

*Kane County  
Local Emergency Planning Committee  
Meeting Minutes  
August 19, 2014*

**CALL TO ORDER**

The meeting was called to order at 1:05 p.m. in the Kane County OEM EOC by Sean Madison.

**ATTENDANCE**

Members present – (Names taken directly from the sign-in sheet):

Bob Balsamo – South Elgin EMA, Don Bryant – KCOEM, Paul Bumba – St. Charles EMA, , Deborah Dortmund – KCOEM & KCLEPC recording secretary, treasurer & grant coordinator, Ken “Beau” Herbert – Rush-Copley Medical Center, Sean Madison – KCOEM & USCG Auxiliary, Jon Mensching – LEPC Chairman & Carpentersville Fire Department, Patricia Merisch – Village of Gilberts Trustee, Dave Sweigert – Producers Chemical, Bob Usab – PCCR USA, Inc., Scott Vance – Presence Mercy Medical Center, and Andy Zawada –Elgin Fire Department.

**New Members:**

Candra Jefferson – OSHA; Bill Villacres – DS Containers,  
Willie Mayes – Kane County Sheriff’s Department (Replaces Dwight Randall).

**Guests:**

Tami Haukedahl – ECC (Elgin Community College) Police; Valerie Repasky – ECC.

**WELCOME:** Everyone was welcomed. Jon officially opened the meeting at 1:08 pm and asked the group to stand and join in the Pledge of Allegiance.

**INTRODUCTION:** Jon welcomed everyone and introductions were made around the room.

**CORRESPONDENCE:** We have not received much in the way of correspondence. Deborah received an e-mail stating that our 3<sup>rd</sup> quarter submission had been approved. Kevin (from the State) and Deborah have been on the phone several times regarding spending ALL of the funds from the remaining grant. If we were not going to spend all of it, they wanted to know ASAP so they could re-allocate it. After going through all our items we want to order Deborah told Kevin that we plan to spend all of the money allocated to us this grant year. We had been waiting to be sure that our revised grant application was approved allowing 2 people to attend the IEMA Conference.

We did send out information regarding the ICS 300 & 400 classes being taught by Sean and Jon. If anyone wants additional registration forms, there are some on the front table. The ICS 300 class is 3 days; October 21,

22 & 23 and you have to be there all three days. The ICS 400 class is 2 days; November 4 & 5, and you have to attend both days. Both classes are at the sheriff's office; 8:30 am to 4:30 pm.

**APPROVAL OF MEETING MINUTES:** Jon asked if everyone received the previous meeting minutes, from the May 2014 meeting. As there were no additions, corrections or omissions. Patricia Merisch moved to approve the minutes. The motion was seconded by Bob Balsamo. Motion: passed by voice vote.

**LEPC CHAIRMAN'S REPORT:**

Jon stated that in the past couple of meetings we have been talking about revitalizing the Partnership Program which was initially started in 2000 or 2001. With the lack of State financial help to keep us up and going, the committee decided to look for assistance from the facilities we work with here in the county. After 2002 the LEPC had a good base and the program fell to the wayside. We are now considering bringing back the program because the grant that we have relied on for our day-to-day operational expenses, office supplies and the consultant, is changing. The focus of the money from the State changed and continues to change direction on a continual basis. As a committee, we were 'on the hook' for some of the bills as the State changed direction on us mid-stream and decided they would not cover the expense after it had been approved and we have made the initial payments. We are proposing that we bring back the Partnership Program with a little different twist in it. Sean is going to take us through exactly what the proposed changes are.

**Partnership Program:**

Sean had a Power point presentation for the membership on the revision of the Partnership Program.

A little background - in 1986 the LEPC was created but there was no funding. (For reference see

TITLE 29: EMERGENCY SERVICES, DISASTERS, AND CIVIL DEFENSE  
CHAPTER I: EMERGENCY MANAGEMENT AGENCY  
SUBCHAPTER f: CHEMICAL SAFETY  
PART 620 EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW)

[http://www.state.il.us/iema/legal/pdf/29\\_620.pdf](http://www.state.il.us/iema/legal/pdf/29_620.pdf)

Pretty much, the Illinois Administrative code said you shall do this and be sure you get these other things done. Over the years, some of the other LEPC's have started charging filing fees within their jurisdiction. IEMA tried to pass a State-wide filing fee last year but it did not pass. While at the Rockford conference and in speaking with the State, they feel confident that then next time it is presented they will be able to get it passed. If and when that happens, it is unknown IF the State would pass some part of that fee down to the LEPC's. If they do stick facilities with a filing fee, we may need to re-evaluate this program to see if it will still work.

