

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION authorizing the County's membership in the Mid-America Local Emergency Planning District and the Mid-America Regional Council, at no cost to the County.

RESOLUTION NO. 20713, July 6, 2021

INTRODUCED BY Jalen Anderson, County Legislator

WHEREAS, previously, Jackson, Clay, Platte, and Ray Counties cooperatively formed a local emergency planning committee (LEPC) under the provisions of the Emergency Planning and Community Right-to-Know Act of 1986; and,

WHEREAS, each county received an annual grant from the Missouri Emergency Response Commission (MERC) in accordance with Missouri's Emergency Planning and Community Right-to-Know Act (Sections 292.600 to 292.625, RSMo), which was passed on to the LEPC; and,

WHEREAS, at the request of the MERC, a new Local Emergency Planning District (LEPD) is being formed by Jackson, Cass, Clay, Platte, and Ray Counties to replace the LEPC; and,

WHEREAS, as previously, MERC grant funds will be paid by the State directly to the LEPD, to be used for programs which support the LEPD's hazardous materials planning and training and related activities; and,

WHEREAS, each of the five counties, as a member of the LEPD, will enter into an annual agreement with Mid-America Regional Council (MARC), approving the scope of work by MARC and the LEPD on its behalf; and,

WHEREAS, MARC is a public not-for-profit organization, formed in 1972 by area cities and counties, including the counties that have formed the LEPD, to address issues and problems of mutual concern; and,

WHEREAS, MARC can provide administrative and technical assistance to carry out the scope of work developed for the aforementioned grants; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that Jackson County's membership in the new LEPD be and hereby is approved; and,

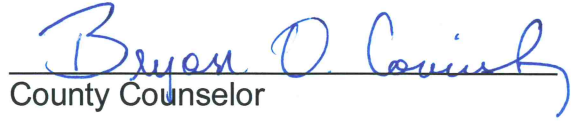
BE IT FURTHER RESOLVED that the County Executive be and hereby is authorized to execute any documents necessary to give effect to the intent of this Resolution, including a letter of intent in a form substantially similar to that attached and a cooperative agreement for the pass-through of funds with the LEPD and MARC, all in a form to be approved by the County Counselor.

Effective Date: This Resolution shall be effective immediately upon its passage by a majority of the Legislature.

APPROVED AS TO FORM:



Chief Deputy County Counselor



County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution No. 20713 of July 6, 2021, was duly passed on July 12, 2021 by the Jackson County Legislature. The votes thereon were as follows:


Yeas 8

Nays 0

Abstaining 0

Absent 1

7.12.2021
Date



Mary Jo Spino, Clerk of Legislature

600 Broadway, Suite 200
Kansas City, Missouri 64105-1659

816-474-4240
816-421-7758 FAX
marcinfo@marc.org
www.marc.org



June 10, 2021

County Chief Elected Officials,

The Mid-America Regional Council appreciates the support of your county for the Mid-America Local Emergency Planning Committee (LEPC). The LEPC has brought emergency responders together with private industry since 1986 to reduce risks and increase response capabilities to hazardous materials incidents.

The Missouri Emergency Response Commission (MERC) has required that we make substantial changes in the way we organize and use state funds granted to the counties for the LEPC from the Chemical Emergency Planning Fund (Tier II industry fees).

To meet requirements of the MERC, the LEPC voted today to have the five Missouri counties withdraw from the Mid-America LEPC. Immediately following that action, the MERC established a new multi-county LEPC - Each county has the option of participating in the multi county LEPC (Local Emergency Planning District) or forming a single-county LEPC. The MERC will be sending information to the county commissioners of each county in the Kansas City area for action to join the new LEPC or the option to create their own LEPC. The new LEPC is being formed as an entity outside of MARC. The new LEPC may choose to select MARC as its contractor to provide the planning and coordination support necessary for the regional effort and enter into an agreement for those services.

