

SUMMERS COUNTY ENHANCED 911 ORDINANCE

AN ORDINANCE OF SUMMERS COUNTY PROVIDING FOR THE ESTABLISHMENT OF AN ENHANCED EMERGENCY TELEPHONE SYSTEM.

WHEREAS, section three-cc, article one, chapter seven (7-1-3cc) of the West Virginia Code grants the authority to county commissions to establish an enhanced emergency telephone system and impose a fee for the capital, installation and maintenance costs thereof;

WHEREAS, article six, chapter twenty-four (24-6-1 et al) of the West Virginia Code requires the preparation of a proposal, the holding of a public meeting and the timely placement of an advertisement concerning such proposal and meeting before a final plan for the implementation of such an enhanced emergency telephone system may be adopted:

WHEREAS THE COUNTY COMMISSION OF SUMMERS COUNTY HAS COMPLIED WITH THE ABOVE REQUIREMENTS BY PLACING AN AD IN THE HINTON NEWS ON JULY 26, 1994, NOTIFYING THE PUBLIC OF A SPECIAL MEETING OF THE COUNTY COMMISSION ON AUGUST 29, 1994, 7:00 P.M. IN THE CIRCUIT COURT ROOM OF THE SUMMERS COUNTY COURTHOUSE TO RECEIVE COMMENTS ON A PROPOSED E-911 ORDINANCE, AND HAVING HAD A COPY OF THE PROPOSAL ON FILE IN THE COUNTY CLERK'S OFFICE FOR THE PRECEDING 30 DAYS AND HAVING MAILED COPIES OF THE PROPOSAL TO EMERGENCY SERVICE PROVIDERS, AND HAVING CONDUCTED THE SPECIAL MEETING WITH ALL COMMISSIONERS PRESENT, THE PROCEEDINGS OF WHICH ARE DULY RECORDED IN THE SUMMERS COUNTY COURT ORDER (MINUTES) BOOK, THE COMMISSION UNANIMOUSLY FINDS THE IMPLEMENTATION OF THE PROPOSED PLAN FOR AN ENHANCED EMERGENCY TELEPHONE SYSTEM TO BE IN THE INTEREST OF THE CITIZENS OF SUMMERS COUNTY.

NOW THEREFORE BE IT ORDAINED BY THE COUNTY COMMISSION OF SUMMERS COUNTY, WEST VIRGINIA, PURSUANT TO AND IN ACCORDANCE WITH SECTION THREE-CC, ARTICLE ONE, CHAPTER SEVEN (7-1-3-cc) AND ARTICLE SIX, CHAPTER TWENTY-FOUR (24-6-1 et al) OF THE WEST VIRGINIA CODE, THAT AN EMERGENCY TELEPHONE SYSTEM BE ESTABLISHED AS PROVIDED FOR IN THE FINAL PLAN ATTACHED HERETO, THAT SUCH FINAL PLAN BE ADOPTED, AND THAT THE FEE FOR THE CAPITAL, INSTALLATION AND MAINTENANCE OF SUCH SYSTEM BE IMPOSED IN ACCORDANCE WITH THE PROVISION OF SUCH FINAL PLAN.

FINAL PLAN FOR AN ENHANCED EMERGENCY TELEPHONE SYSTEM
FOR SUMMERS COUNTY, WEST VIRGINIA

SECTION 1 - DEFINITIONS:

As used in this plan, unless the context clearly requires a different meaning:

- (a) "Answering point" means a facility to which enhanced emergency telephone system calls for a county are initially routed for response, and where county personnel respond to specific requests for emergency service by directly dispatching the appropriate emergency service provider, relaying a message to the appropriate provider or transferring the call to the appropriate provider.
- (b) "County commission" means the County Commission of Summers County, West Virginia.
- (c) "County" means Summers County, West Virginia.
- (d) "Emergency service provider" means any emergency services organization or public safety unit.
- (e) "Enhanced emergency telephone system" means a telephone system which automatically connects the person dialing the primary emergency number to the county answering point and in which the telephone network system automatically provides to personnel receiving the call, immediately on answering the call, information on the location and the telephone number from which the call is being made, and upon direction from the personnel receiving the call routes or dispatches such call by telephone, radio or any other appropriate means of communication to emergency service providers that serve the location from which the call is made.
- (f) "Local exchange service line" means the same as defined in the contract attached to this plan as Appendix A.
- (g) "Telephone company" means a public utility which is engaged in the provision of telephone service.

