

COUNTY COUNCIL
OF
TALBOT COUNTY, MARYLAND

2009 Legislative Session, Legislative Day No.: October 27, 2009

Bill No.: 1175, AS AMENDED

Expiration Date: December 31, 2009

Introduced by: Mr. Bartlett, Mr. Duncan, Mr. Foster, Mr. Pack

A BILL TO REPEAL AND RE-ENACT ARTICLE III, CHAPTER 24, TALBOT COUNTY CODE, "EMERGENCY SERVICES MANAGEMENT ADVISORY BOARD", TO CREATE THE DEPARTMENT OF EMERGENCY SERVICES, TO DEFINE THE DEPARTMENT'S RESPONSIBILITIES, TO INCLUDE EMERGENCY MANAGEMENT, EMERGENCY MEDICAL SERVICES, AND EMERGENCY 911 TELEPHONE SYSTEM; TO CREATE THE EMERGENCY SERVICES ADVISORY BOARD AND DEFINE ITS MEMBERSHIP, COMPOSITION, TERMS, COMPENSATION, OFFICERS, DUTIES AND FUNCTIONS, AND TO ADOPT TRANSITIONAL PROVISIONS CONCERNING THE EXISTING EMERGENCY MEDICAL SERVICES MANAGEMENT ADVISORY BOARD

By the Council: October 27, 2009

Introduced, read first time, ordered posted, and public hearing scheduled on Tuesday, November 24, 2009 at 2:00 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 N. Washington St., Easton, Maryland 21601.

By Order _____
Susan W. Moran, Secretary

A BILL TO REPEAL AND RE-ENACT ARTICLE III, CHAPTER 24, TALBOT COUNTY CODE, “EMERGENCY SERVICES MANAGEMENT ADVISORY BOARD”, TO CREATE THE DEPARTMENT OF EMERGENCY SERVICES, TO DEFINE THE DEPARTMENT’S RESPONSIBILITIES, TO INCLUDE EMERGENCY MANAGEMENT, EMERGENCY MEDICAL SERVICES, AND EMERGENCY 911 TELEPHONE SYSTEM; TO CREATE THE EMERGENCY SERVICES ADVISORY BOARD AND DEFINE ITS MEMBERSHIP, COMPOSITION, TERMS, COMPENSATION, OFFICERS, DUTIES AND FUNCTIONS, AND TO ADOPT TRANSITIONAL PROVISIONS CONCERNING THE EXISTING EMERGENCY MEDICAL SERVICES MANAGEMENT ADVISORY BOARD

SECTION ONE: BE IT ENACTED BY THE COUNTY COUNCIL OF TALBOT COUNTY, MARYLAND, that Article III, Chapter 24 of the Talbot County Code entitled “Boards, Committees and Commissions” is repealed and re-enacted as set forth herein.

* * *

1 **ARTICLE III. Emergency Services**

2 **§ 24-9. Definitions**

3 As used in this subtitle the following words have the meaning indicated:

4 BOARD – means the Emergency Services Advisory Board (“ESAB”)

5 DEPARTMENT– means the Department of Emergency Services (“DES”)

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7 **§ 24-10. Department authorized**

8 The Department of Emergency Services (“DES”) is hereby created subject to the direction,
9 supervision, and control of the Director of Emergency Services under the authority of the County
10 Manager and County Council. DES shall be responsible for the administration, coordination, and
11 operation of emergency medical services, emergency management, emergency communications,
12 and other emergency services as assigned, delegated or required by law.

13 **§ 24-11. Emergency Management**

14 DES is responsible for emergency management within the County in accordance with Public
15 Safety, Title 14, Emergency Management, § 14-109 of the Annotated Code of Maryland, the
16 Superfund Amendments and Reauthorization Act of 1986 (SARA), the Emergency Planning and
17 Community Right-to-Know Act of 1986 (EPCRA) and other applicable Federal, State, or local
18 laws.

19 **§ 24-12. Emergency Medical Services**

20 DES is responsible for the delivery of emergency medical services within the County in
21 accordance with the Code of Maryland Regulations (COMAR) Title 30, Maryland Institute for
22 Emergency Medical Services Systems (MIEMSS).

23 **§ 24-13. Emergency 9-1-1 Telephone System**

24 DES is responsible for the delivery of 9-1-1 emergency telephone system services within the
25 County in accordance with the Code of Maryland Regulations (COMAR) Title 12, Department
26 of Public Safety and Correctional Services.

27 **§ 24-14. Emergency Services Advisory Board created.**

28 The Emergency Services Advisory Board (ESAB) shall be and the same is hereby created.

29 **§ 24-15. Membership; composition; terms; compensation; officers.**

30 The Emergency Services Advisory Board shall consist of 10 voting members and the following
31 ex-officio members, all of whom shall be residents of the County.

