

RESOLUTION #17-1218-12

Supporting the Amended Agreement for a Countywide Emergency Management Agency

WHEREAS, Delaware County is required to have an Emergency Management Agency, and

WHEREAS, currently, the EMA's funding mechanism is a per capita amount, and

WHEREAS, under the Delaware County EMA's proposed population percentage model, the Delaware County Commissioners will pay one-third of the total funding need estimated by the Delaware County EMA with each political subdivision responsible to pay a percentage commensurate with their population for the remainder.

NOW, THEREFORE BE IT RESOLVED, by the Liberty Township Board of Trustees, Delaware County, Ohio, to authorize the attached Amended Agreement for a Countywide Emergency Management Agency.

Motion made by Leneghan and seconded by Eichhorn.

Vote: Yes Mrs. Eichhorn Yes Mrs. Leneghan N/P Dr. Mitchell

This Resolution shall be in force and become effective immediately upon its execution.

Dec. 18, 2017

Date

CERTIFIED BY:

Nancy Denutte, Fiscal Officer

Melanie Leneghan
Melanie Leneghan, Trustee

-- not present --
Dr. Thomas Mitchell, Trustee

Shyra Eichhorn
Shyra Eichhorn, Trustee

**AMENDED AGREEMENT FOR A
COUNTYWIDE EMERGENCY MANAGEMENT AGENCY**

This Agreement is made and entered into by and among the participating political subdivisions of Delaware County, Ohio, as set forth in this Agreement, in accordance with section 5502.26 of the Revised Code.

RECITALS

WHEREAS, an agreement establishing a countywide emergency management agency was entered into by and among the Delaware County Board of Commissioners and a majority of the political subdivisions within Delaware County in May 1989; and

WHEREAS, the existing agreement was amended in March 2002; and

WHEREAS, the Director of the Delaware County Office of Homeland Security and Emergency Management (“DCOHSEM”) recommends amending the agreement;

NOW, THEREFORE, in consideration of the mutual promises set forth herein, the participating political subdivisions hereby agree that the DCOHSEM is hereby authorized to coordinate emergency management activities within Delaware County, subject to the following:

1. The political subdivisions participating in this Agreement shall be as follows: (1) Delaware County; (2) each township located, in whole or in part, within Delaware County, with the exception of Washington Township; and (3) each municipal corporation located entirely within Delaware County. The Cities of Columbus, Dublin, and Westerville have entered into a countywide agreement with Franklin County and do not participate in this Agreement, except on a mutual aid basis. For purposes of this Agreement, a “township” shall be defined as limited to the unincorporated portion of the township, regardless of whether the borders thereof with any municipal corporation are conformed or non-conformed. The Mutual Aid Agreement for Emergency Management, entered into by and between the Delaware County and Franklin County Boards of Commissioners on or about October 3, 2006, is hereby incorporated into this Agreement. Pursuant to the Mutual Aid Agreement, the participating political subdivisions entering into this Agreement agree to provide mutual aid for emergency management, to the extent practicable, in those areas served by Franklin County Emergency Management and Homeland Security, including, but not limited to, those areas within Delaware County.
2. As provided in section 5502.26 of the Revised Code, the chief executive officer of each participating political subdivision entering into this Agreement shall appoint a representative to the Countywide Advisory Group. The Countywide Advisory Group shall appoint a Countywide Executive Committee and shall advise the Countywide Executive Committee on matters pertaining to countywide emergency management. The DCOHSEM shall implement emergency management in Delaware County through the Countywide Executive Committee in accordance with section 5502.26 of the Revised Code and this Agreement.

3. The Executive Committee shall consist of ten (10) members and shall be appointed as follows:

- (1) One County Commissioner as selected by the Board of County Commissioners;
- (2) One representative from the City of Delaware and one representative from the City of Powell;
- (1) One member representing all of the participating villages. The Village representative shall be selected by a majority vote of the mayors or village councils;
- (3) Three township trustees appointed by a majority vote of the Delaware County Township Trustees Association from among the townships participating in this Agreement;
- (1) One Sheriff's Office Representative;
- (1) One Fire Chief selected by a majority vote of the Fire Chief's Association of Delaware County; and
- (1) One Non-Voting Emergency Management Personnel.

4. The Executive Committee shall appoint a director/coordinator of Emergency Management. The director/coordinator shall be responsible for coordinating, organizing, administering, and operating the DCOHSEM, pursuant to the duties imposed upon him/her by sections 5502.21 through 5502.51 of the Revised Code, the DCOHSEM's program, and subject to the direction and control of the Executive Committee. The director/coordinator shall serve at the pleasure of the Executive Committee. The director/coordinator shall pursue a professional development training program in accordance with rules adopted under section 5502.25 of the Revised Code. The director/coordinator of the DCOHSEM may be an official or employee of any political subdivision entering into the countywide agreement, except that the director/coordinator shall not be the chief executive of any such political subdivision. The director/coordinator of the DCOHSEM shall serve only in the function as appointed by the Executive Committee.

