

**BARRY COUNTY
EMERGENCY TELEPHONE SERVICE DISTRICT
FINAL PLAN**

Adopted on December 27, 2016

BARRY COUNTY 911 SERVICE PLAN

I. INTRODUCTION

For decades the 911 system has served the needs of the public in emergencies. Next Generation 911 (“NG911”) will enhance the 911 systems to create a faster, more flexible, resilient, and scalable system that allows 911 to keep up with communication technology used by the public. Put simply, NG911 is an Internet Protocol (“IP”)-based system that allows digital information (e.g., voice, photos, videos, text messages) to flow seamlessly from the public, through the 911 network and on to emergency responders.

While the technology to implement NG911 systems is available now, the transition to NG911 involves much more than just new computers. Implementing NG911 will include activities of many people, who will coordinate efforts to plan and deploy a continually evolving system of hardware, software, standards, policies, protocols and training. One of the key tasks for Michigan counties to get started with NG911 implementation is to update their planning document. An important purpose of this Plan is to prepare Barry County (“County”) for NG911 and technologies that will follow NG911

Michigan Public Act 32 of 1986, MCL §484.11101 et seq, as amended, ("Act") authorizes the County to enact a 911 Service Plan ("Plan") that establishes a Service District ("Service District") in which enhanced 911 (“911”) services are provided to callers requesting emergency medical, police and fire services. The County, through the Barry County Board of Commissioners (“County Board”) has adopted a Plan and various amendments to that Plan under the Act. Barry County originally adopted its Plan on February 23, 1993 and counties across the State are now updating their plans to reflect technological changes over the past 23 years and to facilitate technological changes in the near future, including NG911 technology as the methodology for delivering all 911 calls and texts to the primary public safety answering point (“PSAP”). The present Plan is based on a model plan commissioned for Michigan Counties by the Michigan Communications Directors Association and tailored variations of this new model plan have been approved in at least ten (10) other Michigan counties. The present Plan is designed to replace, supersede and update the County’s existing Plan and all amendments in light of present circumstances with the potential to more easily accommodate present and future technologies and management operations with the goal of facilitating a superior and ever improving 911 system within the County.

This Plan implements a Service District covering the entire geographic boundaries of Barry County, MI by addressing the following:

- Technical considerations of the service supplier including system equipment for facilities that would be used in providing emergency telephone service and/or other communication technologies, including NG911.

- Operational considerations including the designation of primary public safety answering points (“PSAPs”), secondary PSAPs and alternative PSAPs, and the manner in which 911 calls and texts would be processed, dispatch functions performed, and informational systems utilized.
- Managerial considerations including the organizational form and agreements that will control technical, operational, and fiscal aspects of the emergency telephone service system.
- Fiscal considerations including projected recurring and non-recurring costs with a financial plan for implementing and operating the system

By facilitating the development and maintenance of enhanced 911 services in the County, this Plan provides multiple benefits, including but not limited to:

- 1) Use of the universal, simple, easy-to-remember, three digit number for all emergencies in any location within the County;
- 2) Automatic number identification (“ANI”) and automatic location identification (“ALI”) for wire-based calls and geographic positioning identification for mobile or wireless technologies and automatic selective routing to increase the effectiveness of emergency response and dispatch services;
- 3) Establishment of financial, management and operational mechanisms designed to put the community in the best position to implement and maintain an up-to-date 911 System;
- 4) Establishment of a system for recruiting and training qualified telecommunicators, also known as “dispatchers” or “Emergency Communications Technicians (ECTs)”;
- 5) Establishment of centralized or consolidated dispatch to more efficiently and effectively serve all residents of the County regardless of location therein; and
- 6) Creating the environment to order and, therefore, facilitate the transition from wire-based to NG911.

Unless otherwise defined herein, the terms used in this Plan shall have their definition or meaning as used in the Act. The “Plan” as used herein shall refer to the “E-911 Plan” or “Enhanced 911 Plan” as used in the Act.

II. **PLAN ADOPTION**

- 1) The Act requires the County Board to adopt by resolution a Tentative Plan creating a Service District.

2) The Act requires the resolution to include a date, time and place for a public hearing to be held on a final Service Plan not less than ninety (90) days after the date of adoption of the resolution.

3) The Act requires the County Clerk to give notice of the public hearing. Notice must be published twice in a newspaper of general circulation within the County. The first notice must be at least thirty (30) days prior to the hearing, and the second notice within thirty (30) days of the hearing.

