



COUNTY ADMINISTRATOR
220 NORTH MAIN STREET, P.O. BOX 8645
ANN ARBOR, MICHIGAN 48107-8645
(734)222-6850
FAX (734)222-6715

TO: Barbara Levin Bergman, Chair
Ways & Means Committee

THROUGH: Robert E. Guenzel
County Administrator

FROM: David R. Halteman
Enhanced 9-1-1 Coordinator
Emergency Management Division

DATE: August 6, 2008

SUBJECT: Updates to Washtenaw County's Enhanced 9-1-1 Plan

BOARD ACTION REQUESTED:

Adopt the 2008 revisions to the Washtenaw County Enhanced 9-1-1 Plan. The process includes first adopting it by resolution as the Tentative Enhanced 9-1-1 Plan. After at least 90 days and a public hearing, the Board must adopt it as the Final Enhanced 9-1-1 Plan in order to continue 9-1-1 services for the public.

BACKGROUND:

In 1986 the Michigan Legislature passed Public Act 32, which provided for 9-1-1 services within the state. The Board of Commissioners adopted Washtenaw County's first 9-1-1 Plan on February 1, 1989. This enabled Washtenaw County to establish 9-1-1 as the universal number for emergency services.

Public Act 196 of 1991 amended Public Act 32, creating a funding mechanism for emergency communication technologies. The Washtenaw County Enhanced 9-1-1 Plan was then amended on July 8, 1992 with these funding provisions. This allowed for the collection of a 4% surcharge on the highest monthly flat rate charged by a service supplier for a one-party access line. This surcharge is allocated quarterly to each of the Primary Public Safety Answering Points for operational expenses and is calculated based on the number of telephone lines serviced in that jurisdiction.

The Board of Commissioners approved an additional update to the Enhanced 9-1-1 Plan on April 18, 2001. The Plan was amended to include language required by the State Emergency Telephone Service Committee to address new funding and service related issues pertaining to the provision of cellular 9-1-1 services. The Plan established Washtenaw Central Dispatch as the county's primary answering point for all wireless 9-1-1 calls in Washtenaw County.

Washtenaw Central Dispatch was allocated 75% of all wireless surcharges for this purpose and this fund is referred to as the Wireless 9-1-1 Operational Fund. A formula was also established to provide funding for any of the other Primary Public Safety Answering Points in Washtenaw County that choose to receive initial wireless 9-1-1 calls in their jurisdiction.

In 2005, the City of Ann Arbor began receiving wireless 9-1-1 calls initiated inside of their jurisdiction. Washtenaw Central Dispatch and Ann Arbor Police Dispatch currently share the 75% Operational Fund based on the wireless 9-1-1 call volume to their dispatch centers reported quarterly. In the first quarter of 2008, Ann Arbor city answered 22.96% of the wireless 9-1-1 calls and Washtenaw Central Dispatch received the remaining 77.04% of wireless 9-1-1 calls.

The remaining 25% of the wireless surcharge is held in a separate account for the purpose of funding future wireless 9-1-1 technologies pursuant to the direction of the Emergency Telephone District Board (ETDB). A total of \$224,846.02 has been allocated to the Primary Public Safety Answering Points for upgrades to their 9-1-1 telephone equipment. These upgrades included technology to receive and map wireless 9-1-1 calls. An additional \$188,528.84 has been allocated for 2007 costs related to the Courts and Law Enforcement Management Information System (CLEMIS).

DISCUSSION:

Currently, Washtenaw County collects a local surcharge of \$.80 on landline telephone service which provides some funding to the nine primary Public Safety Answering Points (PSAPs) in Washtenaw County. Under the previous legislation, this surcharge generated \$1.6M in 2005 followed by \$1.5M in 2006 and \$1.4M in 2007. In contrast, the total of the annual operating budgets for our nine PSAP's in Washtenaw County exceeded \$7.7M. The revenue generated under the current landline surcharge is distributed to each of the primary PSAPs based on the number of lines in service in their jurisdiction.

The State of Michigan currently collects a surcharge of \$.29 on all Commercial Mobile Radio Services (CMRS, commonly referred to as cell phones). Under the provisions of the new act (P.A. 164), the State of Michigan has established a statewide surcharge of \$.19 on all devices with access to 9-1-1 and a billing address within the boundaries of Michigan. This surcharge is proposed to continue baseline funding for counties, dispatcher training programs, the State 9-1-1 office, common 9-1-1 Network elements, and billing and collection services. Washtenaw County received \$440,187 in 2007 and is projected to receive approximately the same level of funding from this new funding mechanism.

