

Benton\West City 9-1-1

Benton\West City Emergency Telephone System Board
500 W Main St, Benton, IL 62812
Phone (618)439-2511 Fax (618)438-0704

December 28, 2006

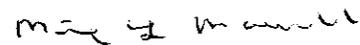
Deb Prather
Verizon
110 E Monroe
Bloomington, IL 61701

Dear Deb:

This letter is to confirm our intent to dismiss an Enhanced 9-1-1 System.

Enclosed is your copy of our application to the Illinois Commerce Commission for approval for dismissal 9-1-1 services. Thank you for your attention to this matter.

Sincerely,



Mickey Marshall, Chairman,
Benton\West City Emergency
Telephone System Board

Enclosure: application

COMMUNITIES SERVED

City, Town, or Village	Street Address, City, Zip Code
City of Benton	500 W Main St., Benton, IL 62812
Village of West City	1000 Blakely St., West City, IL 62812

Exhibit 3

SYSTEM PARTICIPANTS

A list of system participants showing the 9-1-1 land area(s) in square miles and estimated population which will have access to the proposed 9-1-1 system.

System Participants	Address	Administrative Telephone No.	Population	Land Area	Dispatch	Transfer	Call Relay
Benton Fire Department	105 N. Maple St., Benton, IL 62812	(618) 439-2511	6,880		X		
Benton Police Department	500 W. Main St., Benton, IL 62812	(618) 435-8131	6,880	5.5 square miles	X		
West City Police Department	213 S Browning, Benton, IL 62812	(618) 439-7100	716	1.7 square miles			X
West City Fire Department	1000 W Blakely, Benton, IL 62812	(618) 435-2481	716				X
Benton Civil Defense	107 N Maple St., Benton, IL 62812	(618) 439-2511	6,880	5.5 square miles	X		
Mercy Regional Emergency Health Services	P.O. Box 337, Benton, IL 62812	(618) 439-9400	39,018	430 square miles		X	

Exhibit 4

ADJACENT AGENCY LIST

A List of each public safety agency and existing 9-1-1 Systems adjacent to the proposed system boundaries, their address (es) and telephone number(s).

Adjacent Agency	Address	City	State	Zip Code	Phone
Franklin County Sheriff	403 E Main St	Benton	IL	62812	(618) 438-4841
Franklin County 9-1-1	903 W Washington St. Ste 3	Benton	IL	62812	(618)439-0911
Illinois State Police District 13	RR#2 Box 86	DuQuoin	IL	62832	(618)542-2171
Ewing-Northern Fire Protection District	14065 Shiloh Cemetery Rd	Whittington	IL	62897	(618)629-2206
West Frankfort Fire Department	201 E Nolen St	West Frankfort	IL	62897	(618)937-1234

ORDINANCE NO. 2005- 01

**AN ORDINANCE ABOLISHING THE BENTON-WEST CITY
EMERGENCY TELEPHONE SYSTEM BOARD**

WHEREAS, the residents of the City of Benton by referendum approved the creation of the Benton-West City Emergency Telephone System Board pursuant to the terms of the Emergency Telephone System Act; and

WHEREAS, the Benton-West City Emergency Telephone System Board has operated the enhanced 911 emergency telephone system in the City of Benton and West City since 1990;

WHEREAS, the City of Benton and West City have determined that the enhanced 911 emergency telephone system and the dispatch of public safety units is better served by consolidation with the Franklin County 9-1-1 system; and

WHEREAS, the Benton-West City Emergency Telephone System Board has by Resolution authorized the transfer of all surcharge funds collected from the residents of the City of Benton and West City to be paid to the Franklin County Emergency Telephone System Board; and

WHEREAS, the Franklin County Emergency Telephone System Board and the Franklin County Sheriff have begun to provide enhanced 9-1-1 emergency telephone service and dispatch services to the City of Benton and West City.

NOW, THEREFORE, be it ordained by the City Council of the City of Benton, Franklin County, Illinois, as follows:

Section 1. The City Council hereby finds that all of the recitals contained in the preamble to this Ordinance are full, true and correct and are incorporated into this Ordinance by reference.

Section 2. The Benton-West City Emergency Telephone System Board is hereby abolished.

Section 3. The duties and responsibilities of the Benton-West City Emergency Telephone System Board are transferred to the Franklin County Emergency Telephone System Board.

Section 4. The emergency telephone surcharge paid by the residents of the City of Benton shall be paid to the Franklin County Emergency Telephone System Board.

Section 5. Should the Franklin County Emergency Telephone System Board cease providing emergency telephone system service to the City of Benton, the City may re-establish the Benton-West City Emergency Telephone System Board and collect the surcharge as authorized by the Emergency Telephone System Act. 50 ILCS 750/1.

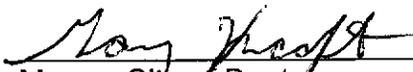
Section 6. All ordinances and resolutions and parts thereof in conflict be and the same are repealed, and that this Ordinance shall be in full force and effect upon its adoption.

