**9-1-1 Advisory Council**

**Meeting Executive Summary**

**Thursday, March 12, 2020**

**9:00 a.m. to 4:00 p.m.**

**State Capitol, Room 152**

**Helena, Montana**

**Attendees:**

Voting Council Members/Alternates:

Adriane Beck - PSAPS >30K ☎; Kimberly Burdick - MT APCO; Sheriff Vern Burdick - MSPOA (Alternate); Rich Cowger - MT Fire Chiefs ☎; Mike Doto – MT Fire Fighters Assoc. ☎; Alex Duman - Wireless Telecommunications Provider ☎; Michael Fashoway - MT State Library (Alternate); Geoff Feiss - Telecommunications Provider; Dorothy Gremaux (Alternate) - PSAPS <30K ☎; Lisa Kelly - Wireline Telecommunications Provider ☎; Andrew Knapp - DOJ/MHP (Alternate); Clint Loss - MEMSA ☎; Quinn Ness - DOA, Council Chairman; Shantil Siaperas - MACO (Alternate) and Curt Stinson - MACOP ☎.

Guests: Amy Adler, Rosebud/Treasure County Rural Addressing; Carol Arkell, Stillwater County; Peter Callaghan, Helena 9-1-1; Sandra Barrows, Barrows Consulting; Jody Hickey, Glacier Co. Sheriff’s Office ☎; Chuck Lee, Fallon County DES/9-1-1; Kevin Newton, CenturyLink; Tim Martindale, Gallatin County 9‑1-1 ☎; Jon Osborne, CenturyLink; Eric Parry, Federal Engineering ☎; Zach Slattery, Helena 9-1-1; Scott Strom, Federal Engineering; Ken Wall, Geo Data Services; and Karen Young - City of Great Falls 9‑1‑1 ☎.

Staff: Kevin Hammond, DOA/SITSD Accountant; Don Harris, DOA/SITSD Attorney; Wing Spooner DOA/PSCB; and Rhonda Sullivan, DOA/911.

**Chairman Ness called the meeting to order at 9:00 a.m.**

**Welcome & Introductions**

Roll call was taken. A quorum was present. Housekeeping items were reviewed.

**Administrative Updates/Agenda Changes:** None

**Approval of Meeting Executive Summaries: Action Item\***

**Member Siaperas made a motion to approve the executive summary for the Dec. 12, 2019 9-1-1 Advisory Council meeting. Member Burdick seconded. The motion passed with all in favor, none opposed, and none abstaining.**

**Standing Reports**

***Certified PSAPs Quarterly Funding Distribution Report***

For the 2nd quarter of the 2020 state fiscal year, $2,493,000 was distributed to local governments that host certified PSAPs as well as the three tribal PSAPs that have now been certified. Jody Hickey announced that the Glacier County MOU with the Blackfeet Tribe was dissolved. Chairman Ness noted a disparity between what Glacier County received for its quarterly distribution, $7,732 and the Blackfeet Tribe, $22,921. He reported that the department is directed in law to re-visit and develop a new allocation formula after the new census results are in. The previous allocation formula, referred to as the 84-16 formula, allocated a minimum amount to all counties whose population fell below a certain number. However, that formula did not address disparities present in counties that also have tribal PSAPs. The Council will discuss this issue in the future.

***9-1-1 Grant Program Report***

In September the department sent out a NOFA stating there was $2.5 million in funding available. As a result of the award criteria, a new application form was sent out on Feb 13. The deadline for applications is April 15.

**Unfinished Business**

***FCC Letter & Governor Bullock Response:*** Chairman Ness reminded members of comments made by Tim Nixdorf at the last meeting and explained why the department did not apply for federal 9-1-1 grant funds from the U.S. Departments of Transportation and Commerce last year. Chairman Ness explained why the state did not apply as follows: 1) Eligibility requirements included having a statewide 9-1-1 Plan, which the state did not yet have; 2) Matching funds were required, and there was not funding available to use for match. 3) Due to cutbacks, we did not have the capability in the Bureau or Division to apply for and manage the grant.

