY2015	Proposed SFY2016	COMMENTS
TRS Expenditure	\$ 12,200,000	\$ 12,265,342	\$ 12,500,000	Pass through to DHHS
TRS Revenue Interest	\$ 5,500	\$ 5,500	\$ 5,500	
TRS Revenue	\$ 12,200,000	\$ 12,000,000	\$ 12,500,000	

911 Board Proposed FY2016 Budget - Rollup

<u>Description</u>	Budget SFY2015	Proposed Budget SFY2016
Revenues -		
Int/Div on Investments	240,000	247,000
Combined Fund - Admin Fees	80,042,000	83,610,000
Fund Balance -Admin		939,717
Fund Balance -Grant	36,347,285	41,885,246
Total	\$ 116,629,285	\$ 126,681,963

Expenditures

Personnel Services	533,210	606,725
Contractual Services	232,700	815,000
Operational Services	23,860	29,909
Travel - Staff	63,550	73,950
Board Member Travel & Exp	14,000	25,000
Other Purchased Services	178,215	158,565
Equipment	64,355	21,568
Transfer to ITS	33,000	33,000
CMRS Statutory Distri./911	9,500,000	9,600,000
PSAP Statutory Distri./911	54,000,000	60,000,000
Grant Statutory Distri./911	36,347,285	41,885,246
Total	\$ 100,990,175	\$ 113,248,963

	Budget SFY2015	Proposed Budget SFY2016
TRS FUND		
TRS Expenditure	\$ 12,200,000	\$ 12,500,000
TRS Revenue Interest	\$ 5,500	\$ 5,500
TRS Revenue	\$ 12,200,000	\$ 12,500,000

Approval of Secondary PSAP Funding

- a) Forsyth County – Town of Kernersville
(vote required) Richard Taylor

**AGREEMENT
For 911 Fund Allocations to a Secondary PSAP**

THIS AGREEMENT (the Agreement) is made effective the 15th day of April, 2015, by and between Forsyth County (hereinafter referred to as “County”), a unit of local government operating a Primary PSAP in Forsyth County, North Carolina, and the North Carolina 911 Board (hereinafter referred to as “911 Board”), an agency of the State of North Carolina. County and the 911 Board (together “the Parties”) hereby agree as follows:

WITNESSETH:

WHEREAS, the 911 Board was created by SL 2007-383 (N.C. Gen. Stat. §62A-40 *et seq.*) to collect and administer the 911 Fund; and

WHEREAS, the 911 Board adopted a policy allowing allocation of distributions from the 911 Fund for eligible expenditures of a Secondary PSAP; and

WHEREAS, County presently transfers 911 calls to the Town of Kernersville, a Secondary PSAP, which relieves the County from completing the call taking process and dispatching such 911 calls; and

WHEREAS, County and the Secondary PSAP operate within the same 911 System and desire distributions from the 911 Fund for further distribution to, or for the benefit of, a Secondary PSAP; and

WHEREAS, the Parties desire to contract in accordance with the Secondary PSAP funding policy of the Board;

NOW, THEREFORE, the Parties enter into this Agreement to implement the Board’s Secondary PSAP Funding Policy attached hereto as Exhibit A, the Parties hereto do mutually agree to the following terms and conditions:

1. Definitions:
 - a. Definitions set forth in N.C. Gen. Stat. §62A-40 *et seq.* are incorporated herein.
 - b. Back-up PSAP means a facility equipped to operate as part of the 911 System and all other features of its associated primary PSAP. A Backup PSAP receives 911 calls only when they are transferred from the primary PSAP or on an alternate routing basis when calls cannot be completed to the primary PSAP.
 - c. Interoperable: Capability of the telephone systems of the Primary and Secondary PSAPs to ensure complete transfer of a 911 call.
 - d. Secondary PSAP Funding Policy means Exhibit A to this Agreement and as the Policy may be amended.
 - e. A secondary PSAP is able to receive the voice and data of an Enhanced 911 call transferred from a primary PSAP and to complete the call taking process dispatching law, medical, fire or other responder.

- f. Receiving the voice and data of an Enhanced 911 call includes all identification and location data generated by the Subscriber.
 - g. Executive Director: the Executive Director of the 911 Board.
 - h. Allocated Funds: the amount authorized by the 911 Board for distribution to County for further allocation to the secondary PSAP. These Allocated Funds shall not diminish the monthly base amount distribution to the Primary PSAP.
 - i. State Funds: Any funds appropriated by the N.C. General Assembly or collected by the State of North Carolina. The 911 Funds are State Funds. County recognizes that the expenditure of money deposited in the State treasury, including the 911 Fund, is subject to acts of appropriation by the General Assembly and actions of the Budget Director.
 - j. Unit of Local Government: As defined in N.C. Gen. Stat. §160A-460, means a county, city, consolidated city-county, local board of education, sanitary district, facility authority created under Article 20 of Chapter 160A of the General Statutes, special district created under Article 43 of Chapter 105 of the General Statutes, or other local political subdivision, authority, or agency of local government.
2. Secondary PSAP: The secondary PSAP to receive the Allocated Funds is operated by the Town of Kernersville (“Secondary PSAP”) and receives 911 calls transferred from the primary PSAP to complete the call taking and dispatching processes. The Interlocal Agreement between County and Secondary PSAP is attached hereto as Exhibit B and is incorporated herein by reference. County agrees and acknowledges that the conditions set forth in Exhibit A, the Board’s Secondary PSAP Funding Policy, have been satisfied, and
- a. Allocated Funds shall be determined by the Board and utilize call data from a single Primary PSAP. Allocated Funds shall not be available for Back-up PSAPs.
 - b. County shall provide its interlocal agreement with the Secondary PSAP’s governing body to the Executive Director prior to disbursement of the Allocated Funds from the 911 Fund.
 - c. 911 System equipment may be procured by the County and placed within either the Primary or Secondary PSAP; provided that such equipment used to complete the call taking and dispatch processes shall be interoperable if purchased by the Primary PSAP; e.g. Computer Aided Dispatch (CAD).
 - d. To the greatest extent practicable, expenditures of the Allocated Funds shall be made to ensure greater interoperability in call taking, processing and dispatching appropriate responders.
 - e. County will collect and compile documents as directed by the 911 Board for the purpose of County’s verifying the requirements of the Secondary PSAP Funding Policy.
 - f. County shall assist the 911 Board in any audits of the 911 Fund by supplying required document(s) to satisfy the requests of an auditor.
3. Changes in Fund Distributions.
- a. If changes are requested with respect to 911 Fund distributions or allocations, such changes must be authorized in writing by the Parties. The 911 Board will not approve any

changes that exceed its authority under N.C. Gen. Stat. §62A-40 *et seq.*, or subsequent modification thereof.

b. Carryforward limits of 62A-46 shall apply to funds for secondary PSAPs.

c. Administrative expenses or costs of the County, PSAP or Secondary PSAP are not eligible expenses for 911 Fund distributions.

d. Each Party shall immediately notify the other of any change in conditions or applicable law, or any other event, which may significantly affect its ability to perform its obligations under this Agreement.

e. The Parties agree that the 911 Board may assign this Agreement to its successor, if any; or continue the Agreement by amending the term if legislation is enacted that does, or may, affect the term of this agreement.

f. A request for change in the allocation of funds must be submitted to the 911 Board Executive Director in writing, stating the basis for the request, at the same times permitting a Primary PSAP to submit requests for additional funds. The County shall submit a revised budget and any other documentation or information requested by the 911 Board Executive Director indicating the planned use of such additional funds.

4. Term of Agreement. The term of this Agreement shall begin upon the date first written above (“Effective Date”) and extend through June 30, 2016 (“End Date”). The Agreement shall terminate upon the End Date unless sooner terminated under Paragraph 8 or amended by written agreement to extend the End Date by the Parties or their successors in interest. Allocated Funds provided by the 911 Board may not be utilized for expenses incurred by County or Secondary PSAP prior to the Effective Date or subsequent to the End Date.

5. Distribution of Funds. Allocated Funds for FY 2014-2015 in the amount of Fifty Eight Thousand Seven Hundred Eleven Dollars [\$58,711] will be delivered to the Primary PSAP together with the monthly base amount distributed to the Primary PSAP.

a. Funds shall be distributed only for expenses that are eligible under N.C. Gen. Stat. §62A-40 *et seq.* and the policies of the 911 Board.

b. Administrative costs are not allowable expenses.

c. County will maintain full, accurate, and verifiable accounting records to support the preparation of financial statements in conformity with accounting practices applicable to N.C. local governments as approved by, or consistent with, standards of the Local Government Commission.

d. In the event County breaches any of the covenants or agreements contained in this Paragraph, or any of the representations and warranties of Paragraphs 6, 11, and **Error! Reference source not found.** are untrue as to a material fact as of the date of this Agreement, County shall return any un-distributed Allocated Funds held by County and refund sums equal to any non-eligible expenses paid with Allocated Funds. County’s obligations that are created by this subsection to return Allocated Funds and to refund sums, apply only to Allocated Funds held by County. Allocated Funds are “held” by County only to the extent they are in the actual, not constructive, possession of County.

6. Independent Status of County.

a. It is agreed between the Parties that neither this Agreement nor any provisions hereof shall be deemed to create a partnership or joint venture between County and any third party; nor with the 911 Board.

b. The Parties acknowledge that County is an independent entity. County shall not represent itself as an agent of the 911 Board; nor shall the Agreement be construed so as to make County an agent of the 911 Board. County shall not have the ability to bind the 911 Board to any agreement for payment of goods or services, nor shall it represent to any person or entity that it has such ability.

7. Records, Records Retention.

a. County shall maintain full, accurate and verifiable financial records, supporting documents, and all other pertinent data consistent with the Board's funding model and policies.

b. County shall retain all financial records, supporting documents, and all other pertinent records related to this Agreement for five (5) years from the End Date. In the event such records are audited, all such records shall be retained beyond the five-year period until any and all audit findings have been resolved.

c. Pursuant to N.C. Gen. Stat. §143C-6-23, and §147-64.7, County agrees to make available to the State Auditor, County, or designated representatives of the foregoing, all of its records which relate to the Project, and agrees to allow the 911 Board or its representative to audit, examine and copy any and all data, documents, proceedings, records and notes of activity relating in any way to the Project. Access to these records shall be allowed upon request at any time during normal business hours and as often as the 911 Board or its representative may deem necessary.

d. County acknowledges and agrees that it will be subject to the audit and reporting requirements prescribed by N.C. Gen. Stat. § 143C-6-23 *et seq.*, Non-State Entities Receiving State Funds or N.C. Gen. Stat. §159-34, The Local Government and Fiscal Control Act - Annual Independent Audit, Rules, N.C. Gen. Stat. §62A-40 *et seq.* and the policies, procedures and rules of the 911 Board; as applicable.

8. Termination; Availability of Funds.

a. If County fails for any reason to fulfill in a timely and proper manner its obligations under this Agreement, the 911 Board shall thereupon have the right to terminate this Agreement by giving written notice to County of such termination and by specifying the effective date of termination. In such event, the 911 Board shall have no responsibility to make additional payments under this Agreement after the Termination Date. County shall return all undistributed Allocated Funds to the Board without the demand therefor. The County shall not be relieved of liability to the 911 Board for damages sustained by the 911 Board by virtue of any breach of this agreement, and the 911 Board may withhold payment to the County for the purpose of set off until such time as the exact amount of damages due the 911 Board from such breach can be determined.

b. The Board may terminate this Agreement immediately upon notice to County at any time if sufficient funds are not available to satisfy the Allocated Funds, or if the Secondary PSAP fails to meet the policies, procedures or rules of the Board.

- c. Either party may terminate this Agreement upon sixty (60) days notice, or by mutual consent as may be agreed. Notice may be given by either party to the other at the addresses and to the attention of the Party's representative specified in Paragraph 15 below.
 - d. Termination of this Agreement by the County shall not prohibit the 911 Board from seeking remedy for additional costs consequential to the termination, which are incurred by the 911 Board. The County shall repay to the 911 Board any Allocated Funds received in excess of such distributions due under this Agreement.
 - e. County recognizes that the expenditure of money deposited in the State treasury, including the 911 Fund, is subject to acts of appropriation by the General Assembly and actions of the Budget Director.
9. Liabilities and Loss. The 911 Board assumes no liability, nor shall it have any liability under this Agreement, with respect to accidents, bodily injury, illness, breach of contract or any other damages, claims, or losses arising out of any activities undertaken by County or Secondary PSAP, or its contractors.
10. Remedies. In the event of County's non-compliance with any provision in this Agreement or the Secondary PSAP's failure to adhere to the policies, rules and statutes of the Board, or the provisions of this Agreement or the corresponding interlocal agreement, the Board may take any actions authorized by the policies, rules and statutes of the Board or by this Agreement. These remedies include, but are not limited to, reducing or suspending Allocated Funds or terminating such, including the withdrawal of all funds described in this Agreement except for funds already expended on otherwise eligible expenditures. However, no termination of this Agreement or the corresponding interlocal agreement removes the reporting and records retention requirements of this Agreement.
11. County Representation and Warranties. County hereby represents and warrants that:
- a. County and the Secondary PSAP are duly organized and validly existing as a unit of local government under the laws of the State of North Carolina.
 - b. This Agreement constitutes a binding obligation of County, enforceable against it in accordance with its terms. The execution and delivery of this Agreement have been duly authorized by all necessary action on the part of County, and does not violate any applicable organizational documents of County, or any agreement or undertaking to which it is a party or by which it is bound.
 - c. There is no action, suit, proceeding, or investigation at law or in equity or before any court, public board or body pending, or to County's knowledge, threatened against or affecting it, that could or might adversely affect the Project or any of the transactions contemplated by this Agreement or the validity or enforceability of this Agreement or County's ability to discharge its obligations under this Agreement.
 - d. All consents or approvals necessary from any governmental authority as a condition to the execution and delivery of this Agreement have been obtained by County. County shall provide the 911 Board with evidence of the existence of all such contracts at the time of the execution of this Agreement.
 - e. The County will notify the 911 Board Executive Director of any significant problems relating to the administrative or financial aspects associated with the Allocated

Funds, such as misappropriation of funds; use of 911 Funds for non-eligible expenses; placement or retaining 911 funds in any account other than the Emergency System Telephone Fund.

12. Excusable Delay (Force Majeure). Neither party shall be liable for any failure or delay in performing any of its obligations under this Agreement that is due to causes beyond its reasonable control, such as, but not limited to, acts of God, earthquakes and other natural catastrophes, governmental acts, shortages of supplies, riots, war, fire, epidemics, delays in common carriers, labor strikes or other difficulties or circumstances beyond its reasonable control. County shall notify the 911 Board promptly of any factor, occurrence or event that comes to its attention that may affect or delay County's ability to perform any of its other obligations hereunder. The obligations and rights of the excused party shall be extended on a day to day basis for the time period equal to the period of the excusable delay.

13. Dispute Resolution. The Parties agree that it is in their mutual interest to resolve disputes informally. The Parties shall negotiate in good faith and use all reasonable efforts to resolve such dispute(s). During the time the Parties are attempting to resolve any dispute, each shall proceed diligently to perform their respective duties and responsibilities under this Agreement. If a dispute cannot be resolved between the Parties within thirty (30) days after delivery of notice, either Party may elect to exercise any other remedies available under this Agreement, or at law; or invite the other party to submit the matter to mediation. Provided, however, that this term shall not constitute an agreement by either Party to mediate or arbitrate any dispute; and that any agreement to mediate may be revoked or terminated without penalty therefore if so advised by either Party's legal counsel.

14. Confidential Information. The Parties acknowledge and agree that each is subject to the N.C. Public Records Act, which is set forth in N.C. General Statutes 132-1, *et seq.* Proprietary information may be subject to N.C. Gen. Stat. §62A-52. County shall ensure that any third party is encouraged to review the applicable laws prior to submitting any information or documentation believed to be proprietary, and that any proprietary information is properly identified at the time of receipt.

a. The Parties shall maintain the confidentiality of certain types of information described in N.C. Gen. Stat. §132-1, *et seq.* and N.C. Gen. Stat. §62A-52. Such information may include trade secrets defined by N.C. Gen. Stat. §66-152 and other information exempted from disclosures pursuant to the Public Records Act pursuant to N.C. Gen. Stat. §132-1.2.

b. The 911 Board may serve as custodian of confidential information and not as an arbiter of claims against an assertion of confidentiality. If an action is brought pursuant to N.C. Gen. Stat. §132-9 to compel disclosure information marked confidential, the disclosing each Party agrees that it will provide prompt notice of such action, intervene in the action through its counsel and participate in defending the Parties, including any public official(s) or public employee(s). The 911 Board shall have no liability to County or any third party with respect to the disclosure of confidential information ordered by a court of competent jurisdiction pursuant to N.C. Gen. Stat. §132-9 or other applicable law; nor by disclosure of unmarked information or information that is publicly known.

15. Notice. All notices required or permitted to be delivered hereunder and all communications in respect hereof shall be in writing and shall be deemed given when personally delivered by one

or more of the following: when deposited in the United States mails, first class, postage prepaid and properly addressed, by facsimile, or by e-mail, as follows:

If to the 911 Board: Attn: Richard Taylor, Executive Director
 N.C. 911 Board
 P.O. Box 17209
 Raleigh, NC 27609

Fax: 919-981-2548
E-Mail: Richard.Taylor@nc.gov

If to County: Attn: Dudley Watts
 County Manager
 201 N. Chestnut St.
 Winston-Salem, NC 27101

Fax: (336) 727-8446
E-Mail : fcmanager@forsyth.cc

or addressed to such other address or to the attention of such other individual as the 911 Board or County shall have specified in a notice delivered pursuant to this Subsection.

16. Construction. This Agreement shall be construed and governed by the laws of the State of North Carolina. The place of this Agreement, its situs and forum, shall be Wake County, North Carolina, where all matters, whether sounding in contract or in tort, relating to its validity, construction, interpretation and enforcement shall be determined. The Parties agree and submit, solely for matters relating to this Contract, to the jurisdiction of the courts of the State of North Carolina, and stipulate that Wake County shall be the proper venue for all matters.

17. General Provisions and Conditions.

a. The 911 Board may request from County certain information that will assist 911 Board with evaluation of the short and long-range impact of its programs. County recognizes that such requests may occur after termination of this Agreement and agrees, to the extent possible, to provide such information as requested.

b. Nondiscrimination. County agrees not to discriminate by reason of age, race, religion, color, sex, national origin, or handicap related to the activities of this Agreement.

c. Conflict of Interest. County certifies that to the best of its knowledge no employee or officer of County has any pecuniary interest in the business of the 911 Board or Allocated Funds, and that no person associated with County has any interest that would conflict in any manner with the performance of the Agreement.

d. Compliance with Laws. County shall at all times observe and comply with all laws, ordinances, and regulation of the state, federal and local governments which may in any manner affect the performance of the Agreement.

e. Non-Assignability. County shall not assign any interest in the Agreement and shall not transfer any interest in the same without prior written consent of the 911 Board.

f. Future Cooperation. The Board and County agree to cooperate fully with one another, to execute any and all supplementary documents and/or agreements that may be necessary or helpful to give full force and effect to the terms of this Agreement and to the Parties' intentions in entering this Agreement.

18. Entire Agreement. This Agreement supersedes all prior agreements between the 911 Board and County, and expresses the entire understanding of the Parties with respect to the transactions contemplated herein, and shall not be amended, modified or altered except pursuant to a writing signed by both Parties.

19. **This Agreement will expire if not signed and returned to the 911 Board for countersignature no later than ninety (90) days from the date it was sent to County.**

IN WITNESSETH WHEREOF, the Parties hereto have executed this Agreement as of the date first above written.

County

By: _____

Title: _____

Date: _____

ATTEST:

This instrument has been pre-audited in the Manner required by the Local Government Budget and Fiscal Control Act.

By: _____

Chief Finance Financial Officer

N.C. 911 Board

By: _____

Title: _____

Date: _____

Exhibit A
911 Board Secondary PSAP Funding Policy

Exhibit B
Interlocal Agreement

NORTH CAROLINA)
)
FORSYTH COUNTY)

INTERLOCAL AGREEMENT

THIS AGREEMENT made and entered into by and between Forsyth County, North Carolina, on behalf of its Emergency Services Department ("County"), and the Town of Kernersville, North Carolina ("Town");

WHEREAS, a monthly 911 service charge is imposed on each active voice communications service connection that is capable of accessing the 911 system; and the service charge is payable by the subscriber to the voice communications service provider and must be remitted by the provider to the State's 911 Board;

WHEREAS, Forsyth County is designated as a primary Public Safety Answering Point (PSAP), the first point of reception of a 911 call, and under the current legislation, the State's 911 Board must make monthly distributions to primary PSAPs from the amount allocated to the 911 Fund for PSAPs;

WHEREAS, through special legislation, the Town of Kernersville was designated as a secondary PSAP and was the only secondary PSAP in the State with authority to collect 911 surcharge funds directly from the State, however, under the current legislation, effective January 1, 2008, the Town lost the authority to collect 911 surcharge funds in this manner;

WHEREAS, the only way that a secondary PSAP can receive 911 surcharge funds is through an agreement with a primary PSAP, therefore, in order to restore its 911 funding, the Town has requested that the County enter into an interlocal agreement with the Town in which the County will receive 911 surcharge funding and return a portion of it to the Town on the condition that the Town agrees to hold the County harmless in the event the funds are not used by the Town in a manner consistent with the law; and

WHEREAS, on the recommendation of the Emergency Services Department Administrator and the County Manager, on January 12, 2015 the Forsyth County Board of Commissioners adopted a Resolution ratifying and authorizing execution of an interlocal agreement between Forsyth County, on behalf of its Emergency Services Department, and the Town of Kernersville, for the distribution of 911 funds, pursuant to the provisions of N.C.G.S. 160A-461.

WITNESSETH:

For the purposes and subject to the terms and conditions herein set forth, the Town hereby requests to continue to receive disbursements of 911 surcharge funds as a secondary PSAP; the County, which will continue to receive disbursements of 911 surcharge funds as a primary PSAP, agrees to receive disbursements of 911 surcharge funds from the State's 911 Board, on behalf of both the County and the Town, for all eligible expenditures;

NOW, THEREFORE, for and in consideration of the premises contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

Section 1.

1. As a primary Public Safety Answering Point (PSAP), the County is eligible to receive monthly disbursements of 911 surcharge funds from the State 911 Board.
2. As a primary PSAP, the County is eligible and agrees to receive the portion of the 911 Fund that the Town has been receiving.
3. As a primary PSAP, receiving 911 surcharge funds on behalf of the Town, the County agrees to assume responsibility for ensuring that all expenditures of 911 Funds by the Town are made for eligible expenses as outlined in applicable laws.
4. The County agrees to remit to the Town 911 surcharge funds in the anticipated amount of \$26,775 during the 2014-2015 fiscal year as are received by the County, on behalf of the Town, and to which the Town is deemed eligible under this Agreement based upon the Town's documented ability and commitment to use the said funds in a manner consistent with applicable State law.

Section 2.

1. As a secondary Public Safety Answering Point (PSAP), the Town is eligible to receive disbursements from the 911 Fund only upon its compliance with the provisions of N.C.G.S. 62A-46(e) and other applicable laws; and the Town agrees and commits to comply with these provisions.
2. As a secondary PSAP, the Town agrees to use the amounts received under this Agreement in a manner consistent with the provisions of N.C.G.S. 62A-46(c) and other applicable laws and to provide to the County all materials and documentation needed to certify compliance as determined necessary by the State 911 Board and the County.
3. The Town agrees to be responsible for refunding and/or returning to the County any 911 surcharge funds received by the Town through the County which are not used by the Town in a manner consistent with the provisions of applicable law.

Section 3.

Neither the Town nor the County will be required to take any action, under the terms of this Agreement, which compromises the operational needs of the other.

Section 4.

Both the Town and the County shall operate as independent contractors, and neither party shall be responsible for any of the acts or omissions of the other party. The Town agrees to indemnify, defend and hold the County harmless from and against any and all claims, actions, expenses (including attorney's fees), costs or liability for wrongful acts or omissions of the Town in relation to this Agreement.

Neither party has the authority to enter into contracts or agreements on behalf of the other party, except as necessary and agreed upon by both parties to carry out the purposes and provisions herein.

