

SPONSOR: \_\_\_\_\_

## ORDINANCE NO. 98-07

AN ORDINANCE AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT BETWEEN MH CORRECTION COMMISSION AND THE CITY OF JACKSON, OHIO, FOR THE HOUSING OF PRISONERS, AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JACKSON, STATE OF OHIO, as follows:

**Section One.** The Mayor and/or City Council President is authorized to enter into an Agreement between MH Correction Commission, a multi-county jail facility, and the City of Jackson, Ohio, to provide housing of prisoners. A copy of the Agreement is attached hereto as Exhibit "A". The cost of this contract shall be in an amount of Sixty-two and 32/100 dollars (\$62.32) per prisoner per day, and shall be paid from line item 110-7110-53043 (Jail Contracts).

**Section Two.** This Ordinance is hereby declared to be an emergency Ordinance necessary for the immediate preservation of the public peace, health, or safety of the City of Jackson, in that it is necessary to enter into this agreement as soon as possible to insure the housing of prisoners of the City of Jackson. Therefore, this Ordinance shall go into effect upon passage and approval by the Mayor, as provided in Ohio Revised Code Section 731.30.

**Section Three.** In the event this Ordinance receives a majority vote for passage but fails to receive the required number of votes to pass as an emergency, then this Ordinance shall be deemed to have passed but with no emergency clause and shall take effect at the earliest time permitted by law.

**Section Four.** It is hereby found and determined that all formal actions of this Council relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that the deliberations of this Council that resulted in such formal actions, were in a meeting open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.


Date: 8-13-07

  
\_\_\_\_\_  
PRESIDENT OF COUNCIL

  
\_\_\_\_\_  
CLERK OF COUNCIL

Approved:

Date: 8-13-07

  
\_\_\_\_\_  
MAYOR

***EXHIBIT "A"***

## PRISONER HOUSING AGREEMENT

The Prisoner Housing Agreement is made and entered into by and between MH Correction Commission, a multi-county jail commission established pursuant to Ohio Revised Code Section 307.93 (hereinafter referred to as the "MHCC") and the Jackson Police Department.

WITNESSETH:

WHEREAS, the MHCC owns and operates a full service jail facility located at 1514 Victory Road in Marion County, Ohio and

WHEREAS, the MHCC jail facility from time to time has excess capacity for female prisoners, and

WHEREAS, Jackson Police Department does not have jail space available to house female prisoners, and

WHEREAS, Jackson Police Department is desirous of housing female prisoners in the MHCC jail facility.

NOW, THEREFORE, it is hereby mutually agreed between the parties as follows:

1. Jackson PD agrees, in its discretion, to send to the MHCC and the MHCC agrees, in its discretion, to accept from Jackson PD female prisoners for which Tri-County is unable to care, provided, however, the total Jackson PD prisoners housed by the MHCC shall not at any one time exceed ten (10).
2. Jackson PD agrees to pay the MHCC the sum of \$ 62.<sup>92</sup> per day for each female prisoner sent to the MHCC facility as full compensation for boarding, confining and supervising each such female prisoner. For the purpose of determining the compensation to be paid, any calendar day or part thereof of confinement shall constitute one (1) day.
3. Jackson PD shall be responsible for providing all transportation, except emergency medical transportation for its female prisoners housed at the MHCC facility.
4. Jackson agrees to reimburse the MHCC for emergency and other medical care provided by the MHCC and other medical providers for care provided to Jackson PD female prisoners housed at the MHCC facility. Extended medical care or hospitalization will be handled on a case by case basis upon approval by Tri-County.
5. Jackson PD further agrees to pay or reimburse the MHCC for any expenses incurred in the rendering or securing of other medical, surgical, dental, or mental health services, including medicines and surgical operations, for or to such Jackson PD prisoners housed at the MHCC facility.
6. Jackson PD agrees that when hospital service is required for a female prisoner from Jackson PD, all services shall be provided when available at Marion General Hospital. The need for medical services shall be decided by the MHCC medical staff. Other than emergency admissions, Jackson PD must approve all hospital admissions.
7. The Executive Director of the MHCC shall have charge of the MHCC facility and his/her designee, may, at his/her discretion, refuse to receive any prisoner for any reason based upon current jail population, internal security conditions of the facility, the prisoner's medical condition such as contagious disease, mental condition, illness, or injury or any other reason.
8. Compensation due for the house of Jackson PD female prisoners under this Prisoner Housing Agreement during each calendar month shall be promptly invoiced by the MHCC to Jackson PD and Jackson PD shall pay such compensation on or before the 15<sup>th</sup> day of the succeeding month.

9. The amount to be paid by Jackson PD to the MHCC pursuant to this Prisoner Housing Agreement shall be adjusted annually based on the actual cost to house prisoners, but shall not increase more than 3% each year.

10. This Prisoner Housing Agreement shall be effective on 6-26, 07, and will be automatically renewed for a twelve (12) month period from year to year (January 1<sup>st</sup> through December 31<sup>st</sup>) thereafter. However, either party may cancel or rescind this Prisoner Housing Agreement by providing the other party with a thirty (30) day prior written notice of its intent to cancel or rescind.


IN WITNESS WHEREOF, the parties hereto have hereunto set their hands on the dates set forth following their respective signature below.

“Jackson PD”  
Jackson Police Dept.

By \_\_\_\_\_

Date: \_\_\_\_\_

“MHCC”  
MH Correction Commission

By   
Executive Director

Date: 6-26-07