4) The Act requires the County Clerk to forward a copy of the resolution, together with a copy of the Tentative Plan to the clerk of each community within the Service District.

5) The “Barry County Central Dispatch Authority” (“BCCDA”), which is a separate legal entity created by the County and its local units of government through an Interlocal agreement under the Urban Cooperation Act and which is also called “Central Dispatch” herein, shall be the primary PSAP for all portions of the Service District, provided it files a notice of intent to function as a PSAP (see Appendix #1). The BCCDA Administrative Policy Board (“Admin Board”) was created originally by the agreement creating BCCDA and by this Plan.

6) The Act requires the County Board to adopt the Tentative Plan as the Final Plan, except as modified by Plan Exclusions and PSAP Notices, as identified above.

7) Any public agency that wishes to withdraw from the Service District may do so only after strict compliance with Section 505 of the Act, including but not limited to payment of any outstanding qualified obligations secured by any operational surcharge.

III. **TECHNICAL CONSIDERATIONS**

1) Service District and Public Entities.

The Service District created by this Plan shall consist of all areas within the boundaries of Barry County. The cities, townships, villages and campuses that are wholly or partially included in the Service District, as public entities, include those identified in Appendix #2.

BCCDA is authorized to cooperate with the State 9-1-1 Committee or any other state, federal or local body or official authorized to install, operate, modify and maintain universal emergency number service systems, whether wire-based, cellular, wireless, digital, radio-based or other communication technologies within the Service District.

2) Enhanced 911.

This Plan requires ANI, ALI, and a Selective Routing Network System, including information to the ECTs consisting of, as a minimum, the telephone owner’s name, location, and calling telephone number and, relative to wireless calls and texts, global positioning coordinates

as mandated by the Federal Communications Commission (Collectively referred to as “Enhanced 911”).

Wire-based telephone companies provide Enhanced 911 services to service users in the County, and those companies must maintain their Enhanced 911 services in order to continue to provide services to users in the County. All wire-based telephone companies interested in providing wire-based services within the County must provide and maintain Enhanced 911 and will cooperate to supply, in accordance with the Michigan Public Service Commission tariff rates, rules and regulations, the design, installation and maintenance of the network for all facilities involved in providing emergency response telephone service, including modifications to all pay telephones to provide free 911 service.

The wire-based telephone companies’ equipment must be modified and/or maintained to provide Enhanced 911 services. The costs for such modification and maintenance are to be included in the technical surcharge installation and maintenance costs.

BCCDA shall maintain the Michigan Public Service Commission’s (“MPSC”) infrastructure and maintain interface as required by the MPSC with any secondary PSAP until NG911 Technology is implemented. When NG911 Technology is implemented, the BCCDA shall provide primary PSAP services to interface with the NG911 Technological system. When the Admin Board has selected an NG911 service provider, it may direct that all communication services direct 911 calls and texts from within the County to the chosen NG911 service provider as necessary to facilitate the delivery of NG911 services.

3) **Wireless Implementation.**

All Commercial Mobile Radio Service (“CMRS”) or other wireless providers (collectively described as “Wireless Providers”) providing service within the Service District are requested and directed to deploy Phase II, E 911 Enhanced service as provided in the wireless emergency service order (“Order”), FCC Docket No. 94-102, adopted June 12, 1996, with an effective date of October 1, 1996, and as updated by FCC Docket No. 05-116 and any other updates, including but not limited to provision of number, location and name. The County is Phase II compliant.

4) **VOIP Implementation.**

All voice over internet providers and other providers of digital communication technologies (collectively described as “VOIP Providers”) are required to provide 911 services that are equivalent or exceed Enhanced 911 service or in the case of mobile or nomadic VOIP, the equivalent of Phase II service.

5) **Implementation—General.**

Commercial wire-based, Wireless or VOIP Providers are “Service Suppliers” as that term is used herein. Service Suppliers shall automatically route all 911 calls and texts originating from service users in the County to the primary PSAP serving the area from which the call

originated, as identified in this Plan and under the Act. All calls and texts within the wire exchanges covered by the Service District and this Plan but originating from other counties shall be automatically routed as directed by the 911 service plans adopted by the county board of commissioners from those counties, or, if no such provisions exist, to the appropriate secondary PSAP for routing to the appropriate public agencies and EMS providers within those counties. Any calls and texts which cannot be automatically routed shall be routed to the appropriate primary PSAP.