SECTION 2 - TERRITORY INCLUDED IN SYSTEM

- (a) All territory in the county, including every municipal corporation in the county, which is served by telephone company central office equipment that will permit an enhanced emergency telephone system to be established, is to be included in the system.

- (b) The municipal corporations included in the system shall include, but not necessarily be limited to, the following: City of Hinton.

SECTION 3 - COUNTY ANSWERING POINT

- (a) The county answering point shall be operated constantly and shall provide full service, including access for the hearing impaired, 24-hours per day.
- (b) There will be one county answering point. The location of such answering point shall be as follows: Summers County Memorial Building, First Avenue and James Street, Hinton, West Virginia.
- (c) The above answering point will serve the entire County of Summers including the City of Hinton.
- (d) The answering point will be required to respond to calls as follows:
 - 1. Summers County Sheriff's Department - Direct Dispatch of Emergency Service Provider.
 - 2. Hinton City Police - Direct Dispatch of Emergency Service Provider.
 - 3. Hinton City Fire Department - Direct Dispatch of Emergency Service Provider.
 - 4. County Volunteer Fire Department Listed Below by Direct Dispatch of Emergency Service Provider.
 - A. Summers County
 - B. Jumping Branch/Nimitz
 - C. Talcott
 - D. Pipestem
 - E. Green Sulphur
 - 5. OH-9 Ambulance Service - Direct Dispatch of Emergency Service Provider.
 - 6. Medic Alert Ambulance - Direct Dispatch of Emergency Service Provider.
 - 7. State Police and Department of Natural Resources - By Relaying Message to Emergency

- (e) The county answering point shall be connected to the telephone company's telephone network by dedicated automatic number identification trunks.

SECTION 4 - EMERGENCY SERVICE PROVIDERS; RESOLUTION OF DISPUTES; HANDLING OF MISDIRECTED CALLS; PUBLICLY ACCESSIBLE TELEPHONE NUMBERS

- (a) Every emergency service provider that provides emergency service within the territory of the county will be required to participate in the enhanced emergency telephone system.

- (b) The emergency service providers referred to in subsection (a), above, shall be the following:

Summers County Sheriff's Department.

Hinton City Police.

All County Volunteer Fire Departments

- A. Talcott
- B. Summers County
- C. Jumping Branch/Nimitz
- D. Green Sulphur
- E. Pipestem

Hinton Detachment West Virginia State Police.

Local Dept. of Natural Resources Offices/Officer.

OH-9 Ambulance Service.

Medic Alert Ambulance Service.

- (c) In the event of a dispute between the County and one or more emergency service providers, such dispute, upon application to the Public Service Commission of West Virginia by any party to the dispute, may be resolved by order of the Public Service Commission of West Virginia.

- (d) Misdirected Provider: When an emergency service provider realizes the call for assistance should have gone to another provider the misdirected provider will contact the E911 Dispatch Center immediately, so that corrective action may be taken; and, if practical establish contact with the correct provider to jointly resolve the error, while taking a course of action that will result in delivery service to the distressed party in the most timely and effective manner.

- (e) Each emergency service provider participating in the enhanced emergency telephone system shall maintain a publicly accessible 7-digit telephone number, which shall be appropriately listed in appropriate telephone directories, in addition to any telephone numbers provided in the system.

SECTION 5 - PROJECTION OF COSTS

- (a) The initial capital and installation costs of the enhanced emergency telephone system are projected to be as follows: See Attached Appendix (B).
- (b) The annual costs of the first five years of recurring maintenance and dispatcher costs are projected to be as follows: See Attached Appendix (C).
- (c) The initial costs associated with establishing, equipping and furnishing the county answering point is projected to be as follows: Office furniture \$1,000.00.
- (d) The annual costs of the first five years of operating and maintaining the answering point is projected to be as follows: Since location is within an existing County owned and maintained building no additional expenses are projected for the answering point.

SECTION 6 - IMPOSITION OF FEE; ADOPTION OF BILLING CONTRACT; ESTABLISHMENT OF SEPARATE ENHANCED 9-1-1 FUND; PAYMENT OF COSTS NOT RECOVERED THROUGH FEE

- (a) The imposition, pursuant to section three-cc, article one, chapter seven (7-1-1-cc) of the West Virginia Code, of a fee of \$1.85 per month per local exchange service line or line equivalent, except for Tel-Assistance lines, is proposed to finance the projected costs of the enhanced emergency telephone system. Such fee is proposed to be reduced when the capital and installations costs have been recovered to offset recurring operational, maintenance and dispatcher costs only. Such fee is not proposed to be used to offset the costs associated with the establishing, equipping, furnishing, operating or maintaining of the county answer point. Such fee is proposed to become effective beginning on October 1, 1994.