5. The DCOHSEM shall establish a program for emergency management that: (1) is in accordance with sections 5502.21 to 5502.51 of the Revised Code, rules adopted under those sections, local ordinances pertaining to emergency management, the "Robert T. Stafford Disaster Relief and Emergency Assistance Act," 88 Stat. 143, 42 U.S.C. 5121, et. seq., as amended, and all applicable rules and regulations adopted under that act; (2) includes, without limitation, development of an all-hazards emergency operations plan that has been coordinated with all agencies, boards, and divisions having emergency

management functions within the county; (3) includes the preparation and conduct of an annual exercise of the county's all-hazards emergency operations plan; and (4) is applicable to all political subdivisions entering into the countywide agreement.

6. The DCOHSEM shall be considered a separate county board and shall receive services in the same manner as other county agencies. All employees of DCOHSEM shall be employees of Delaware County under the appointing authority of the Executive Committee.
7. Each participating political subdivision's share of the expenses of coordinating the emergency management activities within Delaware County shall be paid into a separate distinct fund known as the "Delaware County EMA Fund" by the participating political subdivisions and shall be apportioned on the following basis:
 - a. The Board of County Commissioners shall contribute office space, utilities and one-third (1/3) of the local annual emergency management funding as approved by the Executive Committee for the annual budget.
 - b. The remaining two-thirds (2/3) of the local annual emergency management funding shall be provided by the cities, townships and villages based on each jurisdictions' percentage of the overall population for Delaware County (except for the cities of Columbus, Dublin and Westerville). The municipalities of Columbus, Dublin and Westerville shall not be included in the calculations under Section Seven, as they are covered by Franklin County Emergency Management and Homeland Security. The residential population figures shall be the Delaware County Regional Planning Committee's annual census estimates for the preceding year. Population percentages will only be taken to the second decimal place, rounding up the final digit.
8. Each participating political subdivision agrees to pay into the Delaware County EMA Fund, promptly upon invoice, the amount assessed against it for its allocated share of the budget needed for the operation of countywide emergency management, and for any services performed pursuant to this Agreement.
9. The director/coordinate of the DCOHSEM shall prepare a budget with the approval of the Executive Committee. The budget shall be appropriated by the Delaware County Board of Commissioners. Funds shall be expended only with the approval of the Executive Committee under such resolutions, rules and regulations as it may provide regarding the budget. The resolutions, rules, and regulations shall be shared with the Delaware County Auditor's Office.
10. The Executive Committee shall provide for coordinated input by Emergency Management Program stakeholders in the preparation, implementation, evaluation, and revision of the Emergency Management Program. The Executive Committee shall adopt

rules and approve forms to ensure that the process is properly documented and conducted on an ongoing basis.

11. Grants maintained by the DCOHSEM shall be applied, accepted, and expended only under the authority of the eligible applicant outlined in the applicable grant guidance/document.
12. The participating political subdivisions entering into this Agreement agree to render mutual aid to the DCOHSEM and to each other participating political subdivision through the interchange of personnel, equipment, and supplies as necessary to alleviate the effects of emergency situations.
13. This Agreement shall take effect when a majority of the municipal corporations and political subdivisions of Delaware County have executed this Agreement. Any participating political subdivision entering into this Agreement may terminate its participation in this Agreement upon not less than ninety (90) days written notice to the Executive Committee. Any outstanding financial obligations must be forwarded to DCOHSEM. Non-payment could result in collection of the funds through the Delaware County Auditor by reducing that subdivisions annual settlement. This Agreement shall continue in full force and effect unless a majority of the municipal corporations and political subdivisions within Delaware County cease to be participants in this Agreement. Upon the occurrence of any of the above-mentioned conditions, and after the payment of the obligations set forth in Section 7, this Agreement shall terminate. Each participating political subdivision acknowledges that withdrawing from this countywide agreement will obligate it to form and fund its own emergency management agency in compliance with section 5502.271 of the Ohio Revised Code.

IN WITNESS WHEREOF, the participating political subdivisions enter into this Agreement for a continuing term.



Delaware County Office of Homeland Security & Emergency Management

Delaware County Emergency Management Point Paper

Functions and Structure Overview

- Implements four phases of emergency management (preparedness, mitigation, response and recovery)
- Writes Delaware County Emergency Operations Plan (EOP) as required by Ohio Revised Code (ORC) Section 5502 (and supporting plans)
- Aids in preparation for incidents and emergencies through planning and training with public safety partners (fire, law, EMS, etc.)
- Administers Delaware County Special Needs Registry
- Owns/coordinates outdoor warning siren activation system
- Administers public safety grants for equipment and training
- Maintains Delaware County Emergency Operations Center for coordinating resources during disasters and special events
- Promotes citizen education and preparedness through public events and speaking engagements
- The Emergency Management Director reports to an Emergency Management Executive Committee as defined in ORC 5502.26, which has representation for cities, villages, townships, commissioners, law, fire, etc.
- Delaware County Emergency Management has three full-time staff members and multiple volunteers

Summary: Delaware County Emergency Management seeks to reduce or eliminate impacts from day to day emergencies and large scale disasters through coordination, planning, training and exercises.