The Admin Board may require that every wire-based, CMRS/wireless or VOIP Provider billing service users within the Service District submit a written registration as a “service provider” under the Act, including a contact person, telephone number and the type of service supplied, number of customers within the Service District as well as other information that the Board periodically deems relevant. The Admin Board may by resolution impose reasonable time limits on the registration and require periodic updates. The current service suppliers known to operate within the Service District are listed in Appendix #2.

Nothing in this Plan is intended to limit the Admin Board’s or BCCDA’s authority under the Act, and it is the intention of this Plan that the County Board be fully empowered and authorized to exercise any right, power or discretion that is authorized in the Act, including but not limited to the financial authority to impose or set operational surcharges, millages or fees. In addition, the County Board may exercise its ordinance powers to enforce all provisions of this Plan.

6) **Service Supplier and Public Entity Updates.**

In an Administrative Findings Resolution, the County Board may periodically update the public entity, wire, wireless and digital service supplier or provider information described or required as provided in this Section of the Plan and Appendix #2. The Admin Board may also direct routing and other instructions to such service suppliers and public entities for purposes of Primary and Secondary PSAP improvements, including but not limited to NG911 implementation.

IV.
OPERATIONAL CONSIDERATIONS

1) **Consolidated Dispatch/County Dispatch/County Coordination.**

This Plan and the Act recognize a variety of options for the organization of 911 services at the County level. The following terms describe the following types of 911 services:

A.) “Consolidated Dispatch” or “Central Dispatch” refers to a county-wide dispatch operation that is organized by the County through the organizational auspices of this Plan. A Consolidated Dispatch provides 911 call answering and emergency service dispatching (“PSAP Services”) to all portions of the Service District, and may also serve an area that is greater than the entire District. This Plan uses “Consolidated Dispatch” and “Central Dispatch” synonymously.

B.) “County Dispatch” refers to a dispatch operation that is organized by the County either through an Urban Cooperation Act Agreement with another public agency or agencies or through the organizational auspices of this Plan. The County Dispatch may provide PSAP Services to an area that is less than the entire District, the entire District or through contract, greater than the Service District.

Since the County has participated in the creation of the BCCDA, the County shall use a County Dispatch as the primary organizational structure for the delivery of 911 to the Service District. In the event that the BCCDA ceases to exist, the County shall employ a Consolidated Dispatch or Central Dispatch as provided herein.

2) **PSAP Operations**

Effective with the date of this Plan, BCCDA, presently located at 2600 Nashville Road, Hasting, MI 49058, shall serve as the primary PSAP for the entire Service District, provided it maintains the notice of intent to serve as primary PSAP as described in Appendix #1. If no notice of intent to serve as primary PSAP is currently on file with the County Clerk or if any public agency that filed a notice of intent to serve as primary PSAP withdraws such notice under the Act, the primary PSAP will be any entity that the Admin Board contracts with to provide PSAP services. All PSAPs effective on the date of this Plan’s effectiveness and the public agencies dispatched and dispatch methods are identified in Appendix #3. In an Administrative Findings Resolution, the County Board is authorized from time to time to update the list of PSAPs, public agencies dispatched and dispatch methods as provided in Appendix #3.

The alternate or secondary PSAP for each primary PSAP is identified in Appendix #3, and incorporated herein by reference.

All primary and secondary PSAPs must be staffed 24 hours per day, every day of the year, and shall have at least one device for receiving calls and texts for service from hearing or speech-impaired persons.

If a local unit of government or public safety agency that is identified in the Plan as being a primary PSAP or that has filed an intention to serve as a primary PSAP under the Act and Plan, and subsequently files a notice of intention to cease to function as a primary PSAP, the BCCDA shall serve as the primary PSAP for the geographical area previously served by the local unit of government or public safety agency as soon as practicable.¹

3) **Dispatch Methods**

Except for the possibility of some emergency medical services (“EMS”), calls and texts to 911 will be processed by the Direct Dispatch method. EMS calls and texts may be directly dispatched or manually transferred to an EMS provider as a secondary PSAP to dispatch directly.

¹ “Practicability” shall be determined in the sole discretion of the Admin Board after consultation with the 911 Director and local unit of government affected.

Calls and texts for service from jurisdictions outside the geographical boundaries of the County but which are included in this Plan or otherwise will be handled by the Manual Transfer method. If, at any time, Selective Routing Transfer or the Manual Transfer method becomes unusable, the calls and texts for service will be routed by the Relay Method.

