

**E911  
INFORMATION**

**MARION  
COUNTY  
COMMISSION**

ORIGINAL

# Marion County Commission

ERNIE J. VANGILDER  
*President*

RANDY J. ELLIOTT  
*Commissioner*

RICK GARCIA  
*Commissioner*



*Address Correspondence to:*  
200 JACKSON STREET • ROOM 403  
FAIRMONT, WEST VIRGINIA 26554  
(304) 367-5400  
FAX (304) 367-5431

Public Service Commission of West Virginia  
201 Brooks Street  
Charleston, WV 25301

February 1, 2019

Attached is an ordinance amending the Marion County Enhanced Emergency Telephone System Rate Per Month, Per Local Exchange Service Line. The Marion County Commission held a public hearing January 30, 2019 and adopted an increase to \$3.34 for the county's per month, per local exchange service line. If you need any further information relative to this increase, please let me know.

Thank you,

A handwritten signature in blue ink, appearing to read "K. Cinalli", is written over the "Thank you," text.

Kris Cinalli  
Marion County Commission  
200 Jackson Street, Room 403  
Fairmont, WV 26554  
Ph: 304-367-5426  
Fax: 304-367-5431  
Email: [kcinalli@marioncountywv.com](mailto:kcinalli@marioncountywv.com)

RECEIVED  
2019 FEB 12 AM 9:02  
WVA PUBLIC SERVICE  
COMMISSION  
FAIRMONT, WV

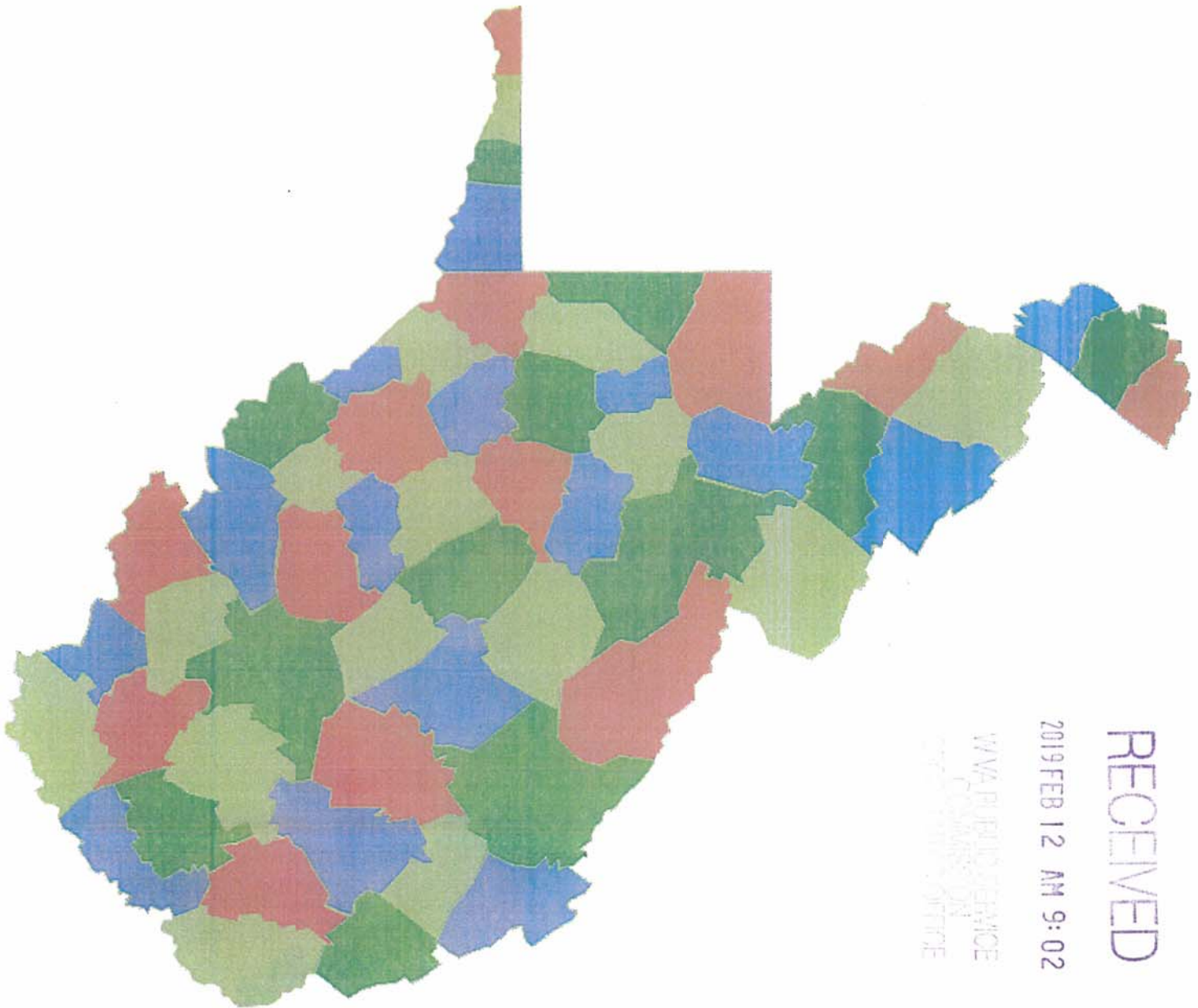


### E911 County Commission Plans

The West Virginia Code requires the payment of E911 fees each month by subscribers of telecommunications carriers. In 2007, the PSC adopted Rules Governing E911 Fees that govern the billing, collection, and remission of E911 monthly fees. All County Commissions have submitted to the PSC its plan to comply with this Rule.

