



EMERGENCY TELEPHONE SERVICE COMMITTEE MEETING

Held at Charlar Place
Holt, Michigan

March 13, 2002
10:00 a.m.

MINUTES

MEMBERS PRESENT	REPRESENTING
Col. Stephen Madden, Chair	Department of State Police
Chief James Bartholomew	Michigan Association of Chiefs of Police
Mr. Steve Berenbaum*, representing Kelly Fennell	Telecommunications Association of Michigan
Mr. Dale Berry	Michigan Association of Ambulance Services
Mr. John Buczek	Fraternal Order of Police
Mr. Hugh Crawford	Michigan Association of Counties
Mr. Andy Goldberger, representing Paul Rogers	National Emergency Number Association
Sheriff Dale Gribler	Michigan Sheriffs' Association
Ms. Suzan Hensel	Assn. of Public Safety Communications Officials
Mr. John Hunt	Public Member, Governor Appointed
Ms. Marilyn Moore	Michigan Public Service Commission
Mr. Charles Nystrom	Public Member, House Appointed
Mr. John Patrick	Department of Consumer and Industry Services
Ms. Christina Russell	Michigan Communication Directors Association
Mr. Scott Temple	Commercial Mobile Radio Service
Sgt. Mark Thompson	Michigan State Police Troopers Association

MEMBERS ABSENT	REPRESENTING
Mr. Paul Hufnagel	Michigan Professional Firefighters Union
Lt. Jim Hull	Deputy Sheriffs' Association
Mr. Robert Struck	UP Emergency Medical Services Corp.
Chief Paul Trinka	Michigan Association of Fire Chiefs
Vacant	Public Member, Senate Appointed

**Mr. Steve Berenbaum, representing Ms. Kelly Fennell as the Telecommunications Association of Michigan representative, arrived at the meeting just prior to the Policy Subcommittee report.*

This meeting of the Emergency Telephone Service Committee (ETSC) was convened by Colonel Madden at 10 a.m.

NEW MEMBERS

Col. Stephen Madden announced his appointment by Governor Engler as Director of the Department of State Police, effective March 1, 2002. Capt. Tom Miller will be the new Michigan State Police representative to the ETSC, and will be in attendance at the next meeting.

Ms. Christina Russell was introduced as the new Michigan Communications Directors Association representative, replacing Mr. Ralph Gould.

The Senate public member position remains vacant with the resignation of Chief William Corbett last fall. Contact has been made with Senator DeGrow requesting an appointment to the position.

ELECTION OF CHAIR AND VICE CHAIR

A call for nominations for the new Chair and Vice Chair of the Emergency Telephone Service Committee was presented. Mr. Paul Rogers was nominated for the position of Chair and Ms. Marilyn Moore was nominated for the position of Vice Chair. With no other nominations made, Mr. Paul Rogers was elected Chair and Ms. Marilyn Moore was elected Vice Chair of the committee.

APPROVAL OF MINUTES

MOTION to approve the minutes of the December 12, 2001, ETSC meeting. A vote was taken and the MOTION CARRIED unanimously.

REPORTS

A. MSP REPORT

1. **MSP Staff Support to ETSC**

Colonel Madden advised there will be no change in the Michigan State Police staff support to the ETSC with the election of the new Chair to the committee.

2. **Status of RFP for \$.03 Fund**

A copy of a March 4, 2002, letter from the Michigan State Police to Rep. Kenneth Bradstreet was distributed for review. Representative Bradstreet chairs the House Energy and Technology Committee. The letter asks Representative Bradstreet for approval to expend money from the MSP \$.03 Fund to secure a vendor, selected through the state's RFP (request for proposal) process, to conduct an objective needs assessment and develop an overall financial disbursement strategy for the monies collected.

3. **Update of Pending Attorney General Issues**

Initial discussions with representatives from the Attorney General's Office indicate a formal Attorney General's Opinion may be beneficial regarding the CDPD issue brought to the ETSC by Oakland County. It was noted that proper wording of the question to be posed to the Attorney General is critical to ensure the resulting Opinion clearly addresses the issue.

