



July 24, 2011

Town of Sunset Beach
Attn: Gary Parker
700 Sunset Boulevard North
Sunset Beach, NC 28467

RE: Mutual Assistance Agreement

Dear Mr. Parker:

Enclosed please find two original copies of a Mutual Assistance Agreement between the Town of Ocean Isle Beach and Sunset Beach Police Department. Please have the appropriate person(s) execute this agreement and return one signed original to our office in the envelope provided.

Thank you for your assistance to our police department in the past and we look forward to this continued relationship.

Sincerely,

TOWN OF OCEAN ISLE BEACH

Sue Stuhr
Town Clerk

**POLICE MUTUAL ASSISTANCE AGREEMENT BETWEEN
THE TOWN OF SUNSET BEACH, N.C. AND
THE TOWN OF OCEAN ISLE BEACH, N.C.**

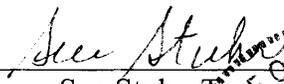
Pursuant to North Carolina General Statutes 160A-288 and 90-95.2, the undersigned do hereby request of one another, and agree to provide to one another, as manpower and equipment permit, temporary assistance in enforcing the laws of the State of North Carolina. This MUTUAL ASSISTANCE AGREEMENT shall serve as the request, in writing, for such assistance.

1. While working with a requesting agency, an officer shall have the same jurisdiction, powers, rights, privileges and immunities (including those relating to the defense of civil actions and payment of judgments) as the officers of the requesting agency in addition to those he normally possesses.
2. While on duty with the requesting agency, an officer shall be subject to the lawful operational commands of his superior officers in the requesting agency, but he shall for personnel and administrative purposes, remain under the control of his own agency, including for purposes of pay. An officer shall furthermore be entitled to workmen's compensation and the same benefits to the extent as though he were functioning within the normal scope of his duties.
3. When temporary assistance is needed pursuant to this MUTUAL ASSISTANCE AGREEMENT, the requesting agency shall notify the assisting agency of the need for such assistance and the assistance shall be provided if feasible to do so. A requesting agency that needs temporary assistance shall notify the assisting agency of such need in writing, when possible. In an emergency situation, the notification of the need for temporary assistance need not be in writing, but a written notification shall be provided as soon thereafter as possible.
4. Any disciplinary actions arising out of the temporary work assignment of any loaned officer will remain the responsibility of the officer's own department.
5. The requesting agency specifically covenants and agrees to assume all liability for any act committed by the temporary assigned officer within the course and scope of his temporary assignment, and further agrees to hold harmless and indemnify the assisting agency for any damages, including the payment of attorney's fees, incurred by the assisting agency pursuant to such temporary assignment.

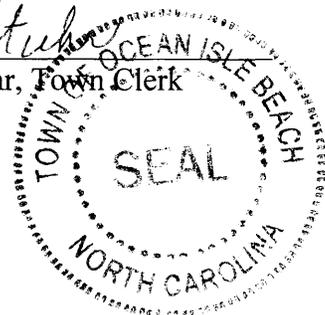
- 6. The requesting agency agrees to hold harmless the assisting agency for any damage to the property of the requesting agency incurred in the course and scope of the temporarily assigned officer's duties. Further, the assisting agency agrees to hold the requesting agency harmless for any damage to the property of the assisting agency occasioned by such act. This agreement shall not be construed as a bar to any other rights of claim, either direct or by subrogation, which either agency shall have against any other party.
- 7. The undersigned enter into this agreement pursuant to duly adopted resolutions of their respective governing body, as authorized by North Carolina General Statues 160A-288 and 90-95.2. This agreement shall remain in effect for one year unless one or both of the parties request that the agreement be terminated by giving thirty days written notice.

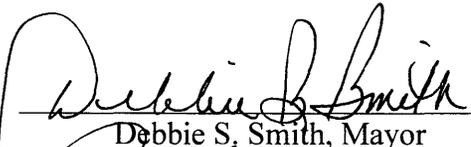
This mutual aid agreement between the Town of Ocean Isle Beach, NC and the Town of Sunset Beach, NC was approved on the 12th day of July, 2011 by the Ocean Isle Beach Board of Commissioners by a vote of 4 in favor of and 0 against.

Attest:

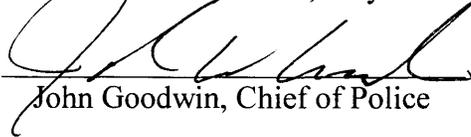


 Sue Stuhr, Town Clerk





 Debbie S. Smith, Mayor



 John Goodwin, Chief of Police

This mutual aid agreement between the Town of Sunset Beach, NC and the Town of Ocean Isle Beach, NC was approved on the ____ day of _____, 2011_ by the Sunset Beach Board of Commissioners by a vote of ____ in favor of and ____ against.

Attest:

 Town Clerk

 Mayor

 Chief of Police