Here are the steps that will be necessary to comply with the MERC and a suggested timeframe. The MERC has asked that we complete this transition to a new LEPC by July 31, 2021. These steps are designed to ensure that there is an operating LEPC or LEPC and no gaps in service. The state regulations regarding LEPCs distinguish between a LEPC, which is county-specific, and a LEPC (District that is multi-county).

1. Your county will need to decide how you would like to proceed to either participate in the multi-county LEPC or form a single county LEPC. Upon your decision, you will need to send a letter to the MERC informing them of your action. We have included a sample letter for your use if you choose to join the LEPC.
2. As soon as the MERC receives the letter from your county and the other four counties regarding your decision, it will authorize a new LEPC and any LEPCs if any county decides not to be part of the new multi-county LEPC.

Several meetings have taken place over the past week with LEPC leadership, the MERC and MARC staff and we feel confident these steps are necessary given current state regulations. We appreciate your county's participation in the LEPC and all that has been accomplished together. If we can provide any additional information or answer questions, please let us know.

Respectfully,

A handwritten signature in black ink that reads "Erin Lynch".

Erin Lynch
Emergency Services Director

CC Assistant Chief James Zeeb – LEPC Chair
Mr. Scott Munk - LEPC 1st Vice Chair
Assistant Chief Jason Bonney- LEPC 2nd Vice Chair

Chair
Harold Johnson Jr.
Commissioner
Unified Government
of Wyandotte County/
Kansas City, Kansas

1st Vice Chair
Carson Ross
Mayor
Blue Springs,
Missouri

2nd Vice Chair
Janeé Hanzlick
Commissioner
Johnson County,
Kansas

Treasurer
Eileen Weir
Mayor
Independence,
Missouri

Secretary
Beto Lopez
Mayor Pro Tem
Lee's Summit,
Missouri

Executive Director
David A. Warm

AGREEMENT FOR SERVICES

by and between

JACKSON COUNTY,

the

MID-AMERICA LOCAL EMERGENCY PLANNING COMMITTEE

and the

MID-AMERICA REGIONAL COUNCIL

This Agreement, entered this 1st day of July, 2021, by and between Jackson County, the Mid-America Local Emergency Planning Committee, hereinafter referred to as the “LEPC” and the Mid-America Regional Council, hereinafter referred to as “MARC” for professional services.

WHEREAS, the following counties have cooperatively formed a local emergency planning committee under the provisions of the Emergency Planning and Community Right-to-Know Act of 1986:

The County of Cass, Missouri;

The County of Clay, Missouri;

The County of Jackson, Missouri;

The County of Platte, Missouri; and

The County of Ray, Missouri

WHEREAS, each county receives a grant from the Missouri Emergency Response Commission in accordance with Missouri’s Emergency Planning and Community Right-to-Know Act (RsMO Sections 292.600 to 292.625); and

WHEREAS, these funds are to be used for programs which support the LEPC’s hazardous materials planning, training and related activities; and

WHEREAS, MARC can provide administrative and technical assistance to carry out the scope of work developed for the aforementioned grant;

NOW THEREFORE, the parties to this Agreement agree as follows:

ARTICLE I

SCOPE OF SERVICES

MARC hereby agrees to fulfill the following scope of work in accordance with proposals submitted to the Missouri Emergency Response Commission and other state agencies with the oversight and assistance of the LEPC:

- A. Coordination and scheduling of monthly meetings and necessary subcommittee meetings, usually at the MARC offices, to discuss the LEPC's operation, activities, projects and issues which may affect the LEPC.
- B. Development and distribution of agendas for and summaries of the above meetings.
- C. Development and maintenance of a regional hazardous materials plan and assistance with the development of county hazardous materials plans or hazardous materials annexes to county emergency operations plans.
- D. Development of exercises to evaluate regional and local hazardous materials response capabilities.
- E. Sponsorship of hazardous materials and other training courses and coordination of hazardous materials training with the Missouri Emergency Response Commission, Missouri State Emergency Management Agency, Department of Public Safety, University of Missouri, and other entities offering hazardous materials training.
- F. Collection of Tier II forms and related information from facilities in each member county required to complete and submit these items and development of a database of chemical inventory and emergency contact information for these facilities.
- G. Operation and maintenance of an LEPC website.
- H. Development and management of a public education and awareness program.
- I. Completion of all reports and documentation necessary for the administration and operation of the LEPC.
- J. Coordination and integration of LEPC activities with those of other MARC emergency services committees and metropolitan area emergency services organizations.
- K. Other activities that are mutually agreed upon by the LEPC and MARC.

