

RESOLUTION NO. 24-031

WHEREAS, the Gadsden County Board of Commissioners have met and considered the substantial emergency condition which may be caused by Invest 97L, and the fact that there may be injury to the population, and damage to property; and

WHEREAS, in response to these potential severe weather impacts of Invest 97L the Board met on August 1, 2024, the Gadsden County Board of County Commissioners approved this Resolution, declaring a local state of Emergency within the County; and

WHEREAS, on August 1, 2024, Governor Ron DeSantis issued Executive Order 24-156 declaring local states of emergency in multiple Florida counties.

WHEREAS, Florida Statutes 252.38(3)(a)(5) limits the duration of local states of emergency to 7 days, therefore:

BE IT RESOLVED, that Gadsden County, Florida is hereby declared to be in a State of Emergency. Due to the rapid escalation of this situation, and the requirement for rapid action, action was taken by the Board of County Commissioners to adopt this Resolution without notice being published in local newspapers. Further, the Board of County Commissioners hereby exercises its authority and waives the procedures and formalities required by law of a political subdivision as provided by Florida Statutes 252.38; and

BE IT FURTHER RESOLVED, that while the State of Emergency continues to exist, the County shall have the power and authority to carry on those activities set forth in Florida Statutes 252.38, including but not limited to: appropriate and expend funds; make contracts; obtain and distribute equipment, materials, and supplies for emergency management purposes; provide for the health and safety of persons and property, including emergency assistance to the victim of any emergency; and direct and coordinate the development of the emergency management plans and protocols in accordance with the plans and policies set forth by the Federal and State Emergency Management agencies; and

To appoint, employ, remove, or provide, with or without compensation, coordinators, rescue teams, fire and police personnel, and other emergency management workers; and

To establish, as necessary, a primary and one or more secondary emergency operating centers to provide continuity of government and direction and control of emergency operations; and

To assign and make available for duty the offices and agencies of Gadsden County, including the employees, the property or equipment thereof relating to firefighting, engineering, rescue, health, medical and related services for emergency operation services, as the primary emergency management forces of the political subdivision for employment within or outside the political limits of the subdivision; and

To request State assistance or invoke emergency-related mutual-aid assistance by declaring a local State of Emergency in the event of an emergency affecting only one political subdivision. The duration of this State of Emergency declared locally is limited to seven (7) days; it may be extended as necessary, in seven-day increments.

WHEREAS, Pursuant to §252.38, Florida Statutes, the County has jurisdictional authority over the entire county for emergency management purposes; and

NOW, THEREFORE, BE IT RESOLVED AND DECLARED by the VICE-CHAIRWOMAN OF THE GADSDEN COUNTY BOARD OF COUNTY COMMISSIONERS on this 1st day of August 2024 that Gadsden County, Florida is hereby declared to be in a State of Emergency.

BE IT FURTHER RESOLVED AND DECLARED that, during this State of Emergency continues to exist, the County shall have the power and authority to carry on those activities set forth in Fla. Stat. § 252.38, including but not limited to: appropriate and expend funds; make contracts; obtain and distribute equipment, materials, and supplies for emergency management purposes; provide for the health and safety of persons and property, including emergency assistance to the victim of any emergency; and direct and coordinate the development of the emergency management plans and protocols in accordance with the plans and policies set forth by the Federal and State Emergency Management agencies; and

During this State of Emergency, pursuant to Chapter 2, Article II, Division 2, Section 2-42(f) of the Gadsden County Code of Ordinances, the County may call emergency meetings which bypass the notice conditions required by the Code. Such emergency meetings shall not be required to be held at the normal meeting times as set forth in the Code; and

During this State of Emergency, the Gadsden County Board of County Commissioners hereby empowers the Chairman, or in his absence or unavailability, the Vice-Chairwoman, of the Gadsden County Board of County Commissioners (or their designated representative) with the following powers:

To appoint, employ, remove, or provide, with or without compensation, coordinators, rescue teams, fire and police personnel, and other emergency management workers; and

To establish, as necessary, a primary and one or more secondary emergency operating centers to provide continuity of government and direction and control of emergency operations; and

To assign and make available for duty the offices and agencies of Gadsden County, including the employees, the property or equipment thereof relating to firefighting, engineering, rescue, health, medical and related services for emergency operation services, as the primary emergency management forces of the political subdivision for employment within or outside the political limits of the subdivision; and

To request State assistance or invoke emergency-related mutual-aid assistance by declaring a local State of Emergency in the event of an emergency affecting only one political subdivision. The duration of this State of Emergency declared locally is limited to seven (7) days; it may be extended (or terminated) as necessary by the Chairman or Vice-Chairwoman of the Gadsden County Board of County Commissioners (or his/her designee), in seven-day increments, without further affirmative action from the Board; and

To take any additional action he (or his designee) deems necessary effectuate and promote the continued health and safety of the County while this state of emergency is in effect.

EXPIRATION

This Resolution shall expire as set forth hereinabove, except that if such State of Emergency is extended, this order shall also be deemed to extend for the duration of such extension. This order may be cancelled earlier by action of the Gadsden County Board of County Commissioners.

SCRIVENERS' ERRORS

Scriveners' errors may be corrected as needed by the County Attorney without further action from the Board.

By Special Order of the Gadsden County Board of County Commissioners on this 1st day of August 2024.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
GADSDEN COUNTY, FLORIDA:

By: Nicholas Thomas

Nicholas Thomas
Clerk of the Circuit Court

By: Alonzetta Simpkins

Alonzetta Simpkins
Vice-Chairwoman

