

IN THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA

IN RE: MINUTES OF MEETING HELD
MONDAY, JANUARY 12, 2009

PRESENT: RICK MODESITT, PRESIDENT
DAVID BLAIR COUCH, COMMISSIONER
WAYNE DUNN, COMMISSIONER

On this date, the County Commission of Wood County met in regular session. They signed purchase orders, invoices and other correspondence.

At 10:30 A.M., the County Commission held a hearing in regard to the Delta Byrd estate. After discussion, this hearing was continued to March 12, 2009 at 10:30 A.M. A transcript of this hearing is on file in the Probate Office.

At 10:45 A.M., the County Commission held a hearing in regard to the Stephen Paul Dye estate. The County Commission, upon a motion duly made, seconded and passed appointed Sheriff Jeff Sandy as Administrator.

At 11:00 A.M., the County Commission held a public hearing for 911 fee changes. Randy Lowe, E-911 Director, recommended the Commission adopt the Ordinance as presented. The County Commission of Wood County, upon a motion made by Rick Modesitt, seconded by Robert K. Tebay, and passed, placed David Blair Couch in nomination for appointment to the Wood County Community Corrections Board. Said nomination is pursuant to an Order appearing in Order Book 51, at Page 433 and bearing the date of April 1, 1991, dealing with the procedure policy for appointments to Boards and Authorities. (Commissioner Couch abstained from voting.) An Order was prepared regarding this matter.

At 11:30 A.M., the County Commission met to discuss the James Haynes property (continued from Thursday). Bill Brown, County Engineer, stated the structure on the property is unsafe. He stated his recommendation is that a structural engineer inspect the structure to make a determination. Mr. Haynes addressed the Commission and stated the building is a frame building and thus does not collapse, but slowly degrades to the ground. He said the building is not abandoned and since he lives next door to it, he will make sure it is kept up.

the County Commission of Wood County, upon a motion by David Blair Couch, seconded by Wayne Dunn, and made unanimous by Rick Modesitt, does hereby ORDER that James Haynes, owner of the property located at 1657 Blennerhassett Heights Road, Parkersburg, West Virginia, be given a ninety (90) day extension for a plan to repair or demolish the structure to be presented to the Commission. Said "Plan to Repair" includes a requirement that Mr. Haynes provide the County Commission a copy of an existing liability insurance policy showing the structure in question is currently insured. Said "Plan to Repair" must address the following concerns:

1. The dilapidated chimney
2. The roof of the structure
3. Securing of the exterior
4. Address the exterior appearance

Mr. Haynes has been ORDERED to appear before the Commission on April 13, 2009 at 10:30 A.M. In the event the owner fails to comply with this ORDER by the aforementioned time period, the County Commission of Wood County reserves the right to advertise and seek a contractor to clean up and repair the facilities, remove debris from the property to an approved landfill, and initiate a civil proceeding in the Circuit Court of Wood County, West Virginia, to

subject the private land described above to a lien to satisfy the costs incurred by the County Commission of Wood County in making the order of clean up and removal to a landfill, along with reasonable attorney fees and court costs expended, and any such other relief as the County Commission of Wood County deems appropriate in order to enforce the Abandoned Building Ordinance of Wood County. An Order was prepared regarding this matter.

The County Commission of Wood County, upon a motion made by David Blair Couch, seconded by Wayne Dunn and made unanimous by Rick Modesitt, did hereby AUTHORIZE Rick Modesitt, in his official capacity as President and on behalf of the County Commission, to sign the Request for Reimbursement in regard to the Governor's Highway Safety Program Grant Number F09-HS-03-154. The Request for Reimbursement is in the amount of three thousand two hundred ninety-three dollars and seventy-nine cents (\$3,293.79) for the month of December, 2008. The Request for Reimbursement from the Program Activity Report, and the Monthly Progress Report have been submitted. Documentation pertaining to the Governor's Highway Safety Program Grant is on file in the Office of the County Administrator. An Order was prepared regarding this matter.

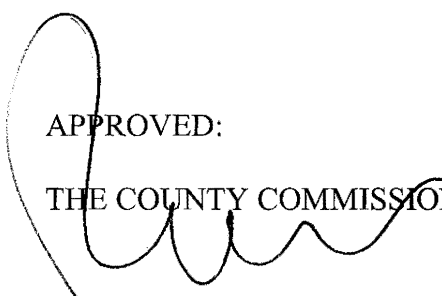
the County Commission of Wood County upon a motion made by David Blair Couch, seconded by Wayne Dunn and made unanimous by Rick Modesitt, did hereby AUTHORIZE Rick Modesitt, in his official capacity as President and on behalf of the County Commission, to sign the Request for Reimbursement in the amount of two hundred eight dollars and ninety-three cents (\$208.93) was requested for the month of November, 2008 for the Stop Violence Against Women Grant Number 07-VAW-015. In addition to the Request for Reimbursement, the Monthly Reports for the Wood County S.A.F.E. Team, the Time Sheets for the Wood County Sheriff's Department and the Project Financial Reports are being submitted to the Criminal Justice Services, Charleston, West Virginia. Documentation pertaining to the STOP

Violence Against Women Program Grant is on file in the Office of the County Administrator.
An Order was prepared regarding this matter.

