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THE LAW OFFICE, P.C.

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RESIDENT ATTORNEY
STEVEN J. REISDORFF

NEBRASKA STATE BAR NUMBER
13481

January 25, 2011

Mayor Roger Foster
City of Crete
Crete, NE 68333

In re: Public Health Solutions District Health Department law enforcement request

Dear Mayor:

I am writing this letter as City Attorney for the City of Crete concerning the above referenced matter.

This office received copy of e-mail from Chief Hensel concerning request from Public Health Solutions (PHS) for "Letter of Concurrence" for law enforcement assistance in the event of public health emergency. In particular PHS had requested Crete Police Department to sign the letter of "concurrence". I am enclosing herewith copy of e-mail and proposed letter of concurrence for your reference.

I agree with the Chief that any agreement of law enforcement "concurrence" to support PHS needs to be approved by the City Council. I would recommend that this be placed on the City Council agenda and/ or be given to the Council Public Safety Committee for there review and response.

If you have any questions concerning this letter please contact my office.

Yours very truly,

THE LAW OFFICE, P.C.

By_____
Steven J. Reisdorff
For the Firm

SJR/r
enc.
cc: Chief Hensel
City Clerk

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Steve Hensel

From: Kim Plouzek [kplouzek@phsneb.org]
Sent: Monday, January 24, 2011 3:39 PM
To: Steve Hensel
Subject: LOC for SNS plan
Attachments: LOC Law Enforcement Draft 012411 (2).doc

Steve, could you look this 'letter of concurrence' over; change and sign if you are comfortable. Email back or drop off, and as always call me with questions. Kim

Kimberly Plouzek
24/7 cell 402-826-7075
Emergency and Environmental Health Programs Manager
Public Health Solutions District Health Department
Serving Fillmore, Gage, Jefferson, Saline and Thayer Counties
995 East Highway 33, Suite 1, Crete, NE 68333-2562
phone 402-826-6683 toll free 888-310-0565 fax 402-826-4101
please go to **www.phsneb.org** for more Department information
twitter FOLLOW US (PHSHealthDept)
http://www.facebook.com/?ref=logo PHS on Facebook - search for "Public Health Solutions District Health Department"

TO: THE LAW OFFICE, P.C.

STEVE,

LOOKING FOR AN OPINION —

WHILE I AGREE WITH THE CONTENT OF THIS "LETTER OF CONCURRENCE" (PAGE 2) I'M NOT SURE I HAVE THE AUTHORITY TO SIGN AS A COMMITMENT OF CITY RESOURCES.

YOUR THOUGHTS? STEVE

CC: MAYOR FOSTER

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LETTER OF CONCURRENCE
FROM
[LAW ENFORCEMENT AGENCY]

It is recognized that the Public Health Solutions District Health Department hereafter referred to as PHS, is charged by law to protect and promote the health of the 5 County Public Health Solutions District: Gage, Saline, Fillmore, Thayer and Jefferson Counties. It is further recognized that the PHS will be among those who respond to public emergencies in accord with NIMS to protect the public from health threats, disease, disability, and death. In fulfilling these responsibilities the PHS will need the assistance of law enforcement to conduct effective emergency response activities including the secure transport and provision of medications and other supplies.

[Law Enforcement Agency], located at [Address], City Name Nebraska agrees to assist and support the Public Health Solutions District Health Department in accord with NIMS in helping to assure security storage, transport and provision of medications and other materials from the Strategic National Stockpile (SNS) available in accord with the PHS plans to mitigate public health threats in its response efforts. This includes:

Help with site security plans for material storage, distribution and dispensing sites, provision of security for the storage, transport and distribution of pharmaceuticals and other material as necessary and requested

Periodically, or following a public emergency, this Letter of Concurrence will be reviewed by both the PHS and the [Law Enforcement Agency]. In addition to this periodic review, both parties agree to inform the other when any changes are needed to update or correct the letter.

The PHS contact will be provided by the Health Director or designee.

_____
Chief or Sheriff
Law Euforcement Agency