ADOPTED this 10 th day of January, 2005 by a roll call vote as follows:

AYES: 5

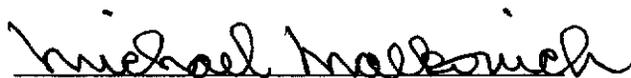
NAYS: 0

ABSENT: 0



Mayor, City of Benton

ATTEST:



City Clerk

STATE OF ILLINOIS)
)
COUNTY OF FRANKLIN) SS.

CLERK'S CERTIFICATE

I, MICHAEL MALKOVICH, the duly qualified Clerk of the City of Benton, Franklin County, Illinois, do hereby certify that attached hereto is a true and correct copy of an Ordinance entitled:

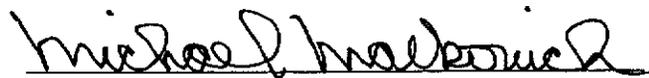
ORDINANCE NO. 2005- 01

**AN ORDINANCE ABOLISHING THE BENTON-WEST CITY
EMERGENCY TELEPHONE SYSTEM BOARD**

which Ordinance was duly adopted by the City Council at a meeting held on the 10 TH day of January, 2005.

I do further certify that a quorum of the City Council was present at said meeting and that all requirements of the Illinois Open Meetings Act were met.

IN WITNESS WHEREOF, I have hereunto set my hand this 10 TH day of January, 2005.


City Clerk, City of Benton

ORDINANCE NO. 458

AN ORDINANCE TERMINATING 9-1-1 EMERGENCY TELEPHONE SYSTEM
FOR THE CITY OF BENTON AND VILLAGE OF WEST CITY, ILLINOIS

WHEREAS, the Village of West City on June 5, 1989 adopted Ordinance No. 297 of the Ordinances of the Village of West City, Illinois created a joint 9-1-1 emergency telephone system with the City of Benton, Benton, Illinois; and

WHEREAS, since the adoption of Ordinance No. 297 the Village of West City and the City of Benton have operated said joint 9-1-1 emergency telephone system; and

WHEREAS, pursuant to the provisions of said Ordinance 297 as adopted a surcharge was imposed on telecommunication carriers to pass through to the subscribers to pay for the costs associated with operating said 9-1-1 emergency telephone system; and

WHEREAS, the City of Benton and the Village of West City, Illinois have elected to enter into an intergovernmental agreement with the County of Franklin, State of Illinois, to provide for 9-1-1 emergency telephone services under the direction of the Franklin County 9-1-1 Emergency Services Board and to terminate its current joint 9-1-1 emergency system, subject to approval of the Illinois Commerce Commission.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND THE VILLAGE BOARD OF TRUSTEES OF VILLAGE OF WEST CITY, ILLINOIS, as follows:

SECTION 1: Subject to and upon approval by the Illinois Commerce Commission the Village of West City participation in the joint 9-1-1 emergency telephone system with the City of Benton, Illinois shall be, and the same hereby is, terminated.

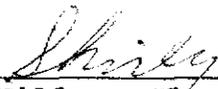
SECTION 2: That upon termination of the Benton/West City 9-1-1 emergency telephone system all monies on hand collected for the purpose of the operation of the 9-1-1 Benton/West City emergency system as a result of a telephone communication surcharge assessed against subscribers of telecommunication carriers within the Village of West City shall, after payments of all just debts and expenses, be transferred to the Treasurer of the Franklin County 9-1-1 emergency telephone system board.

SECTION 3: That upon termination of said joint 9-1-1 emergency system with the City of Benton, Illinois all 9-1-1 emergency services shall be provided to the residents to the Village of West City, Illinois by the Franklin County 9-1-1 emergency service system.

SECTION 4: This ordinance shall take effect and be in full force from and after its passage and approval as required by law and approval by the Illinois Commerce Commission.

PASSED and APPROVED this 1st day of Nov, 2004.

Attested:



Village Clerk



Village President

1. **Purpose.** The Franklin County, Benton and West City Emergency Telephone System Board is hereby established to carry out the responsibilities as set out in the Emergency Telephone System Act, 50 ILCS 750/1 and the Wireless Emergency Telephone Safety Act, 50 ILCS 751/1.

2. **Board Created.** There is hereby created a Joint Franklin County Emergency Telephone System Board (the "Joint Board") consisting of a minimum of nine (9) members. All nine (9) members shall be appointed by the Chairman of the Franklin County Board. Three (3) members shall be selected from each of the the three (3) County Board Districts of Franklin County. The initial term of office for each member appointed by the Chairman of the Franklin County Board shall be staggered as follows:

Three (3) members, one (1) member from each District, shall serve a for a term that shall expire on April 1, 2007; Three (3) members, one (1) member from each District, shall serve a for a term that shall expire on April 1, 2008; Three (3) members, one (1) member from each District, shall serve a for a term that shall expire on April 1, 2009.

