

S T A T E O F M I C H I G A N

BOARD OF COMMISSIONERS OF THE COUNTY OF ALLEGAN

EMERGENCY MANAGEMENT RESOLUTION OF 2021 (Replace 1995)

A resolution to provide for the mitigation, preparedness, response and recovery from natural and human-made disasters within Allegan County; to establish an office for this purpose; to provide for the coordination and utilization of resources in the county in an emergency or disaster situation; and to provide a means through which the Allegan County Board of Commissioners (herein also referred to as BOC) may exercise the authority and discharge the responsibilities vested in them by this resolution and Act No 390 of the Public Acts of 1976, as amended (hereafter the "Act").

Article 1 - SHORT TITLE

Section 101. This resolution shall be known as the "Emergency Management Resolution".

Article 2 - DEFINITIONS

Section 201. For the purpose of this resolution, certain words used herein are defined as follows:

(a) "Chief Executive Official" means the Chairperson of the County Board of Commissioners. In the event the Chairperson is unavailable to fulfill the duties and responsibilities of the Chief Executive Official, the Vice-Chairperson of the County of Board of Commissioners is hereby authorized to perform the duties and responsibilities of the Chief Executive Official during the Chairperson's period of unavailability. In the event both the Chairperson and the Vice-Chair Person are unavailable to fulfill the duties and responsibilities of the Chief Executive Official, the County Administrator is hereby authorized to perform the duties and responsibilities of the Chief Executive Official during the Chairperson's and Vice-Chairperson's period of unavailability.

(b) "Disaster" means an occurrence or threat of widespread or severe damage, injury, or loss of life or property resulting from a natural or human-made cause, including, but not limited to, fire, flood, snowstorm, ice storm, tornado, windstorm, wave action, oil spill, water contamination, utility failure, hazardous peacetime radiological incident, major transportation accident, hazardous materials incident, epidemic, air contamination, blight, drought, infestation, explosion, or hostile military action or paramilitary action, or similar occurrences resulting from terrorist activities, riots, or civil disorders.

(c) "Disaster relief forces" means all agencies of county and municipal government, private and volunteer personnel, public officers

and employees, and all other persons or groups of persons having duties or responsibilities under this Resolution or pursuant to a lawful order or directive authorized by this Resolution.

(d) "District coordinator" means the state police emergency management division district coordinator.

(e) "Emergency" means any occasion or instance in which the governor determines state assistance is needed to supplement local efforts and capabilities to save lives, protect property and the public health and safety, or to lessen or avert the threat of a catastrophe in any part of the state.

(f) "Emergency management coordinator" means the person appointed to coordinate emergency management within the county.

(g) "Local state of emergency" means a proclamation or declaration that activates the response and recovery aspects of any and all applicable local or interjurisdictional emergency operations plans and authorizes the furnishing of aid, assistance, and directives under those plans.

(h) "Municipality" means a city, village, or township.

(i) "State of disaster" means an executive order or proclamation that activates the disaster response and recovery aspects of the state, local, and interjurisdictional emergency operations plans applicable to the counties or municipalities affected.

(j) "State of emergency" means an executive order or proclamation that activates the emergency response and recovery aspects of the state, local, and interjurisdictional emergency operations plans applicable to the counties or municipalities affected.

Article 3 - EMERGENCY MANAGEMENT OFFICE, EMERGENCY MANAGEMENT COORDINATOR

Section 301. By the authority of this resolution there is hereby created an Office of Emergency Management within the Allegan County Sheriff's Office on behalf of Allegan County government for the purpose of coordinating all prevention, mitigation, preparedness, response, and recovery activities within the county emergency management program area. The BOC has established the position of Emergency Management Coordinator to staff this office and has appointed a person to fill this position. The individual has the personal attributes and experience necessary to carry out the duties and responsibilities of this position and shall act for, and at the direction of the Chairperson. The Chairperson has delegated the responsibility for directing the Emergency Management Coordinator's activities to the Sheriff.

Section 302. In addition, the Sheriff has appointed one person as successor to the position of the Emergency Management Coordinator. The line of succession shall be listed in the Emergency Operations Plan.