4. **NENA 9-1-1 Heroes Program**

Ms. Linda Cwiek, chair of the 2002 NENA 9-1-1 Heroes selection committee, gave a synopsis of the program. The deadline for submissions is April 22, 2002, and the winner will be announced at the May ETSC meeting in Grand Rapids.

B. RECERTIFICATION SUBCOMMITTEE

MOTION by Ms. Hensel, seconded by Mr. Nystrom, that the following 78 counties be certified to the Department of Treasury as eligible for 2002 wireless funding:

Alcona	Clare	Ionia	Manistee	Otsego
Alger	Clinton	Iosco	Marquette	Ottawa
Allegan	Crawford	Iron	Mecosta	Presque Isle
Antrim	Delta	Isabella	Menominee	Roscommon
Arenac	Dickinson	Jackson	Midland	Saginaw
Baraga	Eaton	Kalamazoo	Missaukee	Saint Clair
Barry	Emmet	Kalkaska	Montcalm	Saint Joseph
Bay	Genesee	Kent	Montmorency	Schoolcraft
Benzie	Gladwin	Keweenaw	Muskegon	Shiawasee
Berrien	Gogebic	Lake	Newaygo	Tuscola
Branch	Grand Traverse	Lapeer	Oakland	Van Buren
Calhoun	Gratiot	Leelanau	Oceana	Washtenaw
Cass	Hillsdale	Lenawee	Ogemaw	Wayne
Charlevoix	Houghton	Livingston	Ontonagon	Wexford
Cheboygan	Huron	Luce	Osceola	
Chippewa	Ingham	Mackinac	Oscoda	

Following discussion, as detailed below, Mr. Berry offered a MOTION TO AMEND, SECONDED by Sheriff Gribler, to include Monroe County in the list of counties to be certified as eligible for third-year funding if the county meets the requirements by May 28, 2002, and to recommend to the Department of Treasury that Monroe County's payment be held pending their compliance. Mr. Patrick called for a point of order and indicated this motion would be more appropriately made in conjunction with the Recertification Subcommittee's next motion as listed in the Subcommittee Report. MOTION WITHDRAWN by Mr. Berry.

Vote on original MOTION to certify the above listed 78 counties as eligible to receive third-year wireless funds CARRIED.

MOTION by Mr. Nystrom, seconded by Ms. Hensel, that the following counties be tentatively certified to Department of Treasury pending completion of the listed steps.

Alpena County Hold a public hearing and adopt a final 9-1-1 plan scheduled for March 22, 2002.

Macomb County Adopt a final 9-1-1 plan scheduled for March 21, 2002.

Mason County Adopt a final 9-1-1 plan scheduled for March 12, 2002.

Sanilac County Hold a public hearing and adopt a final 9-1-1 plan scheduled for March 13, 2002.

MOTION TO AMEND by Mr. Berry to include Monroe County in the list of counties to be tentatively certified as eligible for third-year funding if the county meets the requirements by May 28, 2002, and to recommend to the Department of Treasury that Monroe County's payment be held pending their compliance. MOTION SECONDED by Mr. Patrick.

Following considerable discussion, as detailed below, vote on the MOTION TO AMEND FAILED with 7 yeas, 7 nays, and 1 abstention.

Vote on original MOTION to tentatively approve Alpena, Macomb, Mason, and Sanilac pending receipt of required information CARRIED.

Discussion

Monroe County Appeal: Mr. Ron Berns, Monroe County Central Dispatch PSAP Director, Mr. Charles Londo, Monroe County Administrator, and Monroe County Sheriff Tilman Crutchfield, appeared before the committee to make an appeal that Monroe County be certified as eligible for third-year funding pending the county's completion of the necessary compliance steps. In March 2000 Monroe County passed its resolution and scheduled its public hearing for June 2000. The public hearing was never held and no final resolution was passed. The county has now taken steps to correct this by rescheduling the public hearing and final vote for May 28, 2002.

