

**9-1-1**

**UNION COUNTY EMERGENCY TELEPHONE SYSTEM BOARD**

**309 W. Market St Rm 016**

**Jonesboro, Illinois 62952**

**Telephone No. (618)833-5442 Fax: (618)833-4011**

***Board Members & Staff***

**Chairman: Steve Hartline, Vice Chairman: Grant Capel, Financial Officer: Larry Eddleman, Board Secretary: Michael Hunter, Sheriff: David Livesay, County Commissioner: Richard Cunningham, Wolf Lake-Ware Fire Protection District: Todd Harris, 9-1-1 Coordinator: Jana Fear, 9-1-1 Secretary: Crystal Gurley**

**EXHIBIT 12**

**RESOLUTION TO ESTABLISH  
UNION COUNTY EMERGENCY TELEPHONE SYSTEM**

ORDINANCE

THAT WHEREAS the State of Illinois has enacted into law the Emergency Telephone System Act (the "Act"); and

WHEREAS the Act enables counties and municipalities to impose a surcharge upon all telephone subscribers passed through telecommunication carriers at a rate per network connection in order to implement and/or upgrade and maintain a "9-1-1" emergency telephone system; and

WHEREAS the Act further provides that before the surcharge may be imposed it must be authorized by a majority of the voters in a referendum by the County or Municipality; and

WHEREAS the County Board of Union County deems it to be in the best interest of the County to implement and/or upgrade and maintain a "9-1-1" emergency telephone system and to impose a surcharge on subscribers collected by the telecommunications carrier to pay for the costs associated therewith;

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF UNION, STATE OF ILLINOIS, AS FOLLOWS:

SECTION ONE -- A surcharge is hereby imposed, subject to the provisions of Section two, upon all telephone subscribers passed through telecommunication carriers engaged in the business of transmitting messages by means of electricity originating within the corporate limits of Union County and terminating within the State of Illinois for funding of an enhanced "9-1-1" emergency telephone system.

SECTION TWO -- A referendum shall be placed by the County Clerk on the November 3, 1992, ballot for all legal voters residing in the County to vote upon the following question:

Shall the County of Union impose a surcharge of up to \$2.50 cents per month per network connection, which surcharge will be added to the monthly bill you receive for telephone or telecommunications charges for the purpose of installing an enhanced "9-1-1" emergency system?

\_\_\_\_\_ yes                      \_\_\_\_\_ no

SECTION THREE -- If a majority of the votes cast upon the question are in favor thereof, a surcharge is hereby imposed at a rate of \$2.50 cents per month per in-service network connection, as hereinafter defined. A network connection shall not be deemed to be in service where a subscriber's account is uncollectible.

**SECTION FOUR** -- For purposes of this ordinance, the following definitions shall apply;

a. **"Network Connection"** means the number of voice grade communication channels directly between a subscriber and a telecommunications carrier's public switched network without the intervention of any other telecommunications carriers switched network which would be required to carry the subscriber's interpremises traffic..

b. **"Transmitting Messages"** shall have the meaning ascribed to the term in Section 8-11-2 of the Illinois Municipal Code.

c. **"Telecommunications Carrier"** means any natural individual, firm, trust, estate, partnership, association, joint stock company, joint adventure, corporation, municipal corporation or political subdivision or this State, or a receiver, trustee, conservator or other representative appointed by order of any Court engaged in the business of transmitting messages by means of electricity.

d. For the purpose of this Act, **"Telecommunications Carrier"** does not include a cellular or other mobile communication carrier.

**SECTION FIVE** -- The County Clerk shall provide any telecommunication carrier subject to the surcharge with a certified list of those network connections assigned to the County to be exempt from imposition of the surcharge. The certified list may be revised by the County on 60 days prior written notice provided to the telecommunications carriers.

**SECTION SIX** -- The surcharge shall be imposed on the first day of the month following the expiration of 90 days from the date the County Clerk certifies to the individual telecommunications carriers subject to the surcharge that the referendum referred to in Section Two has passed.

**SECTION SEVEN** -- In lieu of the telecommunication carriers imposing a 3% accounting and collection charge on its subscribers as permitted under the Act, each telecommunications carrier is hereby authorized and instructed to recover said accounting and collection charge by deducting 3% from the gross amount of surcharge collected otherwise due and owing the County prior to remittance under Section Eight of this ordinance.

**SECTION EIGHT** -- The amount of surcharge collected by the telecommunications carrier shall be paid to the particular

municipality or county or Joint Emergency Telephone System Board not later than 30 days after the surcharge is collected, net of any network or other "9-1-1" or sophisticated "9-1-1" system charges then due the particular telecommunications carrier, as shown on an itemized bill and the 3% accounting and collection charge described in Section Seven.

