**HARDING COUNTY, SOUTH DAKOTA**

**ORDINANCE NUMBER 2022-01**

An ordinance entitled “**AN ORDINANCE AUTHORIZING A JOINT COOPERATIVE AGREEMENT FOR NORTH CENTRAL REGIONAL 911 CENTER AND ESTABLISHING COUNTY POSITIONS FOR A COMMITTEE MEMBER”**

**WHEREAS,**  The Harding County Board of Commissioners, hereinafter referred to as “Commission”, believes that a E911 emergency reporting telephone service is in the best interests of the residents of Harding County; and

**WHEREAS,** The Commission, for the public welfare, desires to enter into a Joint Cooperative Agreement for the purpose of being a member of the North Central Regional 911 Center; and

**WHEREAS,** SDCL 34-45 provides authority for the establishment, management and control of a E911 emergency reporting telephone service by a governing body; now, therefore

**BE IT ORDAINED** by the County of Harding, State of South Dakota, that:

The County of Harding is hereby authorized to enter into a Joint Cooperative Agreement with the member Counties of the North Central Regional 911 Center for the purposes of participating in a multi-county 911 and E-911 emergency telephonic reporting and response system which shall be administered by the North Central Regional 911 Center. Further, the chairman of the Board of County Commissioners for Harding County, South Dakota, is hereby authorized to execute or ratify any and all documents necessary to effectuate the above act.

**SECTION ONE**

**JUSIDICTIONAL SERVICE AREA**

The E911 system is to be provided for all of the area within the legal boundaries of the County of Harding, South Dakota.

**SECTION TWO**

**INSTALLATION, OPERATION AND SURCHARGE**

The Commission shall be responsible for its share of the costs incurred for the installation, maintenance and/or operation of the system. In order to pay for such costs as may be incurred, the Commission shall collect a surcharge in accordance with SDCL 34-45.

**SECTION THREE**

**SURCHARGE USE AND PROCEDURE**

The proceeds of the surcharge shall be utilized to pay for non-recurring and recurring cost of the E911 related service.

All funds received from the surcharge shall be credited to a special fund, separate and apart from the General Fund of Harding County and shall be used for costs allowed by SDCL 34-45.

**SECTION FOUR**

**SERVICE AGREEMENT**

The Commission may enter into an agreement directly with the service supplier or may contract or cooperate with any public agency or with other states or their political subdivisions for the administration of a E911 system as provided by law.

**SECTION FIVE**

**E911 MEMBER POSITIONS**

Upon establishing the aforesaid North Central Regional 911 Center, it will be necessary to establish the purpose of coordinating the operation of said system; therefore, there is hereby established two (2) positions within the county governmental frame work which positions and qualifications therefore shall be as follows:

* Position 1: Member
  + Qualifications: A first responder
* Position 2: Member
  + Qualifications: A governmental official or a resident of Harding County, South Dakota, registered voter of said county, and over the age of 18 years.

Such members shall be appointed positions and the appointments shall be made by the Board of County Commissioners. The members shall serve for the terms and in accordance with the Joint Cooperative Agreement which shall be entered into by the member counties for the operation of the North Central Regional 911 Center.

The effective date of the above positions shall be the same as the effective date of this ordinance.

**SECTION SIX**

**SEVERABILITY AND SAVING CLAUSE**

If any provision of this ordinance shall be determined to be invalid, it shall not affect any other provision of this ordinance that can be given effect with out the invalid provision, and for this saving purpose, the provisions of this ordinance are hereby declared to be severable.

This ordinance shall be in full force and effect from and after this passage, approval, recording and publication as provided by law.

First Reading:\_11-10-22 Adopted this \_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_

Second Reading:\_12-6-22

Published:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ SIGNED:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Effective Date:\_\_\_\_\_\_\_\_\_\_\_\_ Chairman, Harding County Commission

ATTEST:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Kathy Glines, Harding County Auditor