Mr. Londo advised that the County's final 9-1-1 plan has not been challenged by any municipality. Their community is fully supportive of 9-1-1. The County is concerned about public safety and believes denial of their appeal will hurt their 9-1-1 operation and, ultimately, the citizens of Monroe County.

Upon questioning by the committee, Mr. Berns indicated that denial of funding may require Monroe County to cancel pending orders for CAD upgrade equipment. The county is currently receiving wireless 9-1-1 calls and will continue to do so even if wireless funding is not approved for third-year.

Department of Treasury Input: The next quarterly payment to counties is scheduled to be made on or around April 30. Ms. Connie Ross, Department of Treasury, was asked what options are available to the committee given the fact Monroe County will not be eligible until May 28 at the earliest. Ms. Ross advised the committee could either direct the Department of Treasury to distribute funding based on 83 counties and hold Monroe County's payment until they are in compliance, or the committee could direct Treasury to distribute funding based on 82 counties.

Recertification Subcommittee Information: Clarification was requested on the deadlines given for compliance. Letters were sent to all counties not yet in compliance on November 6, 2001, giving a November 30, 2001, deadline for compliance. A second "final notice" letter was sent via certified mail on February 15, 2002, giving a March 5, 2002, deadline for compliance.

It was asked why exceptions are recommended for Alpena, Macomb, Mason, and Sanilac counties as indicated in the above motion, but not Monroe County. The reason for allowing these exceptions was that all can be in compliance by March 31, 2002, permitting the Department of Treasury to make their scheduled payments on April 30, 2002. There is no way Monroe County can be in compliance by April 30.

Mr. Nystrom reported that 82 counties were able to meet the required deadline for third-year certification and Monroe County could have done so as well, had they promptly responded to the ETSC directives. In addition to the mailings, Mr. Nystrom advised that some ETSC members also met with Monroe County representatives in December to go over the steps required for third-year compliance. The Dispatcher Training Fund has made no exceptions and has denied funding to those PSAPs who did not meet the stated deadlines. Mr. Nystrom stated his belief that the committee should remain consistent in its enforcement of requirements.

C. DISPATCHER TRAINING SUBCOMMITTEE

MOVED, SECONDED, AND CARRIED to accept 140 applications for the approval of dispatcher training funds.

Mr. Lloyd Fayling, Genesee County Central Dispatch Director, made an appeal on behalf of the City of Flint. City representatives did not completely review the packet of information sent to them that included the Dispatcher Training Fund application form. They reviewed form ETSC-301 that requests information for the 2002 Annual Report by June 28, 2002, and believed they had until that date to submit the Dispatcher Training Fund application form as well. The committee declined consideration of this appeal without vote.

The Dispatcher Training Committee Chair provided a draft version of ETSC-510A form and instructions for documenting the expenditure of dispatcher training fund dollars by primary PSAPS. This form will be presented for approval by the committee at the next ETSC meeting.

D. CMRS SUBCOMMITTEE

Invoices from CMRS suppliers in the amount of approximately \$333,000 have been returned to the vendor(s) due to the lack of information provided.

E. POLICY SUBCOMMITTEE

The Policy Subcommittee offered the following draft revision for Policy C, Procedures for Cellular Telephone Callers Reporting an Incident in Progress.

Recommend the title of Policy C be changed to "Procedures for Wireless Telephone Callers Reporting an Incident in Progress."

Recommend the existing language be deleted and the following new language be approved:

Reporting an event in progress is useful for the public's safety. A public safety answering point (PSAP) receiving such information has a responsibility to use the information in the best way it can. However, callers reporting an incident and choosing to follow a subject may expose themselves and others to potential danger. Therefore, it is recommended that each PSAP develop operational policies that take into consideration the safety of the caller and the public."