The funds we had previously acquired using this program went to training and response to Hazardous Materials incidents indirectly. In addition, there were funds that were set aside to be the "front money" to be used as mentioned by Jon to pay bills that the State did not cover. The HMEP grant is a reimbursement grant. We buy it, pay for it, submit the bills to the State and wait to see if we get reimbursed.

The HMEP grant is currently the only funding source we have and is very specific on what the funds can be used for. There are several primary objectives specifically stated in the grant paperwork. Most of the expenses **MUST** deal in some way with the chemical safety and transportation. In addition there is now a 20% match of the total requested amount - either soft or hard – that must be provided by the LEPC. A hard match would be a cash expenditure while a soft match would be services or goods as an in-kind equivalent to the amount, as an example if we had an ambulance standing by at an exercise; the cost of the ambulance and the time for the medics standing by could be used as a soft match. Also a facility or LEPC member paid the registration fee for a LEPC member to an approved training that could be offered as an in-kind donation. Whatever is used for the match, it must be allowable and approved in the grant. If we don't have the funds available, we have a difficult time providing the 20% match. In addition, with the long lead time between the grant application and the actual time training may come up, people move on and situations change so at times things must be reworked.

So in an effort to provide more funding, we thought we should resurrect the Partnership Program. This is the Committees program so if there is something in here – from this point forward – that you disagree with or think needs tweaking, let us know.

The first thing that should be done is expand the finance sub-committee. Sean stated that he thought that seven member should be on the sub-committee, this allows for tie breaking votes by the 7<sup>th</sup> member. As a suggestion; member to be on the committee – the Chairman, the secretary, a Haz-mat team representative from both MABAS divisions, a member representing a facility, and two additional LEPC members. Jon added that the MABAS division representatives should/would most likely come from the Haz-Mat teams. Division 2 covers the north end of the County and Division 13 covers the south side of the county. The reasons behind this will become clear as we move forward.

The Partnership levels have been increased from the 2001 level. It has been over 10 years, so we decided to increase the amount.

Partnership level	Cash Donation	Initial Thank you	Advance Thank you
Bronze Level	Up to \$ 249.00	Thank you letter	
Silver Level	\$ 250 to \$ 749.00	Thank you Letter	Certificate for framing
Gold Level	\$ 750 - \$1499.00	Thank you letter	Wood & metal wall Plaque
Platinum level	\$ 1500.00 and above	Thank you letter	Wooden Wall Plaque or Acrylic Desk Item

Sean thought that for the Platinum level, we could have a check box on the letter that the company could check as to if they wanted a plaque or a desk item.

Sean asked the facility representatives for some input on the topic. What would the CEO/ CFO want for the facility to show that they are supporters of the LEPC and for “X” many years; multiple plaques on the wall or one plaque with multiple hang tags showing the years of support. One comment was individual plaques to show each year of participation, another comment was perhaps a plaque in a central location – not necessarily in the EOC but some other high traffic area – listing all off the Partnership Facilities and their level for that specific year. Something like that could certainly be done but the facility does not get the benefit to show it off in-house.

In addition, a list of all the donors would be posted to the LEPC website. They could be categorized by donation level. Suggested plaques were shown to the membership in the PowerPoint presentation. The vendor for the plaque is local, here in town, so we are keeping Kane County funds in Kane County.

In the PowerPoint Presentation there was a suggested budget and ideas of what could be accomplished with the funds. Many of the un-funded requirements for the LEPC could be covered such as the annual notice and other office supplies, as well as additional training, the commodity flow study, and then some funds to the MABAS Division Haz-Mat teams.

Sean stated since we really don’t know what we would get from year to year in donations, is there a percentage we want to be allocated towards the Haz-Mat funding.

Jon stated that once we moved forward with this, we would have the members of the finance sub-committee look at that specific question and come back to the full committee with recommendations. We could state that we want to state a specific amount or a specific percentage – to be used for specific items.

Jon asked Sean if there were time frames set up yet. Sean noted that the time frames for sending out the letters to facilities, to the Hazmat teams, etc. have not been set. Sean stated that the finance sub-committee could come up with the details for these items and bring them to the full committee. In addition, one of the things would could try to do to get a 'bigger bang for the buck' would be to use some of this partnership money and to help fund an exercise for the Haz-mat division(s) as the match portion in the grant. So if the exercise was for example \$3000.00 we could take \$1000.00 as our match funds. That \$1000 would be the from the Haz-mat teams portion of the Partnership program.

To do anything like that, we would need to know a long time in advance as the grant for next year has already been submitted, so we would be working on something for the 2016 year if that was going to happen.

