

Woodbury County Emergency Management Commission

Meeting Minutes

1-28-2015

6:30pm

The Security Institute
Western Iowa Tech College Campus
4647 Stone Avenue
Sioux City, IA

Sheriff Drew called the meeting to order at 6:32pm.

The sign-in sheet was passed and the members were asked to include the email addresses they would like to be used for communication.

The first meeting agenda item was to get approval of the January 7th, 2015 minutes.

1st Motion was made by Scott Mitchell to approve the minutes of the January 7th meeting. Motion was seconded by Allan Pithan. All were in favor.

Sheriff Drew addressed the next agenda item the Woodbury County Emergency Management Association By Laws. Matthew Ung provided the copies of the proposed By Laws to the members. The city and county attorneys have both reviewed these By Laws. Sheriff Drew then proceeded to provide a brief overview of the articles within the document.

Discussion continued and Jon Winkel suggested that the commission should change where the By Laws state Alternates or Designees must be an elected person of the same entity in order to vote. Woodbury County Asst. Attorney Josh Widman advised this is a requirement within the code and will need to remain.

Gary Brown pointed out that Article VI – Powers and Duties, Section B: A-K shows the list of duties. Descriptions of those duties were provided in the Commission binder provided at the initial meeting.

Discussions continued. Bob Scott asked if this person hired an employee of the county. The answer was no. The person hired as coordinator would be an employee of the Commission. However; the hiring process, IPERS, Insurance and HR Policies would be done through an MOU between the Commission and the County.

The discussion then moved to the question of liability, for the municipalities and elected officials. Jon Winkel stated that Dennis Butler advised the county would have the liability and there would be no change in IPERS and additional insurances that would be needed were included in the draft budget.

Bob Scott wanted to clarify that the EMA Levy would appear on the tax statements. The answer was yes. He asked why not continue to tax the way it is done now for EMA. It was explained that taxes would shift however, not go down. Matthew Ung described it as the funding being a split mandate. Dave Amick agreed that it would need to be explained. The funds are based on the assessed property values in the county. The Commission clarified the General Supplemental Levy will show separately from the Emergency Management Levy.

Article X – Employment Practices was reviewed. Sheriff Drew advised in Plymouth County the EMA Coordinator reports directly to Sheriff Van Otterloo. The Commission agreed that the position would report to Sheriff Drew whom also serves as Chairman of the Commission and Dave Amick, Vice Chairman.

Sheriff Drew suggested the Woodbury County Emergency Management Commission meet twice a year.

Dave Amick asked Josh Widman about Robert’s Rules of Order in Article XI – Meetings concerning if they overlook a simple rule would there be repercussions down the road. Widman advised the Chair will have variance as to how formal the meetings are. The rules are guidance.

Sheriff Drew asked for discussions.

Bob Scott explained his concern with how the Emergency Management Levy would Tax Increment Financing (TIF) Projects. The consensus of the Commission was they did not want to see any negative impacts to the TIF Projects which will be beneficial throughout the whole county and the TIF pilots projects soon.

The tax abatement will not be impacted.

Dave Amick asked for the By Laws to be approved does it require the signatures of all the members. Josh Widman said yes, they do not have to agree but, are obligated to sign. When members are absent a quorum can approve whatever motion made.

Sheriff Drew asked if there were any further questions or discussions.

Jon Winkel motioned to approve the By Laws. Matt Ung seconded the motion. All were in favor.

The discussion then turned to Article VII – Financing. Jon Winkel motioned that option C. An allocation computed as each jurisdiction’s relative share of the total assessed valuation within the county. The motion was seconded by Scott Mitchell. Discussions took place to clarify the options and the descriptions.

Matthew Ung and Gary Brown agreed that option A. A countywide special levy pursuant to section 331.424, subsection 1. Is how business is being done presently. Gary Brown provided a bit of the legislative history, the changes and why the special levy was created.

There was discussion on the General Basic Fund and General Supplemental funding.

Jon Winkel requested to amend his motion the 1st Choice of the Commission would be to continue funding the way it is today under Article VII – Financing, Section A. e. Other funding sources allowed by law. Discussions continued and revisited to how this would impact TIF.

The Commission decided they would table the discussion of the financing until they can clarify the TIF funding is protected. There will be discussions with the supervisors to ensure this and revisited at the next meeting.

Sheriff Drew asked for new or additional agenda items.

It was referenced the name used on the agenda was Woodbury County Emergency Management Association and it is in the By Laws as Woodbury County Emergency Management Commission. In addition the agenda references EMR which is incorrect it should be EMA for Emergency Management Agency and EMS should be Emergency Services. The corrections were noted and will be changed going forward to minimize confusion for citizens as well as commission members.

