

ENHANCED 911 COUNTY ORDINANCE

March 23 1998
9:40 A. M.
JOHN E. OTT
JEFFERSON COUNTY COMMISSION

AN ORDINANCE OF JEFFERSON COUNTY PROVIDING FOR A PROPOSAL FOR AN ENHANCED EMERGENCY TELEPHONE SYSTEM, FOR THE HOLDING OF A PUBLIC MEETING ON SUCH PROPOSAL, AND FOR PLACEMENT OF AN ADVERTISEMENT NOTIFYING THE PUBLIC OF SUCH MEETING AND OF THE LOCATION AT WHICH A COPY OF SUCH 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 for the capital, installation and maintenance costs thereof;

WHEREAS, article six, chapter twenty-four (24-6-1 et al) 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 JEFFERSON 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 COMPANY PROVIDING LOCAL EXCHANGE SERVICE WITHIN THE COUNTY AND TO LOCAL EMERGENCY SERVICE PROVIDERS AND THAT THE COUNTY COMMISSION SEEK THE ADVICE OF SUCH COMPANY AND SUCH PROVIDERS IN DEVELOPING A FINAL PLAN FOR AN ENHANCED EMERGENCY TELEPHONE-SYSTEM;

THAT A COPY OF THE PROPOSAL ATTACHED HERETO BE MADE AVAILABLE FOR EXAMINATION BY THE PUBLIC AT THE JEFFERSON COUNTY COURTHOUSE, COUNTY CLERKS OFFICE ~ 100 EAST WASHINGTON STREET, CHARLES TOWN, WEST VIRGINIA;

THAT A PUBLIC MEETING BE SCHEDULED TO BE HELD AT THE JEFFERSON COUNTY PLANNING COMMISSION MEETING ROOM ~ 108 EAST WASHINGTON STREET, CHARLES TOWN, WEST VIRGINIA ON TUESDAY, FEBRUARY 3, 1998 AT 7:30 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 911 COORDINATOR IN THE SPIRIT OF JEFFERSON FARMER'S ADVOCATE, NEWSPAPER OF GENERAL CIRCULATION IN SUCH COUNTY, NOTIFYING THE PUBLIC OF THE DATE, TIME; PLACE AND PURPOSE OF SUCH MEETING AND OF THE LOCATION AT WHICH A COPY OF SUCH PROPOSAL MAY BE EXAMINED.

PLAN FOR AN ENHANCED EMERGENCY TELEPHONE SYSTEM FOR JEFFERSON COUNTY, WEST VIRGINIA

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 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 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) **"Local exchange service line"** means the same as defined in the contract 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 the 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:
 - City of Charles Town**
 - Corporation of Bolivar**
 - Corporation of Harpers Ferry**
 - Corporation of Ranson**
 - 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 a Primary County Answering Point located at 44 Wiltshire Road, Kearneysville (Bardane), Jefferson County, West Virginia.
- (c) A Secondary County Answering Point shall be located at 110 East Washington Street, Charles Town, 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 automatic number identification 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 Emergency Services

Jefferson County Sheriff's Department

West Virginia State Police - Charles Town Detachment

Harpers Ferry (Friendship) Fire Volunteer Company (Fire & EMS)

Citizens Fire Volunteer Company - Charles Town (Fire)

Shepherdstown Volunteer Fire Company (Fire & EMS)

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

Blue Ridge Mountain Volunteer Fire Company (Fire & EMS)

West Virginia Dept. Of Natural Resources - Law Enforcement

West Virginia Department of Forestry

West Virginia Department of Environmental Protection

Norfolk Southern Railway Police

National Park Service - Harpers Ferry - Law Enforcement

Charles Town Police Department

Harpers Ferry Police Department

Ranson Police Department

Shepherdstown Police Department

Shepherd College Campus Police

- (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 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 listed the membership of the Enhanced 9-1-1 Communications 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 the County Law Enforcement Committee - Municipality Representative**
7. **Member - Public-at-Large**
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 a member of the Advisory Board at all times.

