

MADISON COUNTY FISCAL COURT
MADISON COUNTY, KY
RESOLUTION 2024-118

A RESOLUTION OF THE MADISON COUNTY FISCAL COURT APPROVING A
MADISON COUNTY EMERGENCY COMMUNICATIONS CENTER AGREEMENT

WHEREAS, in 2008 Madison County implemented a joint safety answering service to provide a single telephone number for emergency services creating a joint 911 center for the City of Berea and Madison County, and in 2010, the City of Richmond joined the joint 911 Emergency Communications Center; and

WHEREAS, the establishment, maintenance, and operation the Madison County Emergency Communications Center is an essential public safety service used by residents of the City of Berea, Madison County, Kentucky, and the City of Richmond, as well as workers and travelers while situated in the county; and

WHEREAS, the City of Berea, Madison County, Kentucky, and the City of Richmond, (hereinafter called "Cities" and "County" respectively) wish to update the cooperative communications center to be known as the Madison County Emergency Communications Center (hereinafter called "MCECC"); and

WHEREAS, in order to deal more cost-effectively with the present and projected public safety communications needs of our community, especially emergency medical, fire, law services, and other public safety activities of mutual concern, the Cities and County desire to enter into a new Madison County Emergency Communications Center Agreement ("Agreement"), per the following: Berea City Council Order Number 5-2024, Madison County Fiscal Court Ordinance 2024-07, and Richmond City Commission Resolution 24-03; and

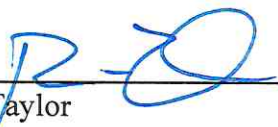
WHEREAS, the Cities and County do hereby agree to the terms and conditions set forth in the attached Agreement;

NOW, THEREFORE, BE IT RESOLVED THAT THE MADISON COUNTY FISCAL COURT DOES HEREBY APPROVE THIS RESOLUTION AND AUTHORIZES THE JUDGE EXECUTIVE AND/OR HIS DESIGNEE TO NEGOTIATE AND EXECUTE CONTRACTS ON BEHALF OF THE COUNTY.

Motion made by Bathin, seconded by Combs.

Vote:	Yes	No
Judge Executive Reagan Taylor	☒	☐
Magistrate James Brian Combs	☒	☐
Magistrate Stephen Lochmueller	☒	☐
Magistrate Billy Ray Hughes	☒	☐
Magistrate Tom Botkin	☒	☐

Signed:

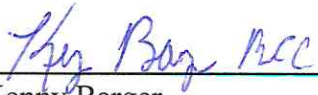


Reagan Taylor
Madison County Judge Executive

11-26-2024

Date

Attested:



Kenny Barger
Madison County Clerk

11-26-2024.

Date

MADISON COUNTY EMERGENCY COMMUNICATIONS CENTER AGREEMENT

This Madison County Emergency Communications Center Agreement made and entered into by and among the City of Berea, Madison County, Kentucky, and the City of Richmond (hereinafter called "Cities" and "County" respectively), establishes a cooperative communications center to be known as the Madison County Emergency Communications Center (hereinafter called "MCECC").

WITNESS:

Whereas, the Kentucky General Assembly has provided in the Interlocal Cooperation Act, KRS 65.210 et seq. that cities and counties of the Commonwealth of Kentucky may, in lieu of providing separate services and facilities, join in a cooperative inter-jurisdictional program that best accords with geographic, economic, population, and other factors influencing the needs and development of local communities; and,

Whereas, in order to deal more cost-effectively with the present and projected public safety communications needs of our community, especially emergency medical, fire, law services, and other public safety activities of mutual concern, the "Cities" and "County" desire to enter into a cooperative communications center to be known as the Madison County Emergency Communications Center ("MCECC");

Now therefore, it is agreed by the parties hereto as follows:

I. ESTABLISHMENT OF THE MADISON COUNTY EMERGENCY COMMUNICATIONS CENTER "MCECC"

- A. There is hereby established a communications center to be known as the "Madison County 911 Center" (hereafter called MCECC) as a joint communication facility of the "Cities" and "County."
- B. The MCECC shall do all things and perform all acts deemed necessary to effectuate the purposes for which this agreement was entered into in accordance with the law of the Commonwealth of Kentucky.
- C. For the purpose of this agreement, "Governmental Entities" shall include the Cities of Richmond and Berea, Kentucky. Additional Governmental Entities may make application for inclusion in this agreement and shall be so included upon the affirmative passage of an ordinance or resolution of amendment to this agreement by a majority of all current participating Governmental Entities.
- D. For the purpose of this agreement, "Member Agency" shall mean any public safety agency including, but not limited to, emergency medical, fire, law enforcement, or criminal justice agencies, which make application for and receive membership in the MCECC seeking to utilize the communication services provided by the MCECC.

II. MANAGEMENT CONTROL

Management Control of the MCECC shall be the responsibility of the 911 Director and the Madison Fiscal Court.