Sheriff Drew recommended the commission elect an executive committee of five which would include the Chair Sheriff Drew and Vice Chair Dave Amick. The Commission agreed and Matthew Ung, John Winkel and Scott Mitchell accepted the position on the Executive Committee. Per Josh Widman no formal motion was needed.

Jon Winkel presented the draft budgets. Documents were handed out. Winkel advised he had met and worked with Dennis Butler and completed a draft of Emergency Management and Emergency Services combined.

Scott Mitchell asked for a discussion on the liability specifically for the towns and members. Winkle advised that Dennis Butler said the county would provide liability. Josh Widman advised the Commission is a separate government entity and should have their own liability. Winkle also stated there was additional insurance included in the draft budget.

Gary Brown advised that was for TORT insurance which covers the acts of the commission and explained the severe impacts if a lawsuit occurred.

Sheriff Drew addressed the Commission members in saying that he felt the idea of 29C was for Emergency Management to be managed by the Commission and Emergency Services should remain separate.

Dave Amick voiced he did not his community to take on the added responsibility of including Emergency Services and getting the Emergency Management Coordinator would free up that portion of responsibilities and Brown would be more available.

Gary Brown stated he would be willing to work hand in hand to bring the new coordinator up to speed with the facilities, the administration and there are at least five projects that would take two people an estimated 4400 hours to complete; Alert Iowa, Disaster Recovery Plan, Debris Removal are the priorities.

Winkel shared that the original draft budget provide had Emergency Management with 2 positions a Coordinator and Asst. Coordinator. For this revision of the combined budget the 2nd person on the Emergency Management side had been eliminated in order to work financially.

Brown was asked about the current funding and he explained what funding is currently included the EMA Budget. Building Rent has been reduced by \$3,000.00 due to The Security Institute (TSI) budget coming in lower than expected. The reserve funds are currently estimated at \$107K. The Reserve Fund is a combination of funds that remain to pay expenses as they arise above your operating budget; and is between Starcomm, Emergency Management and Emergency Services. \$39,000.00 is a FEMA Grant Emergency Management Performance Grant that is matched funding; so funding is not received until after the funds have been spent and other requirements are completed such as training and exercises. \$5,000.00 is a Citizens Emergency Response Training Grant (CERT) which is an annual class that provides citizens entry level training in CPR, First Aid and introduces the operations of emergency response. The funding covers office supplies and small equipment they may use for events.

Brown advised that with the Board of Supervisors permission and if the Commission wishes he is willing to help train the new coordinator with learning the administrative responsibilities, how to run the facility and equipment and become familiar with the duties and responsibilities of the position. Brown also advised that he would be willing to help in anyway, offering to help assist with covering EOC or being one call for the New Coordinator when unavailable or on vacations.

Commission members asked for the draft budget that would show the Emergency Management independent of Emergency Services. Winkel advised he did not do one with the departments remaining independent of one another.

Winkel explained he had to remove \$40,000.00 of funds from the current Emergency Services Operational Budget to cover the Emergency Management Budget.

He further explained that he had spoken to nearly all the Fire Chiefs and Ambulance Directors and Mayor of the county and that the Commission's main goal should be to ensure there are two people for emergency calls at Climbing Hill from 8-4 Monday through Friday. He stated that area squads are in desperate need and that Oto no longer has a Fire Department.

Winkel warned the only real option we have to insure this is to combine both departments and they answer to the commission. More responsibilities or not the board had advised there will be no new spending.

Discussions took place on the current funding and how it is acquired and how it used.

Sheriff Drew then suggested that the Commission really needs to look at the Emergency Management Budget separated out. Other Commission members agreed.

Jon Winkel commented that he and Matthew Ung had looked at Woodbury County's current Emergency Management & Emergency Services Budget and stated it is larger than most. The Commission then requested information on the budgets on the similar sized counties.

Winkel stated that with his draft he was able to remove \$167K from the Emergency Services budget and it would be successful and continue to work; which includes a 2nd person for calls at Climbing Hill. With the Commission taking responsibility solely for the Emergency Management he feels there would be great risk of losing the Emergency Services side of this department.

Gary Brown responded that with the Emergency Management Coordinator hired and once up to speed he would be that extra person during the day. Winkel advised that Gary Brown was not included in the budget after July 1st and the Commission would hire someone at \$55K and benefits to run both because "we cannot afford you". Gary Brown attempted to explain options for coverage could be discussed and adjusted.

Gary Brown also clarified that he did not say he was retiring. He had stated that he would like to be phased out of the Emergency Management position within in a year to return to Emergency Services as it was the job he was originally hired for.

Sheriff Drew addressed the Commission and said in order to move to the next step he reiterated the decision needs to be made if the Commission want to take on the responsibility of the two departments or remain separated as the 29C was intended.

The consensus from the Commission they wanted to confirm on paper the issues of liability and to see the draft budgets for both combined and separated departments.