It could be used towards LEPC training as well. If we were to put that \$1000.00 towards a training seminar as our 20% match we would be able to send more members to the training.

Jon mentioned that the funds we received previously were used for training and have bridged the gap as "front money" for things that the grant may reimburses for and for things that have ended up not being reimbursed. With the grant, the expenses have to be paid outright by the LEPC and then submitted quarterly for the State to reimburse us at a later date. If there isn't any front money in the kitty we have nothing to pay for expenses, even if they are reimbursable. There has been a couple of occasions where the expenses have not been reimbursed. Jon added that this program would allow us to remain functional and at the same time being able to support the Hazmat responders. In going forward we could say that it is not just us – the LEPC – spending the money on us but also putting the funds back to uses within the County. This is a change to the way the Partnership Program was originally set up.

Sean added that with this funding stream, if we were to do an exercise we would be able to provide food whereas the HMEP grant does not allow for food. IF the committee chose to provide food, there would be the flexibility to allow for it if the committee chose to do so.

If we are to move forward with this, the chairman would need to appoint the additional members to the finance sub-committee. They would then need to work on the details on when to send out the letter to the facilities, what type of information should be in those letters. Once funds started to come in, when we send out the letters to the MABAS Divisions, what would the budget be? Etc. The funding to the MABAS divisions will not be a grant to them per se to avoid the problems with getting TIN and the follow up on fund utilization. Since we are getting the funds thru a donation, we must be accountable. If the LEPC is providing a grant to the MABAS Divisions there is a lot more paperwork and follow up that has to be done than if we just assist them with funding a purchase or training.

The finance sub-committee would ensure that the requests for funding are within the set budget and that it meets the guidelines set for the money. Currently those requirements are training, training equipment, equipment for exercises, or exercises. Once that is approved, the MABAS Division would need to coordinate with the LEPC secretary for the purchase, registration etc. At that point it could be handled exactly as if the LEPC was sending one of its own to training. Of course, as with everything there will be guidelines documented to spell out everything before we move forward with any funding The whole thing will be sent to the State's Attorney's Office for review to be sure we are not getting ourselves into any trouble.

Comments? Questions? Things to be reviewed?

Deborah asked if the companies have recovered economically. It was commented that some have and others are getting there. Sean stated that there was a comment made several meetings ago that if you don't ask for it,

you'll never know. If you only ask for \$100, then that's what you will get. He said that really stuck with him so that is one of the reasons he raised the levels.

It was suggested that on the second request perhaps you could send out the information as to what the initial funds were used for/ towards and who supported the LEPC and at what level. Jon stated that would let the companies take credit for what they have given and get some recognition.

Deb stated that if and when we had an exercise and put out the press release that it could state that it was funded in part by the LEPC with the assistance of these (donating) facilities... and list the names of the facilities.

Bob added that once the program took hold, the LEPC should offer a once a year training program or seminar back to the facilities. Offer information on the 312 information, or reporting or spill response, or something similar to give back to the facilities. How does the facilities donating funds to the LEPC benefit the facilities?

Jon mentioned that in the past we did do a seminar over at Pheasant Run and if the funds were in place we would be able to do that again. Right now we really don't have that available to us. With the HMEP funds coming from DOT, things are more focused on transportation issues. In addition trying to meet their match in the grant has been a challenge. There is a lot of work that goes into just justifying the little bit of funding we do get.

So we are looking for guidance from the committee. Is this something we want to move forward with? With the guidance and approval from the State's Attorney that this is something we *can* do, we can put everything in place and start moving forward.

Sean Madison made a motion that we reestablish the Partnership Program and have the expanded finance sub-committee fill in the details of the document, get that document to the State's Attorney's office and back to the committee for final approval.

Bob Balsamo seconded the motion.

#### Discussion:

Scott asked if the members of the finance sub-committee should be dropped down to 5 or 4 with the chairman voting in the event of a tie. Sean stated how he came to the number. Jon stated that he originally had that thought but then liked the idea of a larger number because you have more people reviewing the process and less of a chance of it being tilted in one direction. Scott stated that he could see that it could be hard to get 7 people meeting at the same time.

Bob stated that the subcommittee would still have to bring all the proposed expenses related to the Partnership Program to the full committee for approval.

It was added that the people on the subcommittee that represent the MABAS Divisions must be LEPC members. Jon added that it may be an idea to send a letter or go to a MABAS meeting, explaining what the goal was and asking for a representative from the hazmat team. It can also be a current LEPC committee member that is also on the Haz-mat team.