Except as noted above for the initial terms of certain memberships and for the 9-1-1 Director, 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 which began on October 1st 1997.

SECTION 5 - PROJECTION OF COSTS

- (a) The initial capital and installation costs off the enhanced emergency telephone system are projected to be as follows:

DESCRIPTION	COSTS
E-911 Receiving Equipment Hardware and Software	\$ 126,940
Citizens Communications Installation and Service	\$ 62,100
Mapping and GIS Training	\$ 5,000
TTD Equipment	\$ 2,000
UPS Equipment	\$ 1,500
ADDRESSING AND MAPPING EXPENSES	
GeoLink Base Reference Station	\$ 4,000
GPS Workhorse 8 Channel Receiver	\$ 2,000
GeoLink Power Map Core Module	\$ 1,000
Post Point Differential Correction Software	\$ 400
Kodak DC-50 Digital Zoom Camera	\$ 700
NuMetrics Measuring Devices	\$ 1,100
Computers (Hardware)	\$ 13,300
Printers and other Hardware	\$ 5,800
Supplies for Printers	\$ 2,000
AutoCAD R14 Software Upgrade	\$ 600
Vehicle Supplies (gas, oil, tires)	\$ 8,000
Vehicle Maintenance	\$ 1,000
Postage	\$ 9,000
Data Entry Personnel	\$ 82,762
TOTAL COSTS:	\$ 329,202

- (b) The annual costs of the first five years of recurring maintenance and dispatcher costs are projected to be as follows:

Personnel Costs	FY-1999	FY-2000	FY-2001	FY-2002	FY-2003
Director	\$ 40,000	\$ 40,800	\$41,024	\$43,285	\$44,583
<i>(Less Other Funding)</i>	<i>(\$ 18,000)</i>	<i>(\$ 18,360)</i>	<i>(\$ 18,911)</i>	<i>(\$ 19,478)</i>	<i>(\$ 20,062)</i>

Director Total	\$ 22,000	\$ 22,440	\$ 23,113	\$ 23,807	\$24,521
Executive Secretary	\$ 15,500	\$ 15,810	\$ 16,284	\$ 16,773	\$ 17,276
Operations Chief	\$ 29,500	\$ 30,090	\$ 30,993	\$ 31,922	\$ 32,880
Supervisor #1	\$ 24,500	\$ 24,990	\$ 25,740	\$ 26,512	\$ 27,307
Supervisor #2		\$ 24,990	\$ 25,740	\$ 26,512	\$ 27,307
Supervisor #3			\$25,740	\$ 26,512	\$ 27,307
Supervisor #4			\$ 25,740	\$ 26,512	\$ 27,307
Telecommunicator II	\$ 21,000	\$ 21,420	\$ 22,063	\$ 22,724	\$ 23,406
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Telecommunicator I	\$ 17,750	\$ 18,105	\$ 18,648	\$ 19,208	\$ 19,784
Telecommunicator I	\$ 17,750	\$ 18,105	\$ 18,648	\$ 19,208	\$ 19,784
Telecommunicator I	\$ 17,750	\$ 18,105	\$ 18,648	\$ 19,208	\$ 19,784
Telecommunicator I			\$ 18,648	\$ 18,208	\$ 19,784
Telecommunicator I			\$ 18,648	\$ 19,208	\$ 19,784
Overtime	\$ 10,000	\$ 10,300	\$ 10,609	\$ 10,927	\$ 11,255
SUBTOTAL:	\$ 259,750	\$ 290,035	\$ 387,514	\$ 399,137	\$ 411,110
ESTIMATED FRINGES					
FICA - 6.2%	\$ 16,105	\$ 17,982	\$ 24,026	\$ 24,746	\$ 25,489
Medicare - 1.45%	\$ 3,766	\$ 4,206	\$ 5,619	\$ 5,787	\$ 5,961
Group Insurance	\$ 36,000	\$ 39,000	\$ 51,000	\$ 51,000	\$ 51,000
Insurance & Bonds (1.85%)	\$ 4,805	\$ 5,366	\$ 7,169	\$ 7,384	\$ 7,606
Retirement - 9.5%	\$ 24,676	\$ 27,553	\$ 36,814	\$ 37,918	\$ 39,055
Other	-0-	-0-	-0-	-0-	-0-
SUBTOTAL:	\$ 85,352	\$ 94,107	\$ 124,628	\$ 126,835	\$ 129,111
SUBTOTAL PERSONNEL	\$ 345,102	\$ 384,142	\$ 512,142	\$ 525,972	\$ 540,221
LESS 20% COUNTY	(\$214,020)	(\$ 76,828)	(\$102,428)	(\$105,195)	(\$108,044)
SALARY BY 911 FEES	\$ 131,082	\$ 307,314	\$ 409,714	\$ 420,777	\$ 432,177