Member Burdick clarified that Montana is eligible for federal 9-1-1 grants. The state of Montana was never declared ineligible. Member Stinson asked if we expect to hear anything back from the FCC or has it run its course. Chairman Ness believes it has run its course. He explained that every year, the state is required to file its 9-1-1 fee report. Last year’s report was accepted and there was no response or determination that any 9-1-1 funds were transferred or diverted. Member Siaperas reported that she researched these laws and learned that states are eligible for grant funds if they did not use funds designated for 911 systems for other purposes in the past 180 days.

Chairman Ness noted that the legislature terminated the mechanism to transfer the money; however, the legislature can always change the laws.

**Special Reports**

***Montana ESInet & NG9-1-1 Status - Jon Osborne and Kevin Newton, CenturyLink*:**

Speaker Osborne said Montana is ahead of many other states because it already has an ESInet in place. There are challenges with upgrading it to NG911, which CenturyLink has been analyzing. They have developed a design plan for Montana and have been holding meetings to identify what works, what needs improvement, and what needs to be future proofed. An in-depth diagram of Montana’s design is available upon request. He believes Montana is somewhere in between the discovery and design phase. Mr. Osborne briefly addressed the use of HGAC cooperative contracts which can avoid long drawn-out procurement processes and said that Colorado tariffed its entire NG services, which allowed them to avoid the procurement process as well.

Speaker Newton explained his slide diagrams and NG911 transition methodology. Click on this [link](https://sitsd.mt.gov/Portals/165/docs/911%20Advisory%20Council/911%20AC/2020/CenturyLink%20EsiNet_NG911_AC_Pres_2020_03_12.pdf?ver=2020-03-18-100756-307) for the presentation slides. Mr. Newton provided an example of how Colorado is transitioning by using traditional selective routers plus a NG core. Colorado is not doing voice and video yet because no one has the NG core services yet. He reviewed a slide about the benefits of NG911 core services. In Colorado, if one system is being updated, services can be isolated while the others are working. They can have individual PSAP migration dates, even with hosted environments. It is very flexible. Migration in Colorado is taking place over a 12-month schedule. Networks must be scalable and expandable. Mr. Osborne offered to speak individually with anyone interested in more details about CenturyLink’s design plan for migrating Montana to NextGen with core services.

In response to a question about how Montana compares to other states, the answer was that Montana is ahead of the curve. Most states don’t already have an ESInet, even though Montana’s not NG. Chairman Ness said we have 17 PSAPs on Montana’s legacy network and asked if they are being managed in a similar fashion as in Colorado. The answer was yes. Chairman Ness clarified that legally the State of Montana could procure that network over ten years ago because it was federal money, not state. Currently, state law does not give the state any way to do a procurement. We have been trying to figure out what is the best mechanism. Are there other states with the same restrictions?

Mr. Osborne said that Colorado and North Dakota have the same restrictions. In Colorado, a consumption-based tariff was developed, which is based on the number of simultaneous calls, referred to as sessions. The PUC (Public Utility Commission) negotiated the price. It is the same price per session regardless if the PSAP has two or fifty. There is a minimum count of two. Member Siaperas asked about the history of tariff setting. In Colorado, committees were used. It took close to five years to come up with a tariff that included everything that everyone wanted to have. It took another year after that to re-do the design. There are two tariffs: the E911 and the NG. PSAPs pay one or the other. At this point they are not getting rid of the selective routers in Colorado.

Chairman Ness said there seems to be a lot of confusion about migrating to the ESInet. Mr. Osborne said that in Colorado all PSAPs are being migrated to the ESInet. CenturyLink is paying the cost of installing all the network to every PSPAP and installing the equipment. Colorado is using incentives to assist PSAPs to migrate with the use of federal grants acquired by the PUC. However, if a PSAP does not migrate by its assigned date, it starts paying the new NG rate. The PUC is assisting PSAPs with their applications.

The Colorado ESInet tariff includes a one-time initial setup fee and the monthly fee per session. After all the tariffs were established, CenturyLink changed the payment process to include the first six months in a single bill so the PSAPs could obtain more grant money. Chairman Ness said that in Montana, we could potentially do something similar by awarding state 9-1-1 grants to PSAPs to help pay that initial cost as well as the ongoing cost.

Member Siaperas emphasized that cost is a huge factor for counties, particularly those with low population densities. Due to limited resources, use of the grant program would assist them to opt in to the ESInet.