32 A. Ex-officio members

- 33 (1) Director of the Talbot County (DES) or designee;
34 (2) The DES Emergency Medical Services (EMS) Division Chief or designee;
35 (3) The DES 9-1-1 Emergency Communications Division Chief or designee;
36 (4) The DES Emergency Management Division Chief or designee;
37 (5) The Talbot County School Safety and Transportation Manager or designee.

38 B. The term of an ex officio member shall continue during the term of their employment and
39 shall automatically terminate upon separation from such employment.

40 C. Appointed members and their successors shall be as follows:

- 41 (1) Two members nominated by the Talbot County Volunteer Fire and Rescue
42 Association;
43 (2) One member nominated by Shore Health Systems, Inc.;
44 (3) One at-large member nominated by the County Council who shall be a full-time
45 employee of a law enforcement agency in Talbot County;

- 46 (4) One at-large Fire Department member nominated by the County Council; and
- 47 (5) Five citizen members, one from each of the following election districts: Bay
48 Hundred, St. Michaels, Easton, Trappe, and Chapel. Citizen members shall not be
49 employed by Talbot County or any entity entitled to representation as either a voting or ex
50 officio member.
- 51 D. Nominees shall be subject to approval and appointment by the County Council. Members
52 shall serve three-year staggered terms, except for the initial terms. Initial terms shall
53 commence on February 1, 2010, as follows:
- 54 (1) Members from Trappe, Easton, and one member from the Talbot County Volunteer
55 Fire and Rescue Association: one year;
- 56 (2) Members from St. Michaels, Chapel, and Shore Health Systems, Inc.: two years;
- 57 (3) Members from Bay Hundred, the remaining members from the Talbot County
58 Volunteer Fire and Rescue Association, at-large law enforcement member, and the
59 at-large Fire Department member: three years.
- 60 E. Vacancies occurring prior to expiration of a term shall be filled in the same manner as an
61 original appointment for the unexpired term.
- 62 F. The Board shall annually elect a Chairperson and a Vice-Chairperson from its
63 membership and shall adopt rules of procedure to govern its meetings.
- 64 G. Members of the Board shall receive no compensation for their services.
- 65 H. A majority of the voting members shall constitute a quorum for the transaction of
66 business; decisions of the Board shall be by majority vote of the members present at a
67 duly constituted meeting.
- 68 I. All meetings shall be open to the public unless applicable Maryland law permits an
69 executive or closed session and in that event the meeting may be closed in accordance
70 with law;
- 71 J. The Board shall meet as necessary, but no less than quarterly; and,
- 72 K. The Board shall report its activities to the County Council no less than annually and at
73 such other times as may be requested by the County Manager or the County Council.

74 **§ 24-16. Duties and functions.**

75 The Board shall:

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- 77 A. Act as an advisory body to the County Council regarding emergency services;

- 78 B. Advise the County Council regarding equipment, standard operating procedures,
79 education and training requirements, and quality of emergency services;
- 80 C. Encourage development of cooperative programs among the various municipalities,
81 organizations, and providers of emergency services throughout the County including
82 volunteer fire companies, ambulance services, medical services, disaster relief
83 organizations, and others; and federal, state, and local agencies, boards, departments and
84 commissions.
- 85 D. Assist the County regarding emergency services, public information, and education.

SECTION TWO: BE IT FURTHER ENACTED, that this ordinance shall take effect sixty (60) days from the date of its passage, and that the following transitional provision shall apply to the existing Emergency Medical Services Management Advisory Board:

Transitional provisions: All members of the existing Emergency Medical Services Management Advisory Board shall continue to serve for the balance of their terms. That Board shall continue operation as currently constituted, but upon the effective date of this Ordinance shall be renamed to the Emergency Services Advisory Board (ESAB), and thereafter shall operate in accordance with the terms and conditions of this Ordinance.

SECTION THREE: AND BE IT FURTHER ENACTED, that if any provision of this Ordinance or the application thereof to any person or circumstance is held invalid for any reason in a court of competent jurisdiction, the invalidity does not affect other provisions or any other application of this Ordinance which can be given effect without the invalid provision or application, and for this purpose the provisions of this Ordinance are declared severable.

PUBLIC HEARING

Having been posted and Notice of time, date, and place of hearing, and Title of Bill No. 1175 having been published, a public hearing was held on Tuesday, November 24, 2009 in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

BY THE COUNCIL

Read the third time.

ENACTED: **November 24, 2009, AS AMENDED**

By Order _____
Susan W. Moran, Secretary

Foster	-	Aye
Pack	-	Aye
Duncan	-	Aye
Bartlett	-	Aye
Harrison	-	Aye