

AGENDA
JEFFERSON COUNTY COMMISSION
PUBLIC HEARING
WEDNESDAY, JUNE 11, 2014
7:00 P.M.

County Commission Meeting Room
located at the Old Charles Town Library
200 E. Washington Street, Charles Town, WV

CALL TO ORDER

PLEDGE OF ALLEGIANCE

PUBLIC HEARING

1. 7:00 p.m. Public Hearing - Proposed Increase - Emergency 911 Land Line Fee
2. **ADJOURN**

**NOTICE OF PUBLIC HEARING
PROPOSED INCREASE
EMERGENCY 911 LAND LINE FEE**

The County Commission of Jefferson County will hold a public hearing on Wednesday, June 11, 2014, in the County Commission Meeting Room located in the Old Charles Town Library, 200 East Washington Street, Charles Town, West Virginia beginning at 7:00 p.m.

The purpose of the meeting will be to hear public comment on the proposed increase in the Emergency 911 Wireline Fee (land line only) from the current fee of \$2.90 monthly to the proposed new monthly fee of \$5.00. The public is invited to provide written or oral comment at this hearing.

Written comments can be emailed to info@jeffersoncountywv.org

All comments will be accepted until June 18th, 2014 at 5:00 p.m.

You may view the Ordinance at www.jeffersoncountywv.org

A decision will be made at the June 19th, 2014 County Commission Regular Meeting.

**By Order of The County
Commission of Jefferson County
Walt Pellish, President**

E911 Information

**Jefferson County Commission
Jefferson County, West Virginia**

May 1, 2014

**Proposed Amended Ordinance for Jefferson County, WV to raise the E911
landline fee from \$2.90 to \$5.00**

An ordinance of Jefferson County providing for an amendment to the original proposal for an enhanced emergency telephone system for holding of a public meeting and for placement of an advertisement notifying the public of such meeting and of the location at which a copy of proposal may be examined.

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

WHEREAS, 24-6-6 of the West Virginia Code states the emergency telephone system plan may be amended after notice of the proposed amendments is given and a public meeting is held.

Now therefore be it ordained by the County Commission of Jefferson County, West Virginia pursuant to and in accordance with 24-6-6 of the West Virginia Code, the following:

Jefferson County proposes to amend wireline rates from the current rate of \$2.90 per line to \$5.00 per line effective June 12, 2014.

That a copy of the proposal attached hereto be made available for examination by the public at the Jefferson County Courthouse, Charles Town Town Hall, and Shepherdstown Town Hall;

That a public meeting be scheduled to be held at the Jefferson County Library, an annex of the Jefferson County Courthouse on June 11, 2014 at 7:00 p.m. in order to receive comments from other public officials and interested persons;

That at least thirty days but not more than sixty days before such meeting an advertisement be placed by the County Commission Staff in the Spirit newspaper of general circulation in such county, notifying the public the date, time, place and purpose of such meeting and of the location at which a copy of such proposed may be examined.

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 Jefferson County, West Virginia.
- (c) **“County”** means Jefferson 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 the 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 be 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(s) attached to this final plan as Appendix A.
- (g) **“Telephone company”** means a public utility, which is engaged in the provision of telephone service.
- (h) **“Wireless Communications”** Commercial mobile radio service (CMRS) providers or means cellular licensees, broadband personal communications services (PCS) licensees and specialized mobile radio (SMR) providers, as those terms are defined by the Federal Communications Commission, which offer real-time, two-way switched voice service that is interconnected with the public switched network, and includes resellers of any commercial mobile radio service.

Section 2 – Territory Included in System

- (a) All territory in Jefferson 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:
 - 1) **City of Charles Town**
 - 2) **Corporation of Bolivar**
 - 3) **Corporation of Harpers Ferry**
 - 4) **Corporation of Ranson**
 - 5) **Corporation of Shepherdstown**

Section 3 – County Answering Point(s)

- (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 a Primary County Answering Point located at 28 Industrial Blvd, Kearneysville (Bardane), Jefferson County, West Virginia.
- (c) A Secondary County Answering Point shall be Berkeley County Emergency Communications, which will serve as a back-up to the Primary Answering Point in case of failure.
- (d) The County Answering Point shall provide services for the entire County of Jefferson.
- (e) The answering point(s) will be required to respond to calls as follows:
 - 1. By directly dispatching an emergency service provider; or
 - 2. By relaying a message to the appropriate emergency service provider.
- (f) The county answering point shall be connected to the telephone company’s telephone network by dedicated trunks.