A. Management Control of LINK / NCIC compliance shall be the responsibility of the Berea Police Department. The Berea Police Department and the Madison 911 Center have agreed the 911 center will maintain all required LINK / NCIC records and maintain compliance for the terminal agency, including making sure all employees of the Madison 911 Center meet the DOCJT Telecommunicator Professional Standards requirements along with all CJIS LINK/NCIC requirements for employment. Madison 911 will also continue to meet all CJIS LINK/NCIC Audit requirements for the terminal agency.

B. Public Safety Advisory Board :

1. The MCECC shall receive recommendations from the Public Safety Advisory Board consisting of (13) members as follows:
 1. Madison County Deputy Judge Executive {Executive Board member}
 2. Berea City Administrator {Executive Board member}
 3. Richmond City Manager {Executive Board member}
 4. Madison County EMS Director {Executive Board member}
 5. Richmond Police Chief {member}
 6. Berea Police Chief {member}
 7. Madison County Sheriff {member}
 8. Madison County Fire Chief {member}
 9. Richmond Fire Chief {member}
 10. Berea Fire Chief {member}
 11. Madison County Coroner {member}
 12. Madison County EMA Director {ex officio member}
 13. 911 Director {ex officio member}

C. Board Membership

Membership of the Public Safety Advisory Board shall be by virtue of office or position unless otherwise specified. Terms of service on the Public Safety Advisory Board shall be consistent with the Commonwealth of Kentucky Constitution. Public Safety Advisory Board members must adhere to the following requirements to be a member:

1. Shall not have any family member working for the MCECC
2. Shall not be in a personal relationship with any employee of the MCECC (ex: marriage, dating, engaged.)
3. Shall not have any financial interest with a vendor doing business with the MCECC
4. The Public Safety Advisory Board shall meet in December every two years to select from its membership one (1) member to serve as Chairperson; (1) member to serve as Vice Chair, and; (1) member to serve as Secretary and to fix dates, times, and locations for regular meetings to be held during the next calendar year. The new elected positions will take office starting January 1 of the next calendar year.

5. No member shall serve in the same elected seat for consecutive terms. The serving Vice Chair shall automatically be nominated for Chairman and the serving Secretary shall automatically be nominated for Vice Chair.
6. Special meetings of the Public Safety Advisory Board may be called by the chairperson if written notice (email and fax) is delivered to each member of the Public Safety Advisory Board at least 24 hours in advance of the called meeting along with an agenda setting forth the topic or topics to be discussed and considered during the special meeting. All required public notifications must also be made 24 hours prior to the meeting. No discussion shall be had, or action taken on any matter not listed on the agenda for the special meeting. In the absence of the chairperson, (4) members of the Public Safety Advisory Board may call a special meeting following the procedure as set forth in the agreement.
7. A quorum shall consist of a majority of the members of the Public Safety Advisory Board. A quorum shall be necessary to conduct any business at the Public Safety Advisory Board meeting. A tie vote is a defeat of the item voted upon. A quorum must be maintained in order to conduct business. A member agency is expected to attend 60% of the meetings each year. No member or member agency shall be permitted to attend/vote by proxy without receiving advanced approval from the Board.
8. The Public Safety Advisory Board is a public body and shall be governed by the Kentucky Constitution and Revised Statutes which regulate open meetings and guarantee access to public records.
9. The Public Safety Advisory Board may provide direction and guidance to the MCECC 911 Director and may monitor and evaluate the activities of the MCECC through reports submitted to the Public Safety Advisory Board at quarterly meetings and through observation.

D. 911 DIRECTOR

1. The Director shall be responsible and accountable to the Madison Fiscal Court.
2. The Director and Fiscal Court shall be responsible for the management of any and all funds obtained from any source for the MCECC. The Director shall be responsible for the preparation of grant applications and the procurement of other resources necessary for the efficient operation of the MCECC. The Director shall prepare and submit to the fiscal court a proposed annual budget. The Public Safety Advisory Board shall review the proposed annual budget and make recommendations as needed to the 911 Director.
3. The 911 Director or his/her designee shall be responsible for the day-to-day operation of the MCECC including but not limited to the schedule, equipment placement, hiring (subject to Fiscal Court approval), FCC licenses, Kentucky CJIS Compliance, CMRS Compliance, FBI Compliance, DOCJT Compliance, ISO Compliance, Madison County Fiscal Court Compliance, etc.

E. OTHER PERSONNEL

The 911 Director shall, with the approval of the Fiscal Court, employ a staff as may be required for the performance of the duties of the MCECC, subject to the provisions of the laws and regulations of the Commonwealth of Kentucky, the United States of America, The Madison County Administrative Code, and the LINK/NCIC Terminal Agency User Agreement.