Chairman Ness said that to be fair to everyone, grant funding shouldn’t just be for up-front costs but should fund ongoing costs as well. All PSAPs are very cost conscious, so we need to pay attention to not just the up-front costs but also the ongoing rates. Mr. Osborne explained that’s why the tariffs in Colorado were structured with a per session rate.

Lisa Kelly noted that circuit costs are already being equalized on the network that is in place today. Some PSAPs pay more than actual circuit costs while some pay less.

***Montana NG9-1-1 Options - Greg Brooks, Solacom***: The speaker was unable to be here today, so he will potentially be re-scheduled to a future meeting.

***9-1-1 Grant Program ARM Amendments:***

Department Attorney Don Harris provided background on the 9-1-1 Grant Rules, ARM 2.14.407. At the December meeting, the Council discussed a proposal that was brought up in September to allow the council to set criteria annually. The Legislative Interim Committee didn’t feel comfortable with that process, so that rule proposal was pulled back. An earlier draft was used that was originally presented at the September meeting. Now adopted is a set of grant criteria that will remain in place until the Council decides it wants to amend it. The criteria are factors for consideration, they are not mandatory. The statute has mandatory requirements, so applicants should be cognizant of them. The rule was adopted on Feb 29, so the rule is in effect. Chairman Ness said the new application form asks for information on each criterion.

***Technical Standards Amendment: NG911 GIS Data \*Action Item\*:*** Member Michael Fashoway explained that NENA (National Emergency Number Association) works on developing different standards and information documents, which are similar to best practices. NENA has just updated best practices for the development and maintenance of the GIS layer of data. The newly published document is called *NENA Information Document for GIS Data Stewardship for NG911*. Another NENA work group is addressing the next layer of GIS data, so it is expected that council members will hear about this document on a regular basis. The Technical Standards document that is part of Montana’s Statewide Plan lists a host of largely NENA standards, some of which are information documents. Since this is a newly published document, he is asking to amend the Statewide Plan document to include a reference to this document.

Member Fashoway presented some high-level next steps that PSAPs need to be thinking about to get ready for geo-spatial call routing. These steps are directed more at a statewide level. He assumes that all counties are already working on GIS data to prepare for NG911. He is not proposing anything that would replace what they are currently should be doing on their individual PSAP data set

1. **GIS Data Assessments**: A mechanism is needed to do ongoing GIS Data Assessments. Everyone is familiar the statewide assessment that was conducted about a year ago. A lot of PSAPs have been working on preparing their data and some have been working with vendors, but the Council and the state don’t have a good way to know about what improvements are happening in the field. This information would be useful to know so that limited funding can be prioritized. Currently, there isn’t a way to gather information about where different counties are in their GIS data preparation for NG911.

Chairman Ness suggested possibly amending the grant application form next year so applicants must supply where they are with their GIS data and their match rate. Member Fashoway said that might be one method to obtain this information and it would be valuable if the counties have the data. However, this information is typically not available to counties unless they are already working with an outside vendor on an assessment. The application form may need ask applicants to provide this information if they have it. Chairman Ness said that the first step could be to require a current assessment to be performed and the assessment could be attached to the application. Counties that do not have the resources to pay for an assessment may need to procure consulting services.

Member Fashoway estimated an assessment could cost about $3-5,000. Ideally, we should have a system in place for a statewide approach. We would be able to obtain an economy of scale. The state would also have the ability to see what is happening in between counties, i.e. data issues between counties, overlapping data, duplicate data, data gaps, etc. especially when addressing boundary areas. The last assessment only looked at individual counties in isolation of each other. Accurate PSAP boundary information is vital when it comes to dynamically routing 9-1-1 calls once the PSAP has moved to a GIS-based call routing. The only way to get at this level of information is to have all the data put together and analyze it at a statewide level.

Chairman Ness said that in general the legislature has been supportive of pre-project planning and he believes this would be an allowable cost for grant funding. So, year one could be a request from a county to do an assessment. Year two could be a request for funds to upgrade the data based on the assessment. We can follow up to look at allowability. Certainly, it would be more efficient and cost-effective to do a statewide assessment rather than individual counties, but the law would need to be changed.

Member Siaperas asked if the MLIA (Montana Land Information Act) grants could be used for assessments, too? Member Fashoway replied yes. A handful of counties did apply, and all included some form of assessment in their applications. That grant program closed in February. We could potentially start asking for assessment results to be supplied to the State Library, but it will all come from different vendors in different formats. It will take time to aggregate it. Member Fashoway recommends discussions to analyze ways to gather the data more efficiently.