Article 4 - EMERGENCY MANAGEMENT COORDINATOR DUTIES

Section 401. The Emergency Management Coordinator shall comply with the standards and requirements as established by the Department of State Police, Emergency Management Division, under the authority of the Act, in accomplishing the following.

- (a) Direct and coordinate the development of the Allegan County Emergency Operation Plan, which shall be consistent in content with the Michigan Emergency Management Plan.
- (b) Specify departments or agencies which must provide an annex to the plan or otherwise cooperate in its development.
- (c) Identify departments and agencies to be included in the Emergency Operations Plan as the disaster relief force.
- (d) Develop and maintain a county Resource Manual.
- (e) Coordination, recruitment, appointment, and utilization of volunteer personnel.
- (f) Ensure the emergency management program meets eligibility requirements for state and federal aid.
- (g) Coordinate and/or conduct training and exercise programs for the disaster relief force within the county and to test the adequacy of the Emergency Operations Plan.
- (h) Through public information programs, educate the population as to actions necessary for the protection of life and property in an emergency or disaster.
- (i) Assist in the development of mutual aid agreements.
- (j) Oversee the implementation of all functions necessary during an emergency or disaster in accordance with the Emergency Operations Plan.
- (k) Coordinate county emergency management activities with those of the state and adjacent jurisdictions.
- (l) Coordinate all preparedness activities, including maintaining primary and alternate Emergency Operation Centers.
- (m) Encourage political subdivisions within the county to adopt uniform emergency resolutions.
- (n) Identify mitigation opportunities within the county and encourage departments/agencies to implement mitigation measures.

(o) Coordinate with all municipalities that are part of the emergency management program in all matters pertaining to emergency management.

Article 5 – POWERS AND DUTIES

Section 501. The Sheriff shall supervise the activities of the Emergency Management Office on a continuous basis. With the advice and consent of the BOC, the Sheriff shall formulate, review, and approve policy and operational guidelines for this office as needed.

Section 502. The BOC shall, once every two years, or once annually if the County is within the Emergency Planning Zone of a designated nuclear power plant, review the Emergency Operations Plan and, upon deeming it adequate, shall annually certify the plan to be current and adequate for the ensuing two years.

Section 503. When circumstances within the County indicate that the occurrence or threat of occurrence of widespread or severe damage, injury, or loss of life or property from natural or human made cause exists, the Chief Executive Official may declare a local state of emergency in the event a meeting of the BOC is not practical to the immediate need of a declaration. The BOC shall be immediately notified of such a declaration, and the declaration shall be promptly filed with the Department of State Police, Emergency Management Division. This declaration shall not be continued or renewed for a period in excess of 7 days except with the consent of the BOC.

Section 504. If the Chief Executive Official invokes such power and authority to declare a local state of emergency, the Chief Executive Official shall, as soon as reasonably expedient, convene the BOC for one or more emergency meetings in accordance with the Open Meetings Act to perform its normal legislative and administrative duties as the situation demands, and will report to that body relative to emergency activities. Nothing in this resolution shall be construed as abridging or curtailing the powers of the BOC or its County Administrator unless specifically provided herein. Notwithstanding the designation of a Chief Executive Official or an Emergency Management Coordinator, the County Administrator shall maintain the organizational authority delegated by the BOC and shall be directly accountable to the BOC as a body.

Section 505. As authorized by the Act, the County (through its authorized officials) may do one or more of the following:

| Action | Authorized Official(s) |
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| (a) Direct and coordinate the development of emergency operations plans and programs in accordance with the policies and plans established by the appropriate federal and state agencies. Each department or agency | The Sheriff oversees EM operations and through the BOC approved budget is responsible for |

