

FRIDAY AFTERNOON  
 APRIL 8, 1988  
 1:00 O'CLOCK P.M.

BE IT REMEMBERED that the Board of Supervisors of Neshoba County, Mississippi, met in special session in the Courthouse in the City of Philadelphia, Mississippi, on this the 8th day of April, 1988, same being the time and place for holding said meeting.

Present and constituting said Board were Honorable Dudley Warren, President; Honorable Wallace Cox, Vice-President; Honorable A. J. Chaney; Honorable Dale Reynolds; and Honorable George Baxter.

Also present was Chancery Clerk Bobby G. Posey, County Administrator Mark Nixon, Board Attorney Terry L. Jordan, and members of the local press.

The Board, having been declared in session, proceeded with the business as follows, to-wit:

ORDER CREATING AN EMERGENCY MANAGEMENT COUNCIL  
 AND AGENCY FOR NESHOPA COUNTY, MISSISSIPPI, DESIGNATING  
 COUNCIL MEMBERSHIP AND SETTING FORTH THE POWERS AND DUTIES  
 OF THE COUNCIL AND THE DIRECTOR/COORDINATOR THEREOF

SECTION 1. Short Title

This order shall be known as and cited or referred to as the Neshoba County Emergency Management Ordinance.

SECTION 2. Intent and Purpose

It is the intent and purpose of this order to provide for the (1) creation of an Emergency Management Council and Agency; (2) the preparation and carrying out of plans for the protection of persons and property within this county in the event of an emergency; (3) the direction of the emergency organization; and (4) the coordination of the emergency functions of this county with all other public agencies, corporations, organizations, and affected persons.

SECTION 3. Definitions, as used in this Order.

Emergency Management means the preparation for the carrying out of all emergency measures and functions, other than functions for which military forces or state or federal agencies are primarily responsible, to prevent, minimize and repair injury, damage or loss resulting from disasters or emergencies caused by or that would be caused by enemy attack, sabotage, or other hostile action, or by natural, man-made or technological causes, and the recovery therefrom.

SECTION 4. Emergency Management Council created, Members

The Neshoba County Emergency Management Council is hereby created and shall consist of the following members:

- A. The President of the Board of Supervisors, who shall be the Chairman of the Council.
- B. The County Administrator.
- C. The director of the Emergency Management Agency, who shall be Vice-Chairman.

- D. The Chancery Clerk.
- E. The Sheriff.
- F. Such chiefs of emergency services as are provided for in current emergency plans of this county, adopted pursuant to this Order.
- G. Such representatives of civic, business, labor, veterans, professional, or other organizations having official emergency responsibilities, as appointed by the Board of Supervisors.

SECTION 5. Emergency Management Council, Powers and Duties

It shall be the duty of the County Emergency Management Council, and it is hereby empowered, to develop and recommend for adoption by the Board of Supervisors, emergency and mutual aid plans and agreements and such ordinances/resolutions and rules and regulations as are necessary to implement such plans and agreements. The Emergency Management Council shall meet at the call of the chairman, or in his absence or incapacitation by the vice chairman.

SECTION 6. Emergency Management Agency Created,  
Director/Coordinator

There is hereby created the County Emergency Management Agency with a director/coordinator who shall be appointed by the Board of Supervisors.

SECTION 7. Director/Coordinator, Powers and Duties

- A. The Director is hereby empowered to:
  - (1) Develop, with the cooperation and assistance of emergency service chiefs, emergency plans and manage the emergency programs of the county/city; such plans and programs to be integrated into and coordinated with the emergency management plans and programs of the State of Mississippi.
  - (2) Designate the order of succession to that office, to take effect in the event he is absent or incapacitated and unavailable to perform duties during an emergency.
  - (3) Request the board of supervisors/city council to proclaim the existence of a local emergency.
  - (4) Recommend that the board of supervisors/city council request the Governor to declare an emergency when, in his/her opinion, the locally available resources are inadequate to cope with the emergency.
  - (5) Coordinate the effort of county/city emergency organizations for the accomplishment of the purposes of this ordinance (resolution).
  - (6) Represent the county/city in all dealings with public or private agencies on matters pertaining to emergencies as defined herein.
  - (7) Recommend the issuance of rules and regulations on matters related to the protection of life and property as affected by emergency situations.
  - (8) Recommend the procurement of vital supplies, equipment, and such other resources needed for the protection of life and property.

B. The Director/Coordinator shall have such other duties and powers as may be assigned by the Board of Supervisors/City Council.

SECTION 8. Emergency Organization

The emergency organization of county/city shall consist of all officers and employees of this county/city, together with those volunteer forces enrolled to aid them during an emergency, and all organizations, groups and persons who by agreement or operation of law be charged with the protection of life and property in this county/city during such emergency.

SECTION 9. Emergency Plans

The Director/Coordinator shall be responsible to the Emergency Management Council for the development and maintenance of the county/city Emergency Management Plan, which plan shall provide for the effective mobilization of all the resources of this county/city, both public and private, to meet any condition constituting an emergency; and shall provide for the organization, powers, duties, services and staff of the emergency organization. Such plan shall take effect upon adoption by ordinance/resolution of the Board of Supervisors/City Council and acceptance by Mississippi Emergency Management Agency.

SECTION 10. Funds

Funds to defray the expenses of administration and operation of the Emergency Management Agency shall be provided through an appropriation from the general fund made by the Board of Supervisors/City Council.

SECTION 11. Immunity

No member of the emergency organization while engaged in any emergency management activities, while complying with or attempting to comply with this Order or any rule or regulation promulgated pursuant to it, except in cases of willful misconduct, shall be liable for the death or injury to persons, or damage to property, as a result of such activity.

SECTION 12. Penalties

Any person violating any provision of the Order or any rule, order, or regulation made pursuant to the Order shall, upon conviction thereof, be punishable by a fine not exceeding five hundred dollars or imprisonment for, but not exceeding, six months, or both.

SECTION 13. Repeal of Conflicting Ordinances or Resolutions

Any prior order of this Board, or resolution, establishing a Civil Defense Council or like agency is hereby revoked.

SECTION 14. Severability

Should any provision on this Order be held invalid, such action will not affect the other provisions hereof.

SECTION 15. Effective Date

This ordinance (resolution) shall become effective on April

571

9, 1988.

APPROVED:

Dudley Warren  
DUDLEY WARREN, PRESIDENT  
BOARD OF SUPERVISORS  
NESHOPA COUNTY, MISSISSIPPI

ATTEST:

Bobby G. Posey  
BOBBY G. POSEY, CHANCERY CLERK

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