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COMPUTER BOOK 2001 PAGE 2857
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MICKI UTSLER
RECORDER
MADISON COUNTY, IOWA

Bylaws

Madison County Emergency Management Commission

The following Bylaws shall establish and govern the operation of the Emergency Management Commission for Madison County.

ARTICLE I. NAME

SECTION 1. The official name of this administration shall be the Madison County Emergency Management Commission, hereafter referred to as "the Commission."

ARTICLE II. LEGAL STATUS

SECTION 1. This administration shall be a joint undertaking of Madison County and all its incorporated municipalities as authorized and established by the Federal Civil Defense Act of 1950 as amended, federal rule 44 CFR Part 302, Presidential Executive Order 12656 of November 18, 1988, National Security Directive #259 of 1988, by the administrative rules of the Iowa Emergency Management Division and by Code of Iowa, Chapter 29C. And all acts amendatory.

SECTION 2. It is the intention of the parties to this agreement that this commission shall be a legal entity according to Code of Iowa, Chapter 29C, and shall be recorded with the Madison County Recorder.

ARTICLE III. MEMBERSHIP

SECTION 1. The membership of this commission shall be a member of the Board of Supervisors or its appointed representative, the Sheriff or the Sheriff's representative, and the Mayor or the Mayor's representative from each municipality within the county.

SECTION 2. This provision is a "Notice of Information" to the political jurisdictions of the county and its substance or consequence is not changed whether it is struck from or remains in the Bylaws because the consequences of neglect of the duties of care and trust for the protection of the people imposed by Federal and State law for public officials are not revoked by its presence or absence.

Any political jurisdiction not participating as an active member of the Commission or not sharing in the costs of establishing and maintaining the Commission and its agency, is still considered a defacto member of the Commission and subject to the liabilities and obligations of the Commission wherever litigation may be brought against the Commission.

ARTICLE IV. COMMENCEMENT OF OPERATIONS

SECTION 1. The operations of the Commission shall be in accordance with the bylaws upon its adoption by the Commission.

ARTICLE V. DURATION

SECTION 1. The duration and existence of this Commission shall be perpetual or until provision for termination is provided by the Code of Iowa and acted upon by this Commission.

ARTICLE VI. PURPOSE

SECTION 1. The Commission is established for the protection of lives and property in time of emergency, providing planning and coordination of Emergency Management services to elected county and municipal officials.

Paid and volunteer emergency response units are formed and trained under the direction and control of the jurisdictions to which they respond. The Commission promotes and coordinates cooperative agreements for mutual aid among these units and among municipalities and Madison County.

The Commission promotes Emergency Management preparedness programs among emergency response agencies and communities in Madison County.

The Commission appoints an Emergency Management Coordinator to act as agent of the Commission to develop and maintain a county-wide Emergency Management program including comprehensive hazard identification, capability assessment and planning for natural, technological, and manmade disasters affecting this county.

ARTICLE VII. COMMISSION POWERS AND DUTIES

SECTION 1. Powers: The Commission shall have the power to do all things necessary to carry out the guiding purpose and specific duties of the Emergency Management program for its members, including risk management and

crisis management as developed within limitations of the mitigation, preparedness, response and recovery Emergency Management concepts.

SECTION 2. Duties: The Commission shall provide the county and its cities with an Emergency Management program equal to the best program found in Iowa for comparable counties. An office of the Commission shall be established and staffed to adequately fulfill this duty. The name of this office shall be The Madison County Emergency Management Agency. Hereafter referred to as the "Agency."

During non-emergency periods the membership shall provide guidance and policies concerning the development of readiness for operating in emergencies as outlined below:

1. Development of an Emergency Operations Center (EOC) facility, a protected site from which key officials control operations.
 2. Development of EOC staffing and internal procedures to permit key executives to conduct coordinated operations in emergencies.
 3. Arranging for exercises to give key officials practice in directing coordinated operations under simulated emergency conditions.
 4. Providing expert knowledge and advice to operating departments on special conditions and operating requirements that would be imposed by peacetime or attack disasters (e.g., effects of tornadoes, blizzards, floods, nuclear weapons).
 5. Coordinating and leading in development of local government emergency operations plans, outlining which local forces and supporting groups would do in both peacetime and attack disasters, and coordinating local organization for major emergencies.
 6. Establishing a system to warn the public of peacetime or attack disasters.
 7. Establishing a system to alert key government officials.
 8. Organizing a radiological monitoring and analysis system, including procurement of instruments and training and exercising of personnel.
 9. Coordinating and leading emergency communications planning, securing necessary equipment, and exercising emergency communications.
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10. Coordinating with doctors, hospitals, and public and private sector medical personnel to develop emergency medical plans and capabilities as part of local emergency plans.
 11. Establishing and maintaining a local shelter system.
 12. Establishing, training and exercising the emergency public information system to get survival advice and information to the public before, during, and after peacetime or attack disasters (including establishing relationships with local news media: radio, TV, and newspapers).
 13. Coordinating with local human services offices, the Red Cross and other voluntary groups to develop emergency welfare capabilities to care for people needing mass care as a result of peacetime or attack disasters.
 14. Coordinating and maintaining relationships with industry to develop industrial emergency plans and capabilities related to local government emergency plans.
 15. Assisting local operating departments (e.g., fire, police, public works) with radiological defense and other training needs.
 16. Coordinating and participating in training programs for the public on disaster preparedness.
 17. Coordinating and participating in rural civil defense programs of the U.S. Department of Agriculture.
 18. Preparing, submitting, and justifying annual emergency commission budgets.
 19. Securing matching funds and other assistance (e.g. excess property) available through disaster services programs and other federal programs, including preparing the annual comprehensive cooperative agreement and other documents required for federal assistance programs.
 20. Coordination of resource management within political jurisdictions of the county and with other state and federal agencies.
 21. Provide for procedures to coordinate Federal Disaster Assistance programs in regard to disasters or disaster aid for the public and private sector.
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22. Provide for any other emergency operations deemed necessary by the state, county, and city governments, which are within the policy and scope of the Commission's responsibility as judged by the Commission.
23. Provide for mutual use of resources (*manpower, facilities, equipment*) between political jurisdictions of the county and other counties.

ARTICLE VIII. FINANCE

SECTION 1. The Commission shall determine a method to apportion the costs of establishing and operating the Agency among its membership. The Commission may request the County Board of Supervisors and each municipality to provide in their budgets for their apportioned share of the budget of this Commission.

SECTION 2. The Commission may enter into contracts and make expenditures for services and administration or planning in order to carry out the purposes of this agreement.

SECTION 3. The Commission may cooperate with, contract with, and accept and expend funds from federal, state, or local associations, public or semi-public corporations or private individuals for Emergency Management projects and activities consistent with federal, state, and local law and these bylaws.

SECTION 4. The County Board of Supervisors shall establish in the office of the County Treasurer a Joint Emergency Management Commission Trust Fund. The fund shall be for the purpose of paying expenses relating to all Emergency Management matters of the Commission and its Agency.

1. All funds in the Commission trust account remaining at the end of the fiscal year shall carry over into the next fiscal year either as reserve funds, encumbered funds, or for general expenditure.
 2. Any reimbursement, matching funds, or money received from the sale of property obtained through the surplus property program, or monies obtained from any source whatsoever "including interest" in connection with the Emergency Management planning and preparedness program shall be deposited in the Commission's trust account. Withdrawals of money for the Commission or its Agency shall be made on warrants drawn by the County Auditor and supported by claims signed by the Chair, Vice-chair, or the Agency Coordinator.
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SECTION 5. During the third quarter of each year, the Agency Coordinator and the Commission shall consider a budget for the Commission and its Agency for the ensuing fiscal year and shall propose and adopt a budget not later than March 31.

ARTICLE IX. RULES OF CONDUCT

SECTION 1. **Procedural rules:** Other than those rules stated in this document, the business meetings of the Commission shall be governed at the discretion of the Chair.

SECTION 2. **Officers:** The Commission shall elect each year from its membership, a Chair and Vice-chair to serve for a period of one (1) year.

SECTION 3. **Secretary:** The Chair shall serve as Secretary to the Commission responsible for records, minutes, documents and all other matters pertaining to the operation of the business meetings. The Coordinator may delegate duties to other personnel appropriate to the conduct of the Commission's business.

SECTION 4. **Meetings:** The Commission shall meet not less than twice a year to elect officers, consider and adopt a budget and carry on the business of the Commission. The Commission shall also meet when called by the Chair or the Vice-chair. A quorum shall be a minimum of the Chair or Vice-chair a representative of the Board of Supervisors, the Sheriff or their representative, and at least one of the Mayors or their representative.

These bylaws are hereby adopted by a majority vote of members in attendance of the Madison County Emergency management Commission, a Joint Administration under Chapter 29C, Code of Iowa, as of this 16 day of May, 2001.

ATTEST _____	BY <u>Bob Weeks</u> Member, Board of Supervisors
ATTEST <u>[Signature]</u>	BY <u>[Signature]</u> Representing, County Sheriff
ATTEST <u>Joan Brown</u>	BY <u>St. Charles</u> Representing,
ATTEST <u>Jim Buranmas</u>	BY <u>Berwington</u> Representing,
ATTEST <u>Bob Derrickson</u>	BY <u>City Earlham</u> Representing,
ATTEST <u>Lynn Clutter</u>	BY <u>City of Patterson</u> Representing,
ATTEST <u>Eric Schaff</u>	BY <u>City of Tama</u> Representing,
ATTEST <u>Chad Kane</u>	BY <u>City of Winterset</u> Representing,
ATTEST _____	BY _____ Representing,
ATTEST _____	BY _____ Representing,