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| <p>of a county or municipality specified in the emergency operations plan to provide an annex to the plan shall prepare and continuously update the annex providing for emergency management activities, including mitigation, preparedness, response, and recovery, by the department or agency and those other emergency activities the department or agency is specified to coordinate. Emergency operations plans and programs developed under this subsection shall include provisions for the dissemination of public information and local broadcasters shall be consulted in developing such provisions. Emergency operations plans and programs developed under this subdivision shall include local courts.</p> | <p>funding EM consistent with County policy.</p> <p>The County Administrator is authorized to approve grants and contracts, to the degree the County is party to such, consistent with County policy.</p> <p>The Chairperson is the first line CEO and oversees the EOC when activated. The Chairperson may also sign documents when the County Administrator is not available or when required by law.</p> <p>The Emergency Coordinator shall keep the Sheriff, Chairperson and County Administrator aware of important plans and reporting.</p> <p>The BOC is final approver of EOP.</p> |
| <p>(b) Declare a local state of emergency if circumstances within the county or municipality indicate that the occurrence or threat of widespread or severe damage, injury, or loss of life or property from a natural or human-made cause exists and, under a declaration of a local state of emergency, issue directives as to travel restrictions on county or local roads. This power shall be vested in the chief executive official of the county or municipality or the official designated by charter and shall not be continued or renewed for a period in excess of 7 days except with the consent of the governing body of the county or municipality. The declaration of a local state of emergency shall be promptly filed with the emergency management division of the department,</p> | <p>The Chief Executive Official may declare a local state of emergency as authorized by this resolution.</p> |

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| <p>unless circumstances attendant upon the disaster prevent or impede its prompt filing.</p> | |
| <p>(c) Appropriate and expend funds, make contracts, and obtain and distribute equipment, materials, and supplies for disaster purposes.</p> | <p>Unless otherwise outlined within this resolution, the responsibilities contained within this section shall be carried out consistent with County policy, including but not limited to the Budget Policy.</p> |
| <p>(d) Provide for the health and safety of persons and property, including emergency assistance to the victims of a disaster.</p> | <p>The County provides for this through its funding of various services. This action shall be carried out consistent with the BOC approved budget, applicable law and County policy in a manner that does not create ongoing obligations, explicitly or implied, without the authorization of the BOC.</p> |
| <p>(e) Direct and coordinate local multi-agency response to emergencies within the county or municipality.</p> | <p>To the degree activity is internal to County Government organization the County Administrator shall direct County resources under the authority that has been delegated by the BOC.</p> <p>To the degree activity is external of the County Government Organization, and is occurring during a period of declared emergency, the Chief Executive Official shall direct, authorize or delegate such activities</p> |

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| | <p>through the Emergency Operations Center and Incident Command Structure, unless such activities are commensurate with the normal response activity of a responding agency (e.g. the Sheriff's Department response to a law enforcement emergency).</p> |
| <p>(f) Appoint, employ, remove, or provide, with or without compensation, rescue teams, auxiliary fire and police personnel, and other disaster workers.</p> | <p>The Sheriff is authorized to fulfill such rolls with individuals already on payroll within the Sheriff's budget or for individuals that would not require compensation. Unless otherwise authorized through agreement, if not already budgeted or if a position does exist and compensation is expected, such would be at the determination of the County Administrator.</p> |
| <p>(g) If a state of disaster or emergency is declared by the governor, assign and make available for duty the employees, property, or equipment of the county or municipality relating to fire fighting; engineering; rescue; health, medical, and related services; police; transportation; construction; and similar items or service for disaster relief purposes within or without the physical limits of the county or municipality as ordered by the governor or the Director of State Police.</p> | <p>"as ordered by the governor or Director of State Police" - the County will comply with the specific direction ordered. This activity shall not be interpreted in a broader context.</p> |
| <p>(h) Appoint a local emergency management advisory council.</p> | <p>See Article 8</p> |

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| <p>(i) In the event of a foreign attack upon this state, waive procedures and formalities otherwise required by law pertaining to the performance of public work, entering into contracts, the incurring of obligations, the employment of permanent and temporary workers, the utilization of volunteer workers, the rental of equipment, the purchase and distribution with or without compensation of supplies, materials, and facilities, and the appropriation and expenditure of public funds.</p> | <p>"in the event of a foreign attack" - the County will comply with State orders. This activity shall not be interpreted in a broader context.</p> |
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Article 6 - ASSESSMENT OF DISASTER OR EMERGENCY; FINDINGS AND RECOMMENDATIONS

Section 601. If a disaster or emergency occurs that has not yet been declared to be a state of disaster or a state of emergency by the Governor, the BOC hereby delegates to the Chief Executive Official the authority to determine if the situation is beyond the control of the county. If the disaster or emergency is considered to be beyond the county's control, the Chief Executive Official may request state assistance. The Emergency Management Coordinator shall immediately contact the District Coordinator. The District Coordinator, in conjunction with the Emergency Management Coordinator, shall assess the nature and scope of the disaster or emergency, and they shall recommend the state personnel, services, and equipment that will be required for its prevention, mitigation, or relief.