The three (3) members from District 2 shall be selected as follows:

The Benton City council and the Village Board of West City shall each present a list of 4 candidates from each municipality to the Franklin County Board. One candidate shall be selected by the Franklin County Board Chairman from the list provided by the city of Benton to represent Benton and one candidate from the list provided by West City to represent West City. A third member shall be selected by Chairman to represent

District 2. This process shall be repeated at the expiration of each term.

The regular term of office for all members, after the initial term, shall be for three (3) years. The initial assignment of terms shall be by lottery.

Each Board member shall continue in office until his successor is appointed and qualifies by taking the oath of office.

3. Powers of the Joint Board The management and control of the affairs of the Joint Board shall be vested in the Board and the members may exercise all powers as may be granted by the Emergency Telephone System Act, 50 ILCS 750/15.4.

These powers include:

- a. Planning a 9-1-1 system.
- b. Coordinating and supervising the implementation, upgrading or maintenance of the system, including the establishment of equipment specifications and coding systems.
- c. Receiving monies from the surcharge and from any other source, for deposit into the Joint Board.
- d. Authorizing all disbursements from the Joint Board.
- e. Hiring any staff necessary for the implementation or upgrade of the system.
- f. Adopt by-laws for the transaction of its business.

4. Surcharge The corporate authorities of Franklin County, Benton and West City have imposed a surcharge pursuant to the terms of the Emergency Telephone System Act, 50 ILCS 750/15.3. Each party to this agreement shall continue to collect the

surcharge as imposed by ordinance. The corporate authorities of Benton and West City shall each pay all collected surcharge fees to the Joint Board until such time as the surcharge collected by the communication carriers for each municipality are delivered directly to the Treasurer of the Joint Board.

In Addition the corporate authorities of Benton and West City shall each pay to the Joint Board monthly, the difference in amount of the lower surcharge collected in either Benton or West City with that of the higher surcharge collected from the remainder of the County. The obligation of the City of Benton and the Village of West City to pay said difference shall terminate at such time as passage by the voters of the respective municipalities an ordinance to authorize an increase in the amount of surcharge for residents of said municipality to the amount collected for the remainder of the County.

This Paragraph 4 shall supercede any other agreement between or among the parties.

5. Treasurer. The Franklin County Treasurer shall be the treasurer of the Franklin County Joint Emergency Telephone System Board and shall have all responsibilities for the deposit and custody of surcharge monies as provided in Section 15.4(c) of the Emergency Telephone System Act.

6. Insurance. The Franklin County Joint Emergency Telephone System Board shall provide insurance coverage for its operations and its board members and employees. The provision of such insurance coverage shall in no way waive or alter any

of the immunities provided by Section 15.1 of the Emergency Telephone System Act, 50 ILCS 750/15.1.

7. Benton-West City Emergency Telephone System Board. Upon the signature of this Agreement and the approval of the Illinois Commerce Commission, the corporate authorities of the City of Benton and the Village of West City shall enact ordinances abolishing the Benton-West City Emergency Telephone System Board.

8. Expenditure of Surcharge Funds. No expenditure may be made from surcharge funds except upon the direction of a majority of the Board Members of the Franklin County Joint Emergency Telephone System Board. Expenditures of surcharge funds may only be made for the purposes set forth in Section 15.4(c) of the Emergency Telephone System Act, 50 ILCS 750/15.4(c) and Section 20 of the Wireless Emergency Telephone System Act, 50 ILCS 751/20 provided that no surcharge funds shall be expended to pay salaries and/or benefits or dispatcher employees.

9. Credit for Prepaid Amounts. Each of Benton and West City shall be given credit for the amount of funds transferred from the Benton-West City E-911 Fund as of the date of this agreement, which funds represent taxes collected by the Benton-West City E-911 district. Those funds shall be applied by the Joint Board to cover obligations owed by Benton and West City under paragraph 4 above to be prorated between Benton's and West City's obligations as follows: 87% of the total funds to be applied to obligations of the City of Benton and 13% of the total funds to be applied to

obligations of the Village of West City.

10. Liability. The liabilities of the parties hereunder shall be several, not joint.

11. Modification. This Agreement shall not be modified except in writing and by consent of all of the parties to the Agreement.

12. Termination Clause. No party to this Agreement shall withdraw from this agreement without first giving 180 days notice of their intention to withdraw to the other parties.

13. Savings Clause. Should any provision of this Agreement be stricken or modified by a court of competent jurisdiction or operation of law, the remainder of the Agreement shall continue in full force and effect.

14. Effective Date. This Agreement shall be in full force and effect from and after the date that it is signed by all parties to the Agreement.

Franklin County

Harry Stewart
Chairman, Franklin County Board

Date: 5/15, 2006.

ATTEST

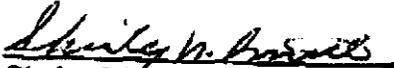
Steve Doherty
County Clerk of Franklin County

Ray Kraft
Mayor, City of Benton

Michael Markson
Benton City Clerk

Date: 5-22, 2006.


Village President of the Village of West City


Clerk of the Village of West City

Date: 5/15, 2006.