Old Funding and Agreement Update Overview

- Old per capita amounts of 40 cents for townships, cities and villages and 20 cents for the Delaware County Board of Commissioners were established in 1989
- 60 cents in 1989 would have an equivalent 2017 value of \$1.18 per the Bureau of Labor Statistics
- The 2016 main operating budget consisted of \$102,687.80 in local funding and \$153,309.17 in federal grants or approximately 40% local and 60% federal
- Federal grants have stagnated or decreased
- New agreement moves away from fixed per capita amounts, but has checks and balances in place
- Has moved to a population percentage model for increased flexibility
- Each year, the budget would require approval from the Executive Committee and appropriation by the Delaware County Board of Commissioners prior to jurisdictions being invoiced
- The updated agreement will provide flexibility to meet local funding needs as established by the Executive Committee and Director
- **Delaware County Board of Commissioners will still pay 1/3 of the overall local funding with the remaining 2/3 being funded by cities, townships and villages based on their population's percentage of the overall population - as defined by Delaware County Regional Planning's figures for the preceding year**
- **The Executive Committee has approved the language in this updated agreement**

**LIBERTY TOWNSHIP TRUSTEE
RECORD OF PROCEEDINGS
REGULAR MEETING
Monday, April 3, 2017**

These minutes constitute a full and accurate record of the Liberty Township Trustee Proceedings at the above dated meeting as determined by the Fiscal Officer. Copies of this record are available by request at the Liberty Township Office, 10104 Brewster Lane, Suite 125, Powell, Ohio.

REGULAR MEETING PROCEEDINGS SUMMARY:

The Trustees of Liberty Township met in regular session at 7:00 p.m. at the Liberty Township Hall, 7761 Liberty Road, Powell, Ohio. Board Members present were Melanie Leneghan, Dr. Thomas Mitchell and Shyra Eichhorn. Also present was Fiscal Officer Nancy Denutte, Township Administrator Matt Huffman, Fire Chief Thomas O'Brien, Parks & Road Superintendent Andy Curmode, Park Supervisor Michael Landon, Road Supervisor Joel James and Zoning Inspector Tracey Mullenhour. Other attendees are listed on the sign in sheets.

Trustee Chairperson Melanie Leneghan called the meeting to order.

APPROVAL OF MINUTES

Mrs. Leneghan motioned to approve the minutes from Regular Session of the BOT on March 20, 2017. A second on the motion was made by Dr. Mitchell. The roll call vote: Mrs. Eichhorn-yes, Mrs. Leneghan-yes and Dr. Mitchell-yes. The motion passed with 3-yes and 0-no votes.

Presentation – Sean Miller,

Sean Miller, Direction of Delaware County Emergency Management, approached to explain a proposed Emergency Management Agreement in Delaware County. There are two ways to establish an Emergency Management Agency, either under the County Commissioners or under a separate board, which is the way the Delaware County EMA is established. Currently, the EMA's funding mechanism is a per capita amount. The Delaware County EMA is proposing a change in this funding to a population percentage model due to changes in availability of grant funding. Each year, the Director and the EMA Board would determine the funding need of the agency; the County Commissioners will pay one-third of that amount and the remainder would be divided amongst the other jurisdictions based on population. The County is required to have an EMA. Mr. Miller stated that the County EMA assists with cost recovery on hazardous material spills and that the EMA assisted Liberty Township Fire Department in recovering \$4,200 for a spill clean-up in 2016. The EMA also receives grants for hazardous material training for first responders. Mr. Miller would like the Board of Trustees to consider and vote on the funding change by the end of July, 2017.

DEPARTMENTAL UPDATES

Zoning

Zoning Inspector Tracey Mullenhour explained that the Board of Zoning Appeals considered three applications. They approved a large accessory building, which is part of the new code and may need revisited, entrance features at Big Bear Farms and a digital display sign for Powell Christian Church. The Zoning Commission approved a modification to emergency access in Olentangy Falls, a modified layout for a portion of Liberty Trace on the east side of Liberty Road. Mrs. Mullenhour reported that Zoning staff has reviewed many plats, which means construction will be heavy in the summer and fall. Construction has begun the new Ohio Health building at North Hampton and Sawmill Parkway, the Bradford Court Condos and the Villas of Loch Lomond. Mrs. Eichhorn asked Mrs. Mullenhour to look into what the Township's authority in regards to contractors who do not follow rules while building.

Road Services