Ken stated that he was comfortable with 7 members as long as 100% participation was not mandatory. Jon stated that with this meeting (the full LEPC Committee), things have to be in line with the open meetings act. With that being a sub-committee meeting, it is not subject to the Open Meeting act and it gives you more flexibility. You can do much more with phone calls, e-mails and conference calls. You have more options to address things at the sub-committee level.

Everything they work out still has to come back to the full committee for review and approval, but they are empowered to work on things to bring back to the committee.

Vote: Voice vote – Approval.

With the approval, we shall put the process in motion and report back in November. Sean asked Jon to start appointing people to the sub-committee. Jon stated he would later in the meeting.

## **HAZARDOUS MATERIALS REPORT:**

A copy of the quarterly spill report - spills reported from May 2014 to August 2014 - was available on the sign-in table. The reports regarding the railroad incident not involving a hazardous material have been removed (i.e. all the fatalities or property only accidents). Most of the reported spills involve diesel or a petroleum product and were some of the standard reasons: UGST, faulty valve, traffic accident etc. The Enbridge Energy incident involved the pipeline. Sean mentioned that OEM was involved with several of the incidents mainly in a traffic control capacity. There was a brief discussion on several incidents.

## **SUBCOMMITTEE REPORTS:**

### **Planning:**

Planning Committee:

Dave Carey and Paul Bumba are currently assisting Sean with the plan.

The plan was reviewed and there were no large changes so no changes for this year are necessary. The Plan was submitted to the State with the County's EOP. This coming year is the re-write year, if needed. Sean stated he would really like to do the commodity flow study update as part of the revision. Sean and Jon will be attending a day-long commodity flow training seminar presented at the IEMA conference. The last time we did the flow study updates, we had the contractor do the updates.

**Membership:** No report.

### **Finance:**

We have yet to be reimbursed by the State for anything for this year. They have told us that we shall be getting reimbursed for the second quarter expenses. Last year when we did the initial HMEP grant application we had to remove all references to the IEMA conference as the State was no longer going to allow it as an expense. In addition, you were only allowed 1 state approved training. After the close of the 3<sup>rd</sup> quarter, the State did a 180 and changed the allow ability of the IEMA conference. The stipulations were that; 1 –you had to rewrite your grant to reallocate the funds, 2 – you were not allowed to change your grant bottom line, 3 – most importantly the attendees had to be at the mandated LEPC sessions. So the State set up three sessions specifically for the LEPC's and those that were going on LEPC money must attend these classes. BUT the room size did not allow for all the registered people to get in. Jon registered and could not get into the commodity flow study as originally they only had it set up for about 28 people. There was concern that after all the hoops we still would not get the funds because he could not get into the session. Calls were made to get Jon on waiting lists. At the 11<sup>th</sup> hour, Kevin came back and said - you know you could redo this. So frantic the last minutes were spent reworking the grant numbers one more time to get a second person in. Jon mentioned that we – the LEPC – we not planning on going to the conference at all this year as the State was not offering any funding or reimbursement for it. We had to quickly change all plans.

Jon stated that over the last few years the LEPC session at the conference have been well attended and the State has begun swiping badges ( ID readers) so they know who is going to what session.

We are sending Sean and Jon to the IEMA Conference in September, with the provision that they attend several mandated LEPC sessions. We will spend our remaining funds to provide the plan for distribution to all the fire departments, police departments, libraries and facilities.

Jon made the appointments to the finance sub-committee. Bob Usab, Dave Sweigert, Sean Madison, and Jon himself will join Deb. The 2 remaining positions will be filled by the MABAS Division representatives. Jon stated he would send a letter with background information as to why we are looking for a member to join the LEPC. A follow up meeting may be in order to talk to the Divisions to get a representative.

**OLD BUSINESS:**

**Grant application:**

The 2013/2014 HMEP grant (the next year) agreement has been submitted. Additional training funds have been requested / submitted. No information as to approval have been received. That grant does not start until October 1<sup>st</sup>.

**NEW BUSINESS:** Nothing noted

**FOR THE GOOD OF THE ORDER:**

**Exercise:**

Before the meeting, Frank B. of DeKalb left a voice mail for Deb asking that she let the Membership know of an exercise this Saturday. There will be an exercise at the Waterman Fire Department at 9am on Saturday the 23<sup>rd</sup>. It will be a live burn with ethanol and 2 cars. Currently there are 4 fire departments participating and they will be flowing foam. Anyone wishing to come out and watch, please contact Frank (cell # 815-901-3834).

