



**Resolution to Clarify Dare County/Town of Nags Head
Memorandum of Agreement**

WHEREAS, the document entitled *Memorandum of Agreement Between Dare County Municipalities And The County Of Dare Concerning Emergency Coordination* was presented to municipalities for execution in 2015; AND

WHEREAS, The Memorandum of Agreement (MOA) between the Town and Dare County was signed by the Mayor on October 19, 2015 but was never presented to the Board at a Board meeting for consideration or approval; AND

WHEREAS, The Town Attorney has suggested that, even if not authorized or approved by the governing Board, the Town can consider the MOA and particularly the Emergency Management Plan referenced in the MOA as a guideline and statement of the how Dare County, the Town, other municipalities are expected to cooperate and collaborate in addressing various emergencies including natural disasters as well as describing the organizational structure for emergency operations; AND

WHEREAS, As noted by Norma Houston of the UNC School of Government, the MOA does not mandate partner municipalities to surrender any legal authority to the County but recognizes that "all municipalities have the authority to declare and manage an emergency independently ..."; AND

WHEREAS, The MOA encourages "cooperation and coordination" among the local municipalities and the county through the Control Group which is described as a "collaborative body that convenes to facilitate decision-making ...to achieve unity of effort..."; AND

WHEREAS, The town finds this collaboration between local municipalities and the county to be extremely important when dealing with evacuation and re-entry since this impacts everyone.

NOW, THEREFORE, BE IT RESOLVED that the Town of Nags Head Board of Commissioners recognizes that the MOA dated October 19, 2015 is a useful guideline and the Town further resolves to operate in the spirit of cooperation with all municipalities, the county and the Dare County Control Group.

Adopted this 4th day of March 2020.


Benjamin Cahoon, Mayor
Town of Nags Head

ATTEST:

Carolyn F. Morris, Town Clerk

