

**E911
INFORMATION**

**MERCER
COUNTY
COMMISSION**

Mercer County Commission

1501 West Main, Suite 210
Princeton, West Virginia 24740

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mercercommission@frontiernet.net

VICKY REED
County Coordinator

Robin Hess
Secretary



MIKE VINCIGUERRA
1540 Augusta Street Ext.
BLUEFIELD, WV 24701

GENE BUCKNER
118 Martingale Place
BLUEFIELD, WV 24701

GREG PUCKETT
334 Pine Acres Way
PRINCETON, WV 24739

ORIGINAL

August 10, 2016

WV Public Service Commission
Attn: Ingrid Ferrell, Executive Secretary
PO Box 812
Charleston, WV 25323-0812

RECEIVED
16 AUG 15 AM 9:09
WV PUBLIC SERVICE
COMMISSION
SECRETARY'S OFFICE


Dear Ms. Ferrell

You are hereby notified, pursuant to an amendment made to the Mercer County Commission 9-1-1 Ordinance on August 9, 2016, the Mercer County Commission 9-1-1 fee increased to \$ 3.00 (three dollars) per month on residential service lines, VOIP (Voice over Internet Protocol), PBX, and Centrex products.

Attached is a copy of the Mercer County 9-1-1 Ordinance in its entirety. Please acknowledge that you have received this letter and the updated ordinance by email at mercercommission@frontiernet.net.

If you have any questions, please feel free to contact our office.

Sincerely,



Mike Vinciguerra, President



Gene Buckner, Commissioner



Greg Puckett, Commissioner

**AMENDMENT TO
MERCER COUNTY E-911
LANDLINE FEES
ORDINANCE**

RECEIVED
16 AUG 15 AM 9:09
WEST VIRGINIA PUBLIC SERVICE
COMMISSION
SECRETARY'S OFFICE

**Mercer County Commission
Mercer County, West Virginia**

Adopted August 9, 2016

An ordinance of Mercer County providing for an amendment to the original proposal for an enhanced emergency telephone system for holding public meetings and for placement of an advertisement notifying the public of such meetings 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, section six, article 6, Chapter 24 (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 Mercer County, West Virginia pursuant to and in accordance with 24-6-6 of the West Virginia Code, the following:

Mercer County proposes to amend wireline and voice over protocol (VoIP) rates from the current rate of \$1.25 per line to \$3.00 per line effective August 9, 2016.

That a copy of the proposal attached hereto be made available for examination by the public at the Mercer County Courthouse, County Commission Office, 1501 Main St., Suite 210 Princeton, WV or the Mercer County Communications Center Administration Offices, 900 Shelter Rd, Princeton, WV

That public meetings be scheduled to be held at the following locations at 6:30 p.m. in order to receive comments from other public officials and interested persons:

Monday July 18, 2016	Bluewell Volunteer Fire Department
Tuesday July 19, 2016	Athens Volunteer Fire Department
Friday July 22, 2016	Matoaka Volunteer Fire Department
Monday July 25, 2016	City of Bluefield Council Chambers
Tuesday July 26, 2016	East River Ruritan Building, Oakvale
Thursday July 28, 2016	City of Princeton Council Chambers
Tuesday August 9, 2016	Mercer County Courthouse, County Commission Courtroom

An advertisement will be placed by the County Commission in a newspaper of general circulation in such county, notifying the public the date, time, place and purpose of such meetings and of the location at which the proposed increase may be discussed.

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 Mercer County, West Virginia.
- (c) **"County"** means Mercer 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 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) **"Public agency"** means Mercer County and all incorporated municipalities of the county which provide or have authority to provide firefighting, police, ambulance, medical, rescue, or other emergency services within the county.
- (g) **"Public safety unit"** means the functional divisions of Mercer County and each county municipality which provide firefighting, police, medical, rescue or other emergency service.
- (h) **"Telephone company"** means a public utility, which is engaged in the provision of telephone service.
- (i) **"Wireless Communications"** means commercial mobile radio service (CMRS) providers or 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 Mercer 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) **Town of Athens**
 - 2) **City of Bluefield**
 - 3) **Town of Bramwell**
 - 4) **Town of Matoaka**
 - 5) **Town of Oakvale**
 - 5) **City of Princeton**

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 911 Shelter Rd, Princeton, West Virginia.
- (c) A Secondary County Answering Point shall be McDowell 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 Mercer.
- (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 or advanced technologies.