ARTICLE II

TIME OF PERFORMANCE

MARC shall provide the services described in Article I for the period commencing [July 1, 2021 through June 30, 2022](#). The time and services of this Agreement may be extended or amended by Addendum hereto, containing the signatories of the parties and an identification of the extension period including any other amendments to the original Agreement.

ARTICLE III

CONSIDERATION

In consideration of the services provided by MARC and described in Article I, Jackson County and the LEPC authorize MARC to administer the FY [2021-2022](#) grant of [approximately \\$57,098.22](#) and any carryover funds from previous years as well as, any additional funds that may be competitively awarded from the Hazardous Materials Emergency Preparedness (HMEP) fund required to carry out the scope of work specified in this Agreement and as listed in Attachment 1, FY [2021-2022](#) LEPC Budget. It is the parties' understanding that the State of Missouri will provide the LEPC with [approximately \\$57,098.22 \(estimated county portion of \\$28,988.45\)](#) from the state's CEPF to be used as resources for the operation of the LEPC and its programs and activities, consistent with the terms and conditions placed on the counties by the Missouri Emergency Response Commission and as directed by the LEPC at their regular meetings. Any additional HMEP funds to be awarded to the Mid-America LEPC to support training activities will also be used according to the terms of this agreement. MARC agrees to provide detailed records of revenues and expenses associated with the performance of this Agreement. All expenditures will be consistent with CEPF and HMEP budgets approved by the LEPC.

ARTICLE IV

TERMINATION OR SUSPENSION OF AGREEMENT

This Agreement will terminate on [June 30, 2022](#) unless extended by Addendum hereto as provided in Article II. However, if for any justifiable reason any party wishes to terminate this Agreement prior to the completion of the time of performance, this may be done by serving thirty (30) days notice upon the other parties. Payment for services shall be pro rata to the term of the Agreement and to the work effort completed.

ARTICLE V

EQUAL EMPLOYMENT OPPORTUNITY

Jackson County, the LEPC and MARC attest that they do not now, nor shall they discriminate against any employee who is employed in the work covered by this Agreement or against any applicant for such employment, due to race, color, religion, sex, age, handicap, or national origin.


IN WITNESS WHEREOF, the parties have executed this Agreement on the 1st day of July 2021.

Approved by Jackson County, Missouri

County Executive, Jackson County

Date

Approved by the Mid-America Local Emergency Planning Committee

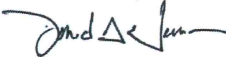


Mid-America LEPC Chair

April 12, 2021

Date

Approved by the Mid-America Regional Council



Executive Director

Executive Director

April 26, 2021

Date

Cover sheet official signature page for 2020 2021 application

Submittal Date: May 30, 2021

LEPC/D Name:	
County Name(s):	MO: Cass, Clay, Jackson, Platte, Ray; KS: Leavenworth, Johnson, Wyandotte
CEPF Certification Year:	2021
Primary Contact Name:	Erin Lynch
Primary Phone Number:	816-701-8390

Statement of certification that the application is true and correct to the best of our knowledge, that the county and LEPC/D intends to maintain/pursue compliance with applicable regulations, and agree to spend the CEPF money consistent with applicable laws.

