



# PRESTON COUNTY E-911

First reading of the Preston County E-911 Amended Ordinance in title only August 29, 2016.

Public Hearing held on October 3, 2016 18:45 and second reading of the Preston County E-911 Amended Ordinance in title only in the Preston County Commission Chambers.

Amended E-911 Ordinance third and final reading and was adopted and signed on 10-11-2016 at 9:40 am in the Preston County Commission Chambers in a regular meeting.

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AN AMENDMENT TO THE PRESTON COUNTY E-911 ORDINANCE PURSUANT TO THE AUTHORITY OF WEST VIRGINIA CODE 7-1-33CC GRANTS AUTHORITY TO THE COUNTY COMMISSION TO ESTABLISH AN ENHANCED EMERGENCY TELEPHONE SYSTEM AND IMPOSE A FEE FOR THE CAPITAL, INSTALLATION AND MAINTENANCE COSTS THEREOF; FOR HOLDING OF A PUBLIC MEETING ON SUCH PROPOSAL AND FOR PLACEMENT OF AN ADVERTISEMENT NOTIFYING THE PUBLIC OF SUCH MEETING AND THE LOCATION AT WHICH A COPY OF SUCH PROPSAL MAY BE EXAMINED. THE AMENDMENT MAKES CHANGES TO SECTION 3 – COUNTY ANSWERING POINT; SECTION 5 – PROJECTION OF COSTS; SECTION 6 – IMPOSING OF FEE; SECTION 11- IMPLEMENTATION

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 for the capital, installation and maintenance costs thereof,

WHEREAS, article six, chapter twenty four [24-6-1 et a 1] 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.

Now therefore be it ordained by the County Commission of Preston 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 the following:

That a copy of the proposal attached hereto be mailed to the telephone companies providing local exchange service within Preston County and to local emergency service providers and that the County Commission seek the advice of such companies and such providers in developing a final plan for an enhanced telephone system;

That a copy of the proposal attached hereto be made available for examination by the public at the Preston County Courthouse.

That a public meeting be scheduled to be held at the Preston County Commission Room on October 3, 2016 at 6:45 pm 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 Preston County Coordinator in the Preston County Journal, a newspaper of general circulation in Preston County, notifying the public of the date, place and purpose of such meeting and the location at which a copy of such proposal may be examined.

**Section 1 – Definitions:**

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

- (a) "County 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 provider or transferring the call to the appropriate provider.
- (b) "County Commission" means the County Commission of Preston County, West Virginia.
- (c) "County" means Preston 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 such call 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 contracts attached to this final plan as appendix A, Appendix B, and Appendix C.
- (g) "Telephone Company" means a public utility which is engaged in the provision of telephone service.

**Section 2 – Territory included in systems; resolution of disputes**

- (a) All territory in Preston County including every municipal corporation in Preston County, which is served by Telephone Company central office equipment that will permit an enhanced emergency telephone system be established, is proposed to be included in the system.
- (b) The municipal corporations included in the system are proposed to include, but not limited to the following:
- 1) Town of Albright
  - 2) Town of Terra Alta
  - 3) Town of Tunnelton
  - 4) Town of Newburg
  - 5) Town of Brandonville
  - 6) Town of Bruceton Mills
  - 7) City of Kingwood
  - 8) Town of Masontown
  - 9) Town of Reedsville
  - 10) Town of Rowlesburg
- (c) The territories which are not served by telephone company central office equipment that will permit an enhanced emergency telephone system to be established are as follows:
- None
- (d) In the event of a dispute between Preston 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.

**Section 3 – County answering Point**

- (a) The county answering point is to be operated constantly and to provide full service at all times.
- (b) There is ONE proposed county answering point. The location is proposed to be as follows:

Center to be housed in the designated office on the main floor of the Preston County Emergency Management Communications Center at 300 Rich Wolfe Drive Kingwood, WV 26537.