Both parties declare that they have complied with all federal, state, and local laws that may be required to carry out the services to be performed under this Agreement.

This Agreement shall be governed by the laws of the State of North Carolina and other applicable laws as stated therein.

This Agreement shall become effective upon its full execution.

IN WITNESS WHEREOF, the parties have caused these presents to be executed by their duly authorized officers, this the 13th day of February 2015.

FORSYTH COUNTY

By: *J. Dull...*
County Manager

Attest:

Carol D. Dett
The Board of Forsyth County Commissioners



TOWN OF KERNERSVILLE

By: *Contra...*
Town Manager

Attest:

Dale J. Mart...
Kernersville Town Clerk



Approved as to form and legality

FEB 04 2015

FORSYTH COUNTY, N.C.

By: *[Signature]*
Assistant County Attorney

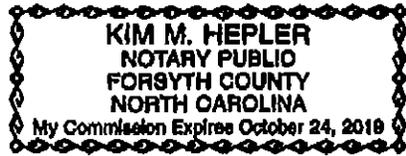
NORTH CAROLINA)
FORSYTH COUNTY)

I, Kim M. Hepler, a notary public, certify that Carla D. Holt, personally came before me this day and acknowledged that she is the Clerk to the Board of Commissioners of the County of Forsyth, North Carolina, a political subdivision of the State of North Carolina, and that by authority duly given and as the act of the County, the foregoing instrument was signed in its name by its County Manager, sealed with its corporate seal, and attested by her as its Clerk to the Board of Commissioners.

Witness my hand and notarial seal, this the 5th day of February, 2015.

Kim M. Hepler
Notary Public

My commission expires: 10-24-19



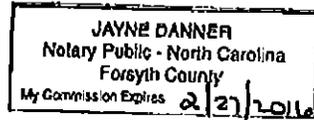
NORTH CAROLINA)
FORSYTH COUNTY)

I, Jayne Danner, a notary public, certify that Dale F. Martin, personally came before me this day and acknowledged that she is the Town Clerk of the Town of Kernersville, North Carolina, a municipal corporation, and that by authority duly given and as the act of the municipal corporation, the foregoing instrument was signed in its name by its Town Manager, sealed with its corporate seal, and attested by her as its Town Clerk.

Witness my hand and notarial seal, this the 13th day of February, 2015.

Jayne Danner
Notary Public

My commission expires: 2/27/2016



Update From NextGen 911 Committee

a) RFP for Technical Consultant

Jeff Shipp

Update From Funding Committee **Jason Barbour**

a) 20% Carry Forward Waiver Consideration

1) Brunswick County 911

(vote required)

COUNTY OF BRUNSWICK

Fiscal Operations Department

David R. Sandifer County Administration Building
30 Government Center Drive NE
Post Office Box 249
Bolivia, North Carolina 28422
Telephone (910) 253-2070 Fax (910) 253-2068

Julie A. Miller, CPA
Director of Fiscal Operations

Aaron C. Smith, CPA
Deputy Dir. of Fiscal Operations

March 27, 2015

Dear North Carolina 911 Board,

As of the end of 2014, the audited fund balance for the Emergency Telephone System Fund was \$1,300,759. Of this amount, we have \$777,869 restricted or committed, \$125,623 required to meet the 20% standard, leaving an estimated available fund balance of \$397,267. The funds that were needed to award the contract and secure pricing for the new 911 call center totaled \$821,213. This resulted in a monthly increase starting in 7/1/2014 of \$35,329 to maintain our 20% requirement and to account for fund balance already restricted or committed.

The \$777,869 that is restricted and committed is made up of a \$100,000 grant match with Stanley County and \$677,869 (P.O. enclosed) that has already been appropriated for a MTS contract for the 911 center. Both the \$100,000 grant match and the \$677,869 MTS contract have not been paid as of 3/26/15 and are still encumbered. Other funds that have been or will be encumbered in the current fiscal year are as follows:

• Console Furniture – Evans (P.O. enclosed)	\$ 180,978.25
• Dispatch Chairs – Evans (P.O. enclosed)	21,381.20
• CAD Servers – Stratus (partially encumbered, P.O. enclosed for \$132,353.70)	180,000.00
• CAD Workstations (not yet encumbered)	45,000.00
• Radio Workstations/back room (P.O. enclosed)	393,854.00
• Total	\$ 821,213.45

These are the reasons for the temporarily inflated fund balance. Once the project is complete, we expect the Emergency Telephone System Fund will only have an available fund balance that will maintain the 20% requirement.

For the upcoming fiscal year 2016, we have been granted funding of \$406,945. This funding would result in a decrease in our fund balance of approximately \$246,059 based on the expected expenditures. As explained above, with a fund balance already at the 20% requirement, this would have a dramatic impact on the fund. The \$406,945 is reflective of the funds operating expenditures in years past, but there are a few changes in the current year that result in the higher expenditures.



www.brunswickcountync.gov

To account for the additional \$246,059, here is a summary of both recurring and non-recurring expenditures we expect in the upcoming fiscal year:

Non-Recurring:

- Call Log Recording Software from Carolina Recording Systems - the current system is an aged out analog system whereas the new system includes 64 channel communications recording system with Nexlog 740 logging recorder, screen capture recording with 10 licenses-CAD consoles. This is a one-time expense of \$115,495.90.
- 4 replacement desktop computers at \$2,500 each.
- 10 dispatch office chairs at \$1,640 each.

Recurring:

- Increase in 911 phone system hosting expense of \$25,000.
- Increase in service and maintenance contracts expense of \$13,400 due to Carolina Recording Systems new call log recording software annual service/support agreement.

This is how we account for the increase in fund balance in the fiscal years 2013 and 2014, and how we plan to spend down fund balance in the current fiscal year. Please consider not reducing funding in the subsequent fiscal year and maintaining at \$653,004.

Thanks for your consideration,



Julie Miller
Director of Fiscal Operations

Enclosures: Brunswick County Fund Balance / Expense Breakdown (1 page)
Purchase Orders (5 pages)

Brunswick County Fund Balance / Expense breakdown

Request for Additional 911 Funding Distribution:		
Unaudited Fund Balance as of 6/30/2014		\$ 1,300,759.00
Amounts Restricted or Committed:		
Stanely Grant Match		\$ 100,000.00
MTS Contract for 911 Center		\$ 677,869.00
Total Committed FB		\$ 777,869.00
Estimated Fund Balance after Commitments		\$ 522,890.00
Less 20% Fund Balance		\$ 125,623.00
Estimated Fund Balance net of 20% requirement		\$ 397,267.00
Future expected 911 eligible expenditures non-recurring:		
Description	Pre-audit (Funds available)	
Console Furniture - Evans	3/1/2015	\$ 180,978.25
Dispatch Chairs - Evans	3/1/2015	\$ 21,381.20
Total Funds needed for 3/1/2015		\$ 202,359.45
CAD Servers - Stratus	6/30/2015	\$ 180,000.00
CAD Workstations	6/30/2015	\$ 45,000.00
Radio Workstations/back room	6/30/2015	\$ 393,854.00
Total Funds needed for 6/30/2015		\$ 618,854.00
Total Funds needed to award contract and secure pricing		\$ 821,213.45
Estimated Fund Balance available net of 20% requirement		\$ 397,267.00
911 Funding Distribution additional requested for non-recurring		\$ 423,946.45
Monthly increase for 12 months starting 7/1/2014		\$ 35,328.87
Expected Recurring for 911 Phone System Hosting beginning 7/1/2015		\$ 25,000.00



**COUNTY OF BRUNSWICK
FINANCE DEPARTMENT**
P.O. BOX 249
BOLIVIA, N.C. 28422

PURCHASE ORDER NO.	
This order number must appear on all packages, invoices, packing lists, etc.	P67800

VENDOR: MTS SERVICES
501 COVIL AVE, SUITE 200
WILMINGTON, NC 28403-2656

CONTACT/BILL/SHIP TO: BRUNSWICK COUNTY FINANCE
P. O. BOX 249
30 GOVERNMENT CENTER DR NE
BOLIVIA, NC 28422-0249

(910) 253-2065

VENDOR PHONE:	VENDOR FAX:	TERMS:	REQUESTED BY:	DATE ISSUED:
		Net 30	TANYA SIMPSON	03/26/15

ITEM	QUANTITY	UNIT	DESCRIPTION	UNIT PRICE	EXTENSION
01	1EA		MATERIALS AND LABOR RELATED TO TELECOM	822,306.00	822,306.00
			104375-458100	144,437.00	
			224376-458000	677,869.00 *	

TOTAL	822,306.00
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**TOTAL DOES NOT INCLUDE SALES TAX
VENDOR ADD SALES TAX TO THE INVOICE**

ATTENTION VENDOR:

Brunswick County shall not be liable for payment in excess of this purchase order total amount. If the amount of this purchase order is not sufficient, please notify the requesting party at the telephone number above.

Brunswick County is not tax-exempt. Sales tax should be included on all invoices.

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

Julie A. Miller
FINANCE OFFICER



**COUNTY OF BRUNSWICK
FINANCE DEPARTMENT**
P.O. BOX 249
BOLIVIA, N.C. 28422

PURCHASE ORDER NO.	
<small>This order number must appear on all packages, invoices, packing lists, etc.</small>	P68080

VENDOR: STRATUS TECHNOLOGIES
PO BOX 101128
ATLANTA, GA 30392-1128

CONTACT/BILL/SHIP TO: SHERIFF DEPARTMENT
PO BOX 9
70 STAMP ACT DR. NE
BOLIVIA, NC 28422-0009

(910) 253-2777

VENDOR PHONE:	VENDOR FAX:	TERMS:	REQUESTED BY:	DATE ISSUED:
		Net 30	CINDY HILZ	03/26/15

ITEM	QUANTITY	UNIT	DESCRIPTION	UNIT PRICE	EXTENSION
01	1EA		STRATUS SERVERS: TELEPHONE/CAD/VOICE L 224376-459606	132,353.70 132,353.70 *	132,353.70

TOTAL	132,353.70
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**TOTAL DOES NOT INCLUDE SALES TAX
VENDOR ADD SALES TAX TO THE INVOICE**

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Julie A. Miller
FINANCE OFFICER



**COUNTY OF BRUNSWICK
FINANCE DEPARTMENT**
P.O. BOX 249
BOLIVIA, N.C. 28422

PURCHASE ORDER NO.	
This order number must appear on all packages, invoices, packing lists, etc.	P68090

VENDOR: EVANS CONSOLES
1577 SPRING HILL ROAD
VIENNA, VA 22182

CONTACT/BILL/SHIP TO: SHERIFF DEPARTMENT
PO BOX 9
70 STAMP ACT DR. NE
BOLIVIA, NC 28422-0009

(910) 253-2777

VENDOR PHONE:	VENDOR FAX:	TERMS:	REQUESTED BY:	DATE ISSUED:
		Net 30	CINDY HILZ	03/26/15

ITEM	QUANTITY	UNIT	DESCRIPTION	UNIT PRICE	EXTENSION
01	8EA		High Back Console Chairs-911	1,789.59	14,316.72
			224376-459606	14,316.72 *	
02	4EA		Low Back Console Chairs-911	1,766.12	7,064.48
			224376-459606	7,064.48 *	

TOTAL 21,381.20

**TOTAL DOES NOT INCLUDE SALES TAX
VENDOR ADD SALES TAX TO THE INVOICE**

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Julie A. Miller
FINANCE OFFICER



**COUNTY OF BRUNSWICK
FINANCE DEPARTMENT**
P.O. BOX 249
BOLIVIA, N.C. 28422

PURCHASE ORDER NO.	
<small>This order number must appear on all packages, invoices, packing lists, etc.</small>	P68088

VENDOR: MOTOROLA SOLUTIONS INC
8757 RED OAK BLVD. # 220
CHARLOTTE, NC 28317-3977

CONTACT/BILL/SHIP TO: SHERIFF DEPARTMENT
PO BOX 9
70 STAMP ACT DR. NE
BOLIVIA, NC 28422-0009

(910) 253-2777

VENDOR PHONE:	VENDOR FAX:	TERMS:	REQUESTED BY:	DATE ISSUED:
		Net 30	CINDY HILZ	03/26/15

ITEM	QUANTITY	UNIT	DESCRIPTION	UNIT PRICE	EXTENSION
01	1EA		10 Position Dispatch Consoles	399,859.15 *	399,859.15
			224376-459606 399,859.15		

TOTAL	399,859.15
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**TOTAL DOES NOT INCLUDE SALES TAX
VENDOR ADD SALES TAX TO THE INVOICE**

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Brunswick County is not tax-exempt. Sales tax should be included on all invoices.

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Julie A. Miller
FINANCE OFFICER



**COUNTY OF BRUNSWICK
FINANCE DEPARTMENT**

P.O. BOX 249
BOLIVIA, N.C. 28422

PURCHASE ORDER NO.

This order number must appear
on all packages, invoices,
packing lists, etc.

P68091

VENDOR: EVANS CONSOLES
1577 SPRING HILL ROAD
VIENNA, VA 22182

CONTACT/BILL/SHIP TO: SHERIFF DEPARTMENT
PO BOX 9
70 STAMP ACT DR. NE
BOLIVIA, NC 28422-0009

(910) 253-2777

VENDOR PHONE:	VENDOR FAX:	TERMS:	REQUESTED BY:	DATE ISSUED:
		Net 30	CINDY HILZ	03/26/15

ITEM	QUANTITY	UNIT	DESCRIPTION	UNIT PRICE	EXTENSION
01	1EA		911 Building Furnishings (STATE FUNDED 224376-459606 149,951.00	149,951.00*	149,951.00
02	1EA		911 Building Furnishings (FED Drug Fu 104310-455000 14,366.00	14,366.00	14,366.00
03	1EA		911 Building Furnishing (County Funds 104375-455000 16,660.90	16,660.90	16,660.90
04	1EA		911 BUILDING FURNISHINGS 104310-426000 0.35	0.35	0.35

TOTAL 180,978.25

**TOTAL DOES NOT INCLUDE SALES TAX
VENDOR ADD SALES TAX TO THE INVOICE**

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Julie A. Miller
FINANCE OFFICER

Update From Funding Committee **Jason Barbour**

b) Approval of FY 2016 PSAP Funding

(vote required)

PSAP	PSAP Distribution FY2013	PSAP Distribution: FY2014	Average of prior two years distributions:	Maximum 20% Carry Forward	PSAP Fund Balance June 30, 2013	PSAP Fund Balance June 30, 2014	(+/-) Fund balance between FY13 and FY14	Based on Column L -- Meets 20% rule (OK) or Over 20% (Reduce)	Amount over Approved 20% Carryforward	Estimated FY2016 without Reducing Distribution (Based on 5YR rolling)	ESTIMATED FY2016 Distribution Based on 5YR Rolling Avg WITH reductions due	Estimated FY2016 Secondary Distributions	PROPOSED ESTIMATED FY2016 Distributions (Secondary's Included)	Number of Seats
Alamance County Central Communications	669,862	671,389	670,625	134,125	950,744	958,869	8,125	OK		632,544	632,544	128,568	761,111	18
Alexander County Communications	163,861	139,121	151,491	30,298	724,656	729,709	5,053	OK		125,671	125,671		125,671	3
Alleghany County E911	157,490	162,437	159,964	31,993	228,204	272,663	44,459	Reduce	12,466	162,050	149,584		149,584	2
Anson County Emergency Communications	255,850	229,499	242,675	48,535	496,892	328,386	(168,506)	OK		241,285	241,285		241,285	4
Ashe County Communications	252,930	244,764	248,847	49,769	712,973	672,160	(40,814)	OK		255,219	255,219		255,219	3
Avery County Communications Center	166,197	167,318	166,758	33,352	305,480	308,933	3,453	OK		197,989	197,989		197,989	3
Beaufort County Communications Center	196,327	211,232	203,779	40,756	649,108	697,662	48,555	Reduce	7,799	153,296	145,497		145,497	3
Bertie County Sheriff's Communications	142,227	142,796	142,512	28,502	377,485	423,818	46,333	Reduce	17,831	140,631	122,800		122,800	2
Bladen County Sheriff's Communications	257,555	262,386	259,970	51,994	330,663	393,733	63,070	Reduce	11,076	197,521	186,445		186,445	3
Brunswick County 9-1-1	645,692	761,711	703,702	140,740	619,634	1,309,588	689,953	Reduce	549,213	659,435	659,435		659,435	7
Buncombe County Emerg. Communications	1,038,186	984,067	1,011,126	202,225	2,626,951	2,727,863	100,912	OK		875,308	875,308		875,308	31
Burke County Emerg. Communications	981,923	813,108	897,515	179,503	1,352,394	1,571,223	218,829	Reduce	39,326	599,284	559,958		559,958	11
Cabarrus County Sheriff Communications	684,674	754,224	719,449	143,890	640,855	698,501	57,646	OK		576,689	576,689		576,689	11
Caldwell County Communications	323,682	362,209	342,945	68,589	619,224	651,434	32,210	OK		304,404	304,404		304,404	5
Carteret County Communications	491,162	521,906	506,534	101,307	770,283	886,108	115,825	Reduce	14,518	551,938	537,420		537,420	9
Caswell County 911 Communications	208,270	237,294	222,782	44,556	315,076	250,081	(64,995)	OK		245,776	245,776		245,776	4
Catawba Co Communications Center	518,772	513,604	516,188	103,238	2,356,189	2,514,474	158,285	Reduce	55,048	407,887	352,839	62,964	415,803	7
Chatham County Emergency Operations Cen	589,250	606,564	597,907	119,581	402,599	539,477	136,878	Reduce	17,297	605,502	588,205		588,205	8
Cherokee County 911	255,940	261,145	258,542	51,708	273,151	352,725	79,574	Reduce	27,866	261,404	233,538		233,538	3
Chowan Central Communications	201,836	207,722	204,779	40,956	418,903	290,850	(128,053)	OK		170,401	335,678		335,678	3
Clay County E911 Communications	310,044	240,000	275,022	55,004	147,711	188,501	40,789	OK		250,411	250,411		250,411	3
Cleveland County Communications Center	300,551	298,862	299,706	59,941	1,269,039	1,067,418	(201,620)	OK		332,732	332,732		332,732	5
Kings Mountain (City of)	70,752	81,536	76,144	15,229	312,948	228,473	(84,475)	OK		114,302	114,302		114,302	2
Shelby Police Communications	47,808	45,728	46,768	9,354	442,951	199,986	(242,965)	OK		100,228	100,228		100,228	3
Columbus Central Communications	239,787	327,753	283,770	56,754	826,081	933,803	107,723	Reduce	50,969	317,394	266,425		266,425	6
Craven County Sheriff Communications	295,700	203,206	249,453	49,891	1,014,898	436,277	(578,621)	OK		263,261	263,261		263,261	5
Havelock Public Safety Comm.	116,870	144,137	130,504	26,101	102,981	57,121	(45,860)	OK		203,423	203,423		203,423	3
New Bern Communications Center	404,960	235,011	319,986	63,997	208,092	187,366	(20,725)	OK		311,354	311,354		311,354	3
Cumberland County Communications	1,017,172	1,074,719	1,045,946	209,189	1,875,731	1,516,325	(359,405)	OK		1,176,405	1,176,405		1,176,405	10
Fayetteville City Communications	775,752	805,520	790,636	158,127	381,482	363,223	(18,259)	OK		856,110	856,110		856,110	16

PSAP	PSAP Distribution FY2013	PSAP Distribution: FY2014	Average of prior two years distributions:	Maximum 20% Carry Forward	PSAP Fund Balance June 30, 2013	PSAP Fund Balance June 30, 2014	(+/-) Fund balance between FY13 and FY14	Based on Column L -- Meets 20% rule (OK) or Over 20% (Reduce)	Amount over Approved 20% Carryforward	Estimated FY2016 without Reducing Distribution (Based on 5YR rolling)	ESTIMATED FY2016 Distribution Based on 5YR Rolling Avg WITH reductions due	Estimated FY2016 Secondary Distributions	PROPOSED ESTIMATED FY2016 Distributions (Secondary's Included)	Number of Seats
Currituck Central Communications	187,677	140,123	163,900	32,780	478,165	476,667	(1,499)	OK		174,236	174,236		174,236	4
Dare Central Communications	261,484	285,616	273,550	54,710	852,347	821,718	(30,629)	OK		341,885	341,885		341,885	7
Davidson County 911	608,546	527,796	568,171	113,634	1,026,411	1,029,714	3,304	OK		508,355	508,355		508,355	13
Davie County Communications	262,809	263,176	262,992	52,598	339,454	227,433	(112,021)	OK		276,838	276,838		276,838	6
Duplin County/Kenansville PSAP	226,836	371,989	299,412	59,882	164,491	295,312	130,821	Reduce	70,938	426,225	355,286		355,286	5
Durham Emergency Communications	1,413,750	1,482,087	1,447,918	289,584	618,380	552,649	(65,731)	OK		1,619,955	1,619,955		1,619,955	18
Edgecombe County E911	267,082	573,900	420,491	84,098	89,791	368,141	278,350	Reduce	194,252	290,791	96,539		96,539	5
Tarboro Police Communications	134,504	135,766	135,135	27,027	69,424	117,087	47,663	Reduce	20,636	133,584	112,948		112,948	3
Forsyth County 911 Communications	780,511	763,903	772,207	154,441	606,359	822,463	216,104	Reduce	61,663	693,195	631,532	26,684	658,216	8
Winston Salem Police/Fire Communications	582,762	569,596	576,179	115,236	1,614,962	1,757,258	142,297	Reduce	27,061	517,777	490,716		490,716	13
Franklin County Sheriff Communications	320,598	349,847	335,222	67,044	361,640	386,234	24,594	OK		393,028	393,028		393,028	5
Gaston County Communications	797,563	695,543	746,553	149,311	1,674,074	1,649,985	(24,089)	OK		714,921	714,921		714,921	15
Mount Holly Police Department	55,658	61,072	58,365	11,673	366,602	370,445	3,843	OK		65,636	65,636		65,636	2
Gates County Communications	109,310	118,395	113,852	22,770	276,383	288,160	11,777	OK		129,498	129,498		129,498	2
Graham County Communications	214,556	198,633	206,595	41,319	243,468	188,446	(55,023)	OK		207,395	207,395		207,395	3
Granville County Emergency Communication	374,097	360,410	367,253	73,451	262,429	280,644	18,215	OK		418,918	418,918		418,918	4
Greene County Communications	132,192	148,551	140,371	28,074	500,151	561,860	61,709	Reduce	33,634	143,938	110,304		110,304	2
Greensboro	2,715,590	2,607,288	2,661,439	532,288	816,913	1,389,115	572,202	Reduce	39,914	1,829,470	1,789,556		1,789,556	44
High Point Police/Fire Communications	461,801	437,475	449,638	89,928	209,355	120,107	(89,248)	OK		537,177	537,177		537,177	10
Halifax County Central Communications	385,331	418,533	401,932	80,386	540,938	632,187	91,249	Reduce	10,863	345,917	335,055		335,055	6
Harnett County Communications	726,387	724,829	725,608	145,122	763,946	765,430	1,484	OK		700,030	700,030		700,030	9
Haywood County 911	535,756	483,057	509,406	101,881	771,185	970,261	199,076	Reduce	97,195	395,400	298,205		298,205	7
Henderson County Communications	512,849	527,426	520,137	104,027	308,506	308,425	(81)	OK		589,031	589,031	52,463	641,495	9
Hertford County Communications	103,850	92,271	98,060	19,612	383,528	371,091	(12,437)	OK		98,517	98,517		98,517	2
Ahoskie Police Department Communications	117,425	90,383	103,904	20,781	338,911	363,698	14,678	OK		94,888	94,888		96,910	2
Murfreesboro	42,856	33,442	38,149	7,630	67,153	71,529	4,377	OK		19,731	19,731		19,731	1
Hoke County Emergency Communications	229,829	225,350	227,590	45,518	53,930	47,308	(6,622)	OK		336,450	336,450		336,450	5
Hyde County Emergency Management	105,978	97,926	101,952	20,390	198,056	182,671	(15,385)	OK		106,624	106,624		106,624	2
Iredell County Emergency Communications	344,067	408,311	376,189	75,238	397,590	484,942	87,351	Reduce	12,114	466,164	454,050		454,050	7
Jackson County Emergency Communications	477,890	517,828	497,859	99,572	105,136	196,649	91,512	OK		484,805	484,805		484,805	3