James Zeeb / Scott Munk (Vice-Chair) _____
 LEPC Chair Name (Typed)

 _____
 LEPC Chair Signature

COUNTY	Treasurer	SIGNATURE
Cass County	Bob Huston	
Clay County	Jerry Nolte	
Jackson County	Frank White, Jr.	
Platte County	Ron Schieber	
Ray County	Bob King	

Are any funds from this Packet being used as a match for any federal Grant? Yes No

If yes please name the Grant _____

Payments will be sent from Missouri Emergency Response Commission to the County Government [RSMO Sec 292.604.1(b)]. Your LEPC will receive a concurrent letter advising them of the amount.

MERC Use Only			
Payment Request Date:		Payment for Years:	
Payment Date:		Payment Amount:	
Check/Transaction Number:			
Signature MERC Executive Director		Date	

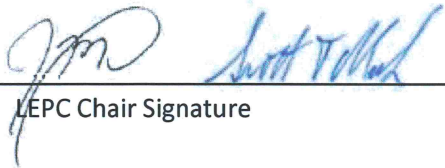
Proposed Budget 2021 for Mid-America LEPC

The budget should reflect all expenses **planned** for the coming year.

Budget Year Start Date	July 1, 2021	Budget Year End Date	June 30,2022
Beginning Balance			*\$31,131
Estimated Income			
CEPF (This is only an estimation, using the previous years is acceptable)			\$57,098
Other (i.e.,; interest, donations)			
Total Estimated Funds Available			\$88,229

Expense Category	Cost share amount	LEPC expense	
Administrative		Total	\$12,469
Contract Labor (NO full-time employees) *Attach copy of contract - administrative support salaries only 17.95% of FTE per MERC ED			\$10,847
Postage (special postage and delivery)			\$200
Printing (special reports)			\$622
Phone/Fax/Internet			
Office Supplies and Equipment			
Computer/Electronic Equipment			
Public Notice (LEPC Notice)			\$100
LEPC meetings (publications, meals, etc.)			
Other (travel to meetings)			\$700
Projects		Total	\$26,439
Hazmat Plan Update & Distribution (contractual)			\$10,000
Professional Services - MARC salary only 17. % FTE per MERC ED			\$16,439
Hazard Communication			
Facility Review and ID			
Hazmat Flow Study			
Other			
Training & Exercise		Total	\$49,321
Course and Instructor Fees (1 or 2 Hazmat related trainings to be determined by training committee)			\$29,321
Materials and Supplies			
Equipment (See Appendix D)			
Other / Exercise Contractor			\$20,000
Travel		Total	

Mileage, Meals, Registration and Lodging		
Other		Total
(Specify)		
Total Estimated Expenses		\$88,229
End Balance (Unallocated Funds)		\$0


 LEPC Chair Signature

5/30/2021

Date

Carryover includes:

2018-2019

- Savings from class that did not occur

2019-2020

- Rescheduling of Masters of Gas Detection
- Savings from IAFC (now virtually)
- Savings in Postage/Misc.