Each public safety agency, designated above to serve as a PSAP or secondary, or back-up PSAP, shall file a notice of their intent, whether to serve or not to serve as a PSAP, not later than 45 days after the city or township which the agency serves, receive a copy of this Plan. Failure to file a notice of intent will result in the safety agency not being designated as a PSAP in the final 911 plan.

While the Plan is designed solely for the benefit of the residents and service users of the County, portions of other counties may be affected by the implementation of this Plan. Agreements shall be reached with these communities as to the proper forwarding of those 911 calls and texts that originate beyond the boundaries of the Service District.

4) **Training.**

The 911 Director will ensure all ECTs who are required to meet State mandated designation are so designated and that all ECTs receive appropriate training for their function.

5) **Implementation—General.**

The Admin Board may require that all public and private safety agencies providing emergency response services within the Service District register with the County Clerk and execute service agreements with the Admin Board. The Admin Board may, by resolution, impose reasonable time limits on the registration and require periodic updates. The current PSAP operations and public and private safety agencies known to operate within the District are listed in Appendix #3. The Admin Board, in conjunction with the 911 Director, shall establish dispatch protocols consistent with the Act. The Admin Board will consider local governmental agreements with public and private safety agencies but is not obligated to restrict its dispatching based on those agreements. Furthermore, any agreement that the Admin Board may make for the County with public and/or private safety agencies will take precedence over any inconsistent local governmental agreement.

6) **PSAP/Public Safety Agencies Updates.**

The public and/or private agencies to be dispatched within the County and the dispatch methods are identified in Appendix #3. In an Administrative Findings Resolution, the County Board is authorized from time to time to update the list of public and private safety agencies providing emergency response services within the Service District and the corresponding dispatch methods.

7) **911 Resource Protection**

Notwithstanding its right to enact ordinances to protect any other provision in this plan including but not limited to fee structures for services rendered, the County Board is also specifically authorized to adopt an ordinance to protect against the following activities that could threaten the effectiveness of 911 and/or safety of first responders and the public they serve:

- a) False Alarm prohibitions.
- b) Hacking prohibitions.
- c) Signal jamming or blocking prohibitions (swatting)
- d) Automatic signal prohibitions or deviations from protocols established by BCCDA to properly channel automatic connections from alarms and/or alarm companies into its computer assisted dispatch (“CAD”) system
- e) Virus prohibitions
- f) Prohibitions against other emergency service providers responding to calls to which they were not dispatched in a manner unauthorized by the Central Dispatch Center (“call jumping”)
- g) Prohibitions against the impeding of first responders from reaching emergencies to which they have been dispatched.
- h) Prohibitions against providing services that threaten the economic viability of any exclusive contract for emergency services necessary to effectively and efficiently operate the 911 dispatch operations described herein.
- i) Prohibitions against application providers representing within the County that their applications can provide services to BCCDA that cannot be provided.
- j) Prohibitions against application providers and/or service providers selling applications or communications services hardware or software that will not deliver calls and texts consistent with Enhanced wire-line, wireless Phase II compliance, VoIP 911 and NG911 service standards.
- k) Requirements that all service suppliers impose and remit any imposed operational surcharge and provide proof of such imposition and remittance under audit and other requirements imposed by the Admin Board.
- l) Requirements that all service suppliers forward 911 calls and texts to the IP address and provider as specified by the Admin Board for NG911 Service, including all technical requirements that would enable the passage to the BCCDA Communications Center and receipt thereby of text 911 calls.

V.

MANAGERIAL CONSIDERATIONS

1) **PSAP Management.**

Each public agency which files a notice of intent to function as a PSAP (either primary or secondary) accepts the responsibility for the management of the on-line public safety dispatch center including but not limited to the operational configuration, level of service and equipment needs for the geographic and political boundaries identified in the notice of intent and the financing for all such operations.

Management of each PSAP will be in accordance with the policies and procedures of the public agency that operates the PSAP.

Notwithstanding the above, the BCCDA shall manage the Communications Center and its own personnel unless otherwise provided in its enabling agreement as provided herein.

Nothing in this Section or Plan shall be construed as prohibiting BCCDA from serving as the primary PSAP for public service agencies outside of the County; however, such service shall not be provided except through a contract entered into by BCCDA with that outside municipal unit that is also approved by the County Board.