PSAP	PSAP Distribution FY2013	PSAP Distribution: FY2014	Average of prior two years distributions:	Maximum 20% Carry Forward	PSAP Fund Balance June 30, 2013	PSAP Fund Balance June 30, 2014	(+/-) Fund balance between FY13 and FY14	Based on Column L -- Meets 20% rule (Ok) or Over 20% (Reduce)	Amount over 20% Carryforward	Estimated FY2016 without Reducing Distribution (Based on 5YR rolling)	ESTIMATED FY2016 Distribution Based on 5YR Rolling Avg WITH reductions due	Estimated FY2016 Secondary Distributions	PROPOSED ESTIMATED FY2016 Distributions (Secondary's Included)	Number of Seats
Johnston County Communications	881,473	1,306,799	1,094,136	218,827	-12,951	270,783	283,734	Reduce	64,907	1,111,417	2,548,859		2,548,859	21
Lee County Emergency 911 Center	367,208	366,335	366,771	73,354	705,252	800,932	95,680	Reduce	22,326	342,833	320,507		320,507	4
Lenoir County Communications	359,451	347,412	353,432	70,686	1,436,949	741,045	(695,904)	OK		534,124	534,124		534,124	4
Lincoln County Communications Center	297,016	316,608	306,812	61,362	454,450	558,764	104,313	Reduce	42,951	295,989	253,038		253,038	6
Macon County Communications	316,009	670,646	493,328	98,666	268,116	763,670	495,554	Reduce	396,889	313,837	313,837		313,837	4
Madison County EOC	199,482	243,533	221,507	44,301	12,803	89,683	76,880	Reduce	32,578	239,828	207,249		207,249	4
Martin County Communications Center	166,720	144,465	155,593	31,119	516,992	238,282	(278,709)	OK		207,640	207,640		207,640	3
McDowell County Sheriff's Communications	204,176	253,460	228,818	45,764	374,495	369,961	(4,534)	OK		290,541	290,541		290,541	5
Charlotte-Mecklenburg Police Department	2,524,058	3,263,643	2,893,851	578,770	3,096,708	4,731,244	1,634,536	Reduce	1,055,766	3,147,686	2,091,920	210,157	2,302,076	67
Cornelius-Huntersville Police Communication	154,366	202,619	178,492	35,698	341,914	447,560	105,646	Reduce	69,948	174,445	104,497		104,497	4
Pineville Police Comm. Center	209,474	175,521	192,497	38,499	500,992	591,692	90,699	Reduce	52,200	182,351	130,151		130,151	5
Mitchell County Central Communications	279,355	268,320	273,837	54,767	794,259	905,505	111,246	Reduce	56,478	278,455	221,977		221,977	5
Montgomery County Communications	230,597	220,713	225,655	45,131	170,772	249,841	79,069	Reduce	33,938	203,328	169,390		169,390	4
Moore County Emergency Communications	383,697	304,406	344,051	68,810	723,133	793,569	70,436	Reduce	1,625	415,020	413,395		413,395	10
Nash County Central Communications	346,764	692,947	519,856	103,971	126,138	290,884	164,746	Reduce	60,775	427,612	366,837		366,837	14
Rocky Mount Police Communications	359,716	343,702	351,709	70,342	445,554	491,233	45,678	OK		340,532	340,532		340,532	7
New Hanover County Sheriff Communications	560,550	623,620	592,085	118,417	927,003	1,170,584	243,581	Reduce	125,164	627,518	502,354		502,354	21
Northampton County E-911	198,064	224,518	211,291	42,258	267,623	329,640	62,017	Reduce	19,759	228,325	208,566		208,566	5
Onslow County Communications	334,290	326,404	330,347	66,069	807,621	797,384	(10,237)	OK		393,272	393,272		393,272	7
Jacksonville E-911	328,861	316,281	322,571	64,514	757,510	802,114	44,292	OK		315,815	315,815		315,815	4
Orange County Emergency Communications	506,224	486,023	496,124	99,225	1,072,846	1,128,409	55,562	OK		509,172	509,172		509,172	7
Pamlico County Communications	114,373	108,346	111,359	22,272	343,395	269,221	(74,174)	OK		134,469	134,469		134,469	2
Pasquotank/Camden Central Communication	255,793	592,750	424,272	84,854	404,078	285,160	(118,919)	OK		373,302	373,302		373,302	5
Pender County Sheriff Communications	263,610	294,550	279,080	55,816	346,251	259,903	(86,349)	OK		304,738	304,738		304,738	6
Perquimans County Communications	124,377	141,892	133,134	26,627	118,877	142,913	24,035	OK		134,584	134,584		134,584	5
Person County Communications	424,348	412,813	418,581	83,716	84,008	77,369	(6,639)	OK		416,687	538,768		538,768	6
Pitt County 911 Communications	533,804	594,248	564,026	112,805	483,954	633,897	149,944	Reduce	37,138	540,508	503,370		503,370	6
Polk County Communications	218,348	204,783	211,566	42,313	398,846	392,900	(5,946)	OK		204,450	204,450		204,450	3
Randolph County Emergency Communicator	397,993	459,167	428,580	85,716	380,928	389,238	8,310	OK		581,017	581,017		581,017	9
Richmond County Emergency Comm.	236,913	279,646	258,280	51,656	240,661	85,286	(155,375)	OK		342,626	342,626		342,626	3

PSAP	PSAP Distribution FY2013	PSAP Distribution: FY2014	Average of prior two years distributions:	Maximum 20% Carry Forward	PSAP Fund Balance June 30, 2013	PSAP Fund Balance June 30, 2014	(+/-) Fund balance between FY13 and FY14	Based on Column L -- Meets 20% rule (OK) or Over 20% (Reduce)	Amount over Approved 20% Carryforward	Estimated FY2016 without Reducing Distribution (Based on 5YR rolling)	ESTIMATED FY2016 Distribution Based on 5YR Rolling Avg WITH reductions due	Estimated FY2016 Secondary Distributions	PROPOSED ESTIMATED FY2016 Distributions (Secondary's Included)	Number of Seats
Robeson County Communications	475,229	436,857	456,043	91,209	1,353,059	1,513,347	160,288	Reduce	69,079	429,795	360,716		360,716	8
Lumberton Emergency Comm.	101,287	145,869	123,578	24,716	440,863	495,937	55,074	Reduce	30,358	134,706	104,348		104,348	4
Rockingham County 911 Communications	292,823	306,265	299,544	59,909	433,828	537,482	103,653	Reduce	43,745	256,987	213,242		213,242	8
Rowan County Telecommunications	1,210,764	390,720	800,742	160,148	1,378,408	595,355	(783,052)	OK		633,691	633,691		633,691	12
Rutherford County Communications	432,654	440,898	436,776	87,355	394,144	451,430	57,287	OK		429,205	429,205		429,205	7
Sampson County Sheriff Communications	219,191	278,209	248,700	49,740	717,496	815,613	98,116	Reduce	48,376	267,305	218,929		218,929	4
Scotland County Emergency Communications	191,221	215,320	203,271	40,654	294,734	298,549	3,815	OK		229,929	229,929		229,929	2
Stanly County Emergency Communications	274,682	276,376	275,529	55,106	257,961	264,623	6,662	OK		293,973	567,083		567,083	5
Stokes County Emergency Communications	294,065	278,977	286,521	57,304	339,887	393,676	53,789	OK		320,162	320,162		320,162	4
Surry County Communications Center	347,427	341,726	344,576	68,915	485,304	468,712	(16,592)	OK		379,403	379,403		379,403	10
Eastern Band Cherokees	183,912	193,448	188,680	37,736	414,026	499,413	85,386	Reduce	47,650	141,619	93,968		93,968	3
Swain County 911 Dispatch	164,073	233,387	198,730	39,746	68,965	77,909	8,944	OK		286,155	286,155		286,155	4
Transylvania County Communications	360,013	381,876	370,945	74,189	315,818	372,703	56,885	OK		362,125	362,125		362,125	9
Tyrrell County	123,008	113,672	118,340	23,668	145,355	186,252	40,898	Reduce	17,230	120,246	103,016		103,016	2
Union County	975,743	1,081,898	1,028,821	205,764	1,774,949	2,245,102	470,153	Reduce	264,389	778,130	513,741		513,741	9
Vance-Henderson 911 Center	480,303	369,177	424,740	84,948	269,821	94,579	(175,243)	OK		452,242	651,169		651,169	12
Cary	423,781	1,324,904	874,343	174,869	0	257,596	257,596	Reduce	82,728	605,857	523,129		523,129	6
Holly Springs Public Safety Center	252,803	253,287	253,045	50,609	292,500	471,784	179,284	Reduce	0	216,643	216,643		216,643	2
Raleigh Wake 911 Center	2,106,268	2,161,215	2,133,742	426,748	1,885,348	1,971,498	86,149	OK		2,060,751	2,861,093		2,861,093	25
Warren County Sheriff Comm.	238,362	232,784	235,573	47,115	358,426	441,461	83,036	Reduce	35,921	191,651	155,730		155,730	3
Washington County Communications	175,039	174,849	174,944	34,989	455,605	350,787	(104,818)	OK		199,237	199,237		199,237	3
Watauga County Sheriff Communications	251,533	327,662	289,597	57,919	273,629	352,114	78,484	Reduce	20,565	321,144	300,579		300,579	4
Beech Mountain Police Dept	111,197	105,421	108,309	21,662	120,666	138,190	17,524	OK		110,912	110,912		110,912	2
Boone Police Department 911	134,155	120,945	127,550	25,510	301,419	326,134	19,899	OK		119,666	119,666		120,629	3
Wayne County Central 911	308,969	299,463	304,216	60,843	2,311,813	1,837,964	(473,849)	OK		438,274	438,274		438,274	7
Wilkes County Sheriff Communications	353,653	349,520	351,586	70,317	478,293	559,821	81,529	Reduce	11,211	516,109	504,897		504,897	4
Wilson County Emergency Communications	433,845	377,746	405,796	81,159	919,550	540,371	(379,179)	OK		441,967	441,967		441,967	9
Yadkin County Emergency Communications	226,317	265,176	245,747	49,149	575,369	744,338	168,969	Reduce	119,820	205,447	85,627		85,627	3
Yancey County Sheriff Comm.	131,647	146,441	139,044	27,809	273,359	310,255	36,896	Reduce	9,087	159,024	149,937		149,937	5

PSAP	PSAP Distribution FY2013	PSAP Distribution: FY2014	Average of prior two years distributions:	Maximum 20% Carry Forward	PSAP Fund Balance June 30, 2013	PSAP Fund Balance June 30, 2014	(+/-) Fund balance between FY13 and FY14	Based on Column L -- Meets 20% rule (Ok) or Over 20% (Reduce)	Amount over Approved 20% Carryforward	Estimated FY2016 without Reducing Distribution (Based on 5YR rolling)	ESTIMATED FY2016 Distribution Based on 5YR Rolling Avg WITH reductions due	Estimated FY2016 Secondary Distributions	PROPOSED ESTIMATED FY2016 Distributions (Secondary's Included)	Number of Seats
Totals	\$48,321,700	\$51,231,744			\$70,172,827	\$74,566,041			4,244,281	\$49,064,709	\$48,828,615	\$480,836	\$49,309,451	

Awarded Funding Reconsideration FY2016

SECONDARY FUNDING:

	PSAP Reconciled/Unreconciled Expenditure Cost FY2014	Total 911 Calls	Cost Per Call	Calls Xferred to Secondary	Secondary Funding FY2016
Alamance County Central Communications	663,699	103,265	6.43	19,995	128,568
Henderson County Communications	529,548	53,299	9.94	5,278	52,463
Catawba	381,995	84,974	4.50		
Newton Police Dept.				2,343	10,544
Hickory Police Dept.				11,649	52,421
Charlotte PD	1,644,075	868,326	1.89		
Charlotte Fire				17,736	33,521
Charlotte Medic				93,458	176,636
Forsyth	549,744	89,659	6.13		
Kernersville				4,353	26,684
TOTAL SECONDARY FUNDING FY2016					480,836

Update From Standards Committee **Laura Sykora**

a) 911 Standards Adoption / Rulemaking Status

Rules Review Approval Process and Timeline

League of Municipalities and Association of County Commissioners notified 5/20	5/20
<u>Notice of Text</u> Filed	5/21
<u>Publication in the NC Register</u> Volume/Issue Number 29:24	6/15
<u>Comment Period</u> starts	6/15
<u>Comment Period</u> ends	8/14
<u>Public Hearing</u> during the regular Board meeting in Raleigh	8/28
<u>Submit the rules to RRC</u> for their review in October. Earliest possible effective date is 11/01/15.	9/21
<u>RRC review</u> . If there are no technical corrections or staff objections from the RRC attorneys, the rules will be reviewed at the next scheduled RRC meeting date. Technical corrections or staff objections automatically delay the RRC review of the rules by one month.	
<u>Earliest possible effective date</u>	11/1

TITLE 09, CHAPTER 06, SUBCHAPTER C
(09 NCAC 06C .0101-0406 Proposed for Adoption)

Name of Commission: NC 911 Board

Agency Contact: Marsha Tapler
NC 911 Board
PO Box 17209, Raleigh NC 27619-7209

Impact Summary: State government: Yes
Local government: Yes
Substantial impact: Yes

Authority: G.S. Chapter 62A. Article 3- (G.S. 62A-40 et seq.)

Necessity: The adoption of the rules is necessary for the Public Safety Answering Points of the State of North Carolina to achieve and provide a consistent and high level of service to ensure the safety of all citizens. Adoption of these rules is an extension of federal law and regulation adopted by the Federal Communications Commission¹ and authority of the NC 911 Board conferred by the General Assembly to establish policies and procedures to fund advisory services and training for PSAPs, set operating rules and to provide funds in accordance with these policies, procedures and rules, and to adopt rules to implement Article 3 of Chapter 62A.

Summary:

The NC 911 Board adopted policies previously established by the Wireless 911 Board. Those policies were established pursuant to legislative authority. With the legislative changes in S.L. 2010-158, the Board recognized that adoption of operational standards, together with extant policies, comprise rules as defined in G.S. 150B. The proposed rules incorporate policies that are currently followed by voice communications service providers and local government operated Public Safety Answering Points (PSAPs). The rules also relate to the collection of 911 surcharges and reimbursement of Cost Recovery for the commercial mobile radio service (CMRS, i.e. cellular telephone) providers. These rules allow for the review of provider records to ensure proper handling of funds and they are necessary to ensure the same level of service for all areas.

The Appendix contains the proposed rule text; underlined text identifies changes in response to S.L. 2007-383 and S.L. 2010-158, and the remaining text illustrates proposed rules based on pre-existing Board policies. Note, however, the whole text is proposed for adoption in the NC Administrative Code. The Board may waive a rule and/or hold hearings if necessary criteria are met as noted in the proposed 09 NCAC 6C .0106 rule. The following table provides an overview of the Board's operations and the impact of the proposed rules by affected parties.

¹ US Government Printing Office. Electronic Code of Federal Regulations. Title 47, CFR 20.18 (911 Service).
<http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&SID=6185e7a422e7294e5878693f387f18ca&rgn=div8&view=text&node=47:2.0.1.1.1.0.1.12&idno=47>

Table 1. Proposed Rule Impacts

Impact by Affected Party	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18	FY 2018-19
Public					
Benefit from 911	unquantified	unquantified	unquantified	unquantified	unquantified
Total 911 Surcharge Fees	-80,735,525	-80,765,236	-80,945,672	-81,129,994	-81,318,192
Net Impact¹	unquantified	unquantified	unquantified	unquantified	unquantified
Service Providers (CMRS)					
Fee Collections Less Transfers to State Entities ²	1,178,320	1,180,142	1,189,142	1,198,325	1,207,694
Cost Recovery Transfer from 911 Board to 6 Providers	8,155,647	7,575,311	7,575,311	7,559,988	7,768,756
Administrative Costs ³	-1,178,320	-1,180,142	-1,189,142	-1,198,325	-1,207,694
Cost of Service to 6 Providers ³	-8,155,647	-7,575,311	-7,575,311	-7,559,988	-7,768,756
Net Impact	0	0	0	0	0
911 Board					
Net Fee Revenue ²	18,622,206	16,653,916	17,044,776	17,257,092	17,249,000
911 Grant Awards to Local Gov't	-15,280,532	-13,433,000	-14,356,766	-13,894,883	-14,125,825
Administrative costs ³	-631,664	-627,315	-637,959	-632,312	-632,529
Net Impact⁴	2,710,010	2,593,601	2,050,051	2,729,897	2,490,646
DOR					
Fees from Prepaid	640,000	500,000	500,000	500,000	500,000
Administrative Costs ³	-640,000	-500,000	-500,000	-500,000	-500,000
Net Impact	0	0	0	0	0
Local Governments (PSAPs)					
Cost Recovery and Grant Awards from the 911 Board	67,419,883	68,288,867	68,993,210	68,509,472	68,718,568
Cost of 911 Service and Expansions ³	-67,419,883	-68,288,867	-68,993,210	-68,509,472	-68,718,568
Administrative and Compliance Costs	-15,724,742	-15,814,797	-15,419,552	-15,188,360	-14,960,636
Other Compliance Cost	unquantified	unquantified	unquantified	unquantified	unquantified
Net Impact	-15,724,742	-15,814,797	-15,419,552	-15,188,360	-14,960,636
TOTAL NET QUANTIFIED IMPACT	-93,750,256	-93,986,432	-94,315,174	-93,588,457	-93,788,182
NPV of Net Quantified Impacts (million) ⁵	-412				

¹ Net impact on the public is expected to be positive.

² Excludes the transfers of fee revenues to other entities.

³ Assumes the costs would be equal each year to the funds designated for cost recovery.

⁴ Positive balances are used as reserves for future grants to local governments.

⁵ NPV means net present value and it is computing using a discount rate of 7%.

Introduction:

In 1989, the North Carolina General Assembly passed the Public Safety Telephone Act recognizing 911 as a toll free number through which an individual in the State can gain rapid, direct access to public safety aid. The Act became law as North Carolina General Statute Chapter 62A. The Act authorized local governments to set a service fee, which varied from \$0.25 to \$4.00, for collection from telephone subscribers by the local carriers. The collection of the 911 service fee was used to pay eligible costs associated with establishing Public Safety Answering Points (PSAPs) within their jurisdictions and receiving 911 calls.

The US Congress passed the Telecommunications Act of 1996 and this required states to adopt individual legislation to address wireless 911 telecommunications. While many hundreds of pages fill the Federal Communications Commission records on the subject of 911 calls, only a few federal regulations² are particularly relevant to G.S. 62A and these proposed rules.

The General Assembly adopted Session Law 1998-158³ codified as Article 2 of G.S. Chapter §62A with provision for a 911 Wireless Fund and creation of the Wireless 911 Board. This law defined the composition of the Fund and the requirements for PSAP participation. The law provided funding for an enhanced wireless 911 system for the use of personal cellular communications services and other wireless telephone customers in response to the mandate by the Federal Communications Commission in Docket 91-102.⁴ During the 2007 legislative session House Bill 1755 was introduced “to modernize and improve the administration of the State’s 911 system through a statewide 911 Board by ensuring that all voice communication services contribute to the 911 system and by providing parity in the quality of service and the level of 911 charges across voice communications service providers.” The bill was passed as Session Law 2007-383⁵ and was effective January 1, 2008. It required all voice communications service providers to collect a single rate 911 service fee and remit collections to the State 911 Board rather than to local governments; since then, local governments no longer have authority to collect such fees. The State 911 Board distributes funds to the PSAP based upon criteria set forth in the new law. The law capped the service charge at \$0.70 (seventy cents), but the Board is currently charging \$0.60 (sixty cents).

The State’s original 911 legislation resulted in a specialized call delivery method. Calls were, and largely now remain, routed to appropriate primary PSAPs based on the physical location of the caller. Prior to widespread wireless communications, wireline call routing was accomplished through services provided by wireline telecommunications companies, which were covered by a tariff the companies applied to

² See, e.g., the Federal Communications Commission Order (CC Docket No. 94-120, Report and Order and Further Notice of Proposed Rulemaking. 11 FCC Rcd 18676 (1996)) and 47 C.F.R. 20.18

³ North Carolina General Assembly, S.L. 1998-158, An ACT to provide for a wireless enhanced 911 system for the use of cellular, personal communications service, and other wireless telephone customers, as recommended by the Joint Legislative Utility Review Committee, and to allow state agencies to lease public property for the construction of wireless communications towers and to encourage co-location of services to those towers, and to make a technical correction to G.S. 62A-10.

<http://www.ncleg.net/Sessions/1997/Bills/Senate/PDF/S1242v7.pdf>

⁴ Federal Communications Commission. Docket No. 91-102, Revision of the Commission’s Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems.

<http://apps.fcc.gov/ecfs/document/view;jsessionid=YRtdPfqHGkXDB3WgGOT14bLbLpbZWL9Mb1G2Mg1nV0t1V2p8bvgrp!-321460796!1471562840?id=6513401501>

⁵ North Carolina General Assembly, S.L. 2007-383, An act to modernize and improve the administration of the state’s 911 system through a statewide 911 board, by ensuring that all voice services contribute to the 911 system and by providing parity in the quality of service and the level of 911 charges across voice communications service providers.

<http://www.ncleg.net/Sessions/2007/Bills/House/PDF/H1755v7.pdf>

subscribers. Today, most 911 calls originate from wireless devices (e.g. cellular telephones) and the methods of delivering those calls, along with other non-traditional calling platforms (e.g. voice over Internet protocol) rely primarily on the extant 911 call routing platforms, but newer technologies are expected to introduce other methods.

The 911 service fees are collected by voice communications service providers as part of such providers' billing for telecommunications services. Providers are not responsible for collecting unpaid 911 service charges. Providers are statutorily allowed to retain up to 1% of their 911 receipts for administrative expenses associated with the collection of service fees. This 1% percent is not part of any cost recovery percentage that is determined by the Board. The balance of 911 receipts is delivered to the 911 Board.

The 911 Fund is an interest-bearing special revenue fund within the State Treasury. The 911 Board administers the Fund. The 911 Board may deduct up to two percent (2%) of the total service charges remitted for its administrative expenses. For FY 2014-15 the Board only deducted 1% or close to \$700,000. The remaining revenues remitted to the 911 Board are deposited in the 911 Fund and the Board allocates them as follows:

1. A percentage (may vary annually) of the funds remitted by CMRS providers to the 911 Fund are allocated for reimbursements back to CMRS⁶ providers (pursuant to G.S. 62A-45) for the purpose of recovery costs related to Enhanced 911 service requirements (based on forecasted expenditures). These costs include those incurred for designing, upgrading, purchasing, leasing, programming, installing, testing, or maintaining all necessary data, hardware, and software required to provide service. For FY2014-15, the cost recovery amount is estimated to approximately \$8M.
2. A percentage of the funds remitted by CMRS providers are allocated for monthly distributions to primary PSAPs pursuant to G.S. 62A-46. The PSAP monthly distribution is currently based on a methodology that includes the five-year rolling average of expenditures. Current distributions based on this method are approximately \$52M per year.
3. The 911 Fund balance remaining at year end after CMRS reimbursements and PSAP distributions is transferred to the PSAP Grant and Statewide 911 Projects Account to enable funding for rural or high-cost area PSAPs or projects that provide a statewide benefit. In addition, the Grant fund allows for the 911 Board to use these funds for a statewide project that meets legislative criteria. If the remaining funds in the 911 Fund are not transferred for use of Grants, it must be distributed to PSAPs on a per capita basis, as stated in G.S. 62A-46 (4) (b).

Purpose:

The purpose of the 911 policies proposed for codification by the Board is to achieve a level of standardization that would ensure high quality responses to 911 callers. In the beginning, there was no standardization in public safety communications. Employees were hired based on local procedures, if any existed. Since communications centers were part of local government, run by elected officials and department heads, there were often questionable hiring decisions. After a person was hired, initial

⁶ The FCC Order required a reimbursement mechanism for Commercial Mobile Radio Service (CMRS) providers. That requirement has been rescinded, but the General Assembly has not repealed CMRS reimbursements (G.S. 62A-45).

training was defined by local policy, and usually consisted of brief in-house instruction, followed by a short period of supervised on the job training, which was often inadequate.