Sergeant Thompson suggested the following amendment be made to the last sentence, to read:

. . . Therefore, it is recommended that each PSAP develop operational policies that take into consideration THE INFORMATION'S USE BY LAW ENFORCEMENT and the safety of the caller and the public.

MOVED, SECONDED, AND CARRIED unanimously to adopt the new title and language for Policy C, including the proposed amendment.

F. LEGISLATIVE ACTION SUBCOMMITTEE

This responsibility will be assigned to Capt. Tom Miller, the new MSP representative to the ETSC. To date there has been no response from the Legislature on the 2001 Annual Report or its included recommendation for a State 9-1-1 Coordinator position. Colonel Madden advised that he will continue to pursue the possibility of hiring a statewide 9-1-1 coordinator, when the timing is appropriate.

DISCUSSION

A. PREPAID WIRELESS ISSUES

A Wayne County PSAP received over 300 prank calls in a month from a prepaid wireless phone. Prepaid and unsubscribed phones continue to show the phone number of the original owner on the PSAP's display, making it difficult to identify the caller. Mr. Temple indicated this a federal issue, and would be more appropriately addressed by NENA and APCO than by the ETSC. It was suggested that the ETSC draft a letter to the Federal Communications Commission expressing Michigan's concerns. This was referred to the Recertification Subcommittee for consideration.

Once Phase II has been implemented, wireless carriers will be better able to assist in identifying the perpetrators of these types of pranks by more accurately determining the location of the caller.

B. FCC 92-105

There has been much discussion about the potential impact of FCC 92-105 on Michigan. This ruling addresses both wireline and wireless 9-1-1. Marilyn Moore advised that, to her knowledge, Baraga County is the only area in our state not currently in compliance. The MPSC has been in contact with Baraga County and they are working on becoming compliant.

Lt. Tony Benaglio, MSP Negaunee Regional Dispatch, reported that some individuals in the Upper Peninsula have interpreted this Ruling to mean they will receive free 9-1-1 service. For example, as a result of the Ruling, Baraga County opted to have the Baraga County Sheriff's Department handle their wireline 9-1-1 calls rather than follow their final 9-1-1 plan and route the calls to Negaunee Regional. While this is a quicker and more cost-effective solution, the Sheriff's Department does not have enhanced 9-1-1 capabilities and, therefore, citizens will not be provided the same level of service as other citizens in the state. Citizens may not be fully aware of the implications and there is concern that upcoming millage votes may fail if citizens opt to accept the basic service for free rather than pay additional for enhanced service. The Wireless Subcommittee was asked to discuss this issue and prepare a letter to Baraga County expressing the ETSC's concerns.

PUBLIC COMMENT

Wayne County Issue

Wayne County representatives asked to be placed on the agenda, then withdrew their request immediately prior to the meeting.

Sanilac County Issue—Access to MSAG Information

Mr. Jack Messer, Sanilac County Central Dispatch, reported having problems loading the MSAG on to their in-house computer. They are unable to do so because it contains unlisted numbers. He asked the ETSC to consider this issue when discussing possible legislative amendments. Their use of the information is for a police function and the information is kept confidential.

Telecommunicator Week

Ms. Dawn Adams, Muskegon County Central Dispatch, offered a reminder that the second week of April is Telecommunicator Week. PSAP directors are encouraged to recognize their employees for the valuable services they provide to the community.

Recognition of Outgoing Chair

The Committee congratulated Col. Stephen Madden on his promotion and thanked him for his years of service to the Emergency Telephone Service Committee. Colonel Madden said he was proud to have been a member of the ETSC and felt the committee has come a long way in three years. He encouraged continued participation by all as the committee works to improve 9-1-1 services to Michigan's citizens.

NEXT MEETING

Monday, May 20, 2002, 10:15 a.m., Amway Grand Plaza Hotel in conjunction with the 2002 NENA Conference.

The meeting adjourned at 11:45 a.m.

Approved:

Col. Stephen D. Madden, Outgoing Chair
Emergency Telephone Service Committee