- (b) The County Commission of Summers County plans to adopt and ratify the contract attached hereto as Appendix A for the billing of the enhanced emergency telephone system fee by Bell-Atlantic - West Virginia.
- (c) All fees remitted under the contract referred to in subsection (b), above, are proposed to be deposited in a separate "Enhanced 9-1-1 Fund."
- (d) The costs associated with establishing, equipping, furnishing, operating or maintaining the county answering point shall be paid for with Summers County General Revenue funds.

SECTION 7 - TELEPHONE COMPANY

- (a) Upon the adoption of this plan, the terms and conditions of the telecommunications services and facilities provided by the telephone company will be governed by the applicable tariffs on file with and approved by the Public Service Commission of West Virginia, the rules, regulations and orders of the Public Service Commission of West Virginia and the laws of the State of West Virginia.
- (b) The telephone company that will provide the services and facilities identified in subsection (a), is as follows: Bell-Atlantic-West Virginia

SECTION 8 - TARIFFS, RULES AND REGULATIONS, AND LAWS

The final plan for the County enhanced emergency telephone system will be supplemented and superseded by the applicable tariffs on file with and approved by the Public Service Commission of West Virginia, the rules, regulations and orders of the Public Service Commission of West Virginia, and the laws of the State of West Virginia. Such tariffs, rules, regulations, orders and laws will be deemed incorporated in the final plan as if fully set out therein.


SECTION 9 - FILING OF PLAN WITH THE PUBLIC SERVICE COMMISSION

Upon completion and adoption of the final plan for the County enhanced emergency telephone system, the County Commission will send a signed copy of such plan to the Public Service Commission of West Virginia.

It is hereby ordered that this ordinance be adopted this
29th day of August, 1994.


Lonnie R. Mullins, President


Richard L. Meador, Commissioner


J. Olyde Grinnett, Commissioner

I, Fred Long, publisher of Hinton News a newspaper in Summers County, West Virginia do hereby certify that the annexed Notice was published in said newspaper for one successive times on the following dates, July 26, 1994

THE PRINTERS FEE THEREFORE IN \$11.25

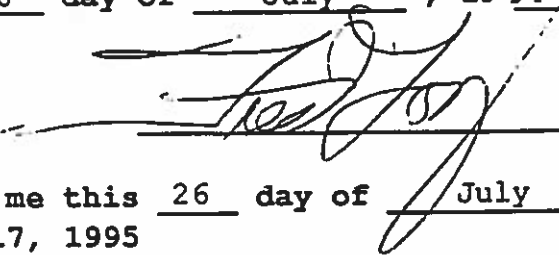
Given under my hand this 26 day of July, 19 94

State of West Virginia)

County of Summers) to wit:

Subscribed and sworn to before me this 26 day of July, 19 94

My Commission expires January 17, 1995

 _____ Publisher

NOTARY PUBLIC - OFFICIAL SEAL
STATE OF WEST VIRGINIA
NELLIE M. ROBERTSON
406 Cedar Ave., Hinton WV 25951
My commission expires: 1-17-95



Notary Public

COPY OF PUBLICATION FROM THE HINTON NEWS

LEGAL NOTICE

PUBLIC NOTICE

A PUBLIC MEETING will be held Monday, August 28, 1994, at 7:00 PM in The Circuit Court Room, Summers Co. Courthouse.

The purpose of the meeting will be to discuss the proposal by the County Commission of Summers County to implement an Enhanced 9-1-1 emergency telephone system for a consolidated emergency communications system.

The emergency communications system will serve as an answering point for all emergency telephone calls made by calling 9-1-1 and as a dispatch point for all emergency fire, medical and law enforcement needs reported to 9-1-1 dispatchers.

According to West Virginia Code, Chapter 24, Article 6, Section 1, et seq., the system will be funded by a surcharge of \$1.85 per month, per main telephone line. (Residents and businesses won't be charge for each phone extension - just for each main line or separate telephone number).

Copies of the proposal may be examined at the following places during regular business hours: 8:30 AM-4:30PM Monday Through Friday in The County Clerk's Office, Summers Co. Courthouse - Beginning July - 28, 1994.

County Commission of Summers County
Lennie R. Mullins, President
HN July 28