

**North Carolina Criminal Justice Information Network (CJIN)
Governing Board Meeting
Thursday, January 11, 2007 9:00 AM
NC Department of Correction
Enterprise Conference Room
Raleigh, North Carolina**

CJIN Governing Board Members attending:

James Godfrey	Glen Allen
Richard Little	Larry Ware
Steven Lingerfelt	Joanne McDaniel
Tommy Allen	Jerry Ratley
Jane Gray	Leslie Stanfield
Bill Willis	Bill Stice
Robert Lee	Robert Brinson

CJIN Chairman Robert Brinson called the North Carolina Criminal Justice Information Network (CJIN) Governing Board meeting to order at 9:00 AM.

Approval of Minutes

Minutes from the March 16, 2006 meeting were considered. However, Board members noted several discrepancies with the attendees list, and the minutes were withdrawn pending corrections.

Resolutions of Appreciation

Resolutions were considered and approved for two long-standing members leaving the Board, Tommy Payne and Richard Nifong, who retired and vacated their Board seats. Both had been with the Board nearly from its inception, and were instrumental in critical successes. Neither Mr. Payne nor Mr. Nifong was able to attend the meeting, and we arranged for their certificates to be taken to them.

Board of Ethics Matters

Chairman Brinson read into the record an evaluation by the Board of Ethics of the Statement of Economic Interest of Board member Doug Logan. The Board of Ethics identified the potential for a conflict of interest, but did not identify an actual conflict.

Next, Chairman Brinson discussed the significant issues of the recently-enacted State Government Ethics Act, Chapter 138A of the General Statutes. As required by this Act, he gave the "ethics reminder" which is required to be presented at the beginning of any board meeting. He also discussed the new Statement of Economic Interest forms, including filing dates, requirements, and penalties for late filing, not filing, and non-disclosure. Finally, he noted that mandatory training is required during the year, and said that he would arrange for training for Board members who needed it.

VIPER Cost Allocation Report

The Board then turned to its main agenda item, the General Assembly's required cost allocation report on the VIPER project. Lt. Alan Melvin from the Highway Patrol attended the meeting for Maj. Sandy, and joined in the discussion, responding to Board members' questions.

The General Assembly, in Senate Bill 1741, Section 21.9, required the Board to prepare a cost allocation plan for VIPER. The plan needed to deal with both construction and cost of operation. It needed to take into account State agencies funded by both the Highway Fund and General Fund, as well as local users. It also needed to address service contracts to ensure continuing updates of VIPER.

As the Board began to move through the proposed report, several Board members raised questions and concerns about cost information. In particular, the Board would have liked more definitive valuation of local in-kind contributions, and an improved way to recognize that grant funds that have gone to build VIPER infrastructure represent an opportunity cost for local governments, who could have applied those same grant funds to other purposes, including end-user equipment.

The Board felt these valuation questions are especially important in the context of cost of operations and potential user fees. Lt. Melvin responded to these concerns, agreeing that valuing contributions has been difficult, but noting that the Patrol does answer to a number of control groups, and anticipated that those stakeholders would provide guidance in cost of operations. Board members pointed out that, while it may be difficult to go back and value one-time contributions, some on-going items, like space on a tower, or utilities, have an easily established market rate, and ought to be valued.

The Board moved to a discussion of user fees. Several members noted that, in terms of use, there may be a distinction between local users who intend to use VIPER as their primary communication tool, and those who use VIPER for occasional interoperability. There are examples of other states which use a two-tiered rate structure.

The Board discussed the interplay among system health (keeping the operating base strong and the technology current), the enterprise goal of VIPER (a statewide system) and user fees. While recognizing that some recurring funding stream is essential, the Board was concerned that user fees, even at a nominal level, may limit the ability of small, rural agencies to afford service. That, in turn, threatens the enterprise objective of VIPER. Board members recalled the previous VIPER report that the Board had prepared for the General Assembly. That report dealt with potential fees and surcharges that might be used to pay for VIPER construction and operations. No action has been taken on those suggestions, and the Board asked that the current report re-reference those possibilities to renew attention to them.

The Board then moved to a brief technical discussion on system cost estimates. They discussed coverage projections, and the possibility of using alternative tower sites (such as cellular towers) to reduce costs. Lt. Melvin explained that cellular towers are too short to get good coverage, and went on to explain briefly how the Patrol had made its coverage projections and cost estimates, and that was being done to keep those current.

Finally, the Board discussed governance of the VIPER system. Lt. Melvin said that the Patrol will set up a governing board. There was some discussion about whether the CJIN Board could

be re-purposed or assume the role of VIPER governance. Tasks for this governance structure would include developing a funding plan, considering technical projects, and recognition of major technology refresh requirements. There was a question from the Board as to whether current Patrol cost estimates include eventual infrastructure replacement; Lt. Melvin said that they do include this.

The Board approved the Chairman to send the report forward to the General Assembly, after the he made changes that captured its discussion, to include the need to value in-kind contributions, especially those of a continuing nature; the recalling of the funding alternatives discussion from the prior VIPER report; the criticality of user fees as they impact the enterprise objective of VIPER; and the importance and role of a VIPER governance structure.

Other Matters

Mr. Brinson reported that, after a considerable time, we were near to hiring an Executive Director. He said he expects the new Director to be at the March meeting of the Board. He thanked Richard Little and Bill Stice for their help in interviewing.

He also noted that the annual CJIN General Assembly report is due April 1, 2007. He reminded CJIN project owners that templates had been sent out to them, and those needed to be completed and returned by early February. He said he anticipates a Board meeting in March to consider the Report.

There being no further business, the meeting adjourned at 10:55 A.M.