Telephone Lines	FY-1999	FY-2000	FY-2001	FY-2002	FY-2003
3% Collection Svs. Charge	\$ 15,340	\$ 15,709	\$ 16,085	\$ 16,472	\$ 16,866
Wireless XY Escrow 3%	-0-	\$ 607	\$ 636	\$ 666	\$ 698
RMC Pate/Chrg 911 Svs.	\$ 1,955	\$ 2,040	\$ 2,040	\$ 2,125	\$ 2,125
NRC Install/Svs. Add Lines	-0-	\$ 2,700	-0-	\$ 2,864	-0-
Admin/Bus Centrex Lines	\$ 1,600	\$ 1,600	\$ 1,600	\$ 1,600	\$ 1,600
Fax/Modem Lines	\$ 1,050	\$ 1,082	\$ 1,114	\$ 1,147	\$ 1,182
Alarm Lines	\$ 520	\$ 536	\$ 552	\$ 568	\$ 585
TOTAL COSTS	\$ 20,465	\$ 24,274	\$ 22,027	\$ 25,442	\$ 23,056

Maintenance Costs	FY-1999	FY-2000	FY-2001	FY-2002	FY-2003
Console Hardware	\$ 6,840	\$ 7,045	\$ 7,257	\$ 7,474	\$ 7,698
Software	\$ 1,000	\$ 1,030	\$ 1,061	\$ 1,093	\$ 1,126
Radio/Electronics	\$ 21,000	\$ 21,630	\$ 22,279	\$ 22,947	\$ 23,636
Emergency Generator	\$ 800	\$ 824	\$ 849	\$ 874	\$ 900
TOTAL COSTS:	\$ 29,640	\$ 30,529	\$ 31,446	\$ 32,388	\$ 33,360

Training Cost	FY-1999	FY-2000	FY-2001	FY-2002	FY-2003
Training	\$ 8,500	\$ 12,000	\$ 12,360	\$ 8,500	\$ 8,755
Related Travel Expenses	\$ 2,125	\$ 3,000	\$ 3,090	\$ 1,500	\$ 1,545
TOTAL COSTS:	\$ 10,625	\$ 15,000	\$ 15,450	\$ 10,000	\$ 10,300

Capital Outlay	FY-1999	FY-2000	FY-2001	FY-2002	FY-2003
Equipment	\$ 38,351	\$ 40,789	\$ 41,803	\$ 42,845	\$ 43,910

5(b) TOTAL:	\$ 215,163	\$ 417,906	\$ 520,040	\$ 531,452	\$ 542,803
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Five (5) Year Budget Total: \$ 2,242,364

- (c) The initial costs associated with establishing, equipping and furnishing the county answering points are projected to be as follows:

Bardane (PSAP)	FY-1999	FY-2000	FY-2001	FY-2002	FY-2003
Furniture & Fixtures	\$ 1,500	\$ 500	-0-	-0-	-0-
Photocopier	-0-	\$ 4,500	-0-	-0-	-0-
Fax Machines	\$ 2,425	-0-	-0-	-0-	-0-
Other	-0-	\$ 500	-0-	-0-	-0-
SUBTOTAL:	\$ 3,925	\$ 5,500	-0-	-0-	-0-
Charles Town (Backup)					
Furniture & Fixtures	\$ 1,500	\$ 500	-0-	-0-	-0-
Fax Machines	\$ 979	-0-	-0-	-0-	-0-
Other	-0-	\$ 4,500	-0-	-0-	-0-
SUBTOTAL	\$ 2,479	\$ 5,000	-0-	-0-	-0-
5(c) TOTAL COSTS:	\$ 6,404	\$ 10,500	-0-	-0-	-0-