**Other items of note:**

**Upcoming Conference dates:**

The tentative dates of next years' Midwest Emergency Preparedness and Response Conference are April 15 & 16<sup>th</sup> 2015, so everyone mark your calendars.

**Membership Application:**

Any new or members, please complete and forward the membership application to Deborah so she can get it signed and forwarded to the State. (Attachment #3). You will **not** be a State listed member until **they** have the application signed by the LEPC Chairman.

Also it is a requirement that LEPC members complete the Open Meetings Act training. It is an on-line training class hosted by the Illinois Attorney general. The link is at the end of the attachments. When you do, please send a copy of your certificate to Deborah.

**NEXT MEETING DATE:** The next meeting is Tuesday November 18, 2014 at 1:00 PM. At our next meeting Ms. Candra Jefferson from OSHA will give a brief presentation.

**MEETING ADJOURNMENT:**

Andy moved to adjourn the meeting. Patricia seconded the motion. Voice vote: Approved. The meeting adjourned at 2:25 p.m.

Respectfully Submitted,

Deborah Dortmund  
KCOEM Administrative Assistant  
LEPC Secretary

*Summary of Motions*

1. Acceptance of previous meeting minutes.
2. Motion to re-establish the partnership program.
3. Motion to Adjourn

*Summary of Attachments*

1. Membership Application
2. Open Meetings Act Information



## LEPC Membership Application

To express interest in serving on a Local Emergency Planning Committee, complete this LEPC Member Application Form and submit it to the LEPC you wish to join.

<b>LEPC Membership Application</b>															
Name of LEPC															
Applicant's First Name															
Applicant's Last Name															
Applicant's Mailing Address															
City															
State	ZIP Code														
Phone	FAX														
E-mail															
Company/Agency Name															
Department Name/Title															
Please indicate the categories you are qualified to represent	<table style="width: 100%; border: none;"> <tr> <td><input type="checkbox"/> State and Local Officials</td> <td><input type="checkbox"/> Local Government ESDA</td> </tr> <tr> <td><input type="checkbox"/> Local Environmental Groups</td> <td><input type="checkbox"/> Transportation</td> </tr> <tr> <td><input type="checkbox"/> Law Enforcement</td> <td><input type="checkbox"/> Fire Fighting</td> </tr> <tr> <td><input type="checkbox"/> Hospital</td> <td><input type="checkbox"/> Broadcast &amp; Print Media</td> </tr> <tr> <td><input type="checkbox"/> First Aid or Emergency Medical Service</td> <td><input type="checkbox"/> Health</td> </tr> <tr> <td><input type="checkbox"/> Community Groups</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Owners / Operators subject to file a Tier 2 Report [29 IAC 620.90(a)]</td> <td></td> </tr> </table>	<input type="checkbox"/> State and Local Officials	<input type="checkbox"/> Local Government ESDA	<input type="checkbox"/> Local Environmental Groups	<input type="checkbox"/> Transportation	<input type="checkbox"/> Law Enforcement	<input type="checkbox"/> Fire Fighting	<input type="checkbox"/> Hospital	<input type="checkbox"/> Broadcast & Print Media	<input type="checkbox"/> First Aid or Emergency Medical Service	<input type="checkbox"/> Health	<input type="checkbox"/> Community Groups		<input type="checkbox"/> Owners / Operators subject to file a Tier 2 Report [29 IAC 620.90(a)]	
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<input type="checkbox"/> Owners / Operators subject to file a Tier 2 Report [29 IAC 620.90(a)]															
Additional Comments															
Signature & Date															

**After completing the LEPC Member Application, please send it to the LEPC you wish to join.**

<b>This Section to be Completed by LEPC Chair</b>	
<input type="checkbox"/> Membership application accepted and approved. <input type="checkbox"/> Membership application denied.	
Comments:	
Signature of LEPC Chair:	Date:

**Send approved applications to Illinois Emergency Management Agency.**

Attn: Kevin Sledge, 1035 Outer Park Drive, Springfield, IL 62704-4462

### **Open Meetings Act Training:**

Everyone must complete the Open Meeting act training. It is a one-time training for the Open Meetings act. There specific training items on what you can and cannot do with meeting and things you can talk about regarding the meeting and information pertaining to the meeting. It is about 30 minutes on line at the link below. LEPCs are considered “Public Bodies” and therefore subject to the Open Meetings Act (OMA).

Visit the AG’s website: [www.illinoisattorneygeneral.gov](http://www.illinoisattorneygeneral.gov) for general information and on-line training

<http://foia.ilattorneygeneral.net/default.aspx>

(Register for on-line training as a public body)

After completing the training, please e-mail a copy of the certificate to Deb for the file.