Continuing education training was also lacking in many areas. In addition to a Basic Telecommunicator Training Class for new hires, the N.C. Sheriffs' Commission developed an annual 16-hour continuing education requirement for all telecommunicators who work for a Sheriff. The N.C. Justice Academy is tasked with developing the courses presented in this annual training requirement. Many agencies do not offer any kind of regular continuing education training, and the training provided is often reactive vs. proactive in nature. Many communications centers are staffed at levels that barely handle the workload, with usually just one person on duty, making it difficult to provide training for the staff, without incurring overtime costs. And because most centers operate on minimal budgets, there is little overtime money available, which further discourages training opportunities.

Because many communications centers were, and still are, under the managerial control of a law enforcement entity, the communications function was often given a lesser priority in importance and funding. People that manned the communications center were often those too inexperienced to be an officer, not physically fit to function as a field officer, or an officer who was relegated to "office duty" as a result of injury or discipline. Being a public safety Telecommunicator was seldom viewed as a profession unto itself. In many cases, the person(s) manning the communications center were required to perform additional duties, such as greeting the public, performing clerical work such as entering records, and caring for inmates in the jail.

Before the Wireless 911 Board, funding for 911 and public safety communications was provided 100% from local general funds. Again, because many communications centers were managed by law enforcement department heads, patrol cars, weapons, uniforms, and other equipment took priority over communications equipment. Also, the resources the public safety Telecommunicator had at his/her disposal had little to no standardization. Local polices are based on the wants of agency heads and resource availability in the jurisdiction. Even today, one county may provide Advanced Life Support Paramedics on their ambulance and the communications center provide the Emergency Medical Dispatch (EMD) level of care, while a county next door responds with an ambulance staffed with Basic Life Support EMTs and the dispatch center does not have the capability to use the EMD protocol system. This results in a huge disparity in the level of service to the customer.

Many changes in technology over the past 20 years have further increased the gap between high and low performing PSAPs. The first 911 call was placed in 1967 in Haleyville, Alabama, and what began as 911 is very similar to what we know as "Caller ID" today. The customer's name and telephone number was provided to the Telecommunicator, but no location information was available. There were no computers in the communications centers. The information gathering process was done by paper and pencil, and recorded on paper logs or IBM style cards, and times were stamped on the cards with a punch clock.

Furthermore, the Federal Communications Commission has reached an agreement with 4 major wireless communications providers to make text messages to 911 available to those communications centers that are ready to accept them (a number of counties in 11 states, including Durham county in NC, currently have this capability).⁷ Currently being discussed is technology that will allow a caller to send pictures and

⁷ Federal Communications Commission. Guide: What You Need To Know about Text-to-911. <http://transition.fcc.gov/cgb/text-to-911-deployments.pdf>

other real time data to communications centers. Once this information is received, it is put into Computer Aided Dispatch (CAD) programs, which use static address information and GPS location information to recommend which field responders are assigned to the call. Radio systems are IP based, and an unlimited number of “talk groups” can operate on shared radio frequencies. Some agencies are slow to embrace these technological advances, and many agencies cannot afford the new technology. The lack of standardized equipment requirements is one of the leading reasons interoperability among communications centers is so hard to achieve, and limits the level of service communications centers can provide to their citizens.

For the reasons stated above, clearly defined rules and operating procedures are necessary to provide a level of service that is consistent with the expectations of the general public and good practices. Without rules and operating procedures, PSAPs can place themselves in dangerous situations, not always of their own making. Due to competing priorities of local governments, or out of financial necessity, PSAPs are often required to operate with less than adequate staffing, staff training, or equipment. Additionally, personnel may also be required to perform functions that hinder or prohibit their ability to answer and process emergency calls for assistance. This concern is noted in the State 911 plan. The 911 Board sees this as an unacceptably dangerous situation for PSAP employees, public safety first responders, and the public. It is also seen as a significant liability concern for the PSAP. Without rules the public cannot be assured that someone is always available to answer an emergency call for help in a timely manner.

There are currently no technical minimum standards for equipment used in a PSAP. Subsequently, the hardware and software used range from state of the art technology to antiquated devices that can no longer be supported and have not been manufactured and sold for years. In the absence of rules regarding technology, many PSAPs will be slow to upgrade equipment and networks required to deal with the emerging means of communication. This could result in a poor and potentially dangerous level of service to those who need the service most.

Currently, because of the lack of statewide standards, a 911 center is not required to have even equipment as basic as a back-up generator or an emergency preparedness plan, and most PSAPs do not have one. While these may seem like common sense attributes for an organization such as a PSAP that deals in emergencies, the lack of such provides an example of the need for operating standards and rules in North Carolina.

Perhaps the most important need for operating standards and rules is the assurance to our citizens, who directly contribute to our 911 fund, that there is at least a minimum acceptable level of reliability in the technical aspects of our 911 system, and that a minimum level of competency exists for any person who answers a 911 call for help anywhere in our state.

911 Standards Committee:

G.S. 62A-42, Powers and Duties of the 911 Board, states one of the duties is “to establish policies and procedures to fund advisory services and training for PSAPs, to set standards for PSAPs, and to provide funds in accordance with these policies, procedures, and standards.” As a result, the 911 Board approved the creation of a Standards Committee at their July 16, 2010 meeting and tasked the Committee with establishing a set of standards that would provide a uniform level of service to all parts of the State.

The Committee opted to adapt existing and nationally recognized standards from organizations such as Association for Public-safety Communications Officials (APCO), National Emergency Number Association (NENA), National Fire Protection Association (NFPA), and The Commission on Accreditation for Law Enforcement Agencies (CALEA), instead of creating new ones. These national standards have stood the test of time, and currently apply to hundreds of 911 centers across America. They represent the blueprint for the foundation of minimum statewide rules from which continual improvement in reliability and responsiveness can be built.

The Committee also strove to create rules that are vendor and technology neutral, ensuring the rules embrace any new technologies as well as current technology. The Committee identified the following categories as priorities for standards creation:

- Physical Plant/Facilities,
- Equipment,
- Telecommunicator Qualifications/training, certifications, and continuing education,
- Staffing,
- Database/MSAG Activity,
- Call Handling,
- Disaster Recovery, and
- Access.

The Committee decided to use the standards set forth in National Fire Protection Association Standard for the Installation, Maintenance, and Use of Emergency Services Communications Systems (NFPA 1221)⁸ as the “foundation” document. Elements of other standards, such as the NENA standard for answering emergency calls, were inserted or merged into the foundation document to form a hybrid set of standards that best achieved the goals of the Committee. There were no other standards adopted on the conditional basis. All the standards used came from NFPA (98%) and NENA (2%). To ensure the 911 Board Operating standards received a thorough and accurate examination process, several methods of review and input were utilized.

Nothing has been proposed by this agency that a reasonable person would not consider as a minimum standard. Even some regulations adopted from the organizations listed above have been slightly relaxed in an attempt to lessen the burden on some PSAPs. For example, the NFPA (National Fire Protection Association) 1221 standards were 63 pages in length. The Board’s 911 Standards Committee approved Standards relating to NFPA 1221 that are only approximately 22 pages in length. In drafting these Standards, the Committee realized that the state was moving from a condition of no rules or standards governing PSAP operations to one with rules and standards, so the approach was taken to make these initial rules minimal in impact and scope. For that reason many of the NFPA Standards were removed.

NFPA 1221 were used as the basis for operational standards in part because the Insurance Commission in NC already uses these standards to determine homeowners’ insurance rates. “As a condition for receipt of a grant from the North Carolina 911 Board for any type of new construction or for a renovation of an existing structure and/or facility incorporated into the construction agreement(s)...” the Board asks that

⁸ Available for purchase, or free of charge for NFPA members, at: <http://www.nfpa.org/codes-and-standards/document-information-pages?mode=code&code=1221>.

certain building requirements are met. This requirement was adopted directly from NFPA 1221 since all building construction is required to adhere to applicable NFPA standards. It is the Board's understanding that Fire Departments in NC adhere to this section of the NFPA codes when constructing their buildings. The Board modified this section of the NFPA code to apply only to buildings for which the 911 Board provides funds. In addition, these standards are quite technical so in some places the Board removed many of the building standards as they were redundant since construction would have to meet local and state construction codes.

These minimum rules for technology and training are necessary to avoid a sub-standard statewide 911 system that could endanger life and property in the state, which is a cost we cannot afford. These rules address the overall installation, performance, and operations of a Primary PSAP.

Stakeholder Input:

All of the Standards Committee meetings were open to the public, were well publicized and if attendance in person was not possible, remote call-in access was provided. The Standards Committee actively sought feedback and comments from PSAP Directors, Finance Directors, and City/County Managers. And, because the meetings were generally well attended much feedback was received. Time was set aside during each meeting for comments from the audience, and comments/concerns were solicited from the above mentioned target audience via email. The Committee was sensitive to the financial and operational impact the creation of rules would have on the local level. The Committee attempted to lessen the financial burden on local governments by taking the following steps:

- Eliminating the requirement of two telecommunicators on duty for 24 hours a day;
- Providing and supporting a system that collects, stores, and collates data from Customer Premise Equipment. The ECaTS data collection system is provided to all primary and recognized secondary PSAPs; and
- Participating in Statewide projects that provide needed products and services to PSAPs in a more cost effective manner than each PSAP purchasing individually. An example of this is the statewide ortho imagery projects. Other possibilities might include the Board providing language interpretation services to all PSAPs.

The Committee makeup also included members of the PSAP community in addition to field responder agencies, such as police and fire, to ensure both PSAP personnel and the people they service had an opportunity to assist in creating these standards. The Committee reached out to other agencies in North Carolina, who potentially had a vested interest in the rules process, such as the N.C. Justice Academy in the area of standardized training, and the N.C. Office of Emergency Medical Services, which is the licensing authority for the Emergency Medical Dispatch (EMD) level of care.

Surveys:

While no formal surveys were distributed among PSAPs in North Carolina, multiple efforts to solicit feedback were offered through public hearings and question/answer sessions at Standards Committee meetings held in Greensboro and Raleigh. These meetings were generally well attended and many comments were received. The two rules of most concern were:

- 09-NCAC-06C-0207-(c) (4): requires that no additional duties be assigned that could interfere with a Telecommunicator receiving and processing emergency calls.

- 09-NCAC-06C-0207-(d) (2): requires the Emergency Medical Dispatch level of care be provided on all medical calls for service.

The Committee listened and weighed all comments against known national standards and community expectations, as well as a reasonable expectation the rules could be accomplished state wide.

Description of Proposed Rules:

The proposed rules replace policies adopted by the 911 Wireless Board, and subsequently adopted by the 911 Board. Table 2 shows how the proposed rules relate to current policies and what the rule impacts are.

Table 2. Proposed Rule Changes and Their Impact

Proposed Rule	Current Policy (Revised 9/18/06)	Impact
<p><u>09 NCAC 06C .0101 – Forms</u> The rule states that the Board shall prescribe forms the regulated community must use to ensure uniformity in operations. The forms are available on the Board’s website.⁹</p>	<p>This policy has been effect since 2001.</p>	<p>Minimal impact. Board forms are completed by staff so this cost is covered by the 1% of collected 911 fees (or \$800,000) that are slated for the administrative costs incurred by service providers. The PSAP staff time to fill out the forms provided by the Board is included in the PSAP staff cost below.</p>
<p><u>09 NCAC 06C .0102 – Definitions</u> The rule defines a list of terms used throughout the proposed rules.</p>	<p>Additional definitions were added in the proposed rule</p>	<p>No impact.</p>
<p><u>09 NCAC 06C .0103 – Administration</u> The rule explains the scope, purpose, and applicability of the proposed rules.</p>	<p>Standards Section 1, Administration</p>	<p>No impact.</p>
<p><u>09 NCAC 06C .0104 – Failure to Comply with Rules</u> This proposed rule pertains to Service Providers and PSAPs who do not appear to be in compliance with GS 62-A or the FCC 94-102 Report and Order. If after notification, the Service Provider fails to respond, the Board may file a complaint with the FCC, the NC Utilities Commission, or any other regulatory body having jurisdiction over the Service Provider.</p>	<p>Defined in Section 8, Failure to Comply with Wireless Board Procedures, subsections (a)</p>	<p>Distributions and payments are only suspended until compliance, so the impact comes from temporarily foregone benefits. To date, no service provider has had funds withheld. Since this has not occurred, no history of cost is available. See compliance costs discussed below (note costs below assume 100% compliance).</p>

<p><u>09 NCAC 06C .0105 – Review 911 Fund Expenditures</u></p> <p>This rule requires PSAPs to maintain detailed records of 911 funds received and the use of these funds. PSAPs shall maintain these records for 5 years and make the books available for inspection by the Board and PSAPs shall cooperate with any reviews or audits.</p> <p>The same principles shall apply to CMRS service providers in regards to records related to service charges remitted and requests for cost recovery.</p>	<p>This policy has been in effect since 2000 and is part of current legislation G.S. 62A-42 (5) as part of the Boards responsibility.</p>	<p>Of the 120 PSAPs, 25% were polled to determine cost of gathering and completing documentation required for review of the Revenue-Expenditure report. For the 4 PSAPs that responded, the administrative cost ranged \$700.00 to \$3,000.00 per fiscal year. Assuming the average cost of \$1,850 is representative of the 120 PSAPs, the annual estimated cost is \$222,000. This cost is covered with general fund monies. Pertaining to CMRS, the cost is part of the administrative cost and is covered by the 1% retained by the CMRS providers for collecting the 911 service fee.</p>
<p><u>09 NCAC 06C .0106 – Waiver of Rules</u></p> <p>The rule sets the conditions under which the Board may grant waivers from rule compliance.</p>	<p>N/A</p>	<p>To date, no waivers have been requested so cost savings from the waiver and administrative costs are difficult to estimate.</p>
<p><u>09 NCAC 06C .0107 – Hearings</u></p> <p>This proposed rule provides a PSAP or Service Provider a means of responding to a Board action that might be adverse or questionable. The request for a hearing must be made within 30 days of becoming aware of the situation.</p>	<p>This policy has been in effect since 2000 and is part of current legislation G.S. 62A-48 as part of the Boards responsibility.</p>	<p>The Board has had no request for hearings so there is no history of cost, making estimation difficult; however, it is unlikely that the administrative costs would be significant and they would be covered with funds allocated from fees collected to the affected parties to cover administrative costs.</p>
<p><u>09 NCAC 06C .0108 – Declaratory Rulings</u></p> <p>This proposed rule states upon the request of an aggrieved person, the Board shall issue a declaratory ruling as to the rule, Statute, or order of the Board.</p>	<p>N/A</p>	<p>To date, there has been no occurrence therefore, no historical cost can be determined. The costs related to the procedure are likely to be minimal and covered with funds allocated to cover administrative costs.</p>

<p><u>09 NCAC 06C .0201 – PSAP Eligibility</u></p> <p>PSAP eligibility is a function of compliance with the FCC Order and G.S. 62A requirements. The PSAP must have the ability to receive a call and call information.¹⁰ This call information includes location of the caller and identification of the caller; i.e. “enhanced 911” or “E911.” Other eligibility criteria include being separately identified in its governing agency’s budget. An equipment vendor or service provider must certify the PSAP is capable of receiving and dispatching wireless Phase 1 enhanced 911 services.</p>	<p>Defined in Section 1, Definitions and Scope, subsection (d)</p>	<p>At this time legislation does not allow for additional PSAPs to be created. The existing PSAPs have already met requirements, and their costs have been reimbursed from the Fund using a 5-year rolling average of eligible expenditure and 20% carry forward. There are 120 Primary PSAPs and since each PSAP operates differently, the yearly distributions to the PSAPs from the 911 Fund have ranged from \$908 to \$3,697,360.</p>
<p><u>09 NCAC 06C .0202 – PSAP Eligible Expenditures</u></p> <p>This proposed rule states any expenses incurred solely to receive and use the voice and data elements necessary for wireline and wireless phase 1 and phase 2 compliance may be fully paid from the PSAPs 911 fund distribution. This would include the eligible lease or purchase and maintenance of telephone equipment, hardware, and software associated with Computer Aided Dispatch systems, and associated GIS hardware and software that will allow a wireless caller’s location to be determined and displayed. This rule also provides a list of costs that are not eligible to be paid for with 911 funds.</p>	<p>Defined in Section 2, Allowable Expenses to Be Paid From the Fund, subsection (a)</p>	<p>At this time, the annual cost of eligible expenses is \$52M in aggregate. PSAPs receive reimbursements for this expense from the 911 Fund, which receives about \$79 million annually in fees (after funds are taken out to cover the administrative costs of the CMRS providers, prepaid card vendors, and the Board) from the citizens of North Carolina who are currently charged by their telecommunications service provider \$0.60 per subscriber line to cover 911 related costs. There are 120 Primary PSAPs. PSAP cost varies due to expenses incurred each year, so the range for reimbursable expenditures is from \$29,000 to \$2,100,000.</p>

¹⁰ See G.S. 62A-49, 47 C.F.R. 20.18, and 11 FCC Rcd 18676 (1996) (the FCC Order).

<p><u>09 NCAC 06C .0203 – Termination and Suspension of 911 Fund Distributions</u></p> <p>This rule states any Primary PSAP that is not identified or included in its governing agency’s budget, or in any audit pursuant to the Local Government Budget and Fiscal Control Act, will not be eligible for distributions from the 911 Fund. Distributions that lapse due to the termination of a Primary PSAP shall be reallocated by the Board.</p> <p>Distributions suspended shall be maintained by the Board until such time as the PSAP complies with applicable statutes, these rules, and Board policies and procedures.</p>	<p>Defined in Section 2, Allowable Expenses to Be Paid from the Fund, subsections (f) and (g)</p>	<p>The suspension of monthly distributions has occurred within the past three years for one PSAP due to failure to meet current legislative requirements. The funds were distributed to the PSAP once they were in compliance. It is difficult to predict how many more occurrences of such nature there will be in the future; however, in the event they do happen, the impact would be temporarily foregoing access to 911 Funds until compliance is regained.</p>
<p><u>09 NCAC 06C .0204 – PSAP Reporting</u></p> <p>Any PSAP receiving or requesting 911 Fund distributions must submit a copy of its governing agency’s approved budget to the Board, detailing the revenues and expenditures associated with the operation of its 911 system, by December 1st of each year.</p> <p>The PSAP shall submit a report on or before December 1st of each calendar year, detailing all revenues and expenditures associated with 911 systems during the preceding fiscal year. The report shall be on a form supplied by the Board.</p>	<p>Defined in Section 4, Procedures for Payment from the PSAP Fund, subsection (c) (III)</p>	<p>The information reported is required by the Local Government Commission and accounting standards, and the report to the Board is an excerpt of information existing in other records. A short electronic form is utilized for this purpose.¹¹ As a result, the rule would have little to no impact.</p>

¹¹ See G.S. 62A-49, 47 C.F.R. 20.18, 11 FCC Rcd 18676 (1996) (the FCC Order) <https://www.nc911.nc.gov/forms/index.asp>

<p><u>09 NCAC 06C .0206 – Backup PSAPs</u></p> <p>This rule requires PSAPs to have an alternate means of receiving and processing calls when a Primary PSAP becomes inoperable due to a catastrophic failure. The backup center is a mirror image of the Primary so that the method of receiving and processing 911 calls are not affected by outages or failures at the primary PSAP site. In turn, this avoids disruptions in service that could cause the difference between life and death. Backup centers are considered part of the 911 system.</p> <p>The Board will provide funds for backup PSAP equipment (recurring and non-recurring costs), provided the local agency submits a written determination of need to the Board, as well as a written plan describing how the backup PSAP will operate, including detailed cost information on both one-time and recurring costs. Due to the critical public functions performed by Primary PSAPs, organizations such as NENA and APCO recommend having a backup plan and a backup operations center.</p>	<p>Defined in Section 2, Allowable Expenses to be Paid from the Fund, subsection (a) (ii) (1 through 5)</p>	<p>Backup PSAP eligible costs vary among PSAPs since it depends on the design of the plan. The backup costs include the initial set-up and on-going recurring operational cost. Backup costs range from \$19,000 to \$3.7m for initial set-up and from \$6,393 to 351,886 for recurring expenses.</p> <p>To date the Board has approved 30 backup PSAPs and these costs are included each year with the Primary costs that the Board reimburses.</p> <p>Of the 30 approved PSAP backup plans, only 2 PSAPs provided their administrative cost for setting up the backup, and those ranged from \$850 to \$1,204.</p> <p>Assuming an average of \$1,000 is representative of all PSAP, the one-time annual fiscal year 2016 cost would be \$90,000 for the remaining 90 PSAPs.</p>
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<p><u>09 NCAC 06C .0207 – PSAP Operations and Management</u></p> <p>The rule sets out requirements related to staffing the PSAPs, training of staff, and other operational procedures.</p> <p>The Board publishes a list of approved training courses and funds development of other courses which are provided at no cost to PSAPs. Most PSAPs require their employees to acquire various certifications, such as Basic Telecommunicator and Emergency Medical Dispatch certifications. These certifications and the protocol system hardware and software required for Emergency Medical (and Police and Fire Dispatch) are allowable 911 surcharge expenditures.</p> <p>Most primary PSAPs were established prior to creation of the Wireless 911 Board and those related costs were addressed in legislation at that time. Current legislation limits funding to primary PSAPs in a manner that precludes establishing new primary PSAPs, excepting the potential for consolidating PSAPs. To date, all primary PSAPs operating in North Carolina have met the eligibility requirements established by the FCC and Chapter 62A, Article 3 and no others have sought funding for establishing a primary PSAP.</p>	<p>Standards sec 6: Operations</p>	<p>Eligible expenses incurred by a primary PSAP are limited by G.S. 62A-46. Eligible operations and management costs include most training and staff certification related costs.</p> <p>Any expenditure non-eligible for reimbursement from the 911 Fund will be covered from local government general funds. Cost for individual salaries are not eligible for reimbursement and are provided by the PSAP. The average annual salary and benefits for a telecommunicators is \$43,500. Given that each PSAP would need at least 3 telecommunicators to have someone available around the clock, and given that there are 120 PSAPs, the total employee annual cost local governments would incur is close to \$15.5 million.</p> <p>The Board distributes funds to PSAPs on a monthly basis for eligible expenditures from the 911 Fund. This distribution is determined based on a 5-year rolling average of expenditures and will vary each year.</p>
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<p><u>09 NCAC 06C .0208 – Public Safety Answering Point (PSAP) Facilities</u></p> <p>The rule outlines the physical requirements PSAP facilities must meet.</p>	<p>Standards sec 3: PSAP Facilities & sec 4 Power</p>	<p>Primary PSAPs, Backup PSAPs, and Secondary PSAPs will receive the funding necessary to cover eligible operations and maintenance of eligible expenses. The current funding mechanism for the Primary and Backup fall under the current 5-year rolling average and 20% carryforward method. The Secondary PSAP funding is based on the calculation of the Primary PSAP approved expenses divided by the call volume to get a cost per call. This is then multiplied by the number of calls the Secondary receives to get the total to be disbursed for the year. Currently, the aggregate annual cost for all entities amounts to \$52 million.</p>
<p><u>09 NCAC 06C .0209 - Telephones</u></p> <p>Telephone equipment must meet certain requirements in order for a PSAP to operate properly. Primary PSAPs operate with Enhanced 911, meaning that calls must be received accompanied by the caller location and identification. Such information allows a Telecommunicator to call back if needed. Since 911 call delivery does not allow calls out, the Telecommunicator must have means to place such calls. The goal of this rule is to provide a minimum of two 911 emergency telephone lines to deliver calls to the PSAP, and one administrative line per Telecommunicator. The 911 lines are to be answered before non-emergency calls to provide citizens a high level of service.</p> <p>Call answering times and metrics are established to ensure a level of service consistent with the NFPA Standard 1221, which is also utilized by the NC Dept. of Insurance¹² and is an industry recognized standard; e.g. NENA 56-005.</p>	<p>Standards sec 7: Telephones</p>	<p>The cost associated with the requirements for equipment and operations of telephone devices are eligible 911 expenses. These costs vary due to vendor and location of PSAP. The Board remains vendor neutral but can provide PSAPs with quotes to assist in reducing costs.</p>

¹² The Dept. of Insurance utilizes NFPA 1221 when rating emergency communications centers (i.e. PSAPs), and such ratings affect consumer insurance rates.