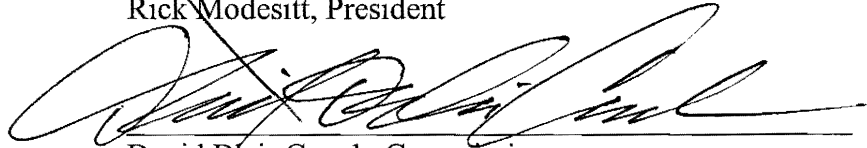
Having no further scheduled appointments or business to attend to, the County
Commission adjourned.

APPROVED:

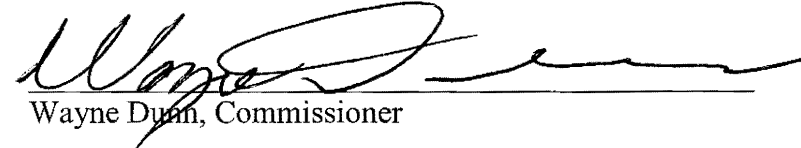
THE COUNTY COMMISSION OF WOOD COUNTY



Rick Modesitt, President



David Blair Couch, Commissioner



Wayne Dunn, Commissioner

To listen to this meeting, please refer to CD labeled January 12, 2009

Wood County Commission Meeting
Held January 12, 2009

Please Print

1.	ALICE Byrd
2.	Andrew C. WALTER for Judith Lawson (with Patricia Byrd) (Byrd Est)
3.	Ernest M. Deyleau counsel for Robert Byrd
4.	Robert E. Byrd
5.	Teresa S. Byrd
6.	Deirdra Tranquill Juvenile Commission
7.	Edell Brinn Tax Dept.
8.	Deidra Tranquill Tax Dept.
9.	Randy Howe Wood County 911
10.	JAMES M HAYNES
11.	Bill Brown
12.	JOHN REED
13.	
14.	
15.	
16.	
17.	
18.	
19.	
20.	

4/12/09
68/461

**ENHANCED 911 ORDINANCE
FOR WOOD COUNTY, WEST VIRGINIA
(AMENDED)**

**AN ORDINANCE PROVIDING FOR THE PROPOSAL OF A MULTI-COUNTY
(INCLUDES WIRT COUNTY) ENHANCED EMERGENCY TELEPHONE SYSTEM FOR WOOD
COUNTY, WEST VIRGINIA.**

WHEREAS, Section 3-cc, Article 1, Chapter 7 {7-1-3-cc} of the Code of West Virginia, as amended, grants the authority to County Commissioners to establish an Enhanced Emergency Telephone System and impose a fee for the capital, installation and maintenance costs thereof;

WHEREAS, the County Commission of Wood County has previously adopted an Enhanced 911 Ordinance for Wood County, West Virginia; and

WHEREAS, certain amendments have been made to West Virginia Code 7-1-3cc and General Order No. 187.36 has been adopted by the Public Service Commission of West Virginia relating to Voice over Internet Protocol ("VoIP"); and

WHEREAS, the County Commission of Wood County believes that amendments of the Enhanced 911 Ordinance are therefore appropriate.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COMMISSION OF WOOD COUNTY, WEST VIRGINIA, PURSUANT TO, AND IN ACCORDANCE WITH SECTION 3-cc, ARTICLE 1, CHAPTER 7 {7-1-3cc} AND ARTICLE 6, CHAPTER 24 {24-6-1 et al} OF THE CODE OF WEST VIRGINIA, AS AMENDED, THAT THE ENHANCED 911 ORDINANCE FOR WOOD COUNTY, WEST VIRGINIA BE AMENDED AND RE-ENACTED AS FOLLOWS:

**PLAN FOR A MULTI-COUNTY (INCLUDES WIRT COUNTY) ENHANCED EMERGENCY
TELEPHONE SYSTEM FOR WOOD COUNTY, WEST VIRGINIA**

SECTION 1. - DEFINITIONS:

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

- (a) "Public Safety Answering Point (PSAP)" 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 Wood County, West Virginia
- (c) "County" means Wood 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, 9-1-1, 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 of the personnel receiving the call routes or dispatches such call by telephone, radio or any other appropriate means of communications to emergency service providers that serve the location from which the call is made.
- (f) "Local Exchange Service Line" means and shall include and be limited to the following:
 - 1. each residence line;
 - 2. each business line;
 - 3. each semi-public telephone line
 - 4. each PBX truck; or
 - 5. CENTREX systems
- (g) "Telephone Company" means a public utility, which is engaged in the provision of telephone service.
- (h) "Voice over Internet Protocol" (VoIP) means a service that:
 - 1. Enables real time, two way voice communications;
 - 2. Requires a broadband connection from the user's location;
 - 3. Requires Internet Protocol-Compatible customer premises equipment; and
 - 4. Permits users generally to receive calls that originate on the public switched telephone network and to terminate calls to the public switched telephone network

SECTION 2 - TERRITORY INCLUDED IN SYSTEM

- (a) All territory in Wood and Wirt Counties, including every municipal corporation in the counties, 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 Parkersburg
 City of Vienna
 City of Williamstown
 City of North Hills
 City of Elizabeth

SECTION 3 - MULTI-COUNTY ANSWERING POINT

- (a) The Multi – 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 one Multi-County Answering Point. The location of such answering point shall be as follows:

Central Dispatch Center
 911 Core Road
 Parkersburg, WV 26101

- (c) All of the Wood County and Wirt County will be served by the Answering Point.
- (d) The Answering Point will be required to respond to calls as follows:

Wood County Sheriff's Department	Direct Dispatch
Parkersburg Police Department	Direct Dispatch
West Virginia State Police – Parkersburg Detachment	Direct Dispatch
Vienna Police Department	Direct Dispatch
Williamstown Police Department	Direct Dispatch
West Virginia DNR (Law Enforcement)	Direct Dispatch
Parkersburg Fire Department	Direct Dispatch
Pennerhassett Volunteer Fire Department, Inc.	Direct Dispatch
Peerwalk Volunteer Fire Department, Inc.	Direct Dispatch
Eastwood Volunteer Fire Department, Inc.	Direct Dispatch

beck Volunteer Fire Department, Inc.	Direct Dispatch
neral Wells Volunteer Fire Department, Inc.	Direct Dispatch
nd Creek Volunteer Fire Department, Inc.	Direct Dispatch
enna Volunteer Fire Department, Inc.	Direct Dispatch
ashington Bottom Volunteer Fire Department, Inc.	Direct Dispatch
averly Volunteer Fire Company, Inc.	Direct Dispatch
illiamstown Volunteer Fire Company, Inc.	Direct Dispatch
mden-Clark Memorial Hospital	Direct Dispatch
. Joseph's Ambulance Service	Direct Dispatch
irt County Sheriff's Department	Direct Dispatch
izabeth/Wirt Volunteer Fire Department	Direct Dispatch
irt County Emergency Squad	Direct Dispatch
est Virginia State Police – Elizabeth Detachment	Direct Dispatch
VU Police	Direct Dispatch

- (e) The Multi-County Answering Point shall be connected to the Verizon network, by dedicated automatic number identification trunks.

SECTION 4 – EMERGENCY SERVICE PROVIDERS, RESOLUTION OF DISPUTES; HANDLING OF MISDIRECTED CALLS; PUBLICLY ACCESSIBLE TELEPHONE NUMBERS; ENHANCED 911 COMMUNICATIONS ADVISORY BOARD.

- (a) Each Emergency Service Provider that provides emergency services in the territory of Wood and Wirt counties is included in the Enhanced Emergency Telephone System.
- (b) The Emergency Service Providers referred to in subsection (a) above, shall be the following:

ood County Sheriff's Department
 rkersburg Police Department
 est Virginia State Police – Parkersburg Detachment
 enna Police Department
 illiamstown Police Department
 est Virginia DNR (Law Enforcement)
 rkersburg Fire Department
 ennerhassett Volunteer Fire Department, Inc.
 eerwalk Volunteer Fire Department, Inc.
 stwood Volunteer Fire Department, Inc.
 beck Volunteer Fire Department, Inc.
 neral Wells Volunteer Fire Department, Inc.
 nd Creek Volunteer Fire Department, Inc.

enna Volunteer Fire Department, Inc.
 ashington Bottom Volunteer Fire Department, Inc.
 averly Volunteer Fire Company, Inc.
 illiamstown Volunteer Fire Company, Inc.
 imden-Clark Memorial Hospital/Ambulance Service
 . Joseph's Ambulance Service
 irt County Sheriff's Department
 izabeth/Wirt Volunteer Fire Department
 irt County Emergency Squad
 est Virginia State Police – Elizabeth Detachment
 VU Police

- (c) In the event of a dispute between Wood and/or Wirt 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) If, at any time, a call is incorrectly dispatched to an Emergency Service Provider, the Provider receiving the call shall either radio the correct Provider or advise the PSAP to dispatch the correct Provider.
- (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 911 Communications Advisory Board.

