E911
INFORMATION

WYOMING
COUNTY
COMMISSION

Wyoming County Emergency Services

Dean Meadows
P.O. Box 568
Pineville, WV 24874
(304) 732-8000

January 23, 2014

WV Public Service Commission
Attn: Ingrid Ferrell, Exec. Secr.
PO Box 812
201 Brooks St
Charleston, WV 25323

Dear Ingrid,

Please accept and place the attached amended ordinance on file for the Wyoming County Commission. This amended ordinance raises our 911 landline fee from $2.65 to $3.65 per line. This change will take affect on March 1, 2014.

Thank you for your consideration in this matter.

Sincerely,
Dean Meadows, Director

AMENDED

COUNTY COMMISSION OF WYOMING COUNTY
AN ORDINANCE UNDER 7 AND 24 OF THE WEST VIRGINIA CODE PROVIDING FOR THE ESTABLISHMENT OF A COUNTY WIDE ENHANCED EMERGENCY TELEPHONE SYSTEM AND THE IMPOSITION OF A FEE UPON LOCAL EXCHANGE SERVICE CONSUMERS TO FINANCE INSTALLATION AND RECURRING MAINTENANCE AND OPERATION COSTS.

WHEREAS, the Wyoming County Commission has determined that the installation of a county wide, enhanced emergency telephone system would allow any citizen in Wyoming County to request emergency fire, police, ambulance and rescue services by simply dialing 911 for any telephone in the county; and

WHEREAS, the Wyoming County Commission seeks to promote the public health, safety and general welfare of all individuals within the county by ensuring all requests for emergency assistance can be channeled through one central answering point to the appropriate emergency service response agency; regardless of whether the caller is located in an incorporated area or unincorporated area of the county; and

WHEREAS, the Wyoming County Commission intends to install and maintain an enhanced type of emergency telephone system that will, upon completion, automatically connect a person dialing 911 within the county to the central answering point and provide prompt information on the location and telephone number from which the call is being made so that the source of a call for help can looked in even if a caller is disconnected or unable to communicate within emergency officials;

NOW THEREFORE BE IT RESOLVED: That the plan herein be adopted providing for the installation and ongoing operation and maintenance of an enhanced emergency telephone system that will serve both incorporated and unincorporated areas of the county in accordance with Section 7-1-3cc and Section 24-6-2 et seq of the West Virginia Code.

COMPREHENSIVE PLAN FOR AN ENHANCED EMERGENCY TELEPHONE SYSTEM

ARTICLE I – GENERAL PROVISIONS

SECTION 1 – DEFINITIONS

As used in this ordinance unless the context otherwise clearly indicates, the following words and phrases shall have the meanings hereinafter set forth;

A) "County answering point" means a facility to which enhanced emergency telephone system calls for the county are initially routed for response, and where trained personnel respond to specific requests for emergency service by directly dispatching the appropriate emergency service provider or transferring the call to the appropriate provider. The central answering point in Wyoming County will be the Wyoming Emergency Response Center (WERC), located on the third floor of the Wyoming County Sheriff's Office, Pineville, West Virginia.
B) "Emergency service provider" means any emergency services organization of the county or its municipalities.
C) "Enhanced emergency telephone system" means a telephone system which automatically connects the person dialing 911 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 routes such calls to emergency service providers that serve the location from which the call is made.
D) "Public agency" means Wyoming 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. The municipalities shall include, but not be limited to Pineville, Oceana, and Mullens.
E) "Public safety unit" means the functional divisions of Wyoming County and each county municipality which proved firefighting, police, medical, rescue or other emergency service.
F) "Public utility" means local exchange carriers, the public utilities providing local exchange telephone service to consumers in Wyoming County.
G) "Regulation agency" means the West Virginia Public Service Commission which, by law, regulates services provided by a public utility.

ARTICLE II – MINIMUM REQUIREMENTS

Pursuant to Article 6, Chapter 24 of the West Virginia Code and General Order 187.3, Rules 8.01, 8.02, and 8.03 of the West Virginia Public Service Commission's Rules and Regulations for the Government of Telephone Utilities, minimum requirements for the enhanced emergency telephone system in Wyoming County shall include:

SECTION 1 – AVAILABILITY

A) All territory in the county, including all municipal corporations in the county, provided local exchange service by the local exchange carriers shall be included in the enhanced emergency telephone system.
B) The emergency service providers of all local political subdivisions that currently provide emergency services within the county will participate in the enhanced emergency telephone system.

SECTION 2 – CENTRALIZED ANSWERING POINT

A) The centralized answering point for the enhanced emergency telephone system will be the Wyoming Emergency Response Center (WERC) and it will be in full service for receiving and dispatching emergency calls constantly. The WERC shall be located in the Wyoming County Sheriff's Office, Third Floor Level, Pineville, West Virginia.

B) The Wyoming Emergency Response Center (WERC) will be connected to the local exchange carriers' network by designated facilities via ANI trunks and combination voice and data circuits.

C) The Emergency Response Center (WERC) will directly dispatch the police, fire, ambulance, rescue, and emergency service calls for the following emergency service providers on a continuous 24-hour basis:

1) Wyoming County Sheriff's Department
2) Pineville Police Department
3) Oceana Police Department
4) Mullens Police Department
5) Cyclone Volunteer Fire Department
6) Mullens Volunteer Fire Department
7) Oceana Volunteer Fire Department
8) Wyoming County/Pineville Volunteer Fire Department
9) Upper Laurel Volunteer Fire Department
10) Brenton Volunteer Fire Department
11) Coal Mountain Volunteer Fire Department
12) Hanover Volunteer Fire Department
13) Stat EMS Ambulance Service
14) Jan-Care Ambulance Service
15) Department of Natural Resources

D) Calls received at the WERC for the WV Department of Public Safety (State Police) will be transferred to the appropriate WVDPS answering point by means of a "one button transfer" which will allow the caller, the WERC dispatcher, and the WVDPS to be on the line at the same time to insure accurate transfer of all pertinent information. The WEVDPS will be secondarily radio dispatched from the WERC.

E) The 911 functions of the WERC will operate under the direction and control of the County Communications Officer. The County Communications Officer will be appointed by the County Commission. The duties of the County communications Officer shall be prescribed by the County Commission.

F) The WERC dispatcher will be appointed by the County Commission upon the recommendation of the County Communications Officer. The duties of the dispatchers shall be prescribed by the County Communications Officer.

SECTION 3 – DIRECT TELEPHONE ACCESS TO E. S. PROVIDERS

A) Each local political subdivision emergency service provider participating in the system shall maintain a direct, incoming telephone number.

B) If trained personnel at the central answering point determine that a call is not an emergency that personnel shall provide the caller with the direct, local number of the emergency service provider.

SECTION 4 – MISDIRECTED CALLS

A) If at any time a call is incorrectly dispatched to an emergency service provider, the provider received the call shall either radio the correct local jurisdiction to respond to the call or advise the Wyoming Emergency Response Center (WERC) personnel to correctly dispatch the appropriate provider.

SECTION 5 – SPECIAL SERVICES

A) Frontier shall ensure that the central answering point for the enhanced emergency telephone system has the necessary mechanical equipment to allow deaf persons access to the enhanced emergency telephone system.

B) Local exchange carriers shall ensure, through installing a dial-tone-first option, that all coin operated telephone in Wyoming County are equipped by the public utility to permit a caller to dial 911 and initiate calls to the emergency telephone answering point without first having to insert a coin.

SECTION 6 – ONGOING OPERATION AND MAINTENANCE COSTS

A) Effective January 1, 2014, the monthly maintenance charge for ANI/ALI service of the system to Frontier will be $2,000.00 per month.

B) A monthly maintenance fee for the enhanced emergency telephone system will be charged as long as the 911 system is in operation. The fee will be based on each 1,000 local telephones operational in the county, which according to the latest Frontier data is 9300.

SECTION 7 – ADMINSTRATIVE COSTS FOR FEE COLLECTION

A) An administrative fee of two (2) percent will be charged against actual collections of the enhanced emergency telephone system each month by local exchange carriers. The monthly fee is estimated to be $660.00 per month based on $33,000.00 in estimated initial collections. The monthly fee will vary based on actual collections.