<p><u>09 NCAC 06C .0210 - Dispatching Systems</u></p> <p>Telecommunicators use dispatching systems to communicate with appropriate response agencies (e.g., law enforcement, fire, EMS). Design, installation, and maintenance of dispatching systems are essential to 911 operations because such provide information to the response agency, and ensure redundancy so emergency calls are processed without failure. The system should consist of diagnostic software to allow for monitoring the equipment so notification to user can be made in case the system detects fault or failure. The radio communications system should also have a monitoring system to act in the same manner.</p>	<p>Standards sec 8: Dispatching Systems</p>	<p>The cost of the dispatching system is an eligible 911 expense.</p>
<p><u>09 NCAC 06C .0211 - Computer Aided Dispatching ("CAD") Systems</u></p> <p>CAD Systems provide displays and tools that allow a Telecommunicator to handle 911 calls efficiently. These systems provide call disposition, call notes, tracking, and status of a 911 call. Some CAD systems identify available response resources (e.g. law enforcement, fire, EMS) based on the 911 call, and some systems incorporate automatic dispatching. The operation, sustainability, and maintenance of all components of the CAD system should be redundant and include automatic failover capability to ensure that the system does not fail.</p> <p>CAD systems typically access non-public information such as personally identifiable information and restricted law enforcement information. Therefore, it is necessary to have several levels of security for all users. Only authorized individuals should have access to the CAD system hardware. This system should also employ antivirus software to protect against system infection.</p>	<p>Standards sec 9: CAD Systems</p>	<p>CAD system costs necessary for performing the 911 functions are eligible expenses.</p>

<p><u>09 NCAC 06C .0212 - Testing</u></p> <p>Testing should be applied to all 911 systems at regular intervals. Equipment testing guidelines are generally determined by manufacturers' specifications. The PSAP will take steps to ensure the appropriate level of training is provided to correct faults. If the fault is outside the scope of the individual(s) performing testing, then the PSAP must take action and involve an appropriate vendor.</p>	<p>Standards sec 10: Testing</p>	<p>The system is monitored by vendors through remote monitoring maintenance contracts. This cost varies for each PSAP and it is difficult to determined, and therefore it is not quantified in this analysis.</p>
<p><u>09 NCAC 06C .0213 - Records</u></p> <p>The proposed rule seeks to utilize record retention requirements to assist PSAPs and the Board by retaining operational expenses of each PSAP. Much of the PSAP equipment eligible under G.S. 62A-42 is characterized as 3 to 5 year property. The Board's funding model utilizes a rolling average spanning 5 years to ensure that capital costs and useful life costs are captured. Per the Public Records Law, G.S. 131-1 et seq., and the Archives and History Act, G.S.121-5, Local Government Agencies are required by law to follow the records retention and disposal schedules. Meeting the proposed rule does not require more than existing law.</p>	<p>Standards sec 11: Records</p>	<p>Minimal impact related to storage.</p>
<p><u>09 NCAC 6C .0301 - Registration of CMRS Service Providers</u></p> <p>This rule requires CMRS Service Providers, or any reseller of any commercial mobile radio service, which receive authority to serve any area within the State of North Carolina, to register within thirty (30) calendar days of receiving authority to operate, or beginning operations, in North Carolina.</p>	<p>This policy has been in effect since 2000 and is part of current legislation G.S. 62A-42 (5) as part of the Board's responsibility.</p>	<p>Minimal administrative impact to both the Board staff and the provider. These costs are covered with Board and CMRS funds designated for administrative costs (currently, about \$700,000 and \$800,000, respectively).</p>

<p><u>09 NCAC 6C .0302 – CMRS Service Provider Reimbursement Plan</u></p> <p>This rule states any CMRS Service Provider desiring reimbursement of eligible expenses from the 911 Fund must prepare and submit a detailed cost recovery plan to the Board. Plans shall be reviewed by Board staff and any committee established by the Board for such purpose. Confidential information shall not be publicly disclosed. The CMRS provider must provide a detailed implantation plan and a cost recovery plan.</p>	<p>Defined in Section 6, Procedures for CMRS Reimbursement</p>	<p>The CMRS provider retains 1% of the surcharge collected for the 911 fee to accommodate for the administrative cost of collections and cost recovery plan reimbursements. Currently, the funds CMRS providers retain for administrative costs per year are close to \$800,000. Cost recovery reimbursements that CMRS providers are eligible for amount to about \$8 million.</p>
<p><u>09 NCAC 6C .0303 – Cost Recovery Plan Review</u></p> <p>This rule allows the Board to establish a committee to review CMRS providers cost recovery plans. The Committee will be composed of the Board’s Executive Director, chairperson (or their designee) the Board’s auditor or financial advisor, and one or more Board members who are familiar with technical aspects of Enhanced 911 Systems. Board members representing CMRS providers cannot be members of this committee.</p>	<p>Defined in Section 6, Procedures for CMRS Reimbursement, subsection (b)</p>	<p>The administrative cost at this time is approximately \$1,100 per each occurrence. The frequency is dependent on plan updates. This may occur once a year. The individuals currently reviewing documents for approval are the Executive Director, Financial Analyst and Accounting Manager. This cost is covered from the Board’s about \$700,000 funds allocated for administrative costs.</p>
<p><u>09 NCAC 6C .0304 – CMRS Service Provider Reimbursement</u></p> <p>This rule states that sworn invoices must be submitted by the CMRS provider for cost recovery. Costs may be the actual incurred cost, an estimate of the incurred costs, or the approved rate per subscriber, multiplied by the actual subscriber count. If an estimate is used, the CMRS provider must annually true up the costs to ensure over-recovery does not occur.</p>	<p>Defined in Section 6, Procedures for CMRS Reimbursement, subsection (j)</p>	<p>The CMRS provider retains 1% of the surcharge collected for the 911 fee to accommodate for the admin cost of collections and cost recovery plan reimbursements.</p>

<p><u>09 NCAC 6C .0305 – CMRS Service Provider Reporting</u></p> <p>This proposed rule requires CMRS Service Providers to submit quarterly reports to the Board that identify or graphically depict areas of the state in which wireless or enhanced wireless 911 services have been implemented and indicating the schedule, if known, for implementing such services in the CMRS Service Providers’ remaining service areas.</p> <p>Each CMRS Service Provider shall file an annual report with the Board, by February 15th of each year that provides total customer count as of December 31 of the preceding year. This annual report, as well as the required monthly reports, shall be subject to verification by the Board.</p>	<p>Defined in Section 6, Procedures for CMRS Reimbursement, subsection (k)</p>	<p>Unless the FCC allows for a new licensed CMRS provider quarterly reports are not necessary as the majority have already met requirements. The CMRS providers receiving cost recovery, submit the information monthly and the cost for them to complete report is covered by the retained 1% administrative fee.</p>
<p><u>09 NCAC 6C .0306 – Remittance of Service Charges</u></p> <p>Service Providers must submit service charges to the 911 Board, payable by check to the 911 Board, or by electronic transfer of funds. Voice communications service providers that assess the service charge to resellers of their services shall remit such service charges to the Board.</p> <p>The Office of Information Technology Services will act as the receiving agent for the Service Providers monthly payments, and as the Administrator of the 911 Fund.</p>	<p>Defined in Section 3, Accountability of Revenue, subsection</p>	<p>The Service Providers deduct 1% of the funds collected from the public to cover administrative cost for remitting the 911 fee to the NC 911 Board.</p>

<p><u>09 NCAC 6C .0307 - Prepaid Wireless Service</u></p> <p>This rule states a Reseller of wireless services is not responsible for collecting and remitting the service charge if the Reseller’s voice communication service supplier remits the appropriate service charges for the wireless services resold by the Reseller.</p> <p>A Reseller of wireless services shall give notice to the Board if the service charges will be remitted to the Board by the Reseller’s voice communication service suppliers. This notice shall include the identity of the suppliers, the contracts or other documents, together with other information as may be necessary to calculate the appropriate service charge, and such other information as may be required by the Board.</p>	<p>Define in G.S. 62-A-43 (b) Prepaid Wireless</p>	<p>Minimal impact.</p>
<p><u>09 NCAC 06C .0401 – PSAP Grants</u></p> <p>The grant provision (G.S. 62A-47) reflects a significant change in traditional 911 funding. The Board adopted a policy describing two grant programs. Uses of grant funds are limited in one case to eligible expenses, but in another extend beyond such limitations (see G.S. 62A-47(b) (1 – 4))</p>	<p>Defined in G.S. 62A-47 (a) PSAP Grant and Statewide 911 Projects</p>	<p>The Board’s operations are, as with all others, funded from the administrative costs reserved pursuant to G.S. 62A-44(b). PSAPs may seek grants in their discretion, therefore administrative costs of such are within the PSAP’s control.</p>
<p><u>09 NCAC 06C .0402 - Grants for Construction</u></p> <p>The requirements for this section will depend on type of construction for Grant request. The NC 911 Board encourages renovating existing structures to meet rules. The Board has awarded grants for construction of a few PSAPs that plan to consolidate.</p>	<p>Standards sec 5: Grants for Construction</p>	<p>Currently, the Board has awarded only two construction grants in aggregate of approximately \$15M.</p>

<p><u>09 NCAC 6C .0403 - Grant Agreements</u></p> <p>This proposed rule states grant agreements shall comply with requirements of G.S. 143C and administrative rules.</p> <p>Unless otherwise determined by the Board, grant agreements will have a term not to exceed one year, and will begin on July 1st of the year awarded.</p>	<p>Defined in G.S. 62A-47 (c) PSAP Grant and Statewide 911 Projects</p>	<p>The grantee is responsible for management of the project and completing the objectives and goals presented in the Grant application. If these goals are not met, the grantee will reimburse the Board for cost receiving during the project and if no costs were incurred the Board will withdraw grant agreement.</p>
<p><u>09 NCAC 6C .0404 - Grant Application Approval</u></p> <p>This rule states the Board will approve grants for leased equipment only if the applicant can demonstrate that a lease agreement would be financially beneficial to the grant program. Priorities for awarding of grants will be determined by the Board.</p>	<p>Defined in G.S. 62A-47 (b) PSAP Grant and Statewide 911 Projects</p>	<p>To demonstrate the lease option being financially beneficial, a quote from the provider reflecting purchase outright and then lease cost through term. The cost for leasing equipment can involve interest charges if done through debt service agreements, which is usually more than purchasing outright.</p>
<p><u>09 NCAC 06C .0405 – Grant Funds</u></p> <p>The rule describes the management of the Fund accounts and conditions under which the grantee may be required to return the amount awarded.</p>	<p>Defined in G.S. 62A-46 (b) PSAP Grant and Statewide 911 Projects</p>	<p>PSAPs incur the costs related to managing the grant funds and these costs are not known by the Board. No grantees have failed meeting the conditions so no historical data is available to determine impact.</p>
<p><u>09 NCAC 6C .0406 - Grantee Reports</u></p> <p>Grantees must submit reports to the Board summarizing expenditures of the grant funds and the activities supported by the grant funds. Unless otherwise stated in a Grant Agreement, the reports are due 15 days after the end of a quarter.</p> <p>A final report must be submitted to the Board no more than 45 days after completion of the grant, detailing the activities, expenditures of the funds, and the ways in which the needs identified in the grant application were met. The final report must be accompanied by supporting documentation for all expenditures of the grant funds.</p>	<p>Reporting policy is part of the grant contract with grantee and has been Board policy since 2010.</p>	<p>Minimal Impact.</p>

The table below presents a detailed overview of the fees collected by the Boards from citizens and their distribution, as well as additional 911 system related costs that are not covered by these funds.

Table 3. DETAILED 911 FEE COLLECTIONS, TRANSFERS OF COLLECTIONS, AND EXPENSES RELATED TO 911 SERVICES

Impact by Affected Party	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18	FY 2018-19
Public					
911 Surcharge Fees Paid	-80,735,525	-80,765,236	-80,945,672	-81,129,994	-81,318,192
Benefit from 911 ¹	unquantified	unquantified	unquantified	unquantified	unquantified
Net Impact	-80,735,525	-80,765,236	-80,945,672	-81,129,994	-81,318,192
Service Providers					
Collection of 911 fees	80,735,525	80,765,236	80,945,672	81,129,994	81,318,192
Transfer of 911 Board share of fee collection	-78,917,204	-79,085,094	-79,256,530	-79,431,669	-79,610,499
Transfer of DOR cost recovery	-640,000	-500,000	-500,000	-500,000	-500,000
<i>Net Collections</i>	<i>1,178,320</i>	<i>1,180,142</i>	<i>1,189,142</i>	<i>1,198,325</i>	<i>1,207,694</i>
Service Provider Administrative Cost ¹	-699,885	-699,778	-699,671	-699,565	-699,458
Prepaid Administrative Cost ²	-478,435	-480,364	-489,471	-498,760	-508,236
Cost of Service ²	-8,155,647	-7,575,311	-7,575,311	-7,559,988	-7,768,756
CMRS Cost Recovery Reimbursement	8,155,647	7,575,311	7,575,311	7,559,988	7,768,756
Net Impact	0	0	0	0	0
911 Board					
Fees Transferred by Service Providers	78,917,204	79,085,094	79,256,530	79,431,669	79,610,499
Disbursement of CMRS Cost Recovery	-8,155,647	-7,575,311	-7,575,311	-7,559,988	-7,768,756
Disbursement of PSAPs Cost Recovery	-52,139,351	-54,855,867	-54,636,444	-54,614,589	-54,592,743
<i>Net Fees After Disbursement</i>	<i>18,622,206</i>	<i>16,653,916</i>	<i>17,044,776</i>	<i>17,257,092</i>	<i>17,249,000</i>
911 grant awards to Local Gov't	-15,280,532	-13,433,000	-14,356,766	-13,894,883	-14,125,825
Board administrative costs ²	-631,664	-627,315	-637,959	-632,312	-632,529
Net Impact ³	2,710,010	2,593,601	2,050,051	2,729,897	2,490,646

Impact by Affected Party (cont'd)	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18	FY 2018-19
DOR					
DOR Prepaid Administrative Costs ²	-640,000	-500,000	-500,000	-500,000	-500,000
DOR Cost Recovery Collected from the Citizens	640,000	500,000	500,000	500,000	500,000
Net Impact	0	0	0	0	0
Local Governments (PSAPs)					
Cost of 911 Service and rule compliance ²	-52,139,351	-54,855,867	-54,636,444	-54,614,589	-54,592,743
PSAPs Cost Recovery Reimbursement	52,139,351	54,855,867	54,636,444	54,614,589	54,592,743
Receipt of 911 grant awards	15,280,532	13,433,000	14,356,766	13,894,883	14,125,825
Cost of expansions funded by grants ²	-15,280,532	-13,433,000	-14,356,766	-13,894,883	-14,125,825
PSAP Administrative Cost	-2,742	-2,797	-2,852	-2,910	-2,968
Personnel and Other Non-Reimbursable Costs	-15,722,000	-15,812,000	-15,416,700	-15,185,450	-14,957,668
Other Costs ⁴	unquantified	unquantified	unquantified	unquantified	unquantified
Net Impact	-15,724,742	-15,814,797	-15,419,552	-15,188,360	-14,960,636
<u>TOTAL NET QUANTIFIED IMPACT</u>	<u>-93,750,256</u>	<u>-93,986,432</u>	<u>-94,315,174</u>	<u>-93,588,457</u>	<u>-93,788,182</u>
NPV of Net Quantified Impact (mil.)	-411.9				

¹ Benefit from 911 Service is expected to be at least equal to total fees the public pays. Therefore, the net impact on the public is expected to be positive.

² The table assumes the costs would be equal to the fees and reimbursements service providers, DOR, and PSAPs receive each year.

³ Positive balances in the funds are used as reserves for future grants to PSAPs.

⁴ Additional cost are unquantifiable and they may differ between Local Government jurisdiction.

Assumptions

Based on current trends, it is presumed the future revenues generated by voice providers will decrease in certain service types while increasing in others, hence the fluctuation in 911 fee collections presented in the impact tables. In addition, a decrease from wireline (landline) to other voice provider's service has already had an impact on the industry. Due to the changes in individual's needs, a decrease will not reflect a substantial increase for use by the NC 911 Board to adequately cover expenses as set forth in

North Carolina legislation G.S. 62-A. There are several reasons as to why this fluctuation is reasonable to assume:

- The trending of mobile data use has increased approximately 120% in the US from 2012 to 2013 according to CTIA.¹³ Due to the mobile data increase, the purchase of cell phones has only slightly increased as many individuals have moved from one type of device to another. For example, an individual moving from landline service to only cell phone. According to the CDC, approximately 39.4% of US households, with landline service, within the first half of 2013 had only wireless service.¹⁴
- Individuals who already have cell phone service are purchasing phones that allow for use of the internet therefore, no additional surcharge is collected.
- Economic uncertainty is also a driving force for individuals to move from wireless to prepaid wireless as the most of the cost incurred is less than the typical cell phone contract and does not require the individual to enter into a long-term contract.
- Wireline collections have decreased over the last few years as many lower income families are choosing to pay for only one type of service plan.¹⁵

Historical data of revenues received by the NC 911 Board over the past several years supports the future trend of decreased collections. This data has provided the trend of an estimated 1.5% decrease in wireline revenue over the past 5 years and a current increase of about 2% in prepaid for the past year creating a net change of close to .05% therefore, only a slight increase in future revenue collections. This increase does not substantiate increased future revenue as the current increase is based on newly received collections and is not based on future choices of service providers. There may be a fluctuation at best as consumers transfer from one service to another or completely dropping said service.

The number of Primary PSAPs have decreased from 128 in 2013 to 120 in 2015 however, this number is only reflective of PSAPs directly receiving revenue per G.S. 62A-46. The actual number of eligible PSAPs include Primary, Back-up and Secondary PSAPs. Each Primary PSAP is responsible for creating a back-up PSAP per legislation G.S. 62A-46 (4a) Section 1.4 which, will increase the physical count to 240 PSAPs. In addition, the NC 911 Board approved funding for qualified Secondary PSAPs in 2014 creating an additional 7 PSAPs. It is assumed no additional Secondary will come on-line as it unlikely those remaining throughout North Carolina will meet legislative qualifications. In spite of this 2% increase, based on past approvals of grant consolidations, it is assumed the trend of decreased number of PSAPs (about 1%) carries forward over time as Counties realize that maintaining more than one PSAP within their jurisdiction is not cost effective based on smaller PSAP call volume.

Due to lack of available data and information, the PSAP compliance cost estimates used in the analysis have been based on the survey responses of a small number of PSAPs. Therefore, it is possible that the assumption of those responses being representative for all PSAPs may not hold, which could change the estimates provided in this analysis.

¹³ CTIA's Annual Survey Says US Wireless Providers Handled 3.2 Trillion Megabytes of Data Traffic in 2013 for a 120 Percent Increase Over 2012, CTIA, *Cisco. <http://www.ctia.org/resource-library/press-releases/archive/ctia-annual-survey-2013>

¹⁴ Centers for Disease Control, Steven J. Blumberg, *Wireless Substitution: Early Release Estimates from the National Health Interview Survey, July-December 2009* (May 12, 2010), <http://www.cdc.gov/nchs/data/nhis/earlyrelease/wireless201005.pdf>

¹⁵ U.S. Department of Labor, Bureau of Labor Statistics, *Spending on Cell Phone Services Rapidly Approaching That of Residential Phone Services* (Dec. 13, 2007), <http://www.bls.gov/cex/cellphones.htm>.

Benefits

The 911 Board statistical data collections notes approximately 7.3 million 911 calls made in North Carolina during 2014. This information clearly reflects the need for the 911 system; however, it does not assist in analysis of cost of life or other tangible cost. Since this is unmeasurable, it is worth noting that Federal government agencies generally use in their regulatory impact analysis a value of statistical life close to \$9 million. Therefore, based on this value and the number of annual 911 calls, it is likely that the benefits of these regulations outweigh the costs.

Uncertainties

The implementation of the (NG 911) Statewide IP network is an uncertainty the Board is trying to resolve. The implementation process for this network is estimated to begin within the next 24 to 36 months however, it may take 3-5 years before the actual deployment is completed. The Board is evaluating potential vendors for assistance in preparing and evaluating an RFP for the network design. The impact to move from a legacy network to a Statewide IP network will create duplicate costs because two parallel systems may operate until the Statewide IP network is fully implemented. True costs cannot be determined at this time, but estimates based on researching similar transitions forecasts costs as doubling the cost currently in place for the legacy system during transition.

Alternatives

The Board made a draft of the proposed rules available to interested persons and the Committee held various public meetings. Through comments and further considerations, certain changes were made. Examples of alternatives considered are shown below.

1. The proposed rules initially included provisions regarding PSAP Telecommunicator staffing levels parallel to NFPA 1221. NFPA 1221 standards require that two telecommunicators are on duty at all times. This standard is utilized by the NC Department of Insurance and factors into citizens' property insurance rates. The Board learned that approximately 25% of the Primary PSAPs would be required to employ additional staff at the minimum entry-level rate. This requirement could have translated to a salary cost incurred by affected PSAPs ranging about \$1,294,000– \$1,608,000 yearly in aggregate (note this excludes benefits of about 25%). Moreover, many of the affected PSAPs are operating in rural areas, which generally have lower budget to dedicate to PSAPs, and this requirement would have placed a significant additional financial burden on those local governments.

The range for the potential cost was based on 32 potentially affected PSAPs. The lower limit of the range was computed using the 2013 State of North Carolina county average annual salary for a Telecommunicator 1 of about \$30,400, while the higher end was computed using the average for a Telecommunicator with EMD status of about \$37,800. An additional assumption was made that local governments would have to pay these telecommunicators benefits amounting to a third of their salary.

Based on this potential impact, the proposed rule containing the provision regarding NFPA 1221 staffing levels was withdrawn and replaced by a rule requiring PSAPs to participate in a Board funded data collection system. The system allows each PSAP to have on-demand access to its data to use in identifying times of higher call volume that may necessitate additional staff. Also, the system provides the PSAPs with various information and tools to enhance the level of service PSAPs provide to the citizens they serve, such as addressing call answer times. Moreover, the metrics provided by the system are valuable tools to local governments when measured against other standards, such as NFPA 1221. With this system in place, the same data is used by the 911 Board to assist PSAPs having difficulty meeting standard operating measures by recommending technical, operational, or training advice.

The data collection system has been implemented by December 2013 in all but two PSAPs at no cost to the PSAPs, and it provides means for collection, storage, and collation data into reports enabling interpretation and evaluation of performance, trends, and traffic capacities and related 911 operations. This tool was installed for all PSAPs and Backup PSAPs by the 911 Board fund for the amount of \$2.3m one-time cost and recurring cost of \$691,200 yearly monitoring fee. This lead to \$3-5 million in savings, in net present value terms, over a 10-year period, assuming the costs grow with the rate of inflation of about 1.7% annually.

2. Another alternative that the Board considered involved setting standards for hiring qualified PSAP Telecommunicators. North Carolina does not have qualification standards for individuals becoming a call taker or dispatcher for 911. Information gathered from PSAPs revealed that North Carolina has different levels of service and training among 911 telecommunicators serving citizens throughout the state. While there is a certification authority and process for EMS dispatchers, which is governed by the Office of Emergency Medical Services, that certification is not required for all telecommunicators. In considering this alternative, the Board wanted to ensure that telecommunicators: answer calls in a timely manner, have the knowledge to ask the caller the right questions to identifying the appropriate emergency response, and know how to convey pertinent information to the emergency responders in a concise fashion. All these are critical factors for a successful response that could result in lives being saved and property protected.

Although the Committee tried to address managing the level of service provided to the citizens through hiring standards, it was determined that the Board does not have the necessary statutory authority for this requirement at this time and that such personnel matters should remain with local government human resource management. The Board utilized the information gathered to develop a best practice as an aid to local governments in hiring qualified telecommunicators, and the Board funds training for telecommunicators.

