

Region 49
700 MHz Regional Planning Committee
Minutes of the December 30, 2003, meeting
Texas Criminal Law Enforcement Auditorium
Building E
6100 Guadalupe
Austin, Texas 78752

Chairman Ron Mayworm called the Region 49 Regional Planning Committee (RPC) to order at 9:12 am. The following individuals were present:

Ron Mayworm, Chairman	Danny Hobby, Travis County
Greg Petrey, Secretary/Treasurer	Craig Covey, M/A-COM
Ken Yoder, APCO Coordinator	Aaron Slaughter, City of Lockhart
Pat Worsham, TxDOT	Larry Blare, City of Waco
Lee Cox, Mexia PD	Clint Bushacker, Winchester VFD
Wayne Canaday, McLennan County	Jim Sawyer, Dailey Wells Comm.
Wil Geltmeier, TxDOT	Dave Sweet, Dailey Wells Comm.
Bill Davis, City of Austin	Gary Young, Copperas Cove FD

Item 1: Review and approve agenda; introductions. The agenda was approved and introductions made.

Item 2: Determine if a quorum is present. 26 separate entities were present at the October 31, 2001 meeting. Under the interim bylaws, a quorum is 30% of the entities present at the previous meeting, or, for this meeting, a minimum of 8. There were members from 9 separate entities present as this count was taken, thus meeting the quorum requirement.

Item 3: Review and approve minutes of the October 31, 2001 meeting. Pat Worsham moved, and Danny Hobby seconded a motion that the location of the meeting be added to the minutes, and that they be approved. The motion passed.

Item 4: Treasurer's Report. Treasurer Greg Petrey reported a balance of \$ 585.86 in the committee's account. Expenses since the last meeting have included bank charges, postage, reimbursable expenses for the Chairman to receive CAPRAD training before the annual APCO conference, and a share (with several other Texas RPCs) of the reimbursable expenses for Ken Yoder to also receive CAPRAD training before the APCO conference. Ron Mayworm reported that additional funds to cover the committee's expenses may be available on an as-needed basis. Danny Hobby moved, and Wil Geltmeier seconded, a motion to accept the treasurer's report. The motion passed.

Item 5: Subcommittee Reports. Bylaws Subcommittee. Ron Mayworm reported on behalf of Chairman Ken Biederman, who passed away during 2002. The subcommittee met on November 28, 2001, in College Station, Texas. Since there was significant concern shown at the last meeting that, at various times, participants on the committee may be very few, and that achieving a quorum of a certain fixed number of participants may prevent the committee from conducting necessary business, the subcommittee recommended that a quorum be defined as 30% of the number of entities present at the most previous meeting. The subcommittee also recommended that article 2.1A of the interim bylaws include Native American Tribes, forestry/conservation, emergency management, and homeland security as examples of entities eligible for membership on the RPC. Danny Hobby moved, and Pat Worsham seconded a motion to include these changes and adopt the bylaws as permanent. The motion passed.

Plan Writing Subcommittee. Ron Mayworm reported that the subcommittee met on November 28, 2001, in College Station, Texas. The plan was divided into 14 major sections, and several members had each agreed to be responsible for writing several of the sections. The draft plan to be reviewed today is organized slightly differently, since the need for rearrangement became apparent during the writing process.

Outreach Subcommittee. Greg Petrey reported that direct mail of meeting notices remains the most effective way to reach potential "interested parties." He has continued to update mailing lists of public safety agencies and government entities, mostly received from the regional councils of governments. More than 700 copies of the notice for this meeting, for example, were mailed since the issue of the new 4.9 GHz band is to be discussed.

Item 6: Discussion and possible action to adopt permanent bylaws. This item had already been passed as part of the Bylaws Subcommittee report.

Item 7: Update on the CAPRAD Database. Ron Mayworm gave some background and status information about the CAPRAD database program. He and Ken Yoder have received training for its use.