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:

Mercer County Office of Homeland Security and Emergency Management

Mercer County Sheriff's Department

West Virginia State Police – Princeton Detachment

Athens Volunteer Fire Dept.

City of Bluefield Fire Dept.

Bluestone Valley Volunteer Fire Dept.

Bluewell Volunteer Fire Dept.

Bramwell Volunteer Fire Dept.

East River Volunteer Fire Dept.

Green Valley Glenwood Volunteer Fire Dept.

Matoaka Volunteer Fire Dept.

Montcalm Volunteer Fire Dept.

City of Princeton Fire Dept.

Oakvale Volunteer Fire Dept.

Bluefield Rescue Squad

Princeton Rescue Squad

West Virginia Dept. of Natural Resources – Camp Creek State Park

West Virginia Dept. of Natural Resources – Pinnacle Rock State Park

West Virginia Dept. of Natural Resources – Natural Resources Police

West Virginia Division of Forestry

Athens Police Department

**Bluefield Police Department
Bramwell Police Department
Matoaka Police Department
Princeton Police Department
Bluefield State College Police Dept.
Concord University Police Dept.
Norfolk Southern Railroad Police
Hatfield McCoy Recreational Authority**

- (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) 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 10-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 Mercer County Communications Center Authority Board
 - 1. **County Commission President or designee**
 - 2. **Mercer County Sheriff or designee**
 - 3. **West Virginia State Police**
 - 4. **Mercer County Fireman's Association President or designee**
 - 5. **Emergency Medical Service Provider**
 - 6. **Municipal Representative**
 - 7. **Legal Representative**
 - 8. **Office of Emergency Management**
 - 9. **Healthcare**
 - 10. **Director of County Enhanced 9-1-1 Center**

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

Section 5 – 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 \$1.25 to \$3.00 per wireline (standard and Centrex) is proposed to maintain the emergency telephone system. Such fee is proposed to become effective beginning on August 9, 2016

- (b) All fees remitted under the contract referred to in subsection (a), above, are proposed to be deposited in a separate Revenue line item account "911 Fees"

Section 6 – 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 7 Limitation of Liability

- (a) Any public agency participating in the enhanced emergency telephone system established in Mercer County and any officer, agent or employee of such public agency or of the county is not liable for any damages in a civil action for injuries, death or loss of persons or property arising from any act or omission, except willful or wanton misconduct, in connection with developing, adopting or approving any final plan or agreement made pursuant to this ordinance, or otherwise bringing into operation an enhanced emergency telephone system pursuant to this ordinance.
- (b) Employment as a dispatcher at the Mercer County Communications Center shall be contingent upon successful completion of training courses to be specified by the Mercer County Communications Center Authority Board. The costs of such training courses will be allowable expenses of the Enhanced 911 System Fund.

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.

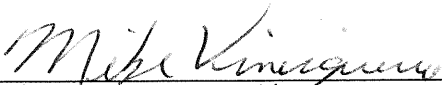
Section 9 – Filing of Plan with the Public Service Commission

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.

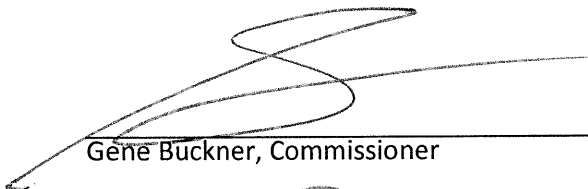
PASSED AND ADOPTED by the County Commission of Mercer County, State of West Virginia, this

9th day of August 2016

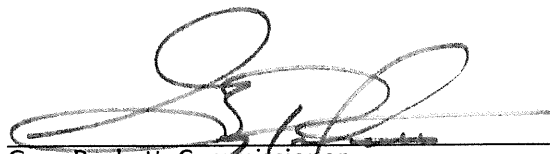
MERCER COUNTY COMMISSION:



Mike Vinciguerra, President



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Greg Puckett, Commissioner