- d) The annual costs of the first five years of operating and maintaining each answering point are projected to be as follows:

Bardane (PSAP)	FY-1999	FY-2000	FY-2001	FY-2002	FY-2003
Rental & Utilities	-0-	-0-	-0-	-0-	-0-
Office Supplies	\$ 600	\$ 660	\$ 726	\$ 748	\$ 770
Janitorial Services	-0-	-0-	-0-	-0-	-0-
SUBTOTAL:	\$ 600	\$ 660	\$ 726	\$ 748	\$ 770
Charles Town (Backup)					
Rental & Utilities	\$ 12,800	\$ 12,800	\$ 12,800	\$ 12,800	\$ 12,800
Office Supplies	\$ 600	\$ 660	\$ 726	\$ 748	\$ 770
Janitorial Services	-0-	-0-	-0-	-0-	-0-
SUBTOTAL:	\$ 13,400	\$ 13,460	\$ 13,526	\$ 13,548	\$ 13,570
5(d) TOTALS:	\$ 14,000	\$ 14,120	\$ 14,252	\$ 14,296	\$ 14,340

- (e) Other costs that will not be a part of the costs of the enhanced emergency telephone system but that will be incurred in conjunction with the implementation of such system are projected to be as follows:

	FY-1999	FY-2000	FY-2001	FY-2002	FY-2003
Printing	-0-	\$ 2,500	-0-	-0-	-0-
Advertising/Public Announ.	-0-	\$ 1,500	-0-	-0-	-0-
Professional Services	-0-	\$ 2,000	-0-	-0-	-0-
Miscellaneous	\$ 250	\$ 750	-0-	-0-	-0-
5(e) TOTALS:	\$ 250	\$ 6,750	-0-	-0-	-0-

**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) The imposition, pursuant to section three-cc, article one, chapter seven (7-1-1-cc) of the West Virginia Code, of a fee of **\$ 1.90** per month per local exchange service line or line equivalent except for Tel-Assistance lines, is proposed to finance the projected costs of the enhanced emergency telephone system. Such fee is proposed to be reduced when the capital and installations costs have been recovered to offset recurring operational, maintenance and dispatcher costs only. 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(s). Such fee is proposed to become effective beginning on **May 1st 1998**.
- (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 Citizens Communications Company of West Virginia.
- (c) All fees remitted under the contract referred to in subsection (b), above, are proposed to be deposited in a separate *"Enhanced 9-1-1 Fund."*
- (d) The costs associated with establishing, equipping, furnishing, operating or maintaining the county answering point(s) shall be paid for as follows:
1. **Jefferson County General Fund**
 2. **Jefferson County Enhanced 911 Fund**

SECTION 7 - TELEPHONE COMPANY

- (a) Upon the 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:

Citizens Communications Company of West Virginia

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 5th day of February 1998.



R. GREGORY LANCE, PRESIDENT
COUNTY COMMISSION OF JEFFERSON COUNTY,
WEST VIRGINIA

ATTACHMENT "A"

ENHANCED 911 BILLING CONTRACT

This contract is made this 5th day of February 1998, by and between (the "Authority), and Citizens Utilities Company, d/b/a CITIZENS COMMUNICATIONS COMPANY OF WEST VIRGINIA ("Citizens Communications").