**SECTION NINE** -- Simultaneously with the remittance described in Section Eight above, each telecommunications carrier shall make a return to the County Treasurer for the period to which the remittance applies stating as follows:

1. The name of the telecommunication carrier.
2. The telecommunication carrier's principal place of business.
3. The number of network connections to which the surcharge applies.
4. The amount of surcharge due.
5. Such other reasonable and related information as the corporate authorities may require.

**SECTION TEN** -- If it shall appear that an amount of surcharge has been paid which was not due under the provisions of the ordinance, whether as the result of a mistake of fact or an error of law, then such amount shall be credited against any surcharge due, or to become due, under this ordinance from the telecommunication carrier who made the erroneous payments; provided that no amounts erroneously paid more than three (3) years prior to the filing of a claim therefore shall be so credited. Ninety (90) days prior notice shall be given to the Emergency Telephone System Board on any credit against a surcharge due.

**SECTION ELEVEN** -- No action to recover any amount of surcharge due under the provisions of this ordinance shall be commenced more than three (3) years after the due date of such amount.

PASSED and ADOPTED this 26th day of August, 1992.

UNION COUNTY COMMISSIONERS

  
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BILL PORTER -- County Chairman

Wayne Doc Manus  
WAYNE "DOC" MANUS

Lee Roy Rendleman  
LEE ROY RENDLEMAN

ATTEST:

Bobby Toler Jr  
BOBBY TOLER, JR. -- County Clerk

(SEAL)

NOVEMBER 1991 REFERENDUM RESULTS CONT'D

<u>Community/County</u>	<u>Surcharge</u>	<u>Yes</u>	<u>No</u>
Bedford Park	1.25	103 (77%)	31 (23%)
Brookfield	1.25	1,409 (72%)	536 (28%)
Burbank	1.00	1,064 (64%)	606 (36%)
Highwood	1.00	257 (75%)	86 (25%)
Hillside	.85	548 (79%)	142 (21%)
Lemont	.75	548 (73%)	204 (27%)
*****			
Calhoun County	2.00	360 (49%)	382 (51%)
Greene County	2.00	1,331 (41%)	1,898 (59%)
Lee County	2.00	2,899 (44%)	3,745 (56%)
Macoupin County	1.75	3,882 (49%)	3,942 (51%)
Wabash County	1.95	759 (37%)	1,292 (63%)

MARCH 1992 REFERENDUM RESULTS

Franklin County	1.50	5,875 (62%)	3,594 (38%)
Glencoe	1.50	1,728 (73%)	652 (27%)
Hickory Hills	.85	1,446 (58%)	1,060 (42%)
Oak Lawn	1.00	8,204 (67%)	4,089 (33%)
Steger	.75	523 (82%)	115 (18%)
Tinley Park	.75	6,053 (72%)	2,388 (28%)
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Jersey County	1.69	1,761 (33%)	3,620 (67%)
Lawrence County	1.95	2,234 (47%)	2,510 (53%)

NOVEMBER 1992 REFERENDUM RESULTS

Clark County	2.95	4,798 (68%)	2,259 (32%)
Gallatin County	.95	2,276 (71%)	951 (29%)
Johnson County	2.00	2,632 (60%)	1,732 (40%)
Kankakee County	1.00	20,539 (58%)	14,710 (42%)
Pulaski County	3.00	1,719 (64%)	957 (36%)
* Union County	2.50	4,235 (53%)	3,752 (47%)
Bridgeview	1.25	2,314 (58%)	1,703 (42%)
Chebanse	1.25	246 (85%)	45 (15%)
Cicero	1.00	8,229 (56%)	6,422 (44%)
Crestwood	.90	2,561 (64%)	1,450 (36%)
Evergreen Park	1.00	7,872 (77%)	2,341 (23%)
Forest View	1.25	369 (84%)	72 (16%)
Harvey	1.25	4,471 (60%)	3,035 (40%)
Harwood Heights	1.25	1,877 (70%)	816 (30%)
Hodgkins	1.25	452 (81%)	109 (19%)
Indian Head Park	1.50	1,089 (57%)	830 (43%)
Lyons	1.00	2,319 (60%)	1,565 (40%)
McCook	.85	156 (95%)	9 (5%)
Melrose Park	2.00	4,364 (74%)	1,535 (26%)
Naperville	.50	21,016 (51%)	20,327 (49%)
Northfield	2.00	1,557 (60%)	1,022 (40%)