City of Parkersburg	2 members
City of Vienna	1 member
City of Williamstown	1 member
Wood County Sheriff's Department	1 member
Wood County EMS providers	1 member
Wood County Emergency Services Management	1 member
West Virginia State Police	1 member
Wood County Firefighters Association, Inc.	1 member
Industry	1 member
General Public	2 members
Media	1 member
Member of Wood County Commission	1 member

Representative of Wirt County Commission (Could be a Commissioner)	1 member
Director of Multi-County E-911	Ex-officio member
Health Care Providers	2 members
Fraternal Order of Police, Blennerhassett Lodge 79	1 member
Wood County Deputy Sheriff's Association	1 member

The initial terms of the following memberships shall be one (1) year:

City of Williamstown
Wood County Emergency Services
Industry
General Public – 1 member

The initial terms of the following memberships shall be two (2) years:

City of Vienna
City of Parkersburg – 1 member
Wood County Sheriff's Department
Wood County Firefighters Association
Media

The initial terms of the following memberships shall be three (3) years:

Wood County Emergency Medical Services Providers
West Virginia State Police
General Public – 1 member
Wood County Commission
City of Parkersburg – 1 member

The multi-County Director of the Enhanced 911 system and the Representative of the Wirt County Commission shall serve as members of the Advisory Board at all times.

Except as noted above for the initial terms of certain memberships and for the 911 Director, Advisory Board Members shall be appointed by the appropriate County Commission to serve for one year terms or for the balance of the terms of memberships vacated in mid-term. The initial terms of all Advisory Board Members shall begin on May 1, 1997.

SECTION 5 - PROJECTION OF COSTS

- (a) The initial capital and installation of costs of the Enhanced Emergency Telephone System are projected to be as follows:

PROJECTED ONE TIME START UP COSTS OF E-911

PHONES	\$ 65,430
BELL ATLANTIC (VERIZON)	
ARMSTRONG	
SOFTWARE & HARDWARE FOR TELEPHONES & DISPATCHING POINTS	\$113,726
TELEPHONES	
COMPUTER SYSTEM	
CAD	
MAPS	
COMMUNICATIONS & INTERFACE EQUIPMENT	\$490,500

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

ESTIMATED ANNUAL COST

	<u>1ST Year</u>	<u>+3%</u> <u>2nd Year</u>	<u>+3%</u> <u>3rd Year</u>	<u>+3%</u> <u>4th Year</u>	<u>+3%</u> <u>5th Year</u>
TOTAL COST OF PERSONNEL	\$335,500	\$345,462	\$355,826	\$366,501	\$377,496
DIRECTOR					
DISPATCHERS – 8					
LEAD DISPATCHERS – 4					
DATA ENTRY – 2					
UNIFORMS	3,750	3,863	3,978	4,098	4,221
TRAINING/LODGING	4,500	4,635	4,774	4,917	5,065
TRAVEL	4,000	4,120	4,244	4,371	4,502
FEES/SUBSCRIPTIONS	500	515	530	546	563
MAINTENANCE OF HARDWARE	34,000	35,020	36,071	37,153	38,267
PHONE LINES	40,000	41,200	42,436	43,709	45,020
E-911 PHONE LINES					
NON-EMERGENCY LINES					
3 ELECTRONIC DATA LINES					
GENERAL LIABILITY INSURANCE	15,000	15,450	15,914	16,391	16,883
PRINTING	3,500	3,605	3,713	3,825	3,939
POSTAGE	1,000	1,030	1,061	1,093	1,126

CONTINGENCY FUND/AUDIT COST	3,500	3,605	3,713	3,825	3,939
MAINTENANCE ON RADIOS	10,000	10,300	10,609	10,927	11,255
TELETYPE	6,500	6,695	6,896	7,103	7,316
PHYSICALS FOR NEW HIRES	500	515	530	546	563
REPLACEMENTS OF HEADSETS	2,700	2,781	2,864	2,950	3,039
SOFTWARE MAINTENANCE	20,000	20,600	21,218	21,855	22,510
TRAVEL & PROMOTIONS	1,500	1,545	1,591	1,639	1,688
TOTALS	\$486,350	\$500,941	\$515,968	\$531,449	\$547,392

NOTE: ANNUAL COSTS ARE ROUNDED TO NEAREST DOLLAR AMOUNTS.