The motion was made by Dianne McTee to table the discussion for now and confirm the liabilities, rework the budgets and ask for mandatory attendance of commission members at the next meeting to finalize.

Discussions took place as next Tuesday is Gary Brown's budget hearing with the county. Matthew Ung felt that it would be an option to push that hearing of the budget back a week as it may or may not be impacted.

Brown advised the Commission has a deadline to post publicly, approve and submit their budget by code no later than February 28th. This deadline means that there would have to be a published budget no later than February 10th to meet this deadline.

Winkel continued to explain that in the drafted budget with the departments combined he would need to create income by selling a portion of the aging fleet and replace with Suburbans for EMS response. He advised there would be needed funding to make purchases for outdated equipment which he mentioned two defibrillators and air truck. Winkel stated with the draft budget he presented, he would propose purchasing a trailer to place the cascade system on so if EOC was not available departments could come and take it to their stations for use.

Discussion on the Budget continued.

The Commission spoke of the processes of hiring the positions, discussions on salaries and benefits and Woodbury County hiring process. Winkel advised that he has someone that is interested at overseeing both departments for a salary of wages and benefits combined for \$55,000.00.

Discussions continued focusing on budgeting and wages.

Jon Winkel then seconded the motion made by Dianne McTee to table the discussion for now and confirm the liabilities, rework the budgets and ask for mandatory attendance of commission members at the next meeting to finalize. All were in favor.

The next meeting will be set for Wednesday, February 4th at 6:30pm at TSI on Western Iowa Tech Campus.

Sheriff Drew asked about any new Business.

Dawn Zahnley advised that the 2015 Emergency Management Performance Grant (EMPG) application is due not later than Friday, March 13th. Gary Brown will continue with business as they have previously to complete the application process and to move the grant forward. The grant amount is \$39,000.00.

Previous comments lead Gary Brown to state on the record that “he did not say he was retiring at any point. He had stated that he was no longer interested in being responsible for both departments and would like to be transitioned away from Emergency Management within a year to return to Emergency Services for the job he was originally hired for.” Jon Winkel disagreed.

Gary Brown also stated that at the last meeting he had requested to be contacted to be a part of working on the budget with Jon Winkel and the county and was not contacted at all. Jon Winkel felt it would have been difficult when he was eliminating Gary’s position.

Gary Brown reiterated as a courtesy he is asking to be a part of the drafting the revised budget for the next meeting as it directly impacts the department he is responsible for.

There were some clarifications on the EMPG Grant. Sheriff Drew wanted to confirm the \$39,000.00 is for personnel cost and that was confirmed. For the purposed of this grant, personnel are found under grant category planning for EMPG. The funds must be used and then reimbursed.

The question was asked what do other counties do that have both Emergency Management and Emergency Services and how are they funded? Gary Brown said it is unique for all of the counties that have responsibilities for both of these services.

Brown requested that he be added to all the emails that are being sent. Sheriff Drew said he will make sure that Gary Brown is added to all communications.

Jon Winkel reiterated to the Commission if there are any plans to go in front of the Board be advised there will be no new funding.

Sheriff Drew stated that when the Commission does go to the Board the Commission should be present. More specifically, the Executive Committee at a minimum.

Jon Winkel advised him, Sheriff Drew and Matt Ung will meet with Dennis Butler as soon as he is available to revise the draft budget to show both combined and independent budgets of the two departments.

Sheriff Drew expressed to the Commission it was not up to the Commission to decide when Gary Brown is to leave. That is up to Gary Brown when he wants to leave, in reference of the draft budget presented by Jon Winkel.

Sheriff Drew requested a written legal opinion for Woodbury County Attorney's Office to clarify the liabilities of the municipalities and members.

From Woodbury County Human Resources Director, Ed Gilliland, Sheriff Drew requested what are the current premiums needed outside of what the county would cover? Woodbury County Human Resource Director, Edward Gilliland responded that the county has a \$300,000.00 deductible and 28E agreements are created for liability protection.

Josh Widman responded to questions about how mayors are members of this commission by statute, the individual councils do not have to approve. He voiced that by association 670 makes the Commission an independent municipality. The Woodbury County Attorney's Office works for the county however; the county has approved the Commission to utilized services. If there were to be a specific event the Commission would need to hire their own council. If a conflict arose between the Commission and the County they would support the County.

Allan Pithan asked about the comparison to other counties in size, population and responsibilities. Gary Brown retrieved and provided the comparisons his department had gathered from a public website and explained the differences in the services the different EMAs provide such as; those that are primarily Emergency Management, or those that serve dual roles also over seeing a Communications Center, Environmental Health, Sheriff Departments. Counties mentioned were Pottawattamie, Linn, Dubuque and Black Hawk for comparisons.

Jon Winkle made motion to adjourn, Scott Mitchell seconded the motion all were in favor.