2) **Administrative Policy Board (“Admin Board”)**

The Admin Board created under the Interlocal Agreement establishing BCCDA and as provided herein shall manage the operation of the County Dispatch and shall provide advice to the County Board regarding the structure and the implementation of this Plan, and other 911 services for the Service District. The Admin Board shall meet at least quarterly and at such other times as the membership shall determine. Pursuant to the Interlocal Agreement creating BCCDA, the Admin Board shall adopt bylaws that further outline its organizational structure and other provisions that pertain to its functioning.

A. The Admin Board shall have at least the following members consistent with the Interlocal Agreement:

- (1) One representative from the County;
- (2) One representative from the City of Hastings;
- (3) One representative from the Michigan State Police as designed by the Director of MSP;
- (4) The Barry County Sheriff or his designee;
- (5) Two (2) representatives of the general public appointed to four (4) year terms by the County Board;
- (6) One representative of the villages to be selected to four (4) year terms as rotated among the villages in the order presented in Appendix #2;
- (7) Two (2) representatives of the townships that are supporting municipalities appointed by the Township Supervisors of Barry County to four (4) year terms;
- (8) One representative of the firefighters in the County, appointed to a four (4) year term by the Barry County Firefighters Association;

(9) One EMS representative appointed to a four (4) year term by the EMS Council.

B. The members of the Admin Board shall be indemnified by BCCDA subject specifically and only to the terms of the coverage with the Authority's insurance company, against expense actually and necessarily incurred by them in connection with the defense of any action, suit claiming money damages in which they or any of them are made parties by reason of any matter relating to the affairs of the County or Central Dispatch; provided, however, that they do not plead or are adjudged or found guilty by any court of competent jurisdiction of fraud or misconduct in the performance of his or her duties to the Admin Board.

C. The Admin Board shall have such additional authority as identified in the Interlocal Agreement creating the BCCDA or as prescribed by the County Board if no authority exists. Unless otherwise provided, the Admin Board shall appoint BCCDA's Director ("911 Director"). The Admin Board may approve bylaws that will control its operations, provided that such bylaws are not inconsistent with this Plan. The bylaws may provide for the removal of an appointed Board member due to an excessive number of unexcused absences attendance as prescribed in the bylaws.

D. The Admin Board may establish additional subcommittees addressing technical aspects of dispatch, including dispatch protocols, codes, policies and best practices. The Admin Board shall appoint the members of such subcommittees, provided, however, that such membership is not restricted to Board membership and must come from the ranks of the public safety agencies served by County or Central Dispatch. Such subcommittees shall be advisory to the Board and shall not be subject to Michigan's Open Meetings Act, MCL §15.261 *et. seq.* A special LEIN subcommittee composed only of law enforcement officials shall supervise and control the LEIN usage by the County or Central Dispatch, consistent with Michigan State Police guidelines. The TAC as defined below can serve this function if permissible according to the Michigan State Police.

E. The Admin Board may contract with a local unit or county outside of Barry County to facilitate County or Central Dispatch's provision of primary PSAP services to such local unit or county. In such a contract, the Admin Board could provide a position on the Admin Board for such local unit or county, in which case the bylaws shall be deemed amended to provide such representation. In no event, however, shall the board members from local units or counties outside Barry County exceed 25% percent of the total composition of the Admin Board.

F. The Admin Board shall make Plan policy and fiscal (millage and operational surcharge) recommendations to the County Board.

3.) **TECHNICAL ADVISORY BOARD**

A Technical Advisory Committee {"TAC"} shall be established to assist the 911 Director on protocols, procedures, policies, training, equipment purchases and system operations. A committee composed of the TAC composed of all criminal justice agency members and the 911 Director will be responsible for ensuring LEIN and NCIC compliance consistent with Michigan State Police guidelines. Including R. 28.5103(A).

A. The Technical Advisory Committee shall be composed of at least the follow representatives from the following agencies of services:

- (1) One representative of the Barry County Firefighters Association
- (2) The Sheriff or designee
- (3) One representative of the Emergency Medical Services Council
- (4) One representative of the Michigan State Police
- (5) One representative from a township or village Police Department
- (6) One representative from Hasting Police Department
- (7) One Fire Chief from Barry County
- (8) One Telecommunicator assigned by the 911 Director
- (9) Emergency Management Director of the County
- (10) 911 Director.
- (11) Two Law Enforcement Officers²

The Admin Board may appoint additional TAC members in its discretion.