F. MCECC PERSONNEL SELECTION

1. Employment qualifications, salary, and work schedules will be determined by the nature of the position filled.
2. MCECC personnel recruitment and employment shall be administered by the 911 Director and Deputy Director.
3. Employment of MCECC personnel other than the Director shall be recommended to the fiscal court by the Director and shall be subject to approval by the Madison County Fiscal Court.
4. All Applications for the 911 Director shall be submitted to Madison County, who shall establish a panel to review all applications and conduct applicant interviews. The panel shall consist of not less than two (2) members of the Public Safety Advisory Board, to be chosen by the Board.
5. The Public Safety Advisory Board may recommend dismissal of the 911 Director. Dismissal of the 911 Director shall require Fiscal Court approval.
6. A motion recommending to the Fiscal Court the dismissal of the 911 Director shall require the affirmative vote of the majority of the Public Safety Advisory Board membership in order to receive passage. The removal of the Director from office by the Fiscal Court, resignation, or retirement will require an emergency meeting of this board to be held within 7 days to recommend the appointment of an Interim Director, subject to Fiscal Court approval. Until an Interim Director is recommended by this board and approved by the Fiscal Court the department will operate via chain of command succession per the department organizational chart. The Interim Director shall serve in said position until a permanent Director can be selected.
7. Employees of the MCECC shall be governed by the Madison County Administrative Code. The MCECC Public Safety Advisory Board may develop operating procedures, which may supplement, but shall remain consistent with, the Madison County Administrative Code.
8. Dismissal or suspension of MCECC personnel may be recommended by the MCECC Public Safety Advisory Board but shall require approval of the Fiscal court.

III. EQUIPMENT, SUPPLIES, AND MERCHANDISE

A. Loaned equipment, supplies, and merchandise shall include, but not be limited to, communications equipment, required by the Public Safety Advisory Board to be provided to the MCECC by any member agency. No member agency or governmental entity shall be required to reimburse any member agency for loss or damage to such equipment, supplies, and merchandise while the same are in use by the MCECC, except for the loss or damage arising out of intentional misuse or abuse of such equipment, supplies, and merchandise.

IV. BUDGET PARTICIPATION

A. MCECC shall be funded by the newly enacted 911 fee established by Berea City Council Order Number 5-2024, Madison County Fiscal Court Ordinance 2024-07, and Richmond City Commission Resolution 24-03, and appropriations by the Madison County Fiscal Court, and other funding sources including, but not limited to, General Assembly budget appropriations, and grant awards.

B. The Cities of Richmond and Berea shall each budget for and pay \$10,000 annually into a restricted account designated solely for emergency funds, unless said account is holding \$200,000.00 or more at the start of each fiscal year making payment optional for said year. Said account is accessible only upon a vote of the Public Safety Advisory Board. If these funds are depleted, any additional funding shall be sought from the participating governments.

C. The fiscal year for the MCECC shall be July 1 to June 30.

V. GRANTS

A. The Madison County Fiscal Court is authorized to apply for and administer any grant obtained on behalf of the MCECC. The 911 Director is authorized to make applications for grants with fiscal court approval. Any revenue obtained through the application for a grant by the 911 Director shall be the responsibility of the 911 Director and the Madison Fiscal Court.

VI. FINANCIAL ADMINISTRATION

A. The Madison County Fiscal Court, as the custodian of the funds, shall authorize the payment of all proper charges and expenses incurred by the MCECC in its operation and administration.

B. MCECC may utilize the purchasing departments of any participating governmental entity in the procurement of goods and services. Such utilization shall be on the basis of cost only, and no governmental entity shall be required to reimburse another for the cost of service provided to the MCECC, except for the actual cost incurred by such entity.

VII. CONTRACTS

A. The Director, with the fiscal court approval, is authorized to enter into any contract necessary for the operation and administration of the MCECC. No such contract shall bind any member agency or governmental entity except as provided herein.

VIII. TERMS OF THE AGREEMENT

A. The agreement shall become effective upon approval by all parties and shall remain in effect until terminated.

B. This agreement may be terminated by any party upon sixty (60) days' written notice to the other parties. Upon termination, no withdrawing entity shall be entitled to reimbursement of any funds or return of any equipment.

C. This agreement may be dissolved at any time upon the annual anniversary date by mutual agreement of a majority of the participating governmental entities. Upon dissolution, all assets and liabilities of the MCECC shall be distributed among the participating governmental entities in proportion to their contribution to the MCECC.

D. The MCECC shall be responsible for the receipt and referral of non-emergency calls to the appropriate agency.

IX. AGREEMENT VALIDATION

A. This agreement shall not become effective until the passage and adoption of this agreement by the following entities:

1. Richmond City Commission
2. Berea City Council
3. Madison County Fiscal Court
4. Kentucky Attorney General
5. Lodging with the Kentucky Secretary of State pursuant to KRS 65.290.

X. AMENDMENT

A. Additional governmental entities may be included in this agreement upon the adoption of an amended agreement by the majority of the participating governmental entities.

B. This agreement shall supersede any previous agreements between the parties concerning the establishment and operation of a regional public safety communications center.

C. Amendments to this agreement may be made upon agreement of a majority of the participating governmental entities as permitted under Kentucky law.

In Witness Whereof, the parties have hereunto set their hands on the dates below indicated:

SIGNATURES:

City of Richmond by: _____

Date: _____

City of Berea by: _____

Date: _____

Madison County Fiscal Court by: R-29

Date: 11-26-2024

Kentucky Attorney General by: _____

Date: _____

Kentucky Secretary of State by: _____

Date: _____