

MISSISSIPPI WIRELESS COMMUNICATION COMMISSION
March 14, 2014 Meeting Minutes – Special Called Meeting
 Place: 6th Floor MDOT Conference Room
 401 North West Street
 Jackson, MS

Commission Members Present:	
MS Emergency Management	Chairman, Robert Latham
MS Association of Fire Chiefs	Tom Lariviere
MS Office of Homeland Security	Rusty Barnes
MS Association of Supervisors	Steve Gray
MS Municipal League	Chris Hinton
MS Department of Transportation	Willie Huff
MS National Guard	Gary Ladd
MS Department of Public Safety	Ken Magee
MS Department of Corrections	Audrey McAfee
MS Department of Information Technology	Craig Orgeron
MS Highway Safety Patrol	Timothy Smith
MS Department of Health	Wayne Vaughn
MS Association of Police Chiefs	Perry Waggener
Advisory Board Members Present:	

Chairman Latham called the meeting to order at 1:30 PM and welcomed everyone. The Chairman noted that this was a Special Called Meeting and nothing could be discussed other than that which the meeting was called for – Tower Leases.

The Chairman asked Ms. Helfrich and Mr. Orgeron to provide an update as to where we now stand on the tower leases. Ms. Helfrich noted that a meeting was held at ITS last Friday to discuss the status of the renewals and what action was necessary to get them signed. On Monday, Butler Snow and Ms. Helfrich agreed to language for the renewals and notified ITS that the language was acceptable. Mr. Orgeron stated that all Spectrasite leases have been renewed for a 5-year term with a window of renewals from early Fall of 2018 through early Spring of 2019. The leases expire at different times and that is why there is a renewal window.

The Chairman stated that the leases have been signed; that he signed for the WCC this morning; and so this issue has been resolved. The Chairman further stated that Ms. Helfrich, Mr. Orgeron and the attorneys have worked hard beginning on Friday to work out the problems. Ms. Helfrich noted that the towers were originally owned by Towers of MS, sold to Dixie Towers, and then sold to American/Spectrasite. The leases were the original leases that had been negotiated with Towers of MS – for five (5) five (5) year renewal periods and the Commission was trying to exercise the option to renew.

Mr. Ken Magee asked what can be done to make sure these types of issues do not come up again; if the Executive Officer can notify the Commission when she knows of any type of lease/contract renewal is going to expire; and what is a reasonable amount of time (8 to 10 months out) for the Commission to be notified. Mr. Orgeron said the amount of time would vary based on the type of contract. The tower and land leases are quantity wise, the largest number of contracts we have. We could potentially do a standard quarterly report on where we stand on existing contracts. Chairman Latham said that the Executive Officer should provide regular briefings on the status of contract renewals.

Mr. Huff was recognized and asked what changed this past week that allowed for the tower lease contract to be signed that had not occurred during the eight (8) months prior. Chairman Latham stated that he felt that in order for that question to be answered, sensitive information related to tower leases might need to be discussed and it could be necessary to go into executive session. Mr. Tom Lariviere made a motion to go into closed session for determination of the necessity for

executive session. The motion was seconded by Mr. Timothy Smith and passed with none opposed. All attendees except Commissioners, Staff and Counsel were asked to exit the room. It was determined, after some discussion, that executive session was needed. Mr. Tom Lariviere made a motion for executive session. The motion was seconded by Mr. Wayne Vaughn and passed with none opposed. The Chairman asked that the public be notified that the Commission would go into executive session to conduct a strategy session with respect to prospective litigation because an open meeting would have a detrimental effect on the litigating position of the public body.

Executive session was conducted by the Chairman on the subject announced. There were no votes or actions taken during executive session. Upon conclusion of the discussion, a motion was made to close executive session and resume open meeting by Mr. Perry Waggener. The motion was seconded by Mr. Steve Gray. The Commission voted unanimously to return to open meeting. Members of the general public still waiting were notified that open session was resuming.

Mr. Tom Lariviere made the motion to adjourn. The motion was seconded by Mr. Steve Gray and passed with none opposed.

The meeting adjourned at approximately 3:00 PM.