A listing of each County Commission's plan to establish, maintain and operate a countywide Enhanced Emergency Telephone System (E911) has been provided on the map below.

To view a plan, hold your mouse over a colored area (county). The name of the county will then appear. Click on the county name to view that county's plan.



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## ORDINANCE NO 2019-1

### AN ORDINANCE AMENDING ORDINANCE 03-01, THE MARION COUNTY ENHANCED EMERGENCY TELEPHONE SYSTEM RATE PER MONTH PER LOCAL EXCHANGE SERVICE LINE

WHEREAS, there has been adopted Ordinance Number 03-01 regarding the establishment of an enhanced telephone system and which imposed a fee for capital improvements or modifications, maintenance and personnel service cost of the said system in Marion County, West Virginia; and

WHEREAS, the Marion County Commission has experienced increased cost for the provision of an enhanced emergency telephone system; and

WHEREAS, the Marion County Commission has not increased the fee for the monthly rate for each local exchange service line since 2011; and

WHEREAS, in judgement of the Marion County Commission, it is fiscally necessary and appropriate to modify the rates or fees for consumers of enhanced emergency telephone system equal to the state cellular fee.

NOW THEREFORE, THE MARION COUNTY COMMISSION HEREBY ORDAINS AND ORDERS:

SECTION 1. REPEALED SECTION OF ORDINANCE (ORIGINAL NUMBER 94-1) ADMENENING ADMENDMENT 03-01 The following section of Ordinance 03-01 is hereby repealed: "SECTION 6- IMPOSITION OF FEE ADOPTION OF FEE, subsection.

SECTION 1. MODIFICATION SECTION: The Ordinance 03-01 shall be and is hereby amended and modified to include as follows:

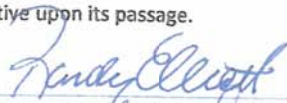
#### SECTION 6- IMPOSITION OF FEE: RATE PER LOCAL EXCHANGE SERVICE LINE:


- (1) Pursuant to West Virginia Code § 7-1-3-cc, the Marion County Commission imposes a fee of 3 dollar (s) and 34 cents (\$3.34) per month per local exchange service line to finance the capital improvements or modifications, maintenance, personnel cost of the Enhanced Emergency Telephone System.

This Ordinance prepared by: \_\_\_\_\_



A handwritten signature in blue ink, appearing to be "Kas", is written over a horizontal line.

SECTION II. EFFECTIVE DATE: This ordinance shall become effective upon its passage.

  
Randy Elliott, President

  
Rick Garcia, Commissioner

  
Ernie VanGilder, Commissioner

Attest:  
   
Janice Cosco, County Clerk by Thomas F. Antulov, deputy

First Reading 1-16-19

Second Reading: 1-30-19

Public Hearing: 1-30-19

Adopted: 1-30-19

Publication: 1-19-19 / 1-26-19

This Ordinance prepared by: 

The procedure for changing the monthly wireline Enhanced 9-1-1 fee is exactly the same as the procedure for adopting the initial Enhanced 9-1-1 ordinance. This is covered in §24-6-6 of WV State Law (see below my e-signature.)

The county must make a copy of the proposed change to the ordinance available to the public. The County Clerk's Office is a good location for this.

Notice of the proposed change and the date, time and location of a County Commission public meeting (at least one must be held) dealing with the change must be published at least once in a newspaper of general circulation in the county. This notice must appear within the time period of between 60 and 30 calendar days before the meeting. I have attached a Word document that you can use as a guide for the public notice.

The meeting may be a separate gathering or the fee change proposal may be one of the items on the agenda of a regular County Commission meeting. At or following the meeting, the proposed change may be adopted as proposed, adopted with changes or rejected. This must be done by majority vote of the County Commissioners. If it is decided to vote on the change after the hearing, this vote must take place within 90 calendar days of the date of the hearing. If this is not done, then the County must either drop the matter or begin completely anew and redo everything stated above.

Whenever an Enhanced 9-1-1 ordinance is amended, the County Commission must send a signed copy of the ordinance amendment to the Public Service Commission. This may be done by mailing it to me or by providing me a pdf file via email. Fax is discouraged due to the generally poor quality of the document copy generated by the fax machine.

The County should contact all local exchange type telephone companies serving in the county (for example, Verizon, Frontier, StratusWave, FiberNet) at least 90 days prior to the new rate going into effect. This will give them sufficient time to adjust their billing and should avoid the unpopular practice of back billing.

DannieWVPS

**Legals**

**NOTICE**

The Marion County Commission will hold a public hearing on Wednesday, January 30 at 10:30 AM to consider Ordinance 2019-1 regarding the enhanced telephone system which will increase the fee from \$2.25 to \$3.34 per month. Interested parties may attend this meeting or send written comments to: Marion County Commission, 200 Jackson Street, Room 403, Fairmont, WV 26554 or via email to kci-nalli@marioncountywv.com.  
Times: January 19, 2019

**AFFIDAVIT OF PUBLICATION**

State of West Virginia

County of Marion

To-wit:

I, Angela Copney of the Times West Virginian, a daily newspaper published in the City of Fairmont, Marion County, West Virginia, do certify that the notice attached hereto under the caption; Notice- Public Hearing, was published in the said Times West Virginian Newspaper 1 (One) TIME(S) on the following day (s), namely, January 19, in the year 2019.

Publication Fee: \$11.10

Signature: \_\_\_\_\_



Taken, subscribed and sworn to before me in said county this 22nd day of January, 2019.

My commission expires August 16, 2021



Notary Public of Marion County, West Virginia