In addition to the statewide revenue stream outlined above, P.A.164 also provides for a County-based 9-1-1 surcharge on all communications devices with access to 9-1-1 and a billing address in Washtenaw County. On August 30, 2007, the ETDB supported the adoption of a Board resolution to include the terms of P.A. 164, and to adopt a second resolution, which would establish a County-based monthly surcharge of \$.80 on all devices with access to 9-1-1 beginning on July 1, 2008. This surcharge was projected to generate \$1.8M annually, less a 5% administrative fee to pay for actual staff support and cost allocation expenses.

Although the Washtenaw County Board of Commissioners approved the recommended resolutions on February 6, 2008, the Michigan Public Service Commission (MPSC) denied the \$.80 surcharge request along with similar requests from 45 other counties in Michigan. The

surcharge for Washtenaw County was downward adjusted by the MPSC to \$.43 on all devices with access to 9-1-1. The MPSC based their ruling on statewide statistics that they developed. While this adjustment does not reflect the local demographics of Washtenaw County, it may take several collection periods to establish its accuracy.

Recently introduced House Bill 5892 seeks to extend the sunset date of the current legislation from February 28, 2009 to December, 31, 2013. If this occurs without any additional changes to the legislation as written, Washtenaw County may then establish a new County-based surcharge without the required MPSC review process.

Many of the recommended changes to the Washtenaw County Enhanced 9-1-1 Plan are verbatim references from P. A. 164 and P. A. 165, and replace legislative language which is no longer applicable. The most significant change to the Plan includes a transition from distributing County-based 9-1-1 revenues by population rather than landlines serviced in each jurisdiction. This was required because the new surcharge will be applied to all devices with access to 9-1-1 and an allocation by landlines would no longer be an accurate distribution method. This transition will occur over a five year period (outlined in the updated Fiscal Policy section of the 9-1-1 Plan) and better aligns the distribution of funds relative to a community's population.

The new legislation also establishes that State and County 9-1-1 Funds will be collected and disbursed based on the geographic boundaries of the County. This required change will affect allocations to the City of Milan. Distribution formulas in the 9-1-1 Plan have been modified to only include landline and population data for the portion of Milan City lying within the borders of Washtenaw County. It has been recommended that Milan enter into an agreement with Monroe County to obtain any appropriate revenues.

Additional language in the Plan provides for "Administrative Findings" to allow updates to the Appendices as required without the need to open the entire Plan. These changes may include PSAP designations, wireline distribution data, listings of allowable and disallowable 9-1-1 surcharge expenditures and annual population estimates provided by the Southeast Michigan Council of Governments. Eastern Michigan University and the University of Michigan will provide documented fall housing population figures in the first quarter of each year for inclusion in the population formula.

The ETDB met on June 12, 2008 to review all the required changes and unanimously recommended adoption of these changes to the Board of Commissioners. These revisions will reference the most current legislative language and establish a fair distribution of 9-1-1 funds collected on all devices with access to 9-1-1 services. The financial demands on 9-1-1 centers are often overwhelming for local governments and these revisions will provide a more stable funding mechanism for each PSAP while complying with requirements of the State of Michigan.

If approved, the updated and adopted Final 9-1-1 Plan would be valid until February 28, 2009 unless the legislative sunset date is extended by law.

IMPACT ON HUMAN RESOURCES:

None

IMPACT ON BUDGET:

The MPSC based their ruling of the \$.43 surcharge across all devices on statewide statistics that they developed. While this adjustment does not reflect the local demographics of Washtenaw County, it may take several collection periods to establish its accuracy. This and revenue distribution moving to a population base will affect the amount of E911 revenue that is distributed to Washtenaw County Central Dispatch.

IMPACT ON INDIRECT COSTS:

None

IMPACT ON OTHER COUNTY DEPARTMENTS OR OUTSIDE AGENCIES:

The MPSC based their ruling of the \$.43 surcharge across all devices on statewide statistics that they developed. While this adjustment does not reflect the local demographics of Washtenaw County, it may take several collection periods to establish its accuracy. This and revenue distribution moving to a population base will affect the amount of E911 revenue that is distributed to the 8 other PSAPs.

