



ERIC J. HOLCOMB, Governor
STATE OF INDIANA

INDIANA DEPARTMENT OF HOMELAND SECURITY
302 West Washington Street
Indianapolis, IN 46204

**INDIANA EMERGENCY RESPONSE COMMISSION (IERC)
POLICY/TECHNICAL COMMITTEE**

Marion County Health Department

4012 North Rural Street

Indianapolis, Indiana 46205

January 9, 2017, 10:00 AM [start time 10:03]

COMMITTEE MEMBERS PRESENT

Jim Pridgen—Business and Industry, Chair
Ian Ewusi—IDHS
Jeff Larmore—Local Government Representative
Cara Cyrus—Business and Industry
Representative

Dean Larson—Public Representative
Laura Steadham—IDEM
Becky Waymire—Morgan County LEPC

COMMITTEE MEMBERS ABSENT

Matt Bilkey—Designee for ISP Superintendent
Shawn French—Business/Industry Representative
Allison Moore—IDHS

The following Commissioners, staff and audience members were present:

Charles Heflin—IDHS
Justin Guedel—IDHS
Marc Torbeck—IDHS
Krystal Hackney—IDHS

WELCOME AND INTRODUCTION

Mr. Pridgen welcomed everyone to the meeting and asked for a determination of quorum.

DETERMINATION OF QUORUM

Mr. Heflin advised there was a quorum.

CONSIDERATION OF MINUTES

A motion to accept the November 14, 2016, meeting minutes was made by Mr. Larson and seconded by Ms. Cyrus. No further discussion occurred. All present were in favor.

MOTION CARRIED

GENERAL DISCUSSION

Mr. Pridgen opened the meeting with a general discussion topic. Mr. Pridgen asked the Committee members to list the top three issues that should be addressed in 2017. Mr. Ewusi began this discussion by asking how can first responders in counties with non-compliant LEPCs benefit from the services of the IERC or SARA

staff? He stated that an effort has been made to bring inactive/non-compliant LEPCs into compliance or have compliant LEPC in adjacent counties assist but with no success. Mr. Ewusi asked what additional efforts can be taken to bring inactive/non-compliant counties into compliance? Mr. Pridgen suggested utilizing the Indiana Volunteer Firefighters Association (IVFA) to reach out to the volunteer fire departments and encourage their membership to be a catalyst to reviving the inactive LEPCs in their respective counties. Mr. Larmore requested to know specific reasons why some of the LEPCs are inactive. Mr. Ewusi stated that a lack of interest within the county especially at the level of the elected officials is a main reason. Mr. Ewusi stated that he has met with County Council members in some of the non-compliant counties but has received little or no support. Mr. Larmore suggested reaching out to the facilities in the non-compliant LEPC counties to see if they would be interested in leading an effort to bring their county's LEPC into compliance. Mr. Heflin stated that some of the non-compliant LEPCs only have a few Tier II reporting facilities in their county which is another reason their LEPC is non-compliant and there is no significant financial incentive to become compliant. Mr. Pridgen advised he could reach out to former State Fire Marshal Roger Johnson who was also a past IVFA President. Mr. Pridgen stated that Mr. Johnson could possibly assist the Committee in gaining the attention of the IVFA. Mr. Ewusi stated that even if the firefighters in a county could get their LEPC back up and running the administrative tasks in keeping it compliant may become a challenge. Mr. Ewusi suggested the Committee consider utilizing a contractor to handle the administrative tasks LEPCs that want to work towards becoming compliant again. Ms. Cyrus supported the idea of utilizing a contractor but she expressed her concern that the LEPC could begin to fail if the contractor stepped away unless there was a possibility of paying someone on the LEPC more than the \$20.00 meeting stipend to handle the administrative tasks. Ms. Cyrus suggested the Committee to determine if EMA Directors still receive credit toward their Emergency Management Performance Grant compliance for assisting LEPCs and they did may be interested in chairing the LEPC in their county. Mr. Ewusi indicated that the performance period for the LEPCs had already begun so he suggested a short timeline for addressing these issues.

Mr. Pridgen requested for additional concerns. Ms. Cyrus asked if 2017 is the year that all LEPC members can designate a proxy regardless of their employment status. Mr. Ewusi advised that provision became law on July 1, 2016. Ms. Cyrus indicated that she wanted to discuss a provision for the LEPCs to utilize electronic communications during their meetings. Mr. Pridgen advised that this was on the agenda item under new business.

