

**STATE OF MICHIGAN
COUNTY OF CLINTON**

**RESOLUTION
2005-11**

At a regular meeting of the Clinton County Board of Commissioners held in St. Johns, Michigan on April 26, 2005, at 9:00a.m.

PRESENT: David Pohl, Larry E. Martin, John W. Arehart, Mary Rademacher, Robert E. Showers, Virginia L. Zeeb and Claude A. Vail.

ABSENT: None

The following resolution was offered by Commissioner Zeeb and supported by Commissioner Pohl:

WHEREAS, Clinton County ("County") has adopted a Final 911 Service Plan ("Plan") and Plan Service District ("Service District") pursuant to the Emergency Telephone Service Enabling Act, 1986 PA 32, as amended ("Act");

WHEREAS, the Plan Service District is coterminous with the boundaries of Clinton County, and the County stands ready to provide E-911 answering and dispatch services to all portions of the County, even those communities that have opted to serve as primary PSAP;

WHEREAS, the County has been receiving requests for Internet Protocol from entities that are setting up Internet telephone services, called "Voice over Internet Protocol" or "VoIP," ("VoIP") for customers in Clinton County

WHEREAS, VoIP service providers do not operate under a tariff and apparently are unable at present to provide Automatic Number Identification ("ANI") or "Automatic Location Indication ("ALI") or to place the call into the three digit 911 emergency telephone service network;

WHEREAS, the Act defines "service supplier" to be any party "providing a telephone service or commercial mobile radio service" in the state of Michigan (MCL 484.1102);

WHEREAS, the Act prohibits the County from operating an E-911 system unless every nonCMRS service supplier designated as operating in the Service District, has a tariff governing the delivery of three digit 911 services;

NOW, THEREFORE, BE IT RESOLVED that the following Plan Amendment is adopted:

PLAN AMENDMENT

1. Clinton County (“County”) has adopted a Final 911 Service Plan (“Plan”) and Plan Service District (“Service District”) pursuant to the Emergency Telephone Service Enabling Act, 1986 PA 32, as amended (“Act”), and the Act authorizes the County to approve updates to the Plan, such as this “Amendment”;
2. The Clinton County Board of Commissioners (“Board”) is authorized from time to time to adopt and update the list of all service suppliers, including wire-based, Voice over Internet Protocol (“VoIP”), and commercial mobile radio service (“CMRS”) companies providing emergency telephone call services within the Service District.
3. The Board shall also periodically obtain and publish an updated list of service suppliers, the highest monthly charge and the emergency service providers within the Service District in a set of Administrative Finding.
4. If a service supplier provides telephone services of any kind, including wire-based, VoIP and/or CMRS, to customers within the Service District and if those services will not facilitate three digit 911 service, the provider must place the following warning on each customer billing statement in bold type of at least 12 points in size:

WARNING

**You cannot use our equipment and services to make 911 emergency calls.
To make a 911 call, you will have use a wireless or landline phone.**

5. Because the County serves or is prepared to serve all portions of the County with E-911 answering and dispatch services, all operational surcharge and wireless surcharge funds arising from the County’s landline and wireless residents shall be paid to Clinton County and the Clinton County Board of Commissioners shall appropriate those sums in its sole discretion towards the funding of E-911 answering and dispatch services provided to the County’s residents.
6. This Amendment’s provisions are designed to modify, amend, supersede or replace any inconsistent provisions in the County’s Final 911 Service Plan (“Plan”), and to augment, supplement or add to such Plan provisions that are not in any way inconsistent. To the extent any provision in the Plan is not inconsistent with the provisions of this Amendment, such provision is incorporated by reference, republished and reauthorized as if approved for the first time herein.

BE IT FURTHER RESOLVED A final hearing on this Plan Amendment is set for July 26, 2005 at 9 a.m., and the County Clerk is directed to send a copy of this Plan Amendment to all public agencies and to otherwise make the required postings under the Act.

YEAS: Vail, Zeeb, Showers, Rademacher, Pohl, Martin and Arehart

NAYS: None

RESOLUTION ADOPTED

STATE OF MICHIGAN
COUNTY OF CLINTON

I, DIANE ZUKER, Clerk of the County of Clinton do hereby certify that the foregoing resolution was duly adopted by the Clinton County Board of Commissioners at their regular meeting held April 26, 2005 and is on file in the records of this office.

Diane Zuker, Clinton County Clerk