Bibliography & References

APCO Project 33 Revised Minimum Training Standards for Public Safety Telecommunicators
AZ APCO Training Conference 2010, NFPA Standard: How These Affect the Communications Center
Federal Communications Commission National Broadband Plan: Chapter 16 Public Safety
NENA 56-001 Guidelines for Minimum Response to Wireless 911 Calls
NENA 56-005 Call Answering Standard/Model Recommendation
NFPA 1061 Standard for Professional Qualifications for Public Safety Telecommunicator, 2007 Ed.
NFPA 1221
State 911 Plan, see https://www.nc911.nc.gov/pdf/State911Plan_with_Board_modifications.pdf

APPENDIX

Effective dates will be specified for each rule: some will be effective when the rules receive final approval while others such as the PSAP operating standards will become effective at another selected date. All sections of the Board standards document are incorporated into the proposed rule text presented in this appendix and cross referenced below. This change in presentation separates some provisions, such as those regarding grants for construction and standards section 5 for new construction or renovation; (*see .0402 PSAP Grants for Construction*).

Text previously approved by the Board appears throughout this document. The underlined text identifies changes in response to S.L. 2007-383 and S.L. 2010-158, and the remaining text illustrates proposed rules based on pre-existing Board policies.

Some editorial changes have been made to ensure consistency; e.g. “emergency call” has been changed to “emergency 911 call” because both phrases appeared. Additionally, this document includes definitions of some words common to 911 operations or used in the enabling legislation but not defined there (e.g. addressing), and uses definitions from the legislation in lieu of phrasing in the draft standards (e.g. voice communications; *see .0209 Telephones*). A conflict exists between the 3 year retention requirement in .0213 Records (standard 11) and the rule text previously adopted by the Board in .0105. Five year record retention meets the current funding model; i.e. having five years of financial data and support is material to determining the proper level of funding to the PSAPs.

Cross references of Rules to the draft standards:

Rule .0102	Definitions identifies new definitions from the standards
Rule .0103	Standards sec. 1: Administration
Rule .0207	Standards sec 6: Operations
Rule .0208	Standards sec 3: PSAP Facilities & sec 4 Power
Rule .0209	Standards sec 7: Telephones
Rule .0210	Standards sec 8: Dispatching Systems
Rule .0211	Standards sec 9: CAD Systems
Rule .0212	Standards sec 10: Testing
Rule .0213	Standards sec 11: Records
Rule .0402	Standards sec 5: Grants for Construction

09 NCAC 06C.0101 is proposed for adoption as follows:

TITLE 09, CHAPTER 06, SUBCHAPTER C
911 BOARD
SECTION .0100 – FORMS, DEFINITIONS, ADMINISTRATION

09 NCAC 06C.0101 FORMS

The 911 Board shall prescribe forms by or for use by Public Safety Answering Points (PSAPs), Service Providers, and any other parties as may be needed to ensure uniformity in the operation of these Rules and policies adopted by the Board.

History Note: *Authority: G.S. 62A-42;*

Eff.

09 NCAC 06C .0102 is proposed for adoption as follows:

09 NCAC 06C.0102 DEFINITIONS

- (a) “Addressing” means the assigning of a numerical address and street name (the street name may be numerical) to all locations within a local government's geographical service area for the purpose of providing Enhanced 911 service.
- (b) “Appropriate Public Safety Answering Point (PSAP)” means a Primary PSAP or a Board approved Back-up PSAP.
- (c) “Back-up PSAP” means a facility equipped with automatic number identification, automatic location identification displays and all other features common to primary PSAPs. A Backup PSAP receives 911 calls only when they are transferred from the primary PSAP or on an alternate routing basis when calls cannot be completed to the primary PSAP. A Backup PSAP facility is normally unattended is remote from the Public Safety Answering Point and used to house equipment necessary for the functioning of an emergency communications system.
- (d) Circuit. The conductor or radio channel and associated equipment that are used to perform a specific function in connection with an emergency 911 call system.
- (e) CMRS is a commercial mobile radio service.
- (f) CMRS “Non-recurring cost (NRC)” means one-time costs incurred by CMRS Service Providers for initial connection to selective routers and the wireless systems service provider (3rd party vendor non-recurring) cost.
- (g) Communications System. A combination of links or networks that serves a general function such as a system made up of command, tactical, logistical, and administrative networks supporting the operations of an individual PSAP.
- (h) Comprehensive Emergency Management Plan (CEMP). A disaster recovery plan that conforms to guidelines established by the Public Safety Answering Point and is designed to address natural, technological, and man-made disasters.
- (i) Computer-Aided Dispatch (CAD). A combination of hardware and software that provides data entry, makes resource recommendations, and notifies and tracks those resources before, during, and after emergency 911 calls, preserving records of those emergency 911 calls and status changes for later analysis.
- (j) Computer Aided Dispatch (CAD) Terminal. An electronic device that combines a keyboard and a display screen to allow exchange of information between a Telecommunicator and one or more computers in the system/network.
- (k) Control Console. A wall-mounted or desktop panel or cabinet containing controls to operate communications equipment.
- (l) Coordinated Universal Time. A coordinated time scale, maintained by the Bureau International des Poids et Mesures (BIPM), which forms the basis of a coordinated dissemination of standard frequencies and time signals.
- (m) Dispatch Circuit. A circuit over which a signal is transmitted from the Public Safety Answering Point to an Emergency Response Facility (ERF) or Emergency Response Unit (ERU) to notify the emergency response unit to respond to an emergency.

- (n) Emergency 911 call Processing/Dispatching. A process by which an emergency 911 call answered at the Public Safety Answering Point is transmitted to Emergency Response Facilities (ERFs) or to Emergency Response Units (ERUs) in the field.
- (o) Emergency Response Facility (ERF). A structure or a portion of a structure that houses PSAP equipment and personnel for receiving and dispatching 911 calls.
- (p) Emergency Response Unit (ERU). A first responder to include but not limited to a police vehicle, a fire truck, and an ambulance. Personnel who respond to fire, medical, law enforcement, and other emergency situations for the preservation of life and safety.
- (q) Geographic information systems (GIS) are computer programs linking features commonly seen on maps (such as roads, town boundaries, water bodies) with related information not usually presented on maps, such as type of road surface, population, type of agriculture, type of vegetation, or water quality information.
- (r) “GIS base map” means a map comprising streets and centerlines used in a Geographic Information System.
- (s) “Local Exchange Carrier” or “LEC” has the same meaning as provided in Chapter 62 of the N.C. General Statutes.
- (t) Logging Voice Recorder. A device that records voice conversations and automatically logs the time and date of such conversations; normally, a multichannel device that keeps a semi-permanent record of operations.
- (u) Notification. The time at which an emergency 911 call is received and acknowledged at a PSAP.
- (v) Operations Room. The room in the PSAP where emergency 911 calls are received and processed and communications with emergency response personnel are conducted.
- (w) Phase I wireless enhanced 911 service means the CMRS Service Provider delivers to the appropriate PSAP the telephone number of the handset originating the 911 call (callback number), and the location of the cell site/sector receiving the 911 call.
- (x) Phase II wireless enhanced 911 service means the CMRS Service Provider delivers the telephone number of the handset originating the 911 call (callback number) to the appropriate PSAP in addition to the latitude and longitude coordinates representing the handset location.
- (y) “Place of primary use” has the same meaning as provided in the Mobile Telecommunications Sourcing Act, 4 U.S.C. § 124(8), if applicable; and otherwise sourcing shall be determined pursuant to N.C. General Statutes 105-163 or 105-164.4C.
- (z) Public Safety Agency. An organization that provides law enforcement, emergency medical, fire, rescue, communications, or related support services.
- (aa) Public Safety Answering Point (PSAP) is the public safety agency that receives incoming 911 calls.
- (bb) PSAP “Nonrecurring costs” means non-repetitive charges incurred by a Primary PSAP to pay for equipment or services which do not occur on a fixed schedule. Examples include computer equipment that has become functionally outdated, software upgrades, or repair costs that are not covered by any maintenance agreement.
- (cc) “PSAP Recurring costs” means repetitive charges incurred by a primary PSAP, including, but not limited to, database management, lease of access lines, lease of equipment, network access fees, and applicable maintenance costs.

(dd) Security Vestibule. A compartment provided with two or more doors where the intended purpose is to prevent continuous and unobstructed passage by allowing the release of only one door at a time.

(ee) Standard Operating Procedures (SOPs). Written organizational directives that establish or prescribe specific operational or administrative methods that are to be followed routinely for the performance of designated operations or actions.

(ff) “Selective routing” or “Tandem routing” means routing a 911 call to the appropriate PSAP based upon the caller’s location.

(gg) Stored Emergency Power Supply System (SEPSS). A system consisting of a UPS, or a motor generator, powered by a stored electrical energy source, together with a transfer switch designed to monitor preferred and alternate load power source and provide desired switching of the load, and all necessary control equipment to make the system functional.

(hh) “Sworn invoice” means an invoice prepared by a CMRS Service Provider’s vendor that describes the goods or services and identifies the costs that the CMRS Service Provider submits for cost recovery pursuant to an approved cost recovery plan, and that is accompanied by an affidavit that substantially complies with a form provided by the Board.

(ii) “911 line/trunk” means a telephone line/trunk which is dedicated to providing a caller with access to the appropriate PSAP by dialing the digits 911.

(jj) “Service Provider” means an entity that provides voice communications service, including resellers of such service.

(kk) TDD/TTY. A device that is used in conjunction with a telephone to communicate with persons who are deaf, who are hard of hearing, or who have speech impairments, by typing and reading text.

(ll) “Telecommunicator” shall mean any person engaged in or employed as a full time or part time 911 communications center call-taker (emergency communications specialist, emergency dispatcher, etc).

(mm) Uninterruptible Power Supply (UPS). A system designed to provide power, without delay or transients, during any period when the primary power source is incapable of performing.

(nn) Voice Communication Channel. A single path for communication by spoken word that is distinct from other parallel paths.

History Note: Authority G.S. 62A-42;

Eff..

09 NCAC 06C.0103 is proposed for adoption as follows:

09 NCAC 06C.0103 ADMINISTRATION

a) Scope.

- 1) Standards established in Section 2 shall cover the installation, performance, operation, and maintenance of PSAPs and the associated emergency communication systems.
- 2) Standards established in Section 2 shall not be used as a design specification manual or an instruction manual.

b) Purpose. The purpose of the Standards established in Section 2 shall be as follows:

- 1) To specify operations, facilities, and communications systems that receive emergency 911 calls from the public.
- 2) To provide requirements for the retransmission of such emergency 911 calls to the appropriate emergency response agencies.
- 3) To provide requirements for dispatching of appropriate emergency response personnel.
- 4) To establish the required levels of performance and quality of installations of emergency services communications systems.

c) Application. The Standards established in Section 2 shall apply to emergency 911 systems that include, but are not limited to, dispatching systems, telephone systems, and public reporting systems that provide the following functions:

- 1) Communication between the public and emergency response agencies.
- 2) Communication within the emergency response agency under emergency and non-emergency conditions.
- 3) Communication among emergency response agencies.

d) Equivalency. Nothing in the Standards established in Section 2 is intended to prevent the use of systems, methods, or devices of equivalent or superior quality, strength, fire resistance, effectiveness, durability, and safety over those prescribed by these standards.

- 1) Technical documentation shall be submitted to the local government to demonstrate equivalency.
- 2) The system, method, or device shall be approved for the intended purpose by the local government.

History Note: *Authority G.S .62A-40*
Eff.

09 NCAC 06C.0104 is proposed for adoption as follows:

09 NCAC 06C.0104 FAILURE TO COMPLY WITH RULES

- (a) If the Board determines that a Service Provider does not appear to have complied with N.C. General Statutes Chap. 62A, these rules or the requirements of FCC Report and Order 94-102 (“Report and Order”), a certified, return receipt letter shall be mailed to the company representative known to the Board. The letter shall request justification or an explanation from the Service Provider for the apparent non-compliance. The Service Provider shall have fifteen calendar days to respond to the letter.
- (b) Board staff shall initially assess the Service Provider’s response and report to the Board. The Board shall review the staff’s report. If it appears to the Board that the Service Provider has failed to comply with applicable law, these rules or the FCC Order, the Board shall notify the Service Provider to that effect and to the consequences arising from such failure, and shall provide an opportunity for the Service Provider to appear before the Board.
- (c) If after notice to the Service Provider, and appearance before the Board or Service Provider’s failure to appear, the Board determines that the Service Provider has offered no reasonable solution, the Board may, at its discretion file a complaint with the FCC, the N.C. Utilities Commission or other regulatory body exercising jurisdiction over the Service Provider. A reasonable solution shall be defined as one that will comply with applicable law, these rules or the FCC Order within thirty days or upon such other conditions as the Board may find reasonable.
- (d) If the non-compliant Service Provider is a CMRS Service Provider, all reimbursement payments due shall be suspended until compliance with applicable law, these rules or the FCC Order has been completed.
- (e) If after notice and hearing, the Board determines that the affected PSAP is at fault, rules and procedures regarding PSAP compliance shall be followed.
- (f) If through the review process the Board determines that a PSAP or CMRS Service Provider is not adhering to an approved plan or is not using funds in the manner prescribed in these rules or G.S. 62A, the Board may, after notice and hearing, suspend distributions or reimbursements until satisfactory evidence of compliance is provided to the Board. A CMRS Service Provider is not eligible to receive or expend 911 Fund monies until such time as the Board determines that the Service Provider is in compliance with an approved plan and 911 Fund usage limitations.

*History Note: Authority G.S .62A-42, 62A-48;
 Eff.*

09 NCAC 06C.0105 is proposed for adoption as follows:

9 NCAC 6C.0105 Review 911 Fund Expenditures

- a) PSAPs shall maintain detailed books and records related to 911 Funds received and use of such funds in accordance with the Local Government Budget and Fiscal Control Act and other applicable law and generally accepted accounting principles. PSAPs shall maintain these books and records for a minimum of five (5) years. All books and records shall be available for review by the Board, its representatives, and/or audit by other governmental entities with such authority upon reasonable notice and during normal business hours. PSAPs shall cooperate fully with any such review or audit. If any review or audit indicates overpayment to a PSAP, the Board shall adjust future or final payments otherwise due. If no payments are due and owed to a PSAP, or if the overpayment exceeds the amount otherwise due during that fiscal year, the PSAP shall immediately refund all amounts that may be due to the 911 Fund.
- b) PSAPs shall provide copies of any audit reports to the Board if such audit reports include receipts or expenditures for 911 systems.
- c) CMRS Service Providers shall maintain detailed books and records related to service charges remitted, and records necessary to support requested reimbursements in accordance with applicable law and generally accepted accounting principles. CMRS Service Providers shall maintain these books and records for a minimum of 5 years. All books and records shall be available for review or audit by the Board, its representatives, and other governmental entities with such authority upon reasonable notice and during normal business hours. CMRS Service Providers shall cooperate fully with any such review or audit. If any audit or review indicates overpayment to a CMRS Service Provider, or subcontractor, the Board shall adjust future or final payments otherwise due. If no payments are due and owed to a CMRS Service Provider, or if the overpayment exceeds the amount otherwise due during that fiscal year, the CMRS Service Provider shall immediately refund all amounts that may be due to the 911 Fund.

Authority: *G.S. 62A-46(d)-42, 62A-48, 62A-50*
 Eff.

09 NCAC 06C.0106 is proposed for adoption as follows:

9 NCAC 6C.0106 Waiver of Rules

Upon consideration of a written request and after publishing notice of any wavier request, the Board may waive any rule in this Chapter. The factors which the Board shall use in determining whether to grant a waiver are:

- a) Whether the requested waiver is consistent with Article 3 of Chapter 62A or other North Carolina Statutes;
- b) Whether any applicable Rule should be modified;
- c) Costs to the 911 Fund if the wavier is granted;
- d) Costs to the party requesting a waiver if the waiver is not granted;
- e) Whether granting the waiver is consistent with the statewide 911 plan;
- f) The benefit to the public;
- g) Whether granting the waiver is consistent with the requirements and intent of the FCC Order;
- h) Prior, concurrent, or similar waiver requests; and
- i) Whether the waiver is supported or opposed by PSAPs or Service Providers.

Authority: *G.S. 62A-22.1, 150B-19(6)*
Eff.

09 NCAC 06C.0107 is proposed for adoption as follows:

9 NCAC 6C.0107 Hearings

a) A PSAP or Service Provider aggrieved in connection with any action taken by the Board under this Part may request a hearing before the Board.

b) Requests for hearings shall be made in writing to the Executive Director and Chair of the Board and shall be filed within 30 calendar days after the aggrieved party knows or should have known of the facts giving rise to the request. A request for hearing is considered filed when physically received by the Executive Director or Chair. Requests filed after the 30 calendar day period shall not be considered. To expedite handling of requests, the envelope should be labeled "911 Funds Request for Hearing". The written request shall include as a minimum the following:

- 1) the name and address of the party;
- 2) the action of the Board;
- 3) a statement of reasons for the hearing; and
- 4) supporting exhibits, evidence, or documents necessary to substantiate the party's complaint.
- 5) Requests for hearing shall be sent to:

Executive Director, 911 Board
c/o NC Office of Information Technology Services
P.O. Box 17209
Raleigh, NC 27609

c) Any additional information requested by the Board shall be submitted within the time periods established in order to expedite consideration of the request. Failure of the requesting party to comply expeditiously with a request for information by the Board may result in resolution of the request without consideration of that information.

d) A decision on a request shall be made by the Board as expeditiously as possible after receiving all relevant requested information.

Authority: *G.S. 62A-22.1*
 Eff.

09 NCAC 06C.0108 is proposed for adoption as follows:

9 NCAC 6C.0108 Declaratory Rulings

- a) Any request for a determination regarding the application of a relevant rule, statute or rule established by the 911 Board to a specific factual situation must be directed to the Board Chair or Executive Director at the address in Rule .0102 of this Section. The request for a ruling will follow Rules .0108 through .0112 of this Section. A declaratory ruling proceeding may include written submissions, an oral hearing, or other procedure determined by the Board as may be appropriate in the circumstances of the particular request.
- b) Declaratory rulings pursuant to G.S. 150B-4 shall be issued by the Board only on the validity or applicability of a relevant statute, rule or order of the Board to stipulated facts. A declaratory ruling shall not be issued on a matter requiring an evidentiary proceeding.
- c) As used in Rules .0108 through .0112, "standard" shall refer to and include such standards, policies and procedures adopted by the Board pursuant to authority found in Article 3 of Chapter 62A of the N.C. General Statutes.
- d) A person aggrieved must possess such an interest in the question to be ruled on that the petitioner's need to have such a ruling in order to comply with statutory requirements, these rules, or standards shall be apparent from the petition and shall be explained therein.

Authority: *G.S. 62A-42, G.S. 150B-4*
 Eff.

09 NCAC 06C.0201 is proposed for adoption as follows:

SECTION .0200 – PUBLIC SAFETY ANSWERING POINTS (PSAPS)

09 NCAC 06C.0201 PSAP ELIGIBILITY

Before receiving distributions from the 911 Fund, a primary PSAP must meet the following criteria and certify to the same:

- (a) The PSAP is separately identified in its governing agency's budget and in any audit conducted under the Local Government Budget and Fiscal Control Act.
- (b) The PSAP meets the definition of primary PSAP under G.S. 62A-40(16). Callers must be able to reach the PSAP by placing a call using only the digits 911. The PSAP must operate an enhanced 911 system.
- (c) The PSAP equipment vendor or a Service Provider operating in the PSAP's jurisdiction must also certify that the PSAP is capable of receiving and dispatching Phase I wireless enhanced 911 service. If neither an equipment vendor nor a Service Provider is available, a city or county may use certification from a technology specialist satisfactory to the Board to meet this requirement.
- (d) Provide copies of all documentation evidencing agreements with other PSAPs governing the manner in which 911 Funds are used in overlapping geographic service areas, as identified by zip code or other identifier such as telephone exchange, township.

History Note: Authority G.S. 62A-46;
Eff.

09 NCAC 06C.0202 is proposed for adoption as follows:

09 NCAC 06C.0202 PSAP ELIGIBLE EXPENSES

(a) Expenses that are solely incurred to enable a PSAP to receive and utilize the voice and data elements necessary for wireline 911 and wireless Phase I or Phase II compliance may be fully paid from a PSAP's 911 Fund distributions. Eligible lease, purchase, and maintenance expenses for emergency telephone equipment include 911 telephone equipment/system costs. Eligible costs for necessary computer hardware include CAD workstation computers, servers, and ancillary equipment; GIS workstation computers, servers, and ancillary equipment; and voice logging recorder computers. Eligible costs for necessary computer software include software used in conjunction with the computer hardware to provide callers with access to the PSAP by dialing 911. Database provisioning includes creation of the ALI database and the GIS base map database. GIS base map eligible expenses include mapped street centerlines, together with costs for creation and maintenance of the base map. Nonrecurring costs of establishing a wireless Enhanced 911 system include emergency generator or uninterruptible power supplies, and Telecommunicator furniture necessary for 911 system operation. Rates associated with local telephone companies' charges related to the operation of the 911 system include monthly charges for delivery of 911 calls, ANI/ALI, and monthly charges for telephone interpreter services.

(b) The 911 Board may create and periodically revise a list of permitted expenditures consistent with G.S. 62A-46.

(c) Ineligible costs include:

- (1) basic termination charges incurred due to the disconnection of telephone equipment to be replaced with 911 equipment;
- (2) capital outlay expenditures, such as, buildings, remodeling, communication towers and equipment not directly related to providing the user of a voice communications service connection access to a PSAP by dialing the digits 911;
- (3) mobile or base station radios, pagers, or other devices used for response to, rather than receipt of, 911 calls, including but not limited to mobile data terminals (MDT) and automatic vehicle location (AVL) systems used in response vehicles;
- (4) seven-digit transfer-to-lines;
- (5) private line circuit costs;
- (6) directory listings;
- (7) maintenance costs for radio equipment and/or other miscellaneous equipment that is not integral to providing the user of a voice communications service connection access to a PSAP by dialing the digits 911.

*History Note: Authority G.S. 62A-46;
Eff.*

09 NCAC 06C.0203 is proposed for adoption as follows:

09 NCAC 06C.0203 TERMINATION AND SUSPENSION OF 911 FUND DISTRIBUTIONS

- (a) A primary PSAP operated by or for a local government that is not identified or included in its governing agency's budget or in any audit conducted pursuant to the Local Government Budget and Fiscal Control Act shall not be eligible for distributions from the 911 Fund.
- (b) 911 Fund distributions that lapse due to termination of a primary PSAP shall be re-allocated by the Board.
- (c) 911 Fund distributions that are suspended shall be maintained by the Board until such time as the PSAP entitled to such distributions complies with the requirements of applicable statutes, these rules, and the Board's standards, policies and procedures.
- (d) Primary PSAPs that cease independent operation due to consolidation with other such PSAPs, or that are consolidated with newly formed PSAPs, shall give notice to the Board. Distributions for such PSAPs shall be allocated to the consolidated PSAP upon the Board's approval of such distributions.

*History Note: Authority G.S. 62A-46 and 62A-48
 Eff.*

09 NCAC 06C.0204 is proposed for adoption as follows:

09 NCAC 06C.0204 PSAP REPORTING

- (a) Any PSAP receiving or requesting 911 Fund distributions must submit a copy of its governing agency's approved budget to the Board detailing the revenues and expenditures associated with the operation of its 911 system by December 1 of each year or as requested by the Board.
- (b) If a PSAP fails to report its revenues and expenditures by January 30th of each year or as requested by the Board, the Board will give notice to the PSAP's governing agency by certified mail. The notice shall also inform the governing agency that failure to provide the requested information within fifteen days will be cause for suspension of monthly PSAP fund distributions until the information is received. The notice will further inform the governing agency that continuing failure to provide the information will result in a report to the North Carolina Local Government Commission of the PSAP's failure.
- (c) If after sixty (60) days from January 30th of each year or the date requested by the Board under (a) above the financial information is still not received, the Board will inform the North Carolina Local Government Commission in writing of the PSAP's failure to respond to the requested information. A copy of the notice to the North Carolina Local Government Commission will also be sent to the PSAP manager and the governing agency.
- (d) Each PSAP shall submit an annual report to the Board on or before December 1 of each calendar year, or as requested by the Board, detailing all revenues and expenditures associated with 911 systems during the immediately preceding fiscal year. The report shall be on a form provided by the Board and shall include information including installation schedules, installation expenses, anticipated 911 system changes, other system related costs and other information deemed necessary by the Board or by the PSAP.
- (e) Each county or municipality shall submit a list of PSAPs operating within its jurisdiction each year; or, if none are known, a statement to that effect.

History Note: Authority G.S. 62A-4 and 62A-46;
Eff.

09 NCAC 06C.0205 is proposed for adoption as follows:

09 NCAC 06C.0205 [Reserved; former text was approved by the Board and has been moved to .0203(c)]

(a)

History Note: Authority G.S. 62A-46;
Eff.

09 NCAC 06C.0206 is proposed for adoption as follows:

09 NCAC 06C.0206 BACK-UP PSAPs

(a) An alternate method for receiving and processing 911 calls is necessary when a Primary PSAP becomes inoperable due to a catastrophic failure.

(b) The Board will disburse 911 Funds for back-up PSAPs to the extent eligible expenses are incurred for such PSAPs, and provided:

- (1) A written determination for the need of a back-up PSAP is provided to the 911 Board;
- (2) A plan supporting the written determination is submitted to the 911 Board, including detailed start-up costs and projected recurring expenses, and the Board approves the plan submitted;
- (3) The plan includes any local agreements which may exist, or which are anticipated, which provide for the back-up PSAP;
- (4) Regular annual reports regarding the back-up PSAP are made to the 911 Board and
- (5) Any back-up PSAP plan revisions have been provided to the 911 Board staff.

Note: Alternate methods for receiving and processing 911 calls may include interlocal agreements among one or more PSAPs for sharing physical resources, entail use of portable equipment which could be temporarily implemented wherever appropriate network connectivity is accessible, construction and maintenance of a back-up PSAP facility that would only be utilized when the Primary PSAP is inoperable, or other alternative solution.

*History Note: Authority G.S. 62A-42
 Eff.*

09 NCAC 06C.0207 is proposed for adoption as follows:

09 NCAC 06C.0207 PSAP OPERATIONS AND MANAGEMENT

(a) Personnel

- (1) All systems shall be under the control of a responsible employee or employees of the PSAP served by the systems.
- (2) The PSAP Emergency services dispatching entities shall have trained and qualified technical assistance available for trouble analysis and repair by in-house personnel or by authorized outside contract maintenance services.
- (3) Where maintenance is provided by an organization or person other than an employee of the PSAP complete written records of all installation, maintenance, test, and extension of the system shall be forwarded to the responsible employee of the PSAP.
- (4) Maintenance performed by an organization or person other than an employee of the PSAP shall be by written contract that contains a guarantee of performance.
- (5) The PSAP shall have a written local management approved access control plan.
- (6) Maintenance personnel other than an employee of the PSAP shall be approved by the PSAP pursuant to the approved access control plan as offering no threat to the security of the facility or the employees and equipment within it.
- (7) All equipment shall be accessible to the PSAP for the purpose of maintenance.
- (8) At least one supervisor or lead with Telecommunicator certification shall be available to respond immediately at all times 24 hours per day, 7 days per week, 52 weeks per year.

(b) Telecommunicator Qualifications and Training.

- (1) Telecommunicators and Supervisors shall be certified in the knowledge, skills, and abilities related to their job function.
- (2) Telecommunicators and Supervisors shall have knowledge of the function of all communications equipment and systems in the PSAP.
- (3) Telecommunicators and Supervisors shall know the rules and regulations that relate to equipment use, including those of the Federal Communications Commission that pertain to emergency service radio use.
- (4) Telecommunicators and Supervisors shall be capable of operating and testing the communications equipment they are assigned to operate.
- (5) Telecommunicators and Supervisors shall receive training to maintain the skill level appropriate to their positions.
- (6) Telecommunicators and Supervisors shall be trained in TDD/TTY procedures, with training provided at a minimum of once per year as part of the Annual Training.

(c) Staffing.

- (1) There shall be sufficient Telecommunicators available to effect the prompt receipt and processing of emergency 911 calls needed to meet the requirements as specified herein.

(2) After January 1, 2013 a minimum of two (2) Telecommunicators must be available at all times 24 hours per day, 7 days per week, 52 weeks per year to immediately receive and process emergency 911 calls.

(3) Where communications systems, computer systems, staff, or facilities are used for both emergency and non-emergency functions, the non-emergency use shall not degrade or delay emergency use of those resources.

(A) A PSAP shall handle emergency 911 calls for service and dispatching in preference to nonemergency activities.

(B) The PSAP and emergency response agencies shall develop written standard operating procedures that identify when a dedicated Telecommunicator is required to be assigned to an emergency incident.

(4) Telecommunicators shall not be assigned any duties prohibiting them from immediately receiving and processing emergency 911 calls for service in accordance with the time frame specified in the Operating Procedures.

(d) Operating Procedures.

(1) Ninety (90) percent of emergency 911 calls received on emergency lines shall be answered within ten (10) seconds, and ninety-five (95) percent of emergency 911 calls received on emergency lines shall be answered within twenty (20) seconds. Compliance with (d).1 shall be evaluated monthly using data from the previous month.

(2) The PSAP is required to provide pre-arrival medical protocols as set forth by the North Carolina Office of Emergency Services, Health and Human Services in the initial call reception or by the responsible EMS provider on behalf of the primary answering point.

(3) For law enforcement purposes, the PSAP shall determine time frames allowed for completion of dispatch.

(4) When emergency 911 calls need to be transferred to another PSAP, the Telecommunicator will transfer the call without delay. The Telecommunicator will advise the caller: "Please do not hang up; I am connecting you with (name of the agency)." The Telecommunicator should stay on the line until the connection is complete and verified.

(5) The PSAP shall transfer calls for services as follows:

(A) The call for service shall be transferred directly to the Telecommunicator.

(B) The transferring agency shall remain on the line until it is certain that the transfer is effected.

(C) The transfer procedure shall be used on emergency 911 calls.

(6) All calls for service, including requests for additional resources, shall be transmitted to the identified Emergency Response Units over the required dispatch systems.

(7) An indication of the status of all Emergency Response Units shall be available to Telecommunicators at all times.

(8) Records of the dispatch of Emergency Response Units to call for services shall be maintained and shall identify the following:

- (A) Unit designation for each Emergency Response Unit (ERU) dispatched
 - (B) Time of dispatch acknowledgment by each ERU responding
 - (C) Enroute time of each ERU
 - (D) Time of arrival of each ERU at the scene
 - (E) Time of patient contact, if applicable
 - (F) Time each ERU is returned to service
- (9) All emergency response agencies shall use common terminology and integrated incident communications.
- (10) When the device monitoring the system for integrity indicates that trouble has occurred, the Telecommunicator shall act as follows:
- (A) Take appropriate steps to repair the fault.
 - (B) Isolate the fault and notify the official responsible for maintenance if repair is not possible.
- (11) Standard operating procedures shall include but not be limited to the following:
- (A) All standardized procedures that the Telecommunicator is expected to perform without direct supervision.
 - (B) Implementation plan that meets the requirements of a formal plan to maintain and operate the backup PSAP.
 - (C) Procedures related to the CEMP.
 - (D) Emergency response personnel emergencies.
 - (E) Activation of an emergency distress function.
 - (F) Assignment of incident radio communications plan.
 - (G) Time limit for acknowledgment by units that have been dispatched.
- (12) Every PSAP shall have a comprehensive regional emergency communications plan as part of the CEMP.
- (A) The emergency communications plan shall provide for real-time communications between organizations responding to the same emergency incident.
 - (B) This emergency communications plan shall be exercised at least once a year.
 - (C) In the event that an ERU has not acknowledged its dispatch/response within the time limits established by the PSAP, the Telecommunicator shall perform one or more of the following:
 - (i) Attempt to contact the ERU(s) by radio
 - (ii) Re-dispatch the ERU (s) using the primary dispatch system
 - (iii) Dispatch the ERU(s) using the secondary dispatch system
 - (iv) Initiate two-way communication with the ERU's supervisor
- (13) The PSAP shall develop and implement standard operating procedures for responding to and processing TDD /TTY calls.

(14) Calls received as an open-line or "silent call" shall be queried as a TDD/TTY call if no acknowledgment is received by voice.

(e) Time.

(1) The clock for the main recordkeeping device in the PSAP shall be synchronized to Coordinated Universal Time.

(2) All timekeeping devices in the PSAP shall be maintained within ± 5 seconds of the main recordkeeping device clock.

(f) Recording.

(1) PSAPs shall have a logging voice recorder with one channel for each of the following:

(A) Each transmitted or received emergency radio channel or talk group.

(B) Each voice dispatch call for service circuit.

(C) Each Telecommunicator telephone that receives emergency 911 calls for service.

(2) Each Telecommunicator position shall have the ability to instantly recall telephone and radio recordings from that position.

(3) Emergency 911 calls that are transmitted over the required dispatch circuit(s) shall be automatically recorded, including the dates and times of transmission.

(g) Quality Assurance/Improvement.

(1) PSAPs shall establish a quality assurance/improvement program to ensure the consistency and effectiveness of emergency 911 call processing.

(2) Statistical analysis of emergency 911 call and dispatch performance measurements shall be completed monthly and compiled over a one (1) year period.

History Note: Authority G.S. 62A-42(a)(4)

Eff. July 1, 2012

09 NCAC 06C.0208 is proposed for adoption as follows:

09 NCAC 06C.0208 PUBLIC SAFETY ANSWERING POINT (PSAP) FACILITIES

(a) General.

- (1) Any Primary PSAP, Backup PSAP, and Secondary PSAP that receives funding from the NC 911 Board is required to comply with all NC 911 Board Standards.
- (2) All equipment, software, and services used in the daily operation of the PSAP shall be kept in working order at all times.
- (3) The PSAP shall be provided with an alternate means of communication that is compatible with the alternate means of communication provided at the Emergency Response Facilities (ERFs).
 - (A) The alternate means shall be readily available to the Telecommunicator in the event of failure of the primary communications system.
 - (B) Telecommunicators shall be trained and capable of using the alternate means in the event of failure of the primary communications system.
- (4) Each PSAP shall maintain a Backup PSAP or have an arrangement for backup provided by another PSAP. Agencies may also pool resources and create regional backup centers.
 - (A) The Backup PSAP shall be capable, when staffed, of performing the emergency functions performed at the primary PSAP.
 - (B) The Backup PSAP shall be separated geographically from the primary PSAP at a distance that ensures the survivability of the alternate center.
 - (C) Each PSAP shall develop a formal written plan to maintain and operate the Backup PSAP or if backup is provided by another PSAP a formal written plan that defines the duties and responsibilities of the alternate PSAP.
 - (i) The plan shall include the ability to reroute incoming emergency 911 call traffic to the backup center and to process and dispatch emergency 911 calls at that center.
 - (ii) The plan shall be included in the Comprehensive Emergency Management Plan (CEMP).
- (5) The PSAP shall be capable of continuous operation long enough to enable the transfer of operations to the Backup PSAP in the event of an emergency in the PSAP or in the building that houses the PSAP.
- (6) Systems that are essential to the operation of the PSAP shall be designed to accommodate peak workloads.
- (7) PSAPs shall be designed to accommodate the staffing level necessary to operate the center as required by the Standards set herein.
- (8) The design of the PSAP shall be based on the number of personnel needed to handle peak workloads as required by the Standards set herein.
- (9) Each PSAP shall have a written Comprehensive Emergency Management Plan (CEMP).

(10) Emergency Fire Plan. There shall be a local management approved, written, dated, and annually tested emergency fire plan that is part of the CEMP.

(11) Damage Control Plan. There shall be a local management approved, written, dated, and annually tested damage control plan that is part of the CEMP.

(12) Backup Plan. There shall be a local management approved, written, dated, and annually tested backup PSAP plan that is part of the CEMP and approved by the NC 911 Board.

(13) Penetrations into the PSAP shall be limited to those necessary for the operation of the center.

(b) Power.

(1) At least two independent and reliable power sources shall be provided, one primary and one secondary; each of which shall be of adequate capacity for operation of the PSAP.

(2) Power sources shall be monitored for integrity, with annunciation provided in the operations room.

(3) Primary Power Source. One of the following shall supply primary power:

(A) A feed from a commercial utility distribution system

(B) An engine-driven generator installation or equivalent designed for continuous operation, where a person specifically trained in its operation is on duty at all times

(C) An engine-driven generator installation or equivalent arranged for cogeneration with commercial light and power, where a person specifically trained in its operation is on duty or available at all times

(4) Secondary Power Source.

(A) The secondary power source shall consist of one or more standby engine-driven generators.

(B) Upon failure of primary power, transfer to the standby source shall be automatic.

(5) A Stored Emergency Power Supply System (SEPSS) shall be provided for telecommunications equipment, two-way radio systems, computer systems, and other electronic equipment determined to be essential to the operation of the PSAP.

(A) The SEPSS shall be of a class that is able to maintain essential operations long enough to implement the formal Comprehensive Emergency Management Plan.

(B) The instrumentation required to monitor power shall be remotely annunciated in the operations room.

(6) Power circuits shall include their associated motors, generators, rectifiers, transformers, fuses, and controlling devices.

(7) The power circuit disconnecting means shall be installed so that it is accessible only to authorized personnel.

(8) Surge Arresters otherwise known as Transient Voltage Surge Suppression (TVSS) shall be provided for protection of telecommunications equipment, two-way radio systems, computers, and other electronic equipment determined to be essential to the operation of the PSAP.

(9) Isolated Grounding System. Telecommunications equipment, two-way radio systems, computers, and other electronic equipment determined to be essential to the operation of the PSAP shall be connected to an isolated grounding system.

(10) Engine-driven generators shall be sized to supply power for the operation of all functions of the PSAP.

(A) When installed indoors, engine-driven generators shall be located in a ventilated and secured area that is separated from the PSAP by fire barriers having a fire resistance rating of 2 hours or better.

(B) When installed outdoors, engine-driven generators shall be located in a secure enclosure.

(C) The area that houses an engine-driven generator shall not be used for storage other than spare parts or equipment related to the generator system.

(D) Fuel to operate the engine-driven generator for a minimum of 24 hours at full load shall be available on site.

(E) Equipment essential to the operation of the generator shall be supplied with standby power from the generator.

(F) Generators shall not use the public water supply for engine cooling.

(11) Uninterruptible Power Supply (UPS) and Battery Systems. A UPS and battery system shall be installed in accordance with local, State, and the Federal safety regulations and be sufficient to prevent power surges from damaging equipment in the PSAP as well as provide power for all essential 911 Emergency Center operations until the backup power source can be fully activated.

(A) Each UPS shall be provided with a bypass switch that maintains the power connection during switch over and that is capable of isolating all UPS components while allowing power to flow from the source to the load.

(B) The following UPS conditions shall be annunciated in the operations room:

- (i) Source power failure, overvoltage, and under-voltage
- (ii) High and low battery voltage
- (iii) UPS in bypass mode

(C) The UPS and Battery Systems shall be capable of providing power for the PSAP when the Primary Power Source is experiencing not functioning but the duration of the outage is not sufficient to activate the Secondary Power Source.

*History Note: Authority G.S. 62A-46;
Eff. July 1, 2012*

09 NCAC 06C.0209 is proposed for adoption as follows:

09 NCAC 06C.0209 TELEPHONES

(a) Telephone Receiving Equipment. The provisions of this Section shall apply to facilities and equipment that receive emergency 911 calls transmitted by means of any voice communications service.

(b) Equipment and Operations.

(1) Telephone lines and telephone devices shall be provided as follows:

(A) A minimum of two 911 emergency telephone lines and 911 emergency telephone devices shall be assigned exclusively for receipt of emergency 911 calls. These lines shall appear on at least two telephone devices within the PSAP.

(B) Additional 911 emergency telephone lines and 911 emergency telephone devices shall be provided as required for the volume of calls handled.

(C) Additional telephone lines shall be provided for the normal business (nonemergency) use as needed.

(D) At least one outgoing-only line and telephone device shall be provided.

(2) 911 emergency lines and 911 emergency telephone devices will be answered prior to non-emergency telephone lines and non-emergency telephone devices.

(3) When all 911 emergency telephone lines and 911 emergency telephone devices are in use, emergency 911 calls shall hunt to other predetermined telephone lines and telephone devices that are approved by the PSAP.

(4) Calls to the business number shall not hunt to the designated emergency lines.

(5) When a PSAP receives an emergency 911 call for a location or an agency that is not in its jurisdiction, the PSAP shall transfer the call directly to the responsible PSAP. When possible the call data will be transferred with the emergency 911 call. If the call transfer method is not possible, call information shall be relayed by the Telecommunicator.

(A) The Telecommunicator shall remain on the line until it is certain that the transfer has been made and the originating Telecommunicator verifies the transfer has been successfully completed by hearing both parties speaking to each other.

(6) All 911 emergency 911 calls shall be recorded.

(c) Circuits/Trunks.

(1) At least two 911 call delivery paths with diverse routes arranged so that no single incident interrupts both routes shall be provided to each PSAP.

(2) Where multiple PSAPs that serve a jurisdiction are not located in a common facility, at least two circuits with diverse routes, arranged so that no singular incident interrupts both routes, shall be provided between PSAPs.

(3) The PSAP shall have sufficient 911 emergency trunk capacity to receive 99.9% of all calls during the busiest hour of the average week of the busiest month of the year.

(d) 911 Emergency Number Alternative Routing.

- (1) PSAPs shall maintain a written plan as part of the Comprehensive Emergency Management Plan (CEMP) for rerouting incoming calls on 911 emergency lines when the center is unable to accept such calls.
- (2) The PSAP shall practice this plan at least once annually.
- (3) Where overflow calls to 911 emergency telephone lines and emergency telephone devices are routed to alternative telephone lines and alternative telephone devices within the PSAP, the alternative telephone lines and alternative telephone devices shall be monitored for integrity and recorded as required by these Rules, and by the Board's standards, policies and procedures.

*History Note: Authority G.S. 62A-42
Eff. July 1, 2012*

09 NCAC 06C.0210 is proposed for adoption as follows:

09 NCAC 06C.0210 DISPATCHING SYSTEMS

(a) Fundamental Requirements of Emergency 911 call Dispatching Systems.

- (1) An emergency 911 call dispatching system shall be designed, installed, operated, and maintained to provide for the receipt and retransmission of calls.
- (2) Telecommunicators that receive emergency 911 calls shall have redundant means within the PSAP premises to dispatch calls.
- (3) The failure of any component of one dispatching means shall not affect the operation of the alternative dispatching means and vice versa.

(b) Primary dispatch paths and devices upon which transmission and receipt of emergency 911 calls depend shall be monitored constantly for integrity to provide prompt warning of trouble that impacts operation.

- (1) Trouble signals shall actuate an audible device and a visual signal located at a constantly attended location.
- (2) The audible alert trouble signals from the fault and failure monitoring mechanism shall be distinct from the audible alert emergency alarm signals.
- (3) The audible trouble signal shall be permitted to be common to several monitored circuits and devices.
- (4) A switch for silencing the audible trouble signal shall be permitted if the visual signal continues to operate until the silencing switch is restored to the designated normal position.
- (5) Where dispatch systems use computer diagnostic software, monitoring of the primary dispatch circuit components shall be routed to a dedicated terminal(s) that meets the following requirements:
 - (A) It shall be located within the communications center.
 - (B) It shall not be used for routine dispatch activities.

(c) The radio communications system shall be monitored in the following ways:

- (1) Monitoring for integrity shall detect faults and failures in the radio communications system.
- (2) Detected faults and failures in the radio communications system shall cause audible or visual indications to be provided within the PSAP.

History Note: Authority G.S. 62A-42

Eff. July 1, 2012

09 NCAC 06C.0211 is proposed for adoption as follows:

09 NCAC 06C.0211 COMPUTER AIDED DISPATCHING (CAD) SYSTEMS

(a) General.

(1) PSAPs shall use Computer-aided dispatching (CAD) systems. These systems shall conform to the Standards in this Section.

(2) The CAD system shall contain all hardware and software components necessary for interface with the 911 system.

(b) Secondary Method.

(1) A secondary method shall be provided and shall be available for use in the event of a failure of the CAD system.

(c) Security.

(1) CAD systems shall utilize different levels of security to restrict unauthorized access to sensitive and critical information, programs, and operating system functions.

(2) The PSAP shall have the ability to control user and supervisor access to the various security levels.

(3) Physical access to the CAD system hardware shall be limited to authorized personnel as determined by the PSAP.

(4) Operation of the CAD system software shall be limited to authorized personnel by log-on/password control, workstation limitations, and/or other means as required by the PSAP.

(5) The PSAP shall provide network isolation necessary to preserve bandwidth for the efficient operation of the CAD system and processing of emergency 911 calls.

(A) The CAD system shall provide measures to prevent denial-of-service attacks and any other undesired access to the CAD portion of the network.

(B) The CAD system shall employ antivirus software where necessary to protect the system from infection.

(d) Emergency 911 call Data Exchange.

(1) The CAD system should have the capability to allow emergency 911 call data exchange between the CAD system and other CAD systems.

(2) The CAD system should have the capability to allow data exchange between the CAD system and other systems.

(e) CAD Capabilities.

(1) The installation of a CAD system in emergency service dispatching shall not negate the requirements for a secondary dispatch circuit.

(2) The PSAP shall provide software that is for or part of the CAD system that will provide data entry; resource recommendations, notification, and tracking; store records relating to all emergency 911 calls and all other calls for service and status changes; and track those resources before, during, and after emergency calls, preserving records of those emergency 911 calls and status changes for later analysis.

(A) The PSAP shall put in place safeguards to preserve the operation, sustainability, and maintainability of all elements of the CAD system in the event of the demise or default of the CAD supplier.

(B) The system applications shall function under the overall control of a standard operating system that includes support functions and features as required by the PSAP.

(f) Computer Aided Dispatch (CAD) Performance.

(1) The CAD system shall recommend units for assignment to calls.

(A) The CAD system shall ensure that the optimum response units are selected.

(B) The CAD system shall allow the Telecommunicator to override the CAD recommendation for unit assignment.

(C) The CAD system shall have the ability to prioritize all system processes so that emergency operations take precedence.

(2) The CAD system shall detect errors and/or faults and failures.

(A) The CAD system shall automatically perform all required reconfiguration as a result of errors, faults or failures.

(B) The CAD system shall queue a notification message to the supervisor and any designated Telecommunicator positions.

(3) Under all conditions, the CAD system response time shall not exceed 2 seconds, measured from the time a Telecommunicator completes a keyboard entry to the time of full display of the system response at any position where a response is required.

(4) The CAD system shall be available and fully functional 99.95 percent of the time, excluding planned maintenance.

(5) The CAD system shall include automatic power-fail recovery capability.

(g) Backup.

(1) The CAD system shall include a data backup system, utilizing either removable media or independent disk storage arrays dedicated to the backup task.

(h) Redundancy.

(1) The failure of any single component shall not disable the entire system.

(A) The CAD system shall provide automatic switchover in case of failure of the required system component(s).

(B) Manual intervention by Telecommunicators or others shall not be required.

(C) Notwithstanding automatic switchover, the CAD system shall provide the capability to manually initiate switchover.

(D) CAD Systems that utilize server and workstation configuration shall accomplish automatic switchover by having a duplicate server available with access to all the data necessary and required to restart at the point where the primary server stopped.

(E) CAD Systems that utilize distributed processing, with workstations in the operations room also providing the call processing functions, shall be considered to meet the requirements of automatic switchover, as long as all such workstations are continually sharing data and all data necessary to pick up at the point where the failed workstation stopped are available to all other designated dispatch workstations.

(2) Monitoring for Integrity.

(A) The system shall continuously monitor the CAD interfaces for equipment failures, device exceptions, and time-outs.

(B) The system shall, upon detection of faults or failures, send an appropriate message consisting of visual and audible indications.

(3) The system shall provide a log of system messages and transactions.

(4) A spare display screen, pointing device, and keyboard shall be available in the PSAP for immediate change-out.