- (c) This answering point will serve all of Preston County.
- (d) The Preston County Office of Emergency Management Services, hereafter referred to as Preston County Office of Emergency Management Communication Center, known as Preston County Dispatch, will act as the county answering point will respond to calls of Police, Fire, the Sherriff, Ambulance, Rescue and Emergency Management calls as Follows:

Albright Volunteer Fire Department	Direct Dispatch
Aurora Volunteer Fire Department	Direct Dispatch
Bruceton-Brandonville Volunteer Fire Department	Direct Dispatch
Buckwheat Express	Direct Dispatch
Fellowsville Volunteer Fire Department	Direct Dispatch
KAMP Central Ambulance Service	Direct Dispatch
Kingwood Volunteer Fire Department	Direct Dispatch
Kingwood Police Department	Direct Dispatch
Masontown Police Department	Direct Dispatch
Mountaineer Ambulance Service	Direct Dispatch
Mt. Grove Volunteer Fire Department	Direct Dispatch
Newburg Police Department	Direct Dispatch
Newburg Volunteer Fire Department	Direct Dispatch
Preston County Board of Education	Direct Dispatch
Preston County Dog Warden	Direct Dispatch
Preston County Health Department	Direct Dispatch
Preston County Magistrates	Direct Dispatch

Preston County Office of Emergency Management	Direct Dispatch
Preston County Sheriff's Department	Direct Dispatch
Reedsville Police Department	Direct Dispatch
Reedsville Volunteer Fire Department	Direct Dispatch
Rowlesburg Volunteer Fire Department	Direct Dispatch
Rowlesburg Ambulance Service	Direct Dispatch
Terra Alta Community Ambulance Squad	Direct Dispatch
Terra Alta Police Department	Direct Dispatch
Tunnelton Community Ambulance Service	Direct Dispatch
Tunnelton Police Department	Direct Dispatch
Terra Alta Fire Department	Direct Dispatch
Tunnelton Fire Department	Direct Dispatch
Union Ambulance Squad	Direct Dispatch
Valley Mental Health	Direct Dispatch
WV Department of Agriculture (Forestry)	Direct Dispatch
WV Department of Natural Resources Police (Law)	Direct Dispatch
WV State Police	Direct Dispatch
WV State Fire Marshal (Arson Division)	Direct Dispatch

- (e) The county answering point is proposed to be connected to each telephone company's telephone network as follows:

Frontier Communications by designated facilities via ANI/ALI trunks and combination voice and data circuits.

**Section 4 – Emergency providers: Handling of misdirected calls**

- (a) Every emergency service provider that provides emergency service within the territory of the county will, if this proposal is adopted as a final plan for an enhanced emergency telephone system, be required to participate in the enhanced emergency telephone system.
- (b) The emergency service providers referred to in subsection (a) shall be the following:

Albright Volunteer Fire Department  
Aurora Volunteer Fire Department  
Bruceton-Brandonville Volunteer Fire Department  
Fellowsville Volunteer Fire Department  
KAMP Central Ambulance Service  
Kingwood Volunteer Fire Department  
Kingwood Police Department  
Masontown Police Department  
Mountaineer Ambulance Service  
Mt. Grove Volunteer Fire Department  
Newburg Volunteer Fire Department  
Preston County Board of Education  
Preston County Dog Warden  
Preston County Health Department  
Preston County Magistrates  
Preston County Office of Emergency Management  
Preston County Sheriff's Department  
Reedsville Volunteer Fire Department  
Rowlesburg Volunteer Fire Department  
Rowlesburg Ambulance Service  
Terra Alta Police Department  
Terra Alta Community Ambulance Squad  
Tunnelton Community Ambulance Service

Union Ambulance Squad

Valley Mental Health

WV Department of Agriculture (Forestry)

WV Department of Natural Resource Police (Law)

WV State Police

WV State Fire Marshal (Arson Division)

Preston County Health Department

(c) Misdirected calls will be handled as follows:

To Sherriff's Department and municipal Police Departments from Dispatch center: Correction via radio transmission if unit is en route or correction via telephone if unit has not responded when misdirection of call is realized.

To all fire departments in Preston County from dispatch center: Correction via radio transmission if unit is en route or correction via telephone if unit has not responded when misdirection of the call is realized.

To Preston County Emergency Ambulance authority from dispatch center: Correction via radio transmission if unit is en route or correction via telephone if unit has not responded when misdirection of the call is realized.

To Preston County Dog Warden authority from dispatch center: Correction via radio transmission if unit is en route or correction via telephone if unit has not responded when misdirection of the call is realized.

To Preston County Office of Emergency Management from dispatch center: Correction via radio transmission if unit is en route or correction via telephone if unit has not responded when misdirection of the call is realized.

To WV Department of Natural Resource Police (Forestry & Law Enforcement) from dispatch center: Correction via radio transmission if unit is en route or correction via telephone if unit has not responded when misdirection of the call is realized.

To WV Department of Natural Resource Police (Forestry & Law Enforcement) from dispatch center: Correction via radio transmission if unit is en route or correction via telephone if unit has not responded when misdirection of the call is realized.

To WV State Police from dispatch center: Correction via radio transmission if unit is en route or correction via telephone if unit has not responded when misdirection of the call is realized.

To Preston County Magistrates from dispatch center: Correction via radio transmission if unit is en route or correction via telephone if unit has not responded when misdirection of the call is realized.

To WV State Fire Marshal's Office dispatch center: Correction via radio transmission if unit is en route or correction via telephone if unit has not responded when misdirection of the call is realized.

To Preston County Health Department dispatch center: Correction via radio transmission if unit is en route or correction via telephone if unit has not responded when misdirection of the call is realized.

(D) Each Emergency service provider participating in the enhanced emergency telephone system shall maintain a publically 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 Cost**

The estimated annual budget for ongoing operation and maintenance costs for Preston County E-911 is \$900,743.00. Combining the costs of capitol investment and ongoing maintenance expenses and allowing for one percent (1%) cost variance per year.

**Section 6 – Imposition of fee; Adoption of billing contract; Establishment of separate E-911 fund.**

- (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 \$3.00 per month per local exchange service line is proposed to finance the projected costs of the capital installation and maintenance costs for the enhanced emergency telephone system. Such fee is not proposed to be used to offset the costs associated with the establishing, equipping, furnishing, operating, or maintaining of the county answering point.
- (b) The county commission of Preston County proposes the adoption and ratification of the contracts attached hereto as Appendix A for the billing of the enhanced emergency system fee
- (c) All fee remitted under the contracted referred to in subsection (b) are proposed to be deposited in a separate “E-911 Fund”.
- (d) The costs associated with (building) establishing, equipping, furnishing, operating or maintaining the county answering point will be paid for by monies other than those deposited in the “E-911 Fund”.
- (e) The initial cost associated with establishing, equipping, furnishing, and initial installation of equipment and cost shown in section 5, subsection (a) and (b) will be paid by “E-911 Funds” The other costs listed in section 5 are proposed to be paid for as follows:

E-911 Fees, County Funding

**Section 7 – Telephone companies**

- (a) Upon the adoption of this proposal as a final plan, the terms and condition of the telecommunications services and facilities provided by the telephone companies will be governed by the applicable tariffs on file with and approved by the Public Service Commissions of West Virginia, the ruled, regulations and orders of 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 companies that are proposed to be providing the services and facilities identified in subsection (a) re as follows:

Interface Security Systems, LLC

Procom (Digital Connections)

LUMOS

Frontier Communications

IDT America CORP

Granite Telecommunications LLC

Mcimetro Access Trans Ser

Vonage Business Solutions

Level 3 Communications

Bandwith COMM of the Noreast

Hughes Network

QCOL INC

AT&T Corp

METTEL of West Virginia INC

CITYNET

Vonage Tax Account

Y Max Communications Corp

RingCentral, INC

**Section 8 – Tariffs, rules, regulations, and laws**

The final plan will be supplemented and superseded by the applicable tariffs on file and approved by the Public Service Commission of West Virginia, the rules, regulations, and order of the Public Service Commission of West Virginia, and the laws of the State of West Virginia. Such tariffs, rules regulations, order and laws will be deems incorporated in the final plan as if fully set out here in.

**Section 9 – Filing of plan with the Public Service Commission**

Upon completion and adoption of the final plan, the Preston County Commission will send a copy of such plan to the Public Service Commission of West Virginia.

**Section 10 – County funds**

Under the terms and conditions as set forth, the Preston County Commission has the responsibility for the funding for this plan that is not covered by the E-911 fees, as long as county funds are available.

**Section 11 – Misuse of 911**

- A)** No person may knowingly use 9-1-1, the telephone number of the enhanced emergency telephone system in Preston County, to report an emergency if he or she knows that no such emergency exists.
- B)** No person may disclose of use, for any purpose other than for the enhanced emergency telephone system serving Preston County, any information contained in the database 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 than two hundred dollars (\$200.00) and no more than five thousand dollar (\$5,000.00) or imprisoned in jail not more than one year, or both fined and imprisoned.

This Ordinance and Final Plan adopted this 11<sup>th</sup> day of October, 2016 at a regular meeting of the Preston County Commission.

  
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Craig Jennings  
President of Commission

  
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Dave Price  
Commissioner

  
\_\_\_\_\_  
Don Smith  
Commissioner

Attest:

  
\_\_\_\_\_  
Linda Huggins

Clerk of Preston County

Preston County  
Linda Huggins, Clerk  
Instrument 21574903  
10/12/2016 @ 12:28:57 PM  
ORDINANCE / MISC MINUTES  
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