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340.0

**COMMONWEALTH OF KENTUCKY
GRAYSON COUNTY FISCAL COURT**

ORDINANCE NUMBER 340.0

**AN ORDINANCE RELATING TO THE ESTABLISHMENT OF
AN ENHANCED 911 (E-911) EMERGENCY TELEPHONE SERVICE
WITHIN GRAYSON COUNTY, KENTUCKY**

WHEREAS, 9-1-1 is the three-digit telephone number designated throughout the United States as the emergency telephone number to be used by the public to obtain law enforcement, medical, fire, rescue, and other emergency services; and

WHEREAS, Basic 911 (B911) Service includes lines and equipment necessary for the answering, transferring, and dispatching of public emergency telephone calls by persons within the serving area who dial 911 and this service automatically routes 911 calls to a Public Safety Answering Point (PSAP), but provides no information about the location or telephone number of the caller; and

WHEREAS, Enhanced Universal Emergency Number Service, also referred to as Enhanced 911 Service or E-911 is a telephone exchange communication service similar to Basic 911 Service whereby a Public Safety Answering Point (PSAP) designated by the customer may receive telephone calls dialed to the telephone number 911; and

WHEREAS, E-911 service includes lines and equipment necessary for the answering, transferring, and dispatching of public emergency telephone calls by persons within the serving area who dial 911; and

WHEREAS, E-911 is different from Basic 911 primarily in the provisioning of Automatic Location Identification (ALI) which provides the customer's name, primary

service address (street names and numbers), and telephone number associated with the calling party's telephone number and is forwarded to the E-911 display unit on a per call basis; and

WHEREAS, pursuant to K.R.S. 65.760, local governments are authorized to establish fees to be paid by the general public as telephone users to pay the cost of establishing and maintaining emergency telephone services; and

WHEREAS, GTE South (hereinafter referred to as "GTE South"), is the provider of the local telephone service in the City of Leitchfield and a portion of Grayson County;

WHEREAS, CON-TEL (hereinafter referred to as "CON-TEL", is the provider of the local telephone service in the City of Caneyville, the City of Clarkson and the remainder of Grayson County; and

WHEREAS, GTE South and CON-TEL have available Enhanced 911 Emergency Telephone Service which will meet the emergency telephone service needs of Grayson County, Kentucky; and

WHEREAS, the Grayson County Fiscal Court recognizes that the Public Service Commission regulates the area of telephone service and must approve subscriber rate increases and Grayson County as a contracting party of "911" would be a subscriber for any rate modifications requested by the Phone Companies; and

WHEREAS, the legislative bodies of the City of Caneyville, the City of Clarkson, and the City of Leitchfield have requested the Grayson County Fiscal Court to enact an ordinance to provide emergency answering telephone service for Grayson County, including, but not limited to, their respective cities;

3-5-97

WHEREAS, the Grayson County Fiscal Court, after extensive study and review, has determined that it is in the best interest of the health, safety and welfare of the citizens of Grayson County to establish an emergency telephone service.

NOW, THEREFORE,

BE IT ORDAINED BY THE FISCAL COURT OF THE COUNTY
OF GRAYSON, COMMONWEALTH OF KENTUCKY:

Section I: Enactment

There shall be and hereby is established an ENHANCED UNIVERSAL EMERGENCY NUMBER SERVICE to provide a single telephone number for emergency services within Grayson County, which service shall be known as "Enhanced 911" or E-911.

Section II: Agreement

(a.) Subject to the approval of the Grayson County Fiscal Court, the Grayson County Judge/Executive, shall be and hereby is authorized to enter into any and all agreements with GTE South and CON-TEL phone companies, hereinafter referred to as Phone Company, necessary to provide for the construction, implementation and ongoing maintenance of "Enhanced 911" within Grayson County, Kentucky. Said agreement shall be for a period of one (1) year commencing on the _____ day of _____, 199__, and shall be automatically renewable upon the same terms and conditions unless prior to thirty (30) days of the close of the said twelve (12) month period either party notifies the other

of its intention to modify and/or terminate said agreement.

(b.) Said agreement shall reflect the installation costs and the current tariffed recurring charges for Enhanced 911 service charged during the contract period.

Section III: "Enhanced 911" Fee

(a.) There shall be and hereby is established an initial Enhanced 911 Emergency Telephone Service fee of One and 50/100 (\$1.50) Dollars per month for each exchange telephone subscriber within Grayson County, including all municipal corporations within Grayson County, which is levied as a special tax, license, or fee as provided in Kentucky Revised Statutes 65.760. Annually, on the 1st day of July, said fee shall be adjusted by the percentage increase or decrease in the previous year's Consumer Price Index (C.P.I.) published by the United States Government. Such fee shall be paid by each exchange telephone subscriber in Grayson County on a individual exchange basis, limited to a maximum of twenty-five (25) exchange lines per account commencing on the ____ day of _____, 1992, and each month thereafter unless modified by subsequent ordinance or the Grayson County Fiscal Court. All WATS, public pay station lines, foreign exchange lines, incoming only lines or non-originating lines shall be exempt from such fee.