- (c) The initial costs associated with establishing, equipping and furnishing the Multi-County Answering Point are projected to be as follows:

BACK UP GENERATOR/GAS OR DIESEL 50,100 WATT 100 GALLON TANK AUTO SWITCHING	\$15,000
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FURNITURE AND FIXTURES	\$27,000
BUILDING	\$75,000

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

UTILITIES	\$10,000
MAINTENANCE OF OFFICE EQUIPMENT	\$ 1,000
CONTRACT SERVICES FOR BUILDING MAINTENANCE	\$28,000

Current and future costs for establishing, equipping, furnishing and maintaining the Enhanced 911 System shall be as determined and authorized by the County Commission of Wood County, West Virginia.

SECTION 6 - IMPOSITION OF FEE; ADOPTION OF BILLING CONTRACT;
ESTABLISHMENT OF SEPARATE ENHANCED 911 FUND; PAYMENT
OF COSTS NOT RECOVERED THROUGH THE FEE

- (a) There shall be imposed, pursuant to Section 3-cc, Article 1, Chapter 7 {7-1-3-cc} of the Code of West Virginia, as amended, a fee of \$1.25 per month per Wood County local exchange line, except for the Tel-Assistance lines, and \$1.75 per month per each Wood County customer receiving Voice over Internet Protocol (VoIP) service.
- (b) The County Commission of Wood County adopts and ratifies all contracts with telephone companies currently in existence and all contracts with Telephone Companies and/or providers of Voice over Internet Protocol (VoIP) hereafter entered into, relating to the billing, collecting and remitting of the Enhanced Emergency Telephone System fee.
- (c) All fees remitted under the contract(s) referred to in subsection (b), above, are proposed to be deposited in a separate "Enhanced 911 Fund."
- (d) The costs associated with establishing, equipping, furnishing, operating or maintaining the Multi-County Answering Point shall be paid for as follows:

Wood County Funds

- (e) The other costs listed in Section 5 are proposed to be paid for as follows:

Wood County Funds
Wirt County Contractual Fees

SECTION 7 - TELEPHONE COMPANIES

- (a) Upon the adoption of this Plan, the terms and conditions of the telecommunications services and facilities provided by the telephone companies and VOIP Service Providers 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.

SECTION 8 - TARIFFS, RULES AND REGULATIONS AND LAWS

The final plan for the Multi-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.

The Rules Governing Billing, Collection and Remission of E911 Fees by Providers of Voice Over Internet Protocol Service (150CSR32) adopted effective November 19, 2008 by Order of the Public Service Commission of West Virginia, and any amendments thereto duly adopted, are incorporated herein by reference as if fully set out herein.

SECTION 9 - FILING OF PLAN WITH THE PUBLIC SERVICE COMMISSION

Upon completion and adoption of the final plan for the Multi-County Enhanced Emergency Telephone System, the Wood County Commission will send a signed copy of such plan to the Public Service Commission of West Virginia.

SECTION 10 - WIRT COUNTY MULTI-COUNTY ENHANCED EMERGENCY TELEPHONE SYSTEM ORDINANCE

The Multi-County Enhanced Emergency Telephone System shall be governed by this Ordinance and a companion Ordinance duly promulgated and adopted by the Wirt County Commission.

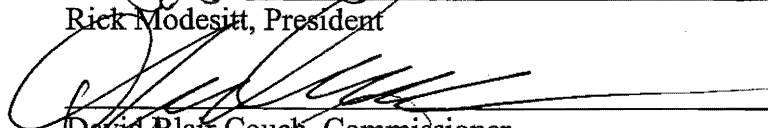
ADOPTED THIS 21ST DAY OF APRIL, 1997.
AMENDED THIS 14TH DAY OF MAY, 1998.
AMENDED THIS 30TH DAY OF APRIL, 2001.
AMENDED THIS 18TH DAY OF JUNE, 2001.
AMENDED THIS 12TH DAY OF JANUARY, 2009.

APPROVED:

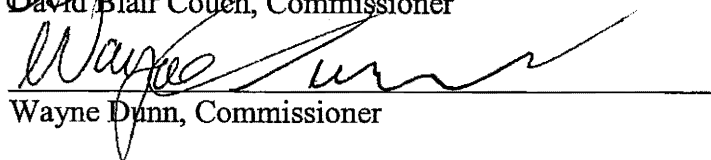
THE COUNTY COMMISSION OF WOOD COUNTY



Rick Modesitt, President



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