

RESOLUTION NO. 2012-9

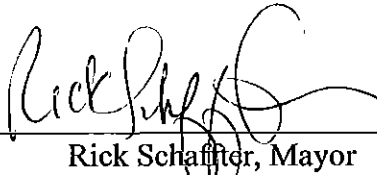
A RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE ERIE COUNTY EMERGENCY MANAGEMENT AGENCY FOR THE PROVISION OF EMERGENCY MANAGEMENT COORDINATION

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF HURON, OHIO:

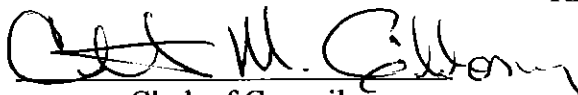
SECTION 1. That the City Manager is authorized and directed to enter into an agreement with the Erie County Emergency Management Agency for the purpose of emergency management coordination, which agreement shall be in substantially the form of Exhibit "A" attached hereto and made a part hereof.

SECTION 2. That this Council hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of the Council and that all deliberations of this Council and of its committees, if any, which resulted in formal action, were taken in meetings open to the public in full compliance with applicable legal requirements, including O.R.C. § 121.22.

SECTION 3. That this Resolution shall be in full force and effect immediately upon its adoption.



Rick Schaffter, Mayor

ATTEST: 
Clerk of Council

ADOPTED: **JAN 24 2012**

ERIE COUNTY EMERGENCY MANAGEMENT AGENCY AGREEMENT

THIS AGREEMENT, made and entered into this _____ day of _____, 2012, by and between the City of Huron, Ohio , a municipal corporation or township organized and existing under the laws of the State of Ohio (hereinafter called the “political subdivision”), duly authorized by Ordinance/Resolution passed by its council/board of trustees on January 24, 2012 and the County of Erie, a political subdivision organized and existing under the laws of the State of Ohio (hereinafter called the “County”), duly authorized by Resolution adopted by its Board of County Commissioners on _____, 2012.

WITNESSETH:

WHEREAS, there is an existing and increasing possibility of the occurrence of destruction resulting from enemy attack, sabotage, or other hostile action, or from natural disaster, or man made disaster, and it is necessary to insure that preparations of this County will be adequate to deal with such disasters and generally provide for the common defense, and to protect the public peace, health, safety and general welfare, and to preserve the lives and property of the people of the county; and

WHEREAS, the present state of military technology has created Emergency Management problems substantially beyond the scope of any local Emergency Management Agency within the county in that the effects of enemy action against civilian population would create county problems rather than community problems; and

WHEREAS, the coordination of Emergency Management activities within the area of Erie County is of paramount importance to all of the political subdivision therein;

and

WHEREAS, the County of Erie desires to effect such necessary coordination entering into agreements, in the manner provided by law, Ohio Revised Code, Section 307.15, with the various municipal corporations and townships, hereinafter referred to as the political subdivisions; and

WHEREAS, in accordance with Section 5502.271, as amended, a requirement is established for each political subdivision, to develop its own Emergency Management Agency if not a member of a county-wide or Regional Agreement; and

WHEREAS, it is further declared to be the purpose of this Agreement and policy of the County of Erie that all Emergency Management functions of the County be coordinated to the maximum extent with comparable functions of the State of Ohio and of the Federal Government, including their various departments and agencies, and other states and localities, and of private agencies of every type, to the end that the most effective preparation and use can be made of the County's manpower, resources and facilities for dealing with any large-scale disaster or emergency that may occur; and

WHEREAS, it is hereby found and declared to be necessary to enter into an Agreement with the County so that the required program for emergency management is provided to the political subdivision by the County; and to provide for the rendering of cooperation and mutual aid, if necessary, to surrounding and contiguous political subdivisions of the State and adjoining states;

NOW, THEREFORE, in consideration of the premises and of the mutual covenants hereinafter set forth, and of other good and valuable considerations, the County and the political subdivision do hereby promise and agree that:

1. That the County will, on behalf of the political subdivision, establish a program for emergency management within the political subdivision that:

(A) is in accordance with Chapter 5502 of the Ohio Revised Code, rules adopted under it, the "Act of January 12, 1951", 64 Stat. 1245, 50 App.