Section 602. The Chief Executive Official shall not request state assistance or a declaration of a state of disaster or a state of emergency for an emergency which has occurred or is occurring solely within the confines of a township, city, or village within the county unless requested to do so by the Chief Executive Official of the affected township, city, or village.

Article 7 - COUNTY DEPARTMENTS; LIAISON; DUTIES

Section 701. The County Administrator, Chief Judge or Elected Official responsible for each department or agency of county government identified by the Emergency Management Coordinator shall appoint an emergency management liaison who shall coordinate the emergency management activities of the department or agency and act as a liaison between the department or agency and the Emergency Management Office on all matters pertaining to emergency management. The Emergency Management Coordinator shall ensure each ESF is fully staffed by working with the County Administrator, Chief Judge, Elected

Office or any outside agency or business official to do so. A list of the ESFs and the staff roster of each ESF shall remain available to County Administrator who shall report such to the BOC at least annually.

Section 702. Each department or agency identified shall appoint a minimum of two people to serve as successors in the event the emergency management liaison is not available or requires assistance. Successors shall be listed in the appropriate annex to the Emergency Operations Plan.

Section 703. Each department or agency liaison shall be responsible for the following:

(a) Prepare and continuously update an annex to the Allegan County Emergency Operations Plan providing for the delivery of emergency management activities by that agency or department. The annex shall be in the form prescribed by the Emergency Management Coordinator.

(b) Recruit, appoint, and organize private, volunteer and other personnel to be part of the disaster relief force to perform specific duties as assigned in the Emergency Operation Plan.

(c) Coordinate the agency's or department's emergency management efforts with those of other county departments or agencies.

(d) Attend training courses relevant to the function of the agency or department, and ensure staff is trained so as to be able to implement assigned emergency functions.

(e) Participate in periodic exercises to enhance the adequacy of the respective agency's response or department's capability.

(f) Develop internal Standard Operating Procedures (SOPs) to accomplish emergency notification and assigned emergency tasks.

(g) Provide the Emergency Management Coordinator with a list of personnel and resources available within the agency or department and provide a list of those which may be needed by the department during times of emergency.

(h) Identify and provide for the protection of vital records.

(i) Implement the directives of the Chief Executive Official or his/her designee under a local state of emergency.

Article 8 - EMERGENCY MANAGEMENT ADVISORY COUNCIL; CREATION; AND FUNCTION

Section 801. The BOC hereby establishes the Emergency Management Advisory Council (EMAC). The EMAC shall advise the Sheriff and the Emergency Management Coordinator on matters pertaining to emergency management, especially in plan development.

Section 802. The Emergency Management Coordinator shall act as the Chairperson of the EMAC. Each Emergency Support Function (ESF) listed in the EOP shall appoint a member from within its staff roster to the EMAC. Notwithstanding their membership through an ESF, the BOC Chairperson or designee and the County Administrator or designee shall be members of the Advisory Council. To the degree individuals not formally part of the ESF structure may offer special knowledge in performing functions during emergency or disaster situations such individuals may be appointed to the EMAC by the Sheriff or the BOC. The Emergency Management Coordinator through the County Administrator provide the BOC the list of EMAC members at least annually and upon any changes.

Article 9 - EMERGENCY FUNDING

Section 901. County Departments (inclusive of Elected Offices and Courts) - Internal Operations:

(a) At the onset or first knowledge of an incident, impacted departments shall work with the Executive Director of Finance to identify any funding available to sustain the incident. The available amount of funding and the source(s) shall be communicated to the County Administrator.

(b) County Departments which plan to incur expenditures within their budget in order to maintain or enhance routine general operations as a result of an incident shall follow any and all applicable County policies, including but not limited to the Budget and Purchasing policies (Note: Emergency Management shall be considered a component of the Sheriff's Department for all budgetary purposes).