CONFORMITY TO COUNTY POLICIES:

Conforms to County Policies

ATTACHMENTS/APPENDICES:

- Resolution
- Public Hearing Notice
- 2008 Tentative Enhanced 911 Plan

A RESOLUTION TO ADOPT A TENTATIVE AMENDED WASHTENAW COUNTY ENHANCED
9-1-1 PLAN, AND ESTABLISHING THE DATE FOR A MANDATORY PUBLIC HEARING

WASHTENAW COUNTY BOARD OF COMMISSIONERS

August 6, 2008

WHEREAS, under the Emergency 9-1-1 Service Enabling Act (P.A. 32 of 1986, as amended), the Washtenaw County Board of Commissioners approved our first Final Enhanced 9-1-1 service plan on February 1, 1989 (Resolution #89-0025) to benefit the citizens of Washtenaw County by providing a uniform and well known emergency telephone number; and

WHEREAS, Washtenaw County's Enhanced 9-1-1 Plan was subsequently amended on June 3, 1992 (Resolution #92-0154); October 11, 1995 (Resolution #95-0228); April 18, 2001 (Resolution #01-0022); and October 6, 2004 (Resolution #04-0185) to address changes in legislation and to provide financial support to local Public Safety Answering Points; and

WHEREAS, Washtenaw County currently has twenty-nine emergency response agencies including fifteen fire departments, twelve police agencies, one ambulance agency, and one Hazardous Materials team; and

WHEREAS, These public safety agencies, together with nine primary Public Safety Answering Points, provide emergency response services to Washtenaw County's 349,297 residents and 70,000 non-residents who commute for employment; and

WHEREAS, Beginning on July 1, 2008, P.A.164 of 2007, the "Emergency 9-1-1 Service Enabling Act", will provide for a County-based 9-1-1 surcharge on all communications devices with access to 9-1-1 and a billing address within Washtenaw County; and

WHEREAS, The Public Safety Answering Point Committee and the Washtenaw County Emergency Telephone District Board unanimously recommends to the Board of Commissioners adoption of the Tentative amended Washtenaw County Enhanced 9-1-1 plan; and

WHEREAS, This updated 9-1-1 plan provides for changes in policy and procedure relative to the disbursement of Local and State 9-1-1 surcharges; and

WHEREAS, this matter has been reviewed by Corporation Counsel, Human Resources, the Finance Department, the County Administrator's office, and the Ways & Means Committee

NOW THEREFORE BE IT RESOLVED that the Washtenaw County Board of Commissioners hereby adopts the Tentative Amended Washtenaw County Enhanced 9-1-1 Plan; and

BE IT FURTHER RESOLVED that the Board of Commissioners hereby sets a mandatory public hearing on November 5, 2008, pursuant to Public Act 32 of 1986, as amended, and in accordance with the prescribed 90 day waiting period; and

BE IT FURTHER RESOLVED that the Board of Commissioners directs the County Clerk to distribute the Tentative Enhanced 9-1-1 Service Plan to the Clerk of every city, township and village in Washtenaw County; and

BE IT FURTHER RESOLVED that the Board of Commissioners directs the County Clerk to publish two notices of the public hearing in a newspaper of general circulation within the county. The first publication of the notice shall occur at least 30 days prior to the date of the hearing; and

BE IT FURTHER RESOLVED that this Plan shall expire on February 28, 2009, unless extended by law.

**WASHTENAW COUNTY
BOARD OF COMMISSIONERS**

NOTICE OF PUBLIC HEARING TO ADOPT AN AMENDED ENHANCED 9-1-1 PLAN

PLEASE TAKE NOTICE, that the Washtenaw County Board of Commissioners will hold a meeting on November 5, 2008 at 6:45 p.m. The meeting will be held in the Washtenaw County Board room, 220 N. Main Street, Ann Arbor, Michigan.

During this meeting, a public hearing will be held to allow for public comment on the adoption of the Amended Enhanced 9-1-1 Plan by the Board of Commissioners. If adopted, the Final Enhanced 9-1-1 Plan will pertain to 9-1-1 services within the geographical boundaries of Washtenaw County.

This notice is given pursuant to the state law as made and provided. Any persons requiring visual or audio aids should contact: