

REQUEST FOR BOARD ACTION

HENDERSON COUNTY BOARD OF COMMISSIONERS

MEETING DATE: April 1, 2013

SUBJECT: Henderson / Rutherford Mutual Aid Agreement

PRESENTER: Rocky Hyder

ATTACHMENTS: Yes
1. Mutual Aid Agreement

SUMMARY OF REQUEST:

The growing popularity of Chimney Rock State Park and the Broad River has increased the interaction between Henderson and Rutherford County emergency personnel. The attached agreement is intended to formalize interaction across county lines, effectively providing a mutual benefit to both parties.

BOARD ACTION REQUESTED:

Request the Board consider approving the mutual aid agreement and authorize the County Manager and Chairman to endorse the document.

Suggested Motion:

I move to approve the Rutherford / Henderson County mutual aid agreement as presented.

STATE OF NORTH CAROLINA

COUNTIES OF RUTHERFORD AND HENDERSON

MUTUAL AID AGREEMENT

THIS AGREEMENT, made this _____ day of _____, _____, by and between the Counties of Rutherford and Henderson, both of the State of North Carolina.

WITNESSETH

WHEREAS, a major emergency or disaster is an occurrence or imminent threat of widespread or severe damage, injury or loss of life or property resulting from any natural or man-made accidental, military or paramilitary cause;

WHEREAS, each party desires to provide its residents all possible assistance in protection from a major emergency or disasters; and

WHEREAS, each party can provide the other mutual aid in time of disaster since they are geographically adjacent;

NOW THEREFORE, pursuant to N.C. Gen. Stat. §166A-19.72(c) and other applicable laws the parties agree as follows:

1. That should either party require the aid of the other, because of local state of emergency or disaster, the local Emergency Management Coordinator / Director of party requiring aid ("the requesting party") may make a request for aid to the Local Emergency Management Coordinator / Director of the other party to this agreement.
2. That each party hereby authorizes and grants to its own local Emergency Management Coordinator / Director the authority to give to, use and expend for the benefit of the other party to this agreement all available resources under his direct budgetary control needed to assist the requesting party in providing reasonable and adequate protection for the residents of the requesting party. The County Manager is hereby authorized to give to, use and expend for the benefit of the other party to this agreement other available resources of the County.
3. That the party who is requested to extend aid may withhold resources necessary to provide reasonable and adequate protection for its community;
4. That, unless otherwise specified, the Emergency Management forces of the party extending aid will continue to operate under the command and control of their own leaders but those units actually rendering the requested aid will come under the operational control of the Emergency Management authorities of the requesting party ;
5. That the requesting party will provide for the physical needs of those volunteers and personnel of the party extending;
6. That the requesting party will pay to the party extending aid all costs and expenses which the party extending aid incurred by reason of extending the aid;
7. That the requesting party will indemnify, save, defend and hold harmless the party extending aid from any action or suit arising out of supplying or extending such aid;

extending aid incurred by reason of extending the aid;

7. That the requesting party will indemnify, save, defend and hold harmless the party extending aid from any action or suit arising out of supplying or extending such aid;

8. That the requesting party will reimburse and make whole the party extending aid for any and all damage to equipment or loss of materials incurred by reason of extending aid;

IN WITNESS THEREOF, the parties have set their hands and seals as of the date set forth above.

RUTHERFORD COUNTY

By: _____
County Manager

CONCUR:

RUTHERFORD COUNTY BOARD OF COMMISSIONERS

By _____(SEAL)
Chairman, Board of County Commissioners

Attest:

Clerk to the Board

[SEAL]

HENDERSON COUNTY

By: _____
County Manager

CONCUR:

HENDERSON COUNTY BOARD OF COMMISSIONERS

By _____(SEAL)
Chairman, Board of County Commissioners

Attest:

Clerk to the Board

[SEAL]