1. In the event the department is not able to fund the expenditure within its own budget, a budget adjustment may be requested through the Executive Director of Finance with final approval of the County Administrator.
2. In the event the County Administrator authorizes funding for such requests through the department's existing budget or through a budget adjustment, the process shall proceed internally and independent of the EM structure; however, such costs may be submitted to the Emergency Management Coordinator for potential reimbursement providing the request for reimbursement is timely, concurrent with the emergency timeframe and registered in to MICIMS.
3. In the event a budget adjustment is not approved, the County Administrator, Elected Official or Chief Judge may authorize the request to be submitted into the Emergency Management Resource Request Process providing that funds for local match have been identified.

Section 902. County Departments (inclusive of Elected Offices and Courts) - Incident Specific Resources:

(a) Activity 425 - Emergency Incident Response (an activity under the oversight of Finance) within the General Fund shall be a zero budget activity and may be used to expense incident specific resources and deposit the correlating revenues.

(b) Requests over \$10,000, titled assets such as vehicle, real estate, etc. or items that places any obligation upon the County to provide additional resources or funding (e.g. ongoing supply of food/water, maintenance of an item, replacement, etc.) shall require approval of the County Administrator, or designee, prior to submission.

(c) In the event a local match is required for any request that was fulfilled, funding shall be considered in the following order:

1. the requesting County department or Agency;
2. the approving County department;
3. final consideration of a budget adjustment of appropriated funds (including contingency), by the County Administrator for requests up to \$25,000 or direction to expense the item to a departmental budget; then
4. final consideration of a budget adjustment, additional appropriation from Fund Balance, or use of any other funding tool or direction as determined by BOC for items over \$25,000.

Section 903. Request for Non-County Agency (e.g. hospital, long term care, EMS, local units of government, non-profits, etc.)

(a) A request for resources submitted and granted on behalf of a non-County Agency shall include reimbursement to the County for any local match or required funding in the event State, Federal or other external funding is not available or the resource is considered ineligible.

(b) Any Non-County Agency request(s) expected to be funded by the County shall be reviewed by the CFO and require approval by the County Administrator.

(c) County In-kind match may be utilized to off-set costs for non-County Agencies to the degree permitted by law/regulation and to the degree it does not increase any cost to the County of Allegan.

(d) Any requests funded in-part or in-whole utilizing County of Allegan Government funds shall be considered an asset of the County of Allegan, unless otherwise approved by the County of Allegan and consistent with sound financial principles. With the exception of disposable items (i.e. PPE utilized during the response), all resources shall require a transfer of ownership approved by the County

(CAO or BOC) if an item is to be retained by an agency other than the County of Allegan.

Article 10 - VOLUNTEERS; APPOINTMENT; REIMBURSEMENT

Section 1001. Each county department, commission, board, or other agency of county government is authorized to appoint volunteers to augment its personnel in time of emergency to implement emergency functions assigned in the Emergency Operations Plan. Such individuals are part of the disaster relief force and shall be subject to the rules and operational control set forth by the respective department, commission, board, or agency through which the appointment was made, and shall be reimbursed for all actual and necessary travel and subsistence expenses.

Article 11 - CONFLICT OF TERMS

Section 1101. In the event of a conflict between the terms of this resolution and the terms of the Emergency Operations Plan, the terms of this resolution shall control.

Article 12 - RESCISSION OF EMERGENCY MANGEMENT RESOLUTION OF 1995

Section 1201. This resolution hereby rescinds and supersedes the Emergency Management Resolution of 1995.

Article 13 - SEVERABILITY

Section 1301. Should any section, clause, or provision of this resolution be declared by the courts invalid for any reason, such declaration shall not affect the validity of this resolution as a whole or any part thereof, other than the section, clause, or provision so declared to be invalid.

Moved by Commissioner Thiele, seconded by Commissioner Kapenga to approve the Emergency Management Resolution of 2021 as presented. Motion carried by roll call vote. Yeas: 7 votes. Nays: 0 votes.

ATTEST, A TRUE COPY



_____, Clerk-Register

APPROVED: January 14, 2021

cc: Admin. - Finance - Human Resources - Emergency Management