



## Finance Office

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September 25, 2023

Board of County Commissioners  
Cass County Government  
211 9<sup>th</sup> Street South  
Fargo, North Dakota 58103

Re: NDACo Collection and Distribution of 911 Fees JPA

Dear Commissioners:

Being presented to you today is a supplemental joint-powers agreement with NDACo for the collecting and distributing of 911 fees. This endeavor is being presented to all 53 counties in North Dakota.

Currently, counties receive 911 fees directly from individual telecom providers. Based on the amount remitted, the county then distributes a set portion of these funds to SIRN and to the State. This process results in numerous different checks being received from various different telecom companies and it does not provide the county with the ability to confirm the amounts remitted. 911 fees collected by Cass County are put towards funding the Cass, Fargo and West Fargo portions of the RRRDC Assessment Fees.

NDACo's proposed service is for the collection and distribution of 911 Fees. This will alleviate a significant administrative burden on all counties. NDACo asserts that no costs will be assessed to the counties for this service. Rather, NDACo feels confident that counties may even realize an increase in 911 revenues due to the centralized processing and the ability for NDACo to gather more comprehensive data and its ability to audit remittances that are received from the telecom companies. In addition, this proposal will streamline the number of checks that are processed and sent out by each county. The service will create new efficiencies for both the counties and the telecommunications companies.

This initiative received unanimous support from the Auditor/Treasurer groups at our semi-annual meeting this past summer and the anticipated start date for this program is currently set to January 1, 2024.

Sincerely,  
Brandy Madrigga, Finance Director

### SUGGESTED MOTION:

Move to authorize the County Commission Chair to sign the Joint Powers Agreement with the North Dakota Association of Counties for the collection and distribution of 911 fees.

Encl:  
NDACo 911 fee collection and distribution JPA  
NDACo 911 surcharge fee proposal



**CONTRACT APPROVAL**

**REQUIRED BY DEPARTMENT:**

DEPARTMENT: Finance Office DATE OF REQUEST: 09-28-2023

COMPANY REQUESTING CONTRACT: North Dakota Association of Counties

BRIEF PROJECT DESCRIPTION: JPA for the collection and distribution of 911 fees

X NEW CONTRACT OR        CONTRACT RENEWAL

**REQUIRED BY STATE'S ATTORNEY OFFICE:**

STATE'S ATTORNEY SIGNATURE: \_\_\_\_\_ DATE \_\_\_\_\_

STATE'S ATTORNEY COMMENTS:

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# JOINT POWERS AGREEMENT FOR PURCHASING RESOLUTION OF ACKNOWLEDGMENT

WHEREAS various counties of North Dakota have entered into a Joint Powers Agreement for the centralized and coordinated acquisition and delivery of essential and optional services by participating member counties (hereafter referred to as the "Master JPA");

AND WHEREAS, the undersigned county ("County") is a participating member of such Master JPA;

AND WHEREAS, the North Dakota Association of Counties (NDACo) has previously secured a joint powers agreement with the counties for the purpose of statewide coordination and contracting to implement the networking, equipment, testing, and ongoing services necessary for Emergency Services Communications (9-1-1) in the Next Generation (IP) environment;

AND WHEREAS, the County has determined efficiencies exist in the collection and distribution of 9-1-1 fees;

## **SERVICE: COLLECTION AND DISTRIBUTION OF 9-1-1 FEES**

NOW THEREFORE, it is hereby RESOLVED:

1. The various Counties throughout the State have imposed differing fees pursuant to NDCC 57-40.6-02.
2. The Counties previously collected their individual fees and monthly remitted a portion of the fees to NDACo to secure statewide contracts to implement Next Generation 9-1-1.
3. The County acknowledges and approves the most efficient use of county resources is for allowing the central collection of such fees by NDACo to be distributed back to the counties pursuant to their individual fee rate minus the previously agreed amount to support the implementation of Next Generation 9-1-1 and state imposed fees associated with the statewide interoperable radio network (SIRN).
4. The County agrees to provide NDACo the authority to collaborate with all the State's telecommunications providers to implement this agreement.
5. The North Dakota 911 Association governance board shall continue to monitor and advise NDACo on the appropriateness of the various statewide contracts in addition to reviewing the collection and distribution of fees by NDACo.
6. This acknowledgement supplements and enhances the previously signed agreement.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_ COUNTY  
(The "County" herein)

By: \_\_\_\_\_  
County Commission Chair

Attest: \_\_\_\_\_  
County Auditor

## 911 FEE PROPOSAL

- NDACo serves as collection point for county 911 surcharges
- NDACo calculates county fees to support NG911 & SORN programs
- NDACo remits fees to appropriate program
- NDACo returns balance to county for deposit in 9-1-1 account

## BENEFITS TO COUNTIES

- Ensures NG911 & SORN programs receive funds consistently
- Removes numerous 911 surcharge remittances, fee calculation, accounts payable overhead
- Eliminates responsibility to notify providers on rate changes
- Accurately captures annual statewide 911 surcharge revenue
- Provides NDACo audit capabilities
- NDACo sets remittance documentation requirements