U.S.C.A. 2251, and regulations adopted under it;

(B) includes, without limitation, development of an emergency operations plan.

2. The County will coordinate the Emergency Management activities of each party hereto and to exercise for and on behalf of each party hereto such power and authority incident thereto as it may lawfully do, consistent with State statutes and such regulations as have been or shall be promulgated by the Governor of the State.

3. The County will employ a full-time Emergency Management Director who will report to the public via the Board of County Commissioners of Erie County, Ohio public meeting on a quarterly basis. The Director's duties will include the Enhanced 9-1-1 System in Erie County, SARA Title III, Haz Mat, and other duties as assigned by the County.

4. There shall be created an Emergency Management Advisory Board to help bring specific concerns or problems of the political subdivisions to the director and the County Commissioners. This board shall consist of the following seven (8) members:

One member, an elected official from the Board of County Commissioners of Erie County, Ohio

One member, an elected official from the City of Sandusky.

One member from the townships of Erie County. This member will be chosen from the township trustees.

One member, a mayor from the villages of Erie County.

One member, an elected official from another city in Erie County.

One member from the law enforcement agencies in Erie County.

One member a fire chief from Erie County.

One member a citizen at large in Erie County.

The Director will act as secretary for the Emergency Management Advisory Board. The Board shall meet twice a year, or more often if needed. The meetings will be

called by the Director. Each member of the Board shall serve for a three (3) year term. The citizen at large member shall be chosen by the other six (6) members of the Emergency Management Advisory Board.

5. The county shall prepare a budget for each year. The funds provided for in said budget and all funds received from whatever source, or by whatever means for Emergency Management by the County shall be paid to the Treasurer of Erie County into a special fund designated for Emergency Management purposes.

6. Each participating political subdivision hereto agrees to pay to the County promptly upon demand and invoice therefor, the amount assessed against it by the County for said services performed and to be performed as hereinbefore provided, and to do and perform all and singular, the obligations herein assumed. The initial amount assessed is fifteen (15) cents per capita. This fee will be increased by two (2) cents per year, to year 2006, which will total twenty-five (25) cents per capita.

7. If after 2006, the Agency feels, with input of the Emergency Management Advisory Council and the Board of County Commissioners of Erie County, Ohio, that a fee change (capped at forty (40) cents is warranted, a request to change said charge will be presented to the County Commissioners during the month of January.

8. This Agreement may be amended at any time by a majority of the parties hereto, including Erie County.

9. This Agreement may be terminated at any time by mutual agreement of all the parties hereto, and may be terminated by any party at the end of the calendar year by action of its legislative authority and service of written notice thereof on the Board of County Commissioners of Erie County, Ohio, not less than ninety (90) days prior to the end of said calendar year.

10. All obligations contained in prior Erie County Emergency Management Agency Agreements are hereby declared null and void.

IN WITNESS WHEREOF, the County and the political subdivision have caused this Agreement to be executed by the respective proper officers and officials of the County and political subdivision hereunto duly authorized as of the day and year first above written.

APPROVED AS TO FORM

POLITICAL SUBDIVISION

Gary A. Lickfelt
Assistant Prosecuting Attorney

By: _____

BOARD OF COUNTY
COMMISSIONERS OF ERIE
COUNTY, OHIO

William Monaghan, President

Patrick Shenigo

Thomas M. Ferrell Jr.

CERTIFICATE OF FUNDS

I hereby certify that the money required for this contract or expenditure is in the Treasury to the credit of the fund from which it is to be drawn and is not now appropriated for any other purpose.

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