

COMMONWEALTH OF KENTUCKY
SIMPSON COUNTY FISCAL COURT

AN ORDINANCE RELATING TO THE ESTABLISHMENT
OF AN ENHANCED 911 EMERGENCY TELEPHONE SERVICE
WITHIN SIMPSON COUNTY, KENTUCKY

WHEREAS, On April 19, 1988, the Simpson County Fiscal Court passed a resolution which authorized the County of Simpson, Kentucky to enter into an Interlocal Agreement with the City of Franklin, Kentucky, establishing a "911" program in Simpson County; and

WHEREAS, on November 4, 1988, the County of Simpson, Kentucky, by and through the Simpson County Judge/Executive, entered into said Interlocal Agreement establishing the Simpson Emergency Communications Center with the "911" number for service; and

WHEREAS, the members of the legislative bodies of the City of Franklin and County of Simpson, Kentucky, have received information from various sources concerning the enhancement of the health, safety and welfare of the general public by having available an emergency telephone service; and,

WHEREAS, pursuant to KRS 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 service; and

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WHEREAS, South Central Bell Telephone Company, a Georgia Corporation (hereinafter referred to as "Phone Company"), is a provider of the local telephone service in the City of Franklin, and Simpson County (hereinafter referred to as "Local Area"), and has available Enhanced 911 Emergency Telephone Service, which will meet the emergency telephone service needs of the Local Area; and

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

WHEREAS, the legislative body of the City of Franklin has requested Simpson County to enact a countywide ordinance to provide emergency answering telephone service for the Local Area; and

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

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

SECTION ONE. The Simpson County Fiscal Court Resolution dated April 19, 1988, authorizing the County of Simpson, Kentucky to enter into the Interlocal Agreement establishing the Simpson Emergency Communications Center and the Interlocal Agreement

establishing the Simpson Emergency Communications Center and the use of the "911" emergency communications number, are hereby ratified and confirmed and adopted as a part of this ordinance as if set forth herein.

SECTION TWO. AGREEMENT

(a) Simpson County, by and through the Simpson County Judge/Executive, is authorized to enter into an agreement along with the City of Franklin, in compliance with the Interlocal Agreement previously establishing the Simpson Emergency Communications Center and with the Phone Company or other suppliers to provide for the construction, implementation and ongoing maintenance of the Enhanced "911" service and re-ratifying any such agreement as may be necessary with the Phone Company or other suppliers to continue the maintenance of the "911" service previously established by the Interlocal Agreement establishing the Simpson Emergency Communications Center. Said agreement shall be for a period of from the date of the filing of said agreement until November 30, 1989, and for one year periods thereafter, and shall be automatically renewable upon the same terms and conditions unless prior to thirty (30) days of the close of the said period or any following twelve (12) month period after the original term, either party notifies the other of its intention to modify and/or terminate said agreement. This initial term is for a period of less than one (1) year in order to allow the ending date to be in compliance on a yearly basis with the original term as established in the Simpson Emergency

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Communications Center Interlocal Agreement, which term originally commenced December 1, 1988, and runs to November 30, 1989, and is automatically renewable for successive twelve (12) month periods unless terminated by either party.

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

SECTION THREE. "911" FEE

(a) There is hereby established a "911" fee of sixty-nine (\$.69) cents per month for each exchange telephone subscriber which is levied as a fee to be paid by each exchange telephone subscriber in the Local Area on an individual exchange line basis limited to a maximum of 25 exchange lines per account, by not sooner than December 1, 1989, for the Local Area Exchanges, which first three number prefixes start with 586, and each month thereafter.

(b) Phone Company shall collect the "911" fee from the subscriber and remit said fee to Simpson County according to the terms of the agreement.

SECTION FOUR. "911" ADVISORY BOARD

(a) There is hereby established a Simpson County "911" Advisory Board which shall be comprised of the same members of the Advisory Board for the Simpson Emergency Communications Center as set forth in the Interlocal Agreement dated November 4, 1988, and which shall be comprised of the following individuals:

(1) Simpson County Sheriff.

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(2) Franklin City Police Chief

(3) A representative of the Simpson County Fiscal Court, nominated by the County Judge Executive, approved by a majority of the Fiscal Court, to serve a term of two (2) years. Said representative shall not be subject to removal prior to the expiration of said term without prior approval by a majority of the Fiscal Court.

(4) A representative of the Franklin City Council, nominated by the Mayor, approved by a majority of the City Council, to serve a term of two (2) years. Said representative shall not be subject to removal prior to the expiration of said term without prior approval by a majority of the City Council.

(5) A representative of the Franklin-Simpson Ambulance Board, to be selected by a majority of said Board, to serve a term of two (2) years. Said representative shall not be subject to removal prior to the expiration of said term without prior approval of a majority of said Board.

(6) A Citizen at large to be nominated by the County Judge Executive, approved by a majority of the Fiscal Court, to serve a term of two (2) years. Said representative shall not be subject to removal prior to the expiration of said term without prior approval by a majority of the Fiscal Court.

(7) A citizen at large to be nominated by the Mayor, approved by a majority of the City Council, to serve a term of two (2) years. Said representative shall not be subject to removal prior to the expiration of said term without prior approval by a majority of the City Council.

(b) Said Board shall meet at least once per calendar month and the chairman shall call special meetings upon written notice delivered to the members at least seven (7) days prior to any special meeting.

(c) Said Board shall continuously monitor the procedures established for the operation of the "911" system and make recommendations to the Simpson County Fiscal Court and the Franklin City Council for effective implementation of the emergency telephone system.

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SECTION FIVE. 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 affect or repeal any of the remaining provisions, sentences, clauses, sections or parts of this ordinance.

SECTION SIX. This ordinance shall become effective immediately upon passage and publication.

Introduced and publicly read on first reading on the 29th day of November, 1988.

Publicly read and approved on second reading on this the 6th day of December, 1988.

SIMPSON COUNTY FISCAL COURT

BY: Kenneth Y. Harper
Kenneth Y. Harper
Simpson County Judge/Executive

ATTEST:

Jada Rhea
Jada Rhea
Fiscal Court Clerk

<u>AYE</u>	GLEN EVANS
<u>NO</u>	BOBBY WILLIAMS
<u>AYE</u>	BILL SCOTT
<u>NO</u>	JAMES BAILEY, JR.
<u>AYE</u>	KENNETH Y. HARPER

I, Jada Rhea, Clerk of the Simpson County Fiscal Court, do hereby certify that the foregoing instrument was this day lodged to be and is, with this and the foregoing certificate duly recorded in my office. Given under my hand this 6th day of December, 1988.

Jada Rhea