2020-2021


- Delay in class scheduling due to COVID

LEPC Membership List - 2021

Discipline	Name	Affiliation	Email	Phone
Community Group	Elaine Giessel	Sierra Club, LWV	ecos@everestkc.net	913 206 1180
Elected State / Local Official	Bob King	Ray County, MO	raycountycommissioners@yahoo.com	
	Frank White, Jr.	Jackson County, MO	fwhite@jacksongov.org	816 881 3329
	Jerry Nolte	Clay County, MO	jnohte@claycountymo.gov	816 407 3450
	Ron Schieber	Platte County, MO	ron.schieber@co.platte.mo.us	816 858 2232
Emergency Management	Anthony Avery	Platte County Sheriff's Office	Anthony.Avery@plattesheriff.org	816 858 3361
	Carl Harper	Ray County Emergency Management	raycoemergency@mediacommb.net	816 848 4500
	Cary Gerst	Johnson County, KS Emergency Management	cgerst@jocogov.org	913 715 1005
	Chuck Magaha	Leavenworth County Emergency Management	cmagaha@leavenworthcounty.gov	913 684 0455
	Dan Robeson	Johnson County, KS Emergency Management	drobeson@jocogov.org	913 715 1001
	Dante Gliniecki	City of Independence Emergency Preparedness	dgliniecki@indepmo.org	816 325 7133
	James Connelly	City of Kansas City, MO Emergency Management	james.connely@kcmo.org	816 513 8601
	Jon Bazzano	Clay County Sheriff's Office EM	jbazzano@sheriffclayco.com	816 407 3732
	Justin Crane	Cass County Emergency Management	justin.crane@cassmosheriff.org	816 380 8584
	Kyle Burns	City of Overland Park	kyle.burns@opkansas.org	913 895 8308
	Mark Sherwood	City of Oak Grove Sni Valley Emergency Management	msherwood@cityofoakgrove.com	816 690 3773
	Matt May	Unified Government of WyCo/KCK Emergency Management	mmay@wycokck.org	913 573 6337
	Michael O'Neal	Platte County Sheriff's Office	michael.oneal@plattesheriff.org	816 858 1966
	Zach Phillips	Leavenworth County Emergency Management	zphillips@leavenworthcounty.gov	913 683 9924
	Zachary Bradley	VHA Office of Emergency Management Region II	zachary.bradley@va.gov	816 701 3213
	Environmental	Chris Kemp	Center for Toxicology & Environmental Health (CTEH)	ckemp@cteh.com
Dave Williams		U.S. Environmental Protection Agency, Hazmat Unit	williams.dave@epa.gov	913 551 7625
Doug Ferguson		U.S. Environmental Protection Agency Region 7	ferguson.doug@epa.gov	913 551 7221
Karen Kelley		City of Independence Water Department	kkelley@indepmo.org	816 325 7698
Mike Klender		City of Kansas City, MO Water Services	mike.klender@kcmo.org	816 513 7051
Roarke Holzschuh		Missouri Department Of Natural Resources	roarke.holzschuh@dnr.mo.gov	816 251 0710
Rodney Lockett		Chemical Facility Antiterrorism Standards (CFATS)	rodney.lockett@hq.dhs.gov	202 841 2065
Sybil Chandler		National Nuclear Security Administration	sybil.chandler@nnsa.doe.gov	816 488 3417
	Alan Long	City of Overland Park Fire Department	alan.long@opkansas.org	913 895 8451
	Andrew Novak	City of Kansas City Kansas Fire Department	anovak@kckfd.org	