Mr. Larmore suggested that the Committee always stay on top of the IERC handbook so nothing becomes outdated. He suggested that keeping the handbook current will possibly prevent LEPCs from making future errors like spending funds on inappropriate items. He also suggested possibly adding more detail to the expenditure section of the fiscal report so it is clear on what LEPCs can spend money on. Mr. Larson suggested that the LEPC 101 class that is typically held during the EMA/IERC conference be focused on what is in the handbook and how it can benefit the LEPCs. Mr. Ewusi suggested the Committee take another thorough look at the handbook and identify areas that need to be improved. Mr. Pridgen requested to know if any non-approved items are being purchased by the LEPCs. Mr. Heflin advised he reads through each submitted LEPC meeting minutes and watches for inappropriate expenditures. Mr. Heflin also advised that the auditor's reports submitted each year does not detail LEPC expenditure but only shows disbursement amounts. He indicated that it was difficult to track individual spending without having copies of receipts uploaded after every purchase. Mr. Larson requested to know if the process could be changed and the LEPCs be required to upload receipts for all expenditures. Mr. Larmore asked if the LEPC process for reporting purchases is the same as with Hazardous Materials Emergency Preparedness (HMEP) funds. Mr. Heflin explained that HMEP funds are reimbursement funds so once a copy of the invoice and proof of payment is posted in Indiana Grants Management System (IGMS) the LEPC is reimbursed for those funds spent. He stated the LEPC online reporting system does not allow tracking like the IGMS system does and the LEPC online reporting system is not based on reimbursements for funds spent. Mr. Larson asked why couldn't the IGMS system be used as a model for future improvements. Mr. Ewusi stated there is an opportunity to include this feature into the new online reporting system that IDSi is developing. Mr. Larson asked if there was a way

to require the County auditors to provide more detail on their spending reports. Ms. Waymire stated that she did not believe her auditor would be willing to change their report format because it is additional work that the auditor would not want to undertake. Mr. Ewusi stated it is possible to request that all LEPCs submit receipts for everything they purchased in 2016 when they upload the annual Auditor's report. Ms. Cyrus stated that it may not be possible for every LEPC to provide receipts because they submit all their paperwork to the auditor to pay claims and it may be difficult to get receipts for every 2016 purchase from the auditor's office. Mr. Larson suggested asking for LEPCs to upload their 2016 receipts but noted it may be difficult for every LEPC to provide all their receipts. He also stated that it should be mandatory to provide all of them for the 2017 fiscal year. Ms. Waymire stated she believed Mr. Heflin was doing a good job in double-checking what the LEPCs are spending money on by reading each meeting minute that is submitted. She stated that each LEPC should be voting on expenditures and these expenditures should be outlined in their meeting minutes each month. She stated since Mr. Heflin is reading each minute that is submitted it is possible he can catch inappropriate expenditures before the fiscal year is even closed out. Mr. Heflin stated he has no problem continuing to read each submitted minute but if the LEPC does not include the expenditures then he will not catch the errors until the auditor's report is uploaded in the next funding year. Mr. Pridgen asked if it is possible to develop and distribute a sample LEPC minutes that would detail how minutes should be kept for each LEPC. Mr. Heflin explained that he could develop something and bring it before the Committee for review. Mr. Pridgen suggested reaching out to some of the states that surround Indiana and obtaining some examples from them.

Ms. Cyrus requested to know if the Committee could help develop outreach material such as promotional pamphlets and/or videos that the LEPCs could utilize. She stated it could be generic material that an LEPC could brand as their own. Mr. Pridgen also suggested to develop an LEPC 101 presentation that would be video recorded and could be made available to any LEPC at any time.

OLD BUSINESS

There were no old business topics brought before the Committee.

NEW BUSINESS

Mr. Pridgen introduced the agenda item *LEPC Electronic Communications Policy Discussion*. Mr. Heflin explained that the IERC already has a policy developed and approved to allow members to call in during meetings when they are not able to make it in person. Mr. Heflin explained that several LEPCs have requested permission to allow tele-conferencing for their meetings in an attempt to ensure each meeting has a quorum. Mr. Heflin requested to know if the Committee could develop some sort of guideline for the LEPCs to utilize when developing their own electronic communications rules. Mr. Pridgen asked if the IERC has the authority to set policy for an individual LEPC on how to conduct their minutes. Mr. Larmore explained that the IERC still has oversight over the LEPCs. Mr. Heflin explained that without a guideline there is no effective way for the IERC to verify that the LEPC meetings truly had a quorum. He explained that they currently prove presence of a quorum by uploading a sign-in sheet with original signatures. This would not happen if LEPC members participated in a meeting electronically. Mr. Guedel also advised that the meetings would have to meet statutory requirements on how many members are actually required to be present at a meeting. Ms. Cyrus stated that the Committee will need to know what those statutory requirements are before developing any kind of electronic communications guideline. Mr. Ewusi stated he could discuss the statutory requirements with Mr. Guedel and report back to the Committee at the March meeting. Ms. Waymire asked if anyone has ever researched how other states keep track of the requirements that they set in place for LEPCs. Mr. Ewusi stated that compared to some of the adjacent states Indiana does much more to ensure annual LEPC compliance. Mr. Larson requested to know if anyone from staff will be attending the NASTPO meeting this year. Mr. Ewusi advised he did have his staff members slated to attend later this year. Mr. Ewusi advised he has suggested that staff attend conferences in the nearby states as well.

ADJOURNMENT

Mr. Pridgen requested a motion to adjourn. Mr. Larson made a motion to adjourn and Ms. Ewusi seconded the motion. All present were in favor.

MOTION CARRIED

NEXT MEETING

March 13, 2017
Madison County Communication Center
200 N. Delaware Street
Anderson, Indiana 46016



Jim Pridgen, Chair