Chairman Ness said as we move to new technologies, ongoing costs will increase. So, we will need to be watchful of these. We should be continually be monitoring the accuracy of GIS data. This will be an ongoing cost to local governments and the state. We may receive push-back. Discussions should continue.

1. **PSAP Boundaries**: Member Fashoway recommended encouraging PSAPs to work on developing their individual PSAP boundary and to start coordinating with neighboring PSAPs to determine each PSAP’s boundary. It is the most important GIS data layer.
2. **Data Aggregation**: Eventually all data will need to be aggregated, and this will be a future cost. Aggregation needs to be done regularly along with all the QA/QC (Quality Assurance and Quality Control) activities. Developing an aggregation process sooner rather than later will help put the process in place and allow for the ability to test and help to analyze inter-PSAP data issues. Guest Chuck Lee suggested allowing for grants to “know what you don’t know” based on specific minimum NENA standards. The basic information needed should be outlined so consultants and vendors would know what is expected. Chairman Ness agreed that pre-planning and design work leads to more successful projects, and grants are available for this.

Member Siaperas asked about costs. Member Fashoway reported that $80,000 was spent for the entire state assessment, which was a very good rate. It took about nine months to sign the RFP and implement the contract. Ideally, we should have a one-time procurement, such as a five-year service contract, that would allow PSAPs to assess their data as often as they want, but at least annually. Some PSAPs might want to do it monthly or quarterly to see progress and determine where next steps should be taken.

Chairman Ness said that the GIS and PSAP Assessments are part of the Statewide Plan. If a need related to the Statewide Plan has been identified, then the Council could provide a higher priority for those grant applications. As the Council continues to award grants, as a PSAP updates its GIS or equipment, the Council will need to consider at what point those assessment become out of date. Something will be needed to support the ongoing management of these assessments.

Guest Ken Wall wanted to reinforce that core services, once implemented, have this checking and assessment function built in. Phone companies currently do this, and this function will be taken on by the PSAPs. Data assessments will need to be done on a state level. The biggest amount of work is related to establishing PSAP boundaries. The sooner we can start making this happen, the better.

As counties and PSAP are working on boundary development, Member Fashoway said that the State Library is willing to start aggregating the boundaries as they are completed so overlaps and gaps can be identified and reported back to them. The library already does a lot administrative boundary work, so this is consistent with its role. However, this work does not replace the need for a statewide data aggregation system.

1. **Grant Auditing:** Member Fashoway said that for MLA grants, after a county finishes and delivers its data to the library, the library checks the data to ensure they completed what they said they would do. Is there a similar process in place for the 9-1-1 grants? In some cases, it will be obvious if the county upgraded a piece of equipment, but what isn’t as easy to determine is if their GIS data meets the new standards and Best Practices of the Statewide Plan.

Member Siaperas said counties do grants all the time and would be fine providing information on how the money was used for a GIS data project. Counties are audited every year to ensure that they are using money as intended.

Chairman Ness noted that grant programs can use a carrot or a stick for incentives. Typically, local governments are not comfortable with the state using punishment or “stick” approaches. So, the current incentive tools available are carrots: if you do these things, we have funding for you.

The office is supportive of trying to encourage performance on the grants, but anytime additional

requirements are put into place; the 9-1-1 office will need additional resources to implement them. Every dollar spent on administration is a dollar taken away from the PSAPs and telecom providers.

As we move toward NG911, more discussion about funding will be needed, too. Member Fashoway reiterated that if we want this to work and want this to happen, we need the resources and processes in place to do it efficiently and in a concerted fashion.

Chairman Ness said that the last time the 9-1-1 fee was increased was in 2007, and funding since then has been flat. As we move to new technology, we will need to mitigate and manage as best we can. Is the ongoing 9-1-1 fee even going to be viable in the future? These will be important discussions that will require legislation.