B. The TAC shall have such powers and duties as described above and as assigned by the Admin Board. Any decisions on financial expenditures or personnel enhancement or other personnel matters shall be considered recommendations to the Admin Board that must be approved by the Admin Board before becoming effective.

VI. **FISCAL CONSIDERATIONS**

² Officers must be MCOLES certified; work in Barry County law enforcement; they cannot be from the same organization; they may be nominated by their association' and the appointment must be approved by their chief.

1) **Technical Charges.**

A. Estimated Network Costs³

The Act presently provides for calculation of a 4% cap for recurring charges and a 5% cap for nonrecurring charges based on the highest monthly base rate in the emergency telephone district or \$20.00 whichever is lesser. This Plan authorizes the imposition and collection of this technical charge as provided in the Act. Each service provider shall provide the Board with any technical surcharges authorized by the Michigan Public Service Commission, including any changes. If the Act is modified to reduce or expand these caps, this Plan shall be automatically adjusted without modification to authorize or establish such revised caps.

B. Estimated Network Charges

Network Charges will be collected by each wire-based Service Supplier from all subscribers in the Service District, as approved by the Michigan Public Service Commission.

The Act requires each agency operating a PSAP to pay for all terminal equipment installation and for the actual PSAP equipment either through rental or capital acquisition. If the Act is modified, this Plan shall be automatically modified regarding the provision of such terminal or technical equipment.

The County or Central Dispatch will utilize existing equipment. The cost of maintaining existing and acquiring new equipment shall be paid for by the Central or County Dispatch, if a separate legal entity, through the County or Central Dispatch Budget, as funded through Operational Funding, as described below. Grant monies, wherever applicable will be sought for equipment costs and planning and development of the database.

2) **Operational Funding**

To finance the delivery of primary PSAP services, the County Board is authorized in its discretion to assess and to appropriate to the Admin Board, consistent with all applicable laws and County resolutions, any voter approved millages, operational surcharge, County 9-1-1 charge, State 9-1-1 surcharges allocated to the County or any other funding provided under state or federal law, including but not limited to such fees authorized, imposed, and collected under the Act. The Admin Board is authorized to make any request for funding from the Michigan Public Service Commission or State 911 Committee pursuant to the Act. Unless the County Board directs otherwise, all funds shall be spent on the BCCDA, regardless of whether any other local unit or state agency files a notice of intent to serve as a PSAP and actually serves as a PSAP. The purpose of this provision is to recognize that the BCCDA has the obligation to provide 911 services and shall be in a position to provide PSAP services regardless of any notice

³ All rates are subject to annual review and Tariff Revision. Revenue projections and rates are based on lines as existed in 1995. The terms of certain rates and charges have expired, but are retained for informational purposes. The inclusion of these rates is not designed or intended to provide new or renewed authorization for these rates beyond their original term, and shall not be so construed.

of intent filed by any other entity, and also to recognize that maximum public efficiency is to be achieved through consolidated dispatch.

The Admin Board may authorize the BCCDA to accept and, with Admin Board's approval, to expend the County's share of the State's 9-1-1 Surcharge revenue as provided under the Act and to expend such funds on equipment and services consistent with the Act.

All service suppliers must collect any State 9-1-1 surcharge or any other charge under the Act set by the County Board through resolution or implementing ordinance from services suppliers located within the Service District and remit such funds as provided under the Act to the County and/or BCCDA. The Admin Board may require that service suppliers furnish an accounting of all funds collected and charged, including an identification of the number of service users that it is billing within the Service District. Any service supplier who fails to collect such funds and timely remit them as provided in this Plan and Act or to provide the reasonable accounting required hereby may be enjoined by the County Circuit Court from providing communication services to service users within the Service District. The Admin Board is authorized to sue such service supplier in the Circuit Court to obtain such injunctive relief and/or damage relief for the amount of uncollected or unremitted surcharge that the service supplier should have provided to the County.

In the event that millage and/or 911 operational surcharge revenues are insufficient to cover the costs of financing the County or Central Dispatch, the Admin Board is authorized to negotiate fees for primary PSAP services rendered to public safety agencies and other emergency service providers dispatched by the County or Central Dispatch, and if such fees cannot be negotiated, to set them at reasonable and fair levels in relation to the estimated cost of the services actually delivered to the public or private safety agencies. Furthermore, consistent with substantive due process and equal protection standards, the County Board is authorized to set a service user fee at reasonable and fair levels in relation to the estimated cost of the services actually delivered to the service user or on his or her behalf or on behalf of a person or entity receiving the benefit of the emergency public and/or private services. Nothing in this section shall be construed as authorizing a private or public safety agency or emergency medical service to assess or pass along any dispatch fee to any public safety agency or citizen. The County Board may impose such fees through resolution or implementing ordinance, including authorization to the State of Michigan District Court system to collect such fees from the party adjudicated at fault for creating the emergency service condition through civil and criminal infraction proceedings. The County Board may authorize the initiation of civil court proceedings to collect any such service user fee.