*History Note: Authority G.S. 62A-42
Eff. July 1,2012*

09 NCAC 06C.0212 is proposed for adoption as follows:

09 NCAC 06C.0212 TESTING

(a) General.

- (1) Tests and inspections of all systems shall be made at the regular intervals.
- (2) All equipment shall be restored to operating condition after each test or emergency 911 call for which the equipment functioned.
- (3) Where tests indicate that trouble has occurred anywhere on the system, one of the following shall be required:
 - (A) The Telecommunicator shall take appropriate steps within their scope of training to repair the fault.
 - (B) If repair is not possible, action shall be taken to isolate the fault and to notify the person(s) responsible for repair/maintenance.
- (4) Procedures that are required by other parties and that exceed the requirements of these standards shall be permitted.
- (5) The requirements of this Section shall apply to both new and existing systems.

(b) Acceptance Testing.

- (1) New equipment shall be provided with operation manuals that cover all operations and testing procedures.
- (2) All functions of new equipment shall be tested in accordance with the manufacturers' specifications and accepted PSAP practices before being placed in service.

(c) Power.

- (1) Emergency and standby power systems shall be tested in accordance with the manufacturer's specifications and accepted business practices.

*History Note: Authority G.S. 62A-42
Eff. July 1, 2012*

09 NCAC 06C.0213 is proposed for adoption as follows:

09 NCAC 06C.0213 RECORDS

a) General.

- 1) Complete records to ensure operational capability of all system functions shall be maintained for a minimum of five (5) years.
- 2) Compliance with this Standard shall begin with the purchase or lease of equipment and services after June 30 2011.

b) Acceptance Test Records and As-Built Drawings. After completion of acceptance tests, the following shall be provided:

- 1) A set of reproducible, as-built installation drawings
- 2) Operation and maintenance manuals
- 3) Written sequence of operation
- 4) Results of all operational tests and values at the time of installation

c) Electronic Records

- 1) For software-based systems, access to site-specific software shall be provided to the PSAP.
- 2) The PSAP shall be responsible for maintaining the records for the life of the system.
- 3) Paper or electronic media shall be permitted.

d) Training Records.

- 1) Training records shall be maintained for each employee as required by the PSAP.

e) Operational Records.

- 1) Call and dispatch performance statistics shall be compiled and maintained.
- 2) Statistical analysis for call and dispatch performance measurement shall be done monthly and compiled over a one (1) year period.
 - i) A management information system (MIS) program shall track incoming emergency 911 calls and dispatched emergency 911 calls and provide real-time information and strategic management reports.
- 3) Records of the following, including the corresponding dates and times, shall be kept:
 - i) Test, emergency 911 call, and dispatch signals.
 - ii) Circuit interruptions and observations or reports of equipment failures.
 - iii) Abnormal or defective circuit conditions indicated by test or inspection.

f) Maintenance Records.

- 1) Records of maintenance, both routine and emergency, shall be kept for all emergency 911 call receiving equipment and emergency 911 call dispatching equipment.
- 2) All maintenance records shall include the date, time, nature of maintenance, and repairer's name and affiliation.

History Note: Authority G.S. 62A-42

Eff. July 1, 2012

09 NCAC 06C.0301 is proposed for adoption as follows:

SECTION .0300 – COMMERCIAL MOBILE RADIO SERVICE (CMRS) PROVIDERS

9 NCAC 6C.0301 Registration of CMRS Service Providers.

- a) CMRS Service Providers, or any reseller of any commercial mobile radio service, which receive authority to serve any area within the State of North Carolina, shall register within thirty (30) calendar days of receiving authority to operate, or beginning operations, in North Carolina.
- b) Such registration shall be filed with the Commission's Executive Secretary and shall include the following information:
 - 1) Legal name of CMRS Service Provider;
 - 2) All business names used by the CMRS Service Provider in North Carolina;
 - 3) Name, title, mailing address, telephone number, fax number, and E-Mail address (if available) of the person to be contacted regarding 911 matters;
 - 4) A listing of all areas in which the CMRS Service Provider is authorized to serve any portion of North Carolina; and
 - 5) The FCC filer ID and FCC Registration Number of the CMRS Service Provider.
- c) Changes to any of the above-listed information shall be filed with the Board's Executive Director within thirty (30) calendar days of the effective date of such change(s). This filing requirement includes providing notice to the Board's Executive Director of any and all mergers, divestitures, acquisitions, or other similar actions affecting North Carolina service areas.

History note: Authority: G.S. 62A-42, 62A-45
Eff.

09 NCAC 06C.0302 is proposed for adoption as follows:

9 NCAC 6C.0302 CMRS Service Provider Reimbursement Plans

a) Any CMRS Service Provider desiring reimbursement of eligible expenses from the 911 Fund must prepare and submit a detailed cost recovery plan to the Board. Plans shall be reviewed by Board staff and any committee established by the Board for such purpose. Confidential information shall not be publicly disclosed. To provide the Board adequate information to make an informed decision, CMRS Service Providers seeking reimbursement shall:

- 1) Upon receipt of a request for wireless E911 service from a primary PSAP, the CMRS Service Provider will develop an implementation plan (the Plan, as described in paragraph b) for that PSAP, or the appropriate service area if the CMRS Service Provider serves more than one PSAP.
- 2) The relevant portions of the Plan, excluding confidential information, will be presented to the requesting PSAP. Upon acceptance of the Plan by the PSAP, the CMRS Service Provider will present the Plan to the Board for approval.

b) The Cost Recovery Plan shall:

- 1) Describe the chosen technology or technologies used for delivery of calls to the PSAP (SS7 solutions, LEC solution, third party service bureau, etc.)
- 2) Describe the architecture to implement the chosen technology(s) in areas or for PSAPs that have requested wireless or enhanced wireless 911 services, within the CMRS Service Provider's service areas, or statewide, as may be appropriate and relevant to the cost recovery plan. Indicate all counties and/or municipalities of the state in which the CMRS Service Provider provides wireless E911 service and where deployment is expected. Indicate areas of the state, if any, where deployment has already occurred.
- 3) List the known cost elements for the deployment, including non-recurring and recurring charges. Provide statewide costs, if possible.
- 4) Describe personnel costs (estimated number of hours and rates) and actual or proposed third party service rates, if any.
- 5) If cost recovery is proposed on a monthly 'per subscriber' rate, indicate the amount and describe the manner in which the rate was calculated.
- 6) Include an accounting of the estimated total of service charges that the CMRS Service Provider expects to remit to the Board as of the anticipated date of the first sworn invoice. Include an estimate of the anticipated monthly service charge remittances for the subsequent 12 months and the anticipated sworn invoices for the same period.

c) If any CMRS Service Provider believes that it can justify an exception to these CMRS Service Provider 911 Recovery Procedures or to any decision of the 911 Board pursuant to these procedures, it may submit its request and documentation supporting its request to the Board at least fifteen days prior to the Board's next scheduled meeting. The Board will consider the exception request at its next scheduled meeting and shall convey its decision in writing to the requesting CMRS Service Provider.

Note: A list of one-time and recurring costs include: Trunk costs comprising Trunking and Connection fee to 911 Selective Router (per DSO); Engineering & Network Costs comprising Facilities, T-1's, selective router ports, Routing Charges, Operations, Engineering, Switch upgrades, Research & Development, Network design, Test plan development; and Database Costs comprising P-ANI administration, Database management and Reporting/Software.

History note: *Authority:* G.S. 62A45

Eff.

09 NCAC 6C.0303 is proposed for adoption as follows:

09 NCAC 6C.0303 Cost Recovery Plan Review

- a) The Board may establish a committee to review CMRS Service Providers' cost recovery plans.
- b) Any committee will include the Board's Executive Director, chairperson (or his or her designee), the Board's auditor or financial advisor, and one or more Board members who are familiar with the technical aspects of Enhanced 911 Systems. Board members representing CMRS Service Providers cannot be members of this committee.
 - 1) The initial plan presented to the Cost Recovery committee is intended to allow for the recovery of a CMRS Service Provider's cost on a one-time basis and/or recurring (monthly) basis. The Board may create and periodically revise a list of permitted expenditures consistent with G.S. 62A-45.
 - 2) The committee will refer the plan to the Board with a recommendation that it either be approved or rejected. If the recommendation is for rejection, the committee will provide the reason, in writing, to both the Board and the CMRS Service Provider. The subcommittee shall indicate whether the Plan complies with the limitations of G.S. 62A-45(a).
- c) After review by the committee, the CMRS Service Provider will present the plan to the Board at its next regular meeting. Information deemed confidential or proprietary by a CMRS Service Provider as described in G.S. 62A-52 shall not be presented in a public meeting. The Board will not approve payment of any amount in excess of the actual cost of the CMRS Service Provider in providing Enhanced 911. The Board will vote on the plan and provide the CMRS Service Provider, in writing and within 5 working days, either approval or denial. If rejected, the Board will provide documented reasons. The CMRS Service Provider may revise and resubmit its plan at subsequent meetings.
- d) Once a plan is approved, the CMRS Service Provider may file claims for reimbursement. One time costs, if any, will be reimbursed upon submission of sworn invoices. The amount of reimbursement that the CMRS Service Provider is entitled to receive on a recurring costs basis may be calculated as follows, or by other method approved by the Board upon request of a CMRS Service Provider:
 - 1) by multiplying the number of CMRS subscribers receiving wireless Enhanced 911 service as reported by the CMRS Service Provider prior to its request for reimbursement, by the amount authorized per subscriber for cost recovery by the Board. CMRS Service Providers will be required to report their subscriber counts no less than once per quarter. The dollar amount paid to the CMRS Service Provider will vary based on total number of subscribers reported by the CMRS Service Provider or
 - 2) by submission of the actual or estimated recurring costs incurred by the CMRS Service Provider and approved by the board. If the estimated costs are submitted, these costs must be corrected by comparison with actual costs not less than annually; or,
 - 3) by a combination of the methods above.
- e) The Board may require periodic review and approval of a CMRS Service Provider's plan, but no more often than once per calendar year. After the initial one-year approval period has expired, presentation of a plan for re-approval may be in writing or in person if the Cost Recovery Subcommittee or Board requires.

f) Once a plan is approved, changes to the plan must be submitted in writing and approved by the Board. A CMRS Service Provider may request an adjustment of the reimbursement rate at any time upon written notice to the Board. Proper justification will be required.

*History Note: Authority G.S. 62A-45
Eff.*

09 NCAC 06C.0304 is proposed for adoption as follows:

9 NCAC 6C.0304 CMRS Service Provider Reimbursement

- a) Sworn invoices must be attested to by an authorized agent of the CMRS Service Provider. Only costs which comport with an approved Plan are eligible for cost recovery. Costs may be the actual incurred costs of the CMRS Service Provider, an estimate of the incurred costs, or the approved rate per subscriber multiplied by the actual subscriber count. If estimated costs are used, CMRS Service Provider must annually true up its costs to ensure that over-recovery does not occur. CMRS Service Providers must maintain records to demonstrate that costs were actually incurred as invoiced. Internal costs (engineering time, facilities, proportionate share of software, etc.) must be supported by reasonable documentation. All costs are subject to audit by the Board.
- b) A CMRS Service Provider may be reimbursed for actual one-time costs incurred for their selected E911 solution prior to the Board's approval of a CMRS Service Provider's Cost Recovery Plan upon authorization of the Board's Chair and Executive Director. As a condition of such reimbursement, the CMRS Service Provider must sign an agreement stating that if a mistake in payment is made, the CMRS Service Provider will refund any amounts determined by the board to be mistakenly distributed.
- c) CMRS Service Providers shall not be reimbursed in excess of actual and approved costs.

History note: Authority: G.S. 62A-45

Eff.

09 NCAC 06C.0305 is proposed for adoption as follows:

9 NCAC 6C.0305 CMRS Service Provider Reporting

- a) CMRS Service Providers shall submit quarterly reports to the Board that identify or graphically depict areas of the state in which wireless or enhanced wireless 911 services have been implemented and indicating the schedule, if known, for implementing such services in the CMRS Service Providers' remaining service areas.
- b) Each CMRS Service Provider shall file an annual report with the Board, by February 15th of each year, that provides total customer count as of December 31 of the preceding year. This annual report, as well as the required monthly reports, shall be subject to verification by the Board.

History note: Authority: G.S. 62A-45, 62A-51
Eff.

09 NCAC 06C.0306 is proposed for adoption as follows:

9 NCAC 6C.0306 Remittance of Service Charges

a) Service Providers shall remit service charges to the 911 Board:

911 BOARD
INFORMATION TECHNOLOGY SERVICES
P.O. BOX 17209
RALEIGH, NORTH CAROLINA 27619-7209

b) Service Providers may remit funds by check payable to the Board, or by electronic funds transfer upon satisfaction of transaction processing requirements.

c) Voice communications service providers that assess the service charge to resellers of their services shall remit such service charges to the Board.

d) The Office of Information Technology Services (ITS) Fiscal Services will act as the receiving agent for the Service Providers' monthly payments and as the administrator of the 911 Fund.

e) Funds will be deposited in accordance with the State Cash Management Plan.

History note: *Authority: G.S. 62A-43, 147-86.11*
Eff.

09 NCAC 06C.0307 is proposed for adoption as follows:

09 NCAC 06C.0307 PREPAID WIRELESS SERVICE

- (a) A Reseller of wireless services is not responsible for collecting and remitting the service charge if such Reseller's voice communication service supplier remits the appropriate service charges for the wireless services resold by such Reseller.
- (b) A Reseller of wireless services shall give notice to the Board if the service charges will be remitted to the Board by such Reseller's voice communication service supplier(s). Notice shall include the identity of the voice communication service supplier(s), the contract(s) or other document(s) together with information as may be necessary or proper to calculate the appropriate service charge, and such other information as may be required by the Board.
- (c) A Reseller of wireless services that does not remit service charges is not eligible for reimbursement under G.S. 62A-45.
- (d) Contract or other information submitted to the Board may be proprietary under G.S. 62A-52. Any confidential information shall be marked accordingly prior to delivery to the Board.

History Note: *Authority* G.S. 62A-43;
 Eff.

09 NCAC 06C.0401 is proposed for adoption as follows:

SECTION .0400 – GRANT FUND

09 NCAC 06C.0401 PSAP GRANTS

(a) After establishing a Grant Account, the Board shall publish a notice of grant availability to primary PSAPs and governing entities operating primary PSAPs.

(b) Any primary PSAP or the governing entity operating a primary PSAP may apply for a grant.

(c) Each applicant applying for Grant funds shall complete and submit an application, in the form prescribed by the Board, which is incorporated herein by reference and which may be obtained from the Board office at the following address:

Executive Director, 911 Board
c/o NC Office of Information Technology Services
P.O. Box 17209
Raleigh, NC 27609

(d) The Board will accept grant applications as stated in the Board's published notice of grant availability. Grant applications submitted that do not conform to the Board's published requirements may be considered in the discretion of the Board, provided that Grant funds are not exhausted by conforming grant applications and non-conforming grant applications satisfy G.S. 62A-47.

(e) Applications for grants for each item over \$25,000 must be accompanied by at least three written competitive quotes. The Board will compare the three quotes to any existing state contract in order to determine appropriate funding.

History note: Authority G.S. 62A-43;

Eff.

09 NCAC 06C.0402 is proposed for adoption as follows:

09 NCAC 06C.0402 PSAP GRANTS FOR CONSTRUCTION

(a) General.

(1) As a condition for receipt of a grant from the North Carolina 9-1-1 Board for any type of new construction or for a renovation of an existing structure and/or facility incorporated into the construction agreement(s) shall be the following requirements.

(2) The requirements in this Section, PSAP Grants for Construction, shall apply only to new construction and construction renovations funded by the North Carolina 911 Board. Existing PSAP facilities are encouraged to meet these standards, but are not required to meet these standards.

(b) HVAC.

(1) HVAC systems shall be designed to maintain temperature and relative humidity within limits specified by the manufacturer of the equipment critical to the operation of the PSAP.

(2) HVAC systems shall be independent systems that serve only the PSAP.

(3) HVAC system intakes for fresh air shall be arranged to minimize smoke intake from a fire inside or outside the building and to resist intentional introduction of irritating, noxious, toxic, or poisonous substances into the HVAC system.

(4) HVAC emergency controls shall be provided in the operations room to permit closing of outside air intakes.

(5) Backup HVAC systems shall be provided for the operations room and other spaces housing electronic equipment essential to the operation of the PSAP.

(6) HVAC systems shall be designed so that the PSAP is capable of uninterrupted operation with the largest single HVAC unit or component out of service.

(c) Fire Protection.

(1) The PSAP and spaces adjoining the PSAP shall be provided with an automatic fire detection, alarm, and notification system.

(2) The alarm system shall be monitored in the operations room.

(3) Operation of notification appliances shall not interfere with communications operations.

(4) Electronic computer and data processing equipment shall be protected in accordance with the manufacturer's recommended specifications, and common business practices.

(d) Security.

(1) The PSAP and other buildings that house essential operating equipment shall be protected against damage from vandalism, terrorism, and civil disturbances.

(2) Entry to the PSAP shall be restricted to authorized persons.

(3) Entryways to the PSAP that lead directly from the exterior shall be protected by a security vestibule.

(4) Door openings shall be protected by listed, self-closing fire doors that have a fire resistance rating of not less than 1 hour.

(5) Where a PSAP has windows, the following requirements shall apply:

(A) Windows shall be a minimum of 4 ft (1.2 m) above floor level.

(B) Windows shall be rated for bullet resistance to Level 4 as defined in UL 752, Standard for Safety Bullet-Resistant Equipment.

(C) Windows that are not bullet resistant shall be permitted provided that they face an area that cannot be accessed or viewed by the general public.

(D) Windows that are required to be bullet resistant shall be configured so that they cannot be opened.

(E) Walls with bullet-resistant windows shall be required to provide the same level of protection as the window.

(6) Means shall be provided to prevent unauthorized vehicles from approaching the building housing the PSAP to a distance of no less than 82 ft (25 m).

(7) As an alternative to prevent unauthorized vehicles, unauthorized vehicles shall be permitted to approach closer than 82 ft (25 m) if the building has been designed to be blast resistant.

(e) Lighting.

(1) Artificial lighting shall be provided to enable personnel to perform their assigned duties.

(2) Emergency Lighting. The PSAP shall be equipped with emergency lighting that shall illuminate automatically immediately upon failure of normal lighting power.

(3) Illumination levels shall be sufficient to allow all essential operations.

(f) Circuit Construction and Arrangement.

(1) As built drawings shall be provided.

(2) Circuits shall not pass over, pass under, pass through, or be attached to buildings or property that is not owned by, or under the control of, the PSAP or the entity that is responsible for maintaining the system.

(3) Emergency 911 call instruments installed in buildings not under control of the PSAP shall be on separate dedicated circuits.

(4) The combination of public emergency services communication and signaling (C&S) circuits in the same cable with other circuits shall comply with the following:

(A) Other municipally controlled C&S circuits shall be permitted.

(B) Circuits of private signaling organizations shall be permitted only by permission of the PSAP.

(g) Underground Cables.

(1) Underground communication and signal cables shall be brought above ground only at points where the PSAP has determined there is no potential for mechanical damage or damage from fires in adjacent buildings.

(2) All cables that are installed in manholes, vaults, and other enclosures intended for personnel entry shall be racked and marked for identification.

(3) Cable splices, taps, and terminal connections shall be located only where accessible for maintenance and inspection and where no potential for damage to the cable due to falling structures or building operations exists.

(4) Cable splices, taps, and terminal connections shall be made to provide and maintain levels of conductivity, insulation, and protection that are at least equivalent to those afforded by the cables that are joined.

(h) Aerial Cables and Wires.

(1) Protection shall be provided where cables and wires pass through trees, under bridges, and over railroads, and at other locations where damage or deterioration is possible.

(i) Wiring Inside Buildings.

(1) Conductors at the PSAP shall extend to the operations room in conduits, ducts, shafts, raceways, or overhead racks and troughs of a construction type that protects against fire and mechanical damage.

(2) Cables or wiring exposed to fire hazards shall be protected from the hazard.

(3) At the PSAP, cable terminals and cross connecting facilities shall be located either in or adjacent to the operations room.

(4) All wired dispatch circuit devices and instruments whose failure can adversely affect the operation of the system shall be mounted in accordance with the following:

(A) On noncombustible bases, pedestals, switchboards, panels, or cabinets.

(B) With mounting designed and constructed so that all components are readily accessible.

(j) Circuit Protection.

(1) All surge arresters shall be connected to earth ground.

(2) All protective devices shall be accessible for maintenance and inspection.

(3) Wired Surge arresters shall be designed and listed for the specific application.

(4) Each conductor that enters a PSAP from a partially or entirely aerial line shall be protected by a surge arrester.

(k) Grounding.

(1) Sensitive electronic equipment determined by the PSAP to be essential to the operation of telecommunications and dispatching systems shall be grounded.

(2) Listed isolated ground receptacles shall be provided for all cord-and-plug-connected essential and sensitive electronic equipment.

(3) Unused wire or cable pairs shall be grounded.

(4) Ground connection for surge suppressors shall be made to the isolated grounding system.

(l) Access.

All equipment shall be accessible for the purpose of maintenance.

History Note: Authority G.S. 62A-47; 62A-42

Eff. _____

09 NCAC 06C.0403 is proposed for adoption as follows:

09 NCAC 6C.0403 GRANT AGREEMENTS

- a) Grant agreements shall comply with requirements of G.S. 143C and administrative rules.
- b) Unless otherwise determined by the Board, grant agreements will have a term not to exceed one year, and will begin on 1 July of the year awarded.

History note: Authority: G.S. 62A-42, 62A-47, 143C-6-22,-23

Eff. _____

09 NCAC 06C.0404 is proposed for adoption as follows:

09 NCAC 6C.0404 GRANT APPLICATION APPROVAL

- a) The Board will approve grants for leased equipment only if the applicant can demonstrate that a lease agreement would be financially beneficial to the grant program.
- b) Priorities for awarding of grants will be determined by the Board.

History note: Authority: G.S. 62A-47

Eff. _____

09 NCAC 06C.0405 is proposed for adoption as follows:

09 NCAC 6C.0405 GRANT FUNDS

- a) Grant funds shall be deposited in a bank account maintained by the applicant, and each grant shall be assigned a unique accounting code designation for deposits, disbursements, and expenditures. All Grant funds in the account shall be accounted for separately from other grantee funds. Grant funds may be used only between the beginning and ending dates of the grant, unless an extension is requested and authorized by the Board.
- b) Grant funds are not transferable to any other entity. If equipment purchased using grant funds is sold or transferred within three (3) years of the end of the grant period, the grantee must return the grant funds to the Board on a pro-rata basis.

History note: Authority: G.S. 62A-47

Eff. _____

09 NCAC 06C.0406 is proposed for adoption as follows:

09 NCAC 06C.0406 GRANTEE REPORTS

Grantees must submit reports to the Board summarizing expenditures of the grant funds and the activities supported by the grant funds. Unless otherwise stated in a Grant Agreement, the reports are due 15 days after the end of the reporting periods, which end September 30, December 31, March 31, and June 30. A final report must be submitted to the Board no more than 45 days after completion of the grant, detailing the activities, expenditures of the funds, and the ways in which the needs identified in the grant application were met. The final report must be accompanied by supporting documentation for all expenditures of the grant funds.

History Note: *Authority G.S. 62A-47, 143C-6-22, and 143C-6-23;*
Eff.

Other Items

11. Begin Work Session

Introduction of 911 Funding Committee

Richard Taylor

911 Funding Committee-Standing

* Jason Barbour - Chair

* Board Member vacant

* Andrew Grant

* Len Hagaman – vice chair

* Laura Sykora

Randy Beeman (Cumberland Co 911)

Dave Bone (Martin Co Manager)

Del Hall (Stokes Co 911)

Tonya Pearce (Durham 911)

Wesley Reid (Guilford Metro 911)

Creating GIS Committee

Legislative Issues

□ Easy Button Issues

- ~ Percentage Requirements
- ~ Work Station Costs
- ~ Administrative Line Costs
- ~ Implemental Functions

Future PSAP Funding

Adjourn

Next 911 Board Meeting

Friday, June 19, 2015

1403 West Blvd.

Laurinburg, NC