(b.) The Grayson County Enhanced 911 Board, as hereinafter established, shall contract with any or all providers of local telephone service in Grayson County, Kentucky to collect the Enhanced 911 Emergency Telephone Service fee from the telephone subscriber and remit said fee to Grayson County Enhanced 911 Board to be used in accordance with Kentucky Revised Statute 65.760.

Section IV: "Enhanced 911" Governing Board

(a.) There shall be and hereby is established a governing board for the Grayson County Enhanced 911 Emergency Telephone Service which shall be known as the "Grayson County Enhanced 911 Board", hereinafter referred to as "Board". The Board shall receive and manage all funds generated under Section III hereof. In accordance with Kentucky Revised Statute 65.760, the Board shall utilize said funds for the establishment, maintenance, management and operation of an Emergency Telephone Service or, in the alternative, for contracting with a competent and qualified agency or entity for the establishment, maintenance, management and operation of an Emergency Telephone Service utilizing Enhanced 911.

(b.) The board shall consist of the following persons:

- (A) The Grayson County Judge/Executive or his designee
- (B) The Grayson County Sheriff or his designee
- (C) The Chief of Police of the City of Caneyville or his designee
- (D) The Chief of Police of the City of Clarkson or his designee
- (E) The Chief of Police of the City of Leitchfield or his designee
- (F) The Grayson County Jailor or his designee
- (G) A representative selected by the legislative body of the City of Caneyville
- (H) A representative selected by the

legislative body of the City of
Clarkson

- (I) A representative selected by the
legislative body of the City of
Leitchfield
- (J) A representative selected by Grayson
County Ambulance Board
- (K) Three (3) representatives selected by the
Chiefs of the Fire Departments
within Grayson County
- (L) A representative selected by the
Grayson County Hospital Foundation
- (M) Two (2) representatives selected by the
Grayson County Fiscal Court

(c.) The Grayson County Judge/Executive shall serve as Chairman of
the Grayson County Enhanced 911 Board.

(d.) The term of any member of the board who holds his/her position
on the board by virtue of his/her position in government, or that individual's designee shall
not exceed that person's tenure in office. The terms of all other board members shall not
exceed three (3) years. The By-Laws shall determine the terms of each Board member
within the limits as herein prescribed.

(e.) The board shall meet at least quarterly, or when so directed by
the Chairman, and shall meet when not less than five (5) members deliver written notice
to the office of the County Judge/Executive requesting a meeting. Special meetings may be
called by the Chairman or the Secretary upon 48 hours written or oral notice delivered to
each member.

(f.) The board shall be a body corporate for all purposes and may contract and be contracted with, may enter into satellite agreements to receive information from other law enforcement agencies, may purchase equipment and supplies in compliance with the Kentucky Procurement Code, KRS Chapter 45 A, laws amendatory thereto or supplementary thereof, and generally, do all things necessary and proper to provide for a proficient and efficient dispatching service for all emergency services within Grayson County, Kentucky. The board may prosecute and defend suits, may retain and pay attorneys for the purpose of such suits and shall have all powers conferred upon Boards and Commissions by Kentucky Statutes.

(g.) No member of the board shall receive any compensation for service upon the board. The board may however, reimburse any member for reasonable out of pocket expenses incurred at the direction of the board. All reimbursement shall be supported by documentary evidence, satisfactory to the board, that such expense has been paid by the member.

(h.) No individual member, or any member of his family, shall enter into any agreement with the board if such board member, or member of his family, has a direct or indirect financial or pecuniary interest in such agreement. In any matter pending before the board, should any member have a real or apparent conflict of interest, the board member shall make such fact known to the board and shall not thereafter participate in the decision making or in the vote upon such subject matter.

(i.) A majority of the board shall constitute a quorum. A majority of members present shall be sufficient to pass any matter pending before the board unless a

greater number is specifically required by statute.

(j.) The board may adopt By-Laws and amend same, may establish rules and regulations for the conduct of its business.

Section V: Severability

The provisions of this ordinance are severable. If any sentence, clause, section or part of this ordinance, or the application thereof is for any reason found to be unconstitutional or invalid, such unconstitutionality or invalidity shall not effect or repeal any of the remaining provisions, sentences, clauses, sections or parts of this ordinance.

Section VI: Effective date

This ordinance shall become effective immediately upon passage and publication.

INTRODUCED AND PUBLICLY READ BY FIRST READING ON THE 11th DAY OF AUGUST, 1992.

PUBLICLY READ AND APPROVED ON SECOND READING ON THE 25TH DAY OF AUGUST, 1992.

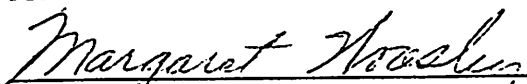
GRAYSON COUNTY FISCAL COURT

by:



GLENN TILFORD, JUDGE/EXECUTIVE
GRAYSON COUNTY

ATTEST:

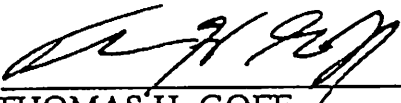


MARGARET WOOSLEY
GRAYSON COUNTY CLERK

APPROVED AS TO FORM:

THOMAS H. GOFF
GRAYSON COUNTY ATTORNEY
10 Public Square
Leitchfield, KY 42754
(502) 259-9306

by:



THOMAS H. GOFF