3) **Past Plans or Amendments**

These provisions are intended to modify, amend, supersede and replace any or all prior Plans or Plan Amendments. This Plan may be amended in any manner and at any time consistent with the Act. The County Board shall give the Admin Board at least 30 days advance written notice before approving any tentative Plan Amendment.

4) **Interpretation and Savings Clause**

The provisions of this Plan are designed to work in coordination with the Act and the Interlocal Agreement creating the BCCDA. If there is any conflict between any provision in this Plan and the Act, the conflicting Plan provision shall be struck and the remainder of the Plan enforced without the conflicting provision. If there is any conflict between the provisions of this Plan and the Interlocal Agreement, the provisions of this Plan shall control.

EXECUTION AND ACKNOWLEDGEMENT

Date: _____
_____ Craig Stolsonburg, Chairperson
Barry County Board of Commissioners

I, Pamela Palmer, the Barry County Clerk, hereby attest that the Barry County Board of Commissioners approved this Plan on December 27, 2016, and authorized the Chairperson to execute it on its behalf, which occurred in my presence.

Date: _____
_____ Pamela Palmer, Barry County Clerk

APPENDICES

- Appendix #1 Notice of Intent to Function as a PSAP
- Appendix #2 Service Suppliers and Public Entities
- Appendix #3 List of Public Safety Agencies Serviced by the 911 Network, and
Dispatch Methods

APPENDIX #1

NOTICE OF INTENT TO FUNCTION AS A PSAP

Pursuant to the provisions of the Emergency Telephone Service Enabling Act, Michigan Public Act 32 of 1986, as amended, each public safety agency has 45 days after receipt of this tentative 911 Service Plan to file with the County Clerk a Notice of Intent to Function as a PSAP. The notice shall be in substantially the following form:

NOTICE OF INTENT TO FUNCTION AS A PSAP

Pursuant to Section 307 of the Emergency Telephone Service Enabling Act, Barry County Central Dispatch shall function as a PSAP within the 911 Service Plan to be adopted by resolution of the Barry County Board of Commissioners on _____.

_____ [Title]

_____ Clerk

APPENDIX #2

PUBLIC ENTITIES AND SERVICE SUPPLIERS WITHIN SERVICE PLAN

The following public entities exist in whole or in part with the County and, therefore, the service district created by this Plan:

TOWNSHIPS OF: Assyria, Baltimore, Barry, Carlton, Castleton, Hastings Charter, Hope, Irving, Johnstown, Maple Grove, Orangeville, Prairieville, Rutland, Thornapple, Yankee Springs, and Woodland

VILLAGES OF: Freeport, Middleville, Nashville, Woodland

CITIES OF: Hastings

The following service suppliers as that term is used in the Act, operate within the Service District, using the following wire centers or operating in the following geographic area:

<u>Service Provider</u>	<u>Wire Center or Geographic Coverage</u>
123.Net	County of Barry
8x8, Inc.	County of Barry
911 Cricket Communications	County of Barry
Access Point Inc.	County of Barry
ACD.NET	County of Barry
ACN Communications, Services Inc.	County of Barry
Airespring Inc.	County of Barry
Alltel Communications Wireless, LLC	County of Barry
Amerivision Communication/Affinity 4	County of Barry
Anavon Technology Group	County of Barry
Aptela, Inc.	County of Barry
AT & T Communications of Michigan, Inc.	County of Barry
AT&T Corp.	County of Barry
Bandwidth.com Inc.	County of Barry
Birch Telecom, Inc.	County of Barry
Blanchard	County of Barry
Boomerang Wireless LLC	County of Barry
Broadstar LLC	County of Barry
Budget PrePay, Inc.	County of Barry
Bullseye Telecom Inc.	County of Barry
Centennial Communications	County of Barry
Centennial MI RSA 7 Cellular Corp	County of Barry
CenturyTel of Michigan, Inc.	County of Barry
Choice One	County of Barry
Charter Advanced Services	County of Barry
Clearwire US LLC	County of Barry