The parties hereby agree as follows:

1. Citizens Communications shall act as the billing agent for the Authority for the billing of the fee imposed by the Authority for the capital, installation and maintenance costs, including recurring, maintenance and dispatcher costs, of the enhanced emergency telephone system of Jefferson County (the County").
2. Citizens Communications's duties as billing agency shall be as follows:
 - a. The enhanced emergency telephone system fee shall appear on the monthly bills that Citizens Communications issues to its customers in the County, beginning with the bills dated May 1, 1998. The amount of such fee shall be **\$1.90** per local exchange service line, except Tele-Assistance lines. For purposes of this contract, a "local exchange service line" is a line provided by Citizens Communications pursuant to its local exchange service tariff for which it issues a bill to a customer or customers. It is expressly understood that a "local exchange service line" shall include and be limited to the following:
 - (1) Each residence line, except Tele-Assistance lines;
 - (2) Each business line;
 - (3) Each semi-public telephone line;
 - (4) Each PBX trunk; or
 - (5) First Centrex line and then for each four (4) Centrex lines and additional surcharge will be billed. These surcharges will be prorated if a customer has an odd number of Centrex lines.
 - b. Citizens Communications shall remit to the Authority by the last day of each month all fees collected by it during the preceding month, less the consideration set out in Paragraph 3. In the event the amount remitted is greater or less than the amount due under this contract, any and all liability under this contract shall be discharged by payment of the remaining amount due or by return of the amount overpaid, whichever the case may be. In either such case, no interest shall be charged.
 - c. In the event a customer of Citizens Communications contends either that such fee is not owed by such customer or that such customer is owed a refund of such fee, Citizens Communications shall refer the question to the Authority and Citizens Communications shall thereafter collect or refrain from collecting such fee from such customer as instructed in writing to do by the Authority. Such writing shall be mailed within five (5) days of the date the question is referred, unless otherwise agreed by the parties in writing.
3. In consideration for Citizens Communications billing agent services, it shall retain three (3) percent of the fees collected before remitting the remainder to the Authority. For purposes of this contract, "fees collected" shall mean the fees billed by Citizens Communications less the fees uncollectable, which shall be calculated at Citizens Communications current rate of uncollectable revenues for intrastate service.
4. The Authority shall indemnify and hold Citizens Communications harmless from and against any claims or suits arising out of, in connection with, or related to the Authority's

legal authority to impose an enhanced emergency telephone system fee or the erroneous collection of failure to

bill such fee because of a good faith mistake by Citizens Communications. It is expressly understood that the foregoing indemnification shall include the responsibility to investigate and defend against such claims, including payment of reasonable attorney's fees.

5. The Authority shall notify Citizens Communications in writing at least ninety (90) days prior to the effective date of any change in the amount of the enhanced emergency telephone system fee.
6. The term of this contract shall be one year. Such term may be extended by the Authority an additional year by giving Citizens Communications written notice of such extension within ninety (90) days of the date of expiration of such term. Such term may be extended in a like manner for three (3) more additional years, allowing for total of four (4) extensions of one year each.
7. Either party may, at any time, terminate this contract by giving the other party sixty (60) days written notice of such termination.
8. All notices under this contract shall be mailed by certified mail return receipt requested. Such notices shall be mailed to the other party at the following addresses:

The authority: Jefferson County Commission
 Enhanced 9-1-1 Coordinator
 P.O. Box 208
 Charles Town, WV 25414-0208

 Citizens Communications
 300 Bland Street
 Bluefield, WV 24701
9. This contract is executed in and shall be governed by the laws of the State of West Virginia.
10. This contract shall supersede all prior documents, negotiations and agreements. It shall constitute the entire agreement of the parties on the subject matter to which it applies.

IN WITNESS WHEREOF, the parties have affixed their hands and seals on the date first above-written.

The Authority: JEFFERSON COUNTY COMMISSION
 JEFFERSON COUNTY ENHANCED 9-1-1 CENTER

By: *R. Gregory Lance*
Its: President of Jefferson County Commission

CITIZENS UTILITIES COMPANY, D/B/A
CITIZENS COMMUNICATIONS COMPANY
OF WEST VIRGINIA

By: *John J. Huns*
Its: *VP. Tech + Provisioning*

JEFFERSON COUNTY, WV

FILED

August 30, 2007 08:53:32

JENNIFER S. MAGHAN

COUNTY CLERK

TRANSACTION NO: 2007019434

COUNTY ORDINANCE

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