**Motion: Member Siaperas made a motion to approve updating the Statewide Plan with the new NENA technical standards on NG911 GIS. Member Gremaux seconded. The motion passed with no one opposed and none abstaining.**

***Rename the*** ***NG9-1-1 Technology Requirements document to*** ***Baseline Next Generation 9-1-1 Principles - \*Action\****

Chairman Ness explained that this Action item pertains to MCA 10-4-108, Section 2 which says the department has to adopt rules including but not limited to: (a) technology standards based on industry standards and a statewide 9-1-1 plan and (b) baseline next-generation 9-1-1 principles to facilitate the appropriate deployment of baseline next-generation 9-1-1. When the original RFP was developed, we referred to document (b) as the NG9-1-1 Technology Requirements document.

As we move into the formal rule making process this spring or summer, we may be able to adopt the standards document by reference, rather than by having to include an entire section detailing all the individual standards. To avoid confusion, particularly since the rules will be reviewed by a non-technical audience, we’d like to change the name of the NG9-1-1 Technology Requirements document to be the same as what is in law, which is Baseline Next Generation 9-1-1 Principles.

**Motion: Chairman Ness made a motion to approve changing the name of the NG9-1-1 Technology Requirements document to Baseline Next Generation 9-1-1 Principles. Member Burdick seconded. The motion passed with none opposed and none abstaining.**

**New Business**

***Statewide AED Project***: Janet Trethewey, Montana DPHHS, runs a program called the Cardiac Ready Communities Program. The program has been fortunate to have received various grants from the Hemsley Charitable Trust over the past ten years in the amount of more than $70 million. Recently, the program was awarded $6 million to install AEDs in every law enforcement vehicle in the state. More than 2,200 devices will be going out to city, county, tribal, state, federal and campus law enforcement agencies. A key issue is getting the AEDs to the people who need them. Sometimes an officer will hear the call over the radio and will self-dispatch and sometimes the officer will be dispatched by a 9-1-1 operator. Speaker Tretheway expressed concern because not every PSAP provides telephone CPR instructions. It is a critical step and is also a NENA standard.

Her department did a survey to determine which PSAPs are providing telephone CPR, and there are still have some gaps. Between 13 and 15 PSAPs are not doing it. Now, every dispatcher gets the training when they go through the Law Enforcement Academy. Her department is providing free training and books to make adoption of telephone CPR as simple as possible. Some PSAPs say they can’t provide it because they only have one dispatcher on duty. Speaker Tretheway said that cardiac arrests are less than 1% of all calls that dispatchers get. There are also work arounds for agencies that only have one dispatcher on call, and she can refer anyone to PSAPs that provide the service with only one dispatcher on duty. CPR must be started before the officer arrives with the AED. There is only a 6- to 8- minute window. She would appreciate any efforts to encourage more PSAPs to provide telephone CPR instructions. When these AEDs are used in the field, they connect via blue tooth to report their use. Then, new pads and batteries are sent automatically. The other reason is to follow up with the officer to provide support and learn about outcomes. Montana has about 500 cardiac arrests a year. Her department estimates the AEDs should be able to impact one-third of these victims.

Jody Hickey, Glacier County, asked about costs for liability insurance, batteries and pads. Speaker Tretheway said that batteries and pads will be replaced after use as part of the grant. They will need to be replaced at least once over the device’s lifetime, at a cost of about $200, which law enforcement agencies were informed about. Liability is already covered by law enforcement employment. Their research has shown that PSAPs that don’t provide assistance over the phone are the ones getting sued, especially since it is now a NENA standard. Member Siaperas asked for more information that can be distributed to the counties.

***New NENA Montana Chapter***: Ken Wall, Geo Data Services, announced that a new NENA chapter in the state was formed and it was formally approved about a month ago. Sapphira Olson is president, Scott O’Connell is vice president and Ken Wall is secretary/treasurer. There are 42 NENA members in Montana and having a state chapter will reduce membership costs. They will have four meetings a year, with three being virtual. The first one is scheduled for March 26. The in-person meeting will probably be in September in Billings in conjunction with the CJIN conference.

**Council Grant Application Review & Award Meeting**: Since grant applications close on April 15, and the department has to make final awards by June 15. The agenda would be limited to just discussion of the applications and award recommendations. It will probably take about two weeks to get all the applications up on the file sharing service. This is a very aggressive schedule, and it would only give council members two weeks to review applications.

**Public Comment**: None

**Adjournment:**

**Motion: Member Feiss moved to adjourn, and Member Knapp seconded. The motion passed with all in favor, none opposed, and none abstaining. Chairman Ness adjourned the meeting at 11:45 a.m.**