SECTION 8 – FIVE YEAR SUMMARY

A) Combining the costs of capital investment and ongoing maintenance expenses and allowing for a one percent cost variance per year, it is estimated that approximately $2,000,000.00 will be collected and expended over sixty (60) months based on special assembly rates quoted by local exchange carriers.

B) It is recognized that the local exchange carriers are required to file rate and tariff information with the West Virginia Public Service Commission (PSC). Further, it is recognized the special assembly rates quoted herein may be adjusted pursuant to any action by the PSC.

ARTICLE IV – CONSUMER FEE

SECTION 1 – IMPOSITION OF FEE

A) Pursuant to Section 7-1-3cc of the West Virginia Code, the Wyoming County Commission shall impose a fee of $3.65 per month per local exchange service line, except for Tel-Assistance lines, to finance projected costs of establishing, equipping, furnishing and maintaining the enhanced emergency telephone system. Said fee shall be effective March 1st, 2014.

SECTION 2 – FEE COLLECTION

A) The enhanced emergency telephone system fee shall appear monthly on local exchange bills issued by the local exchange carriers and shall be collected by the local exchange carriers along with other charges for services.

B) The local exchange carriers shall monthly remit to the Wyoming County Commission all fees collected for the enhanced emergency telephone system and the Commission shall deposit them in a special Enhanced 911 System Fund.

SECTION 3 – FEE ADJUSTMENTS

A) Fees imposed under this ordinance may, from time to time, be adjusted by the Wyoming County Commission as need arises.

SECTION 4 – REGULATORY AUTHORITY

A) In the event of any conflict arising between political subdivisions and the telephone company or companies providing services or among political subdivisions regarding the enhanced emergency telephone system, the West Virginia Public Service Commission shall, upon application by any party, resolve such conflict.

ARTICLE VI – LIMITIATION OF LIABILITY

SECTION 1 – PROTECTIONS

A) Any public agency participating in the enhanced emergency telephone system established in Wyoming 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 in the WERC shall be contingent upon successful completion of training courses to be specified by the Wyoming County Commission. The costs of such training courses will be allowable expenses of the Enhanced 911 System Fund.

ARTICLE VII – MISUSE OF 911

SECTION 1 – MISUSE OF 911

A) No person may knowingly use 911, the telephone number of the enhanced emergency telephone system in Wyoming County, to report an emergency if he or she knows that no such emergency exists.

B) No person may disclose or use, for any purpose other than for the enhanced emergency telephone system serving Wyoming County, any information contained in the data base used for the enhanced emergency telephone system pursuant to this ordinance.

C) Any person who violates any provision of this section is guilty of a misdemeanor, and upon conviction thereof, shall be fined not less the $100.00, nor more than $500.00, or imprisoned in the county jail for not more than 30 days, or both fined and imprisoned.

ARTICLE VIII – ADOPTION PROCEDURES

SECTION 1 – PUBLIC HEARING

A) The Wyoming County Commission shall conduct a public hearing regarding the plan outlined in this ordinance to explain the enhanced emergency telephone system and receive comments from other public officials and interested parties. The public hearing shall commence at 9:30 AM January 22nd, 2014 in the Commission Meeting Room, 77 Cedar Ave, Pineville, West Virginia.

B) Copies of this ordinance shall be made available for public inspection in the office of the County Clerk during normal working hours.

C) At least thirty (30) but no more than sixty (60) days before the public hearing, the County Commission shall publish a notice in a newspaper of general circulation of the date, purpose, and location of the meeting and identifying where a copy of the proposal may be examined.

SECTION 2 – ADOPTION

A) The final plan adopted as a result of this ordinance shall be amended only after notice of the proposed amendments is given, as provided in Section 1 of this Article. The only changes excepted from the formal amendment process shall be any action to change the consumer fee charged, any rate and tariff adjustment by the Public Service Commission or adjustment to the startup payoff

schedule that does not require any change in the consumer fee, or any agreement entered into with political subdivisions regarding participation in the Wyoming Emergency Response Center (WERC) or specific arrangements for handling a municipality's emergency calls.

ADOPTED THIS 22 DAY OF January, 2014.

President, Wyoming County Commission