

FLOYD COUNTY ORDINANCE 2003-XXVI

AN ORDINANCE CONFIRMING THE CREATION OF THE FLOYD COUNTY DEPARTMENT OF EMERGENCY MANAGEMENT AND THE FLOYD COUNTY EMERGENCY MANAGEMENT ADVISORY COUNCIL AND DELINEATING CERTAIN DUTIES AND POWERS OF SAME

WHEREAS, the Board of Commissioners of the County of Floyd (Board) did, on the 15th day of April, 2003, by Floyd County Ordinance 2003-13, confirm the creation of the Floyd County Emergency Management Agency (Department) and the Floyd County Emergency Management Advisory Council (Council); and

WHEREAS, the Floyd County Director of Emergency Management selected by the Council and confirmed by the Board has tendered to the Board a proposed Code pertaining to the operation and management of the Department, the authority of the Council, and the exercise of extraordinary powers in the event of a declared disaster, with a copy of the proposal being appended hereto and made a part of hereof as Exhibit A; and

WHEREAS, the Board is desirous by this ordinance of approving and enacting the code as proposed except as hereinafter provided.

NOW THEREFORE:

BE IT ORDAINED, that the Floyd County Code, Department of Emergency Management, appended hereto as Exhibit A, be and the same hereby is approved with the exception:

(a) That subsection A of III. Section 3 COUNTY EMERGENCY MANAGEMENT PROGRAM: ORGANIZATION AND ADMINISTRATION OF DEPARTMENT OF EMERGENCY MANAGEMENT is changed to read:

A. FLOYD COUNTY EMERGENCY MANAGEMENT ADVISORY COUNCIL ESTABLISHED: APPOINTMENT AND TERMS OF MEMBERS.

Pursuant to the provisions of IC 10-4-1-10(d), and by virtue of Floyd County Ordinance 2003-13, the Floyd County Emergency Management Advisory Council, was, on the 15 day of April, 2003, duly established

and constituted, and such establishment is hereby confirmed.

- (b) That subsection B of said Section 3 is changed to read:
Floyd County Ordinance 2003-13 is incorporated herein by reference and made a part of this Code.
- (c) That paragraph 1 b. of subsection D of said Section 3 is changed to read:
- b. a secretary who shall be appointed by the Director with the approval of the Advisory Council.
- (d) That paragraph 2 of subsection E of said Section 3 is changed to read:
2. The Director shall be a full time employee of Floyd County, Indiana, and shall be subject to termination by the Advisory Council, pursuant to 3.C.2., hereof, upon a finding that the Director is:
- a. Incapable of fulfilling his duties due to a physical or mental disability; or
- b. Unwilling to perform his duties as mandated hereinafter; or
- c. Subject to dismissal or discharge pursuant to the provisions Section 6 of the Floyd County, Indiana, Personnel Policy Handbook.
- (d) That paragraph 28 of subsection F of said Section 3 is deleted; that reference to a Deputy Director in paragraphs 30 and 31 is deleted; and, the numbered paragraphs following paragraph 28 are renumbered as appropriate.
- (e) That subsection G of said Section 3 is deleted in its entirety.
- (f) That subsection J. of IV. Section 4 COUNTY EMERGENCY MANAGEMENT PROGRAM: EMERGENCY POWERS, REGULATIONS AND PROCEDURES is deleted, and subsections K and L are relettered, respectively, J and K.

BE IT FURTHER ORDAINED, that this ordinance shall be in full force and effect upon its passage.

SO ORDAINED THIS 19th day of August, 2003.

BOARD OF COMMISSIONERS
OF THE COUNTY OF FLOYD

John C. Reiser

MEMBER

Mike Mills

MEMBER

Charles A. Feiburger

MEMBER

ATTEST:

Teresa A. Plais
FLOYD COUNTY AUDITOR