ClearRate Communications, Inc.	County of Barry
CMSinter.Net LLC	County of Barry
Comcast IP Phone, LLC	County of Barry
Comtel Telecom Assets LP	County of Barry
Consumer Cellular	County of Barry
First Communications	County of Barry
Frontier	County of Barry
Global Connections Inc of America	County of Barry
Global Crossing Telemanagement	County of Barry
Granite Telecommunications LLC	County of Barry
GreatCall Inc.	County of Barry
HELIO LLC	County of Barry
Hughes Network System LLC	County of Barry
IBFA	County of Barry
Interface Security System, Inc.	County of Barry
ISERV Company LLC	County of Barry
LDMI	County of Barry
Level 3 Communication LLC	County of Barry
Life Wireless	County of Barry
Lightyear Network Solutions	County of Barry
Lingo Inc.	County of Barry
M-5 Networks LLC	County of Barry
Matrix Telecom	County of Barry
McLeod USA Telecommunications	County of Barry
MCI Metro	County of Barry
Metro PCS	County of Barry
MetTel Metropolitan Communications	County of Barry
Michigan Bell Telephone Company	County of Barry
Navigator Telecommunications LLC	County of Barry
New Cingular Wireless PSC LLC	County of Barry
New Par	County of Barry
Nextel	County of Barry
Nextiva Inc.	County of Barry
nexVortex Inc.	County of Barry
NOS Communications	County of Barry
Paetec	County of Barry
PFN-Peninsula Fiber	County of Barry
PNG Telecommunications, Inc.	County of Barry
Prime Circuits	County of Barry
R.J. Telecommunications, Inc.	County of Barry
Ready Wireless LLC	County of Barry
Sage	County of Barry
Salis	County of Barry
Solavei LLC	County of Barry
Sprint Wireless	County of Barry
Stream Communications LLC	County of Barry
Talk America, Inc.	County of Barry
Telnet Worldwide, Inc.	County of Barry

TING Inc.	County of Barry
T-Mobile USA	County of Barry
TNCI Operating Company LLC	County of Barry
Upper Peninsula	County of Barry
Verizon Wireless Personal Comm LP	County of Barry
ViaSat Inc.	County of Barry
Vonage	County of Barry
Vonage Business Solutions	County of Barry
Winn+-	County of Barry
Working Assets Funding Service, Inc.	County of Barry
YMax Communications Corp	County of Barry

APPENDIX #3

PSAP, PUBLIC SAFETY AGENCIES AND DISPATCH METHODS

Barry County Central Dispatch PSAP

<u>PSAP Area:</u>	<u>Public Agency</u> ⁴	<u>Dispatch</u>	<u>Backup PSAP</u> ⁵
County of Barry	Law Enforcement MSP	Direct	
County of Barry	Barry Co. Sheriff	Direct	
Primarily Geographic boundaries of entity, but subject to closest car concept	Hastings Police Department	Direct	
Primarily Geographic boundaries of entity, but subject to closest car concept		Direct	
Primarily Geographic boundaries of entity, but subject to closest car concept	Fire Hastings Fire Department	Direct	
Primarily Geographic boundaries of entity, but subject to closest car concept		Direct	
Primarily Geographic boundaries of entity, but subject to closest car concept		Direct	
Primarily Geographic boundaries of entity, but subject to closest car concept		Direct	
Primarily Geographic boundaries of entity, but subject to closest car concept		Direct	
Primarily Geographic boundaries of entity, but subject to closest car concept		Direct	
Primarily Geographic boundaries of entity, but subject to closest car concept		Direct	
Primarily Geographic boundaries of entity, but subject to closest car concept		Direct	
Primarily Geographic boundaries of entity, but subject to closest car concept		Direct	

⁴ Depending on reciprocal aid agreements, authorization by the identified public agency and/or emergencies, BCCDA has the right and authority to dispatch directly, by transfer or by relay methods, public agencies that are outside of the District and not specifically identified in this Appendix.

⁵ This Plan anticipates that many neighboring 911 centers could serve as a backup, especially if NexGen is implemented. The Board will enter into reciprocal agreements to cover back up in the event of particular need.

subject to closest car concept			
County of Barry	Ambulance	Direct	
County of Barry	Miscellaneous Barry County Road Commission	Direct	
County of Barry	Emergency Management	Direct	
County of Barry	Animal Control	Direct	
County of Barry	Department of Natural Resources	Direct	