Item 8: Update on the Region 49 website and listserver. Greg Petrey noted that, at the first meeting, this committee had chosen to use a Yahoo group and list to maintain the flow of information. A few items have been posted, but the group of participants is small. Since Yahoo is adopting more stringent requirements for use of their system, Greg volunteered to establish an independent Region 49 web site that can have separate areas for each frequency band, and a moderated list that can be subscribed to by the push of a button. Pat Worsham moved, and Wil Geltmeier seconded, a motion that internet activities of Region 49 be moved from the Yahoo system. The motion passed.

Item 9: Review and discussion of the draft Region 49 700 MHz plan:

Ron Mayworm noted that this draft borrowed heavily from the Region 24 plan, with specific modifications applicable to Region 49. Since producing this plan is the current primary task of this committee, we have no choice but to take the time to review it in detail, paragraph by paragraph.

A short break was taken, from 10:13 am to 10:30 am.

Ron Mayworm led the review and discussion of the draft 700 MHz plan. The following main issues were discussed and decided by consensus:

- Future copies of the draft plan will include the word "DRAFT" and date on the header/footer of each page
- The words "allocation" and "allotment" will be differentiated, and defined in the plan
- For giveback frequencies, applicants must provide a list of all current frequencies and their uses, and justify use of any frequencies they wish to retain
- The application review process needs clarification. Should a review committee be established, as there is at 800 MHz?
- Applications for short-spacing of frequencies will be considered as allowed by FCC rules
- 120 days will be allowed for parties to resolve allocation disputes
- Parties who are in a pre-licensed status for a frequency on the CAPRAD database will have rights to protest other applications for that frequency
- The term "campus use" will be changed to "limited area;" the method for identifying "limited area" channels needs clarification; applications for a "limited area" channel may be protested by the same entities that are eligible to protest other allocations; however, the right to protest should be limited to those entities that could be harmed by an allocation

A lunch break was taken from 12:10 pm to 1:17 pm.

- The ERP listed in section 3.4 will be changed to agree with the FCC rules and will be the same in the region-controlled channels as they are on the FCC-controlled channels
- The priority matrix had the maximum points available for a multi-agency system increased to 35 points; the maximum points available for proof of financial commitment was reduced to 25 points; and the relative percentage of giveback frequencies from an applicant was to be given up to 10 points
- In section 6.3 the term "county area" was changed to "orphaned channel area" and was defined as the county area plus 10 miles in all directions
- In section 6.4 a request for extension of time to implement a system will be considered by the full Regional Planning Committee

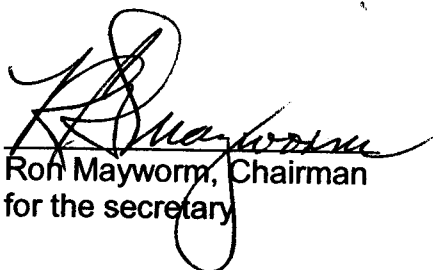
Ron Mayworm indicated that these and some other minor changes would be incorporated in the next draft of the 700 MHz plan.

- Item 10: An overview of the 4.9 GHz band**
- Item 11: A review of operational parameters for the 4.9 GHz band**
- Item 12: A review of the FCC requirement for development of a regional 4.9 GHz plan within 12 months**
- Item 13: Discussion and possible action regarding committee's intent to coordinate 4.9 GHz in Region 49**

In the interest of time, these issues were combined for discussion and action. It was specifically noted that the FCC has not given the regions any authority or mechanism to enforce any plan it may adopt for 4.9 GHz. It appears that the region could only function as a repository of information voluntarily given to it by licensees. Greg Petrey moved, and Pat Worsham seconded, a motion that the committee continue considering taking action to coordinate 4.9 GHz in Region 49, pending further information from the FCC, APCO, NPSTC, or any other source. The motion passed. Ron Mayworm asked for any volunteers to chair a regional 4.9 GHz committee. There were no volunteers.

- Item 14: Old Business.** There was no old business.
- Item 15: New Business.** There was no new business.
- Item 16: Receive public comments.** There were no public comments.
- Item 17: Adjourn.** Ron Mayworm adjourned the meeting at 2:58 pm.

Respectfully submitted:


Ron Mayworm, Chairman
for the secretary