Section 4 – Emergency Service Providers; Resolution of Disputes; Handling of Misdirected Calls; Publicly Accessible Telephone Numbers; Enhanced 9-1-1 Communications Advisory Board

- (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:

Jefferson County Office of Homeland Security and Emergency Management

Jefferson County Sheriff's Department

West Virginia State Police – Charles Town Detachment

Friendship Volunteer Fire Company (Fire & EMS)

Citizens Volunteer Fire Company – Charles Town (Fire & EMS)

Shepherdstown Volunteer Fire Department (Fire & EMS)

Independent Volunteer Fire Company – Charles Town (Fire & EMS)

Blue Ridge Mountain Volunteer Fire Company (Fire & EMS)

Middleway Volunteer Fire Department (Fire & EMS)

Bakerton Fire Department (Fire)

Jefferson County Emergency Services Agency (EMS)

West Virginia Dept. of Natural Resources – Law Enforcement

West Virginia Division of Forestry

West Virginia Department of Environmental Protection

National Park Service – Harpers Ferry – Law Enforcement

Charles Town Police Department

Harpers Ferry Police Department

Ranson Police Department

Shepherdstown Police Department

Shepherd University Police Department

- (c) In the event of a dispute between the County and one of 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) In the event a call is incorrectly dispatched to an emergency service provider, the provider receiving the call shall immediately notify the county answering point dispatcher via radio requesting the appropriate jurisdiction be alerted to respond to the call. The emergency service provider initially alerted will then proceed as directed.
- (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.
- (f) Below is a list of the membership of the Enhanced 9-1-1 Advisory Board.
 - 1. Member of the County Commission**
 - 2. Member of the County Sheriff's Department**
 - 3. Member of the West Virginia State Police**

4. **Member of County Fire & Rescue Association – Emergency Medical Services Representative**
5. **Member of County Fire & Rescue Association – Fire Representative**
6. **Member of County Law Enforcement Committee – Municipality Representative**
- 7.
8. **Director of County Enhanced 9-1-1 Center**

The initial terms of the following memberships shall be one (1) year:

1. Member of the County Sheriff's Department
2. Member of the County Commission

The initial terms of the following memberships shall be two (2) years:

1. Member of the West Virginia State Police
2. Member of the County Fire & Rescue Association – Fire Representative

The Director of the Enhanced 9-1-1 system shall serve as ex-officio of the Advisory Board at all times.

Except as noted above for the initial terms of certain memberships and for the Director of Communications, all Advisory Board members shall be appointed by the County Commission to serve for three-year terms or for the balance of the terms of memberships vacated in midterm. The initial terms of all Advisory Board members began on October 1st, 1997.

Section 5 – Projection of Revenue

	<u>Current</u>	<u>Projected</u>
911 Monthly Fee	\$2.90	\$5.00
Monthly Frontier collected/Std. Line	\$41,620.80	\$71,760.00
Monthly Frontier collected/Centrex	\$5,672.40	\$9,780.00
Total Monthly Frontier Fee Collected	\$47,293.20	\$81,540.00
Minus Frontier 3% admin	\$1,418.80	\$2,446.20
Frontier Wireline Fees per Month	\$45,874.40	\$79,093.80
Frontier Wireline Fees Per Year	\$550,492.85	\$949,125.60
Vonage Fees per Year	\$39,150.00	\$67,500.00
Comcast Fees per Year	\$46,875.60	\$80,820.00
All other Fees per Year	\$13,258.80	\$22,860.00

Total Wireline Fees per Year	\$649,777.25	\$1,120,305.60
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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) Pursuant to 7-1-3b of the West Virginia Code a county commission may impose a fee, and may modify that fee, upon consumers of local exchange service within the county for an emergency telephone system. A fee increase of \$2.10 to \$5.00 per wireline (standard and centrex) is proposed to maintain the emergency telephone system. Such fee is proposed to become effective beginning on June 12, 2014.
- (b) The County Commission of Jefferson County adopts and ratifies the contract attached hereto as "Appendix A" for the billing of the enhanced emergency telephone system fee by Frontier Communications of West Virginia.
- (c) All fees remitted under the contract referred to in subsection (b), above, are proposed to be deposited in a separate Revenue line "911 Fees"
- (d) The costs associated with establishing, equipping, furnishing, operating or maintaining the county answering point(s,) above and beyond what the revenue generates by the fee, shall be paid as follows:
 - 1. Jefferson County General Fund

Section 7 – Telephone Company

- (a) Upon adoption of this plan, the terms and conditions of the telecommunications service 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:

Frontier Communications

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.

Given under my hand this ____ day of June, 2014.

WALT PELLISH, PRESIDENT
COUNTY COMMISSION OF JEFFERSON COUNTY
WEST VIRGINIA