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MEMO

CASS COUNTY COMMISSION

Auditor

Michael Montplaisir, CPA
701-241-5601

Treasurer

Charlotte Sandvik
701-241-5611

**Director of
Equalization**

Frank Klein
701-241-5616

TO: Cass County Board of Commissioners
FROM: Michael Montplaisir, CPA
Cass County Auditor
DATE: November 21, 2014
SUBJECT: 911 Emergency Services – Memorandum of Understanding

Commissioners:

A Memorandum of Understanding (MOU) has been drafted by State's Attorney Birch Burdick regarding the county-wide 9-1-1 emergency services communications fee recently approved by county residents.

The MOU is between Cass County, Fargo and West Fargo and outlines the process for all three entities to end their existing 9-1-1 fees as of December 31, 2014, and implement the new \$1.50 fee effective January 1, 2015. The MOU also outlines the billing process for vendors.

SUGGESTED MOTION:

Authorize the chairman to sign a Memorandum of Understanding with Cass County, Fargo and West Fargo regarding 9-1-1 Emergency Services Communications Fee.

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**MEMORANDUM OF UNDERSTANDING
REGARDING 9-1-1 EMERGENCY SERVICES COMMUNICATIONS FEE**

This Memorandum of Understanding ("MOU") is entered into by and between the City of Fargo, ND through its City Commission ("Fargo"), City of West Fargo, ND through its City Commission ("West Fargo") and Cass County, ND Government through its County Commission ("Cass County Government").

WHEREAS, the emergency services communication system (9-1-1) is critical to public safety in Cass County; and

WHEREAS, Fargo, West Fargo and Cass County Government are all members of the Red River Dispatch Center ("Center") and jointly provide funds for the operation and update of the Center; and

WHEREAS, at present Fargo, West Fargo and Cass County Government each has a separate and varied monthly fee for their jurisdictions on "assessed communications services" (telephone exchange access service, wireless service, active prepaid wireless service, and voice over internet protocol service) pursuant to North Dakota Century Code Chapter 57-40.6; and

WHEREAS, it would be more efficient to administer one common fee throughout Cass County for the assessed communication services for the parties to this MOU; and

WHEREAS, in an election held on November 4, 2014 a sufficient number of voters approved Cass County Measure #1 thereby authorizing Cass County Government to levy a single county-wide 9-1-1 fee not to exceed \$1.50 in lieu of the various existing fees, to become effective on January 1, 2015; and

WHEREAS, in order to implement Cass County Measure #1, Cass County Government has scheduled Ordinance #2104-__ Emergency Services Communications (9-1-1) Fee for a first reading on November 17, 2014, with a second reading anticipated for December 15, 2014, pursuant to its Home Rule Charter; and

WHEREAS, in order to implement Cass County Measure #1, Fargo and West Fargo need to take steps to discontinue collection of their existing 9-1-1 fees by December 31, 2014 in favor of the single county-wide fee;

NOW, THEREFORE, Fargo, West Fargo and Cass County Government agree as follows:

1. Fargo and West Fargo agree to end their existing 9-1-1 emergency services communications systems fees as of December 31, 2014, and to notify the respective vendors which collect those fees accordingly; and
2. Cass County Government agrees to end its existing 9-1-1 emergency services communications systems fee of \$1.00 as of December 31, 2014, and implement

- a new county-wide fee of \$1.50 effective on January 1, 2015, and to notify the respective vendors which collect those fees accordingly; and
3. Fargo, West Fargo and Cass County Government agree to pay all valid billings from the vendors for 9-1-1 emergency services communications systems fees for their respective jurisdictions through December 31, 2014; and
 4. Starting January 1, 2015 and continuing thereafter Cass County Government agrees to pay all valid billings from the vendors for 9-1-1 emergency services communications systems fees for the entire county; and
 5. Fargo and West Fargo agree to pay to Cass County Government all payments they receive from vendors for 9-1-1 emergency services communications systems fees pertaining to such services provided from January 1, 2015 and thereafter.

IN WITNESS WHEREOF, the parties hereto have executed this MOU, which shall become effective upon the date it is signed by the last of the following signatories.

City of Fargo, ND

By: _____
Mayor

Attest: _____
City Auditor

Date: _____

City of West Fargo, ND

By: _____
Mayor

Attest: _____
City Auditor

Date: _____

Cass County Government

By: _____
Chairperson

Attest: _____
County Auditor

Date: _____