Fire Department	Dan Manley	City of Lee's Summit Fire Department	dan.manley@cityofls.net	816 969 1304
	David Hargis	City of North Kansas City Fire Department	dhargis@nkc.org	816 274 6025
	Dean Cull	Southern Platte Fire Protection District	dcull@spfpd.com	816 741 2900
	Dirk Christian	Kansas Office of the State Fire Marshals	dirk.christian@ks.gov	785 296 4239
	Doug Short	City of Independence Fire Department	dshort@indepmo.org	816 325 7124
	Gary Birch	Leavenworth Fire Department	gbirch@firstcity.org	913 682 3346
	James Zeeb	City of Kansas City, KS Fire Department	jzeeb@kckfd.org	913 573 5923
	Jason Bonney	Central Jackson County Fire Protection District	jbonney@cjcfd.org	816 229 2522
	Jason Snarr	Riverside Fire Department	jsnarr@riversidemo.com	816 651 1291
	Jeff Taylor	City of Riverside Fire Department	jetaylor@riversidemo.com	816 372 9183
	Keith Payne	City of Riverside Fire Department	kpayne@riversidemo.com	816 372 9024
	Kevin Weyand	Olathe Fire Department	kweyand@olatheks.org	913 971 7955
	Marvin Butler	City of Olathe Fire Department	mbutler@olatheks.org	913 971 7974
	Michael Desautels	Kearney Fire & Rescue Protection District	mdesautels@kearneyfire.org	816 572 3479
	P. Michael Snider	City of Lee's Summit Fire Department	mike.snider@cityofls.net	816 969 7360
	Peter Knudsen	City of Kansas City, MO Fire Department	peter.knudsen@kcmo.org	816 513 4674
	Richard Carrizzo	Southern Platte Fire Protection District	rcarrizzo@spfpd.com	816 741 2900
	Robert Norman	South Metro Fire Protection District	rnorman@southmetrofire.org	816 331 3008
	Ron Graham	City of Grandview Fire Dept.	RGraham@grandview.org	816 316 4962
	Scott Casey	Johnson County, KS Fire District #1	scott.casey@jocofd1.org	913 764 7635
	Trig Morley	Johnson County, KS Fire District #1	trig.morley@jocofd1.org	913 764 7635
General Public	Christopher Gitro	National Weather Service	christopher.gitro@noaa.gov	816 540 6125
Hospital	Allen Lee	Kansas City VA Medical Center	allen.lee@va.gov	816 861 4700
	Carolyn Wells	Liberty Hospital (Regional Hospital Representative)	carolyn.wells@libertyhospital.org	816 792 7248
	Paulette Dematteo	Veterans Administration Medical Center		816 701 3210
	Steven Hoeger	Truman Medical Center (Regional Healthcare Coalition Representative)	steven.hoeger@tmcmcd.org	816 404 2661
	Adbel Hamidou	Exide Technologies	abdel.hamidou@exide.com	816 500 4686
	Brian Bridgeman	Brenntag MidSouth	bbridgeman@brenntag.com	816 483 9996
	Christopher Cox	ExxonMobil Corporation	christopher.m.cox@exxonmobil.com	
	Dawn Hein	Evergy	dawn.hein@evergy.com	
	Frank Wilt	KCPL	frank.wilt@kcpl.com	816 556 2087
	Gael Rasa	Ingredion, Inc.	Gael.e.rasa@ingredion.com	816 854 0400
	Gregory Moerer	Bayer U.S. LLC	greg.moerer@bayer.com	816 242 2250
	Jack Laptad	Bayer US	jack.laptad@bayer.com	816 242 2583
	Josh Groene	General Mills Kansas City Operations	Joshua.Groene@genmills.com	816 245 4782
	Joshua Buehre	Exide Technologies	joshua.buehre@exide.com	816 759 8693

Industry	Kevin Fightmaster	Spire	Kevin.fightmaster@spireenergy.com	816 836 7170
	Kevin Root	Harcros	kdroot@harcros.com	913 621 7754
	Lester Estelle	Waterone	lestelle@waterone.org	913 895 5832
	Lisa Nickerson	General Mills Kansas City Operations	Lisa.Nickerson@genmills.com	816 245 4780
	Louis Jones	Ingredion, Inc.	lou.jones@ingredion.com	816 283 2668
	Marcia Hobbs	Evergy Iatan	marcia.hobbs@evergy.com	816 640 3892
	Michael McMenus	Kiewit Engineering & Design Co.	michael.mcmenus@kiewit.com	913 928 7000
	Rachelle Schmachtenberger	Exxon Mobil Corporation	rachelle.schmachtenberger@exxonmobil.com	913 254 6522
	Randy Frazier	Nordic Foods	rfrazier@nordicfoods.com	913 281 1167
	Ryan Lehnert	Honeywell Corporation	rlehnert@kcnsc.doe.gov	816 488 3044
	Scott Munk	Bayer CropScience	scott.munk@bayer.com	816 242 2962
	Sean McGraw	WaterOne	smcgraw@waterone.org	913 895 5646
	Steve Enyart	Smithfield Farmland Foods	senyart@smithfield.com	816 943 3290
	Tom Duffield	Arnette Polymers, LLC	tomd@arnettepolymers.com	816 776 2256
	Tom Furdek	Ingredion, Inc.	Tom.Furdek@ingredion.com	816 283 1610
William "Andy" Neilson	Univar	William.Neilson@univar.com	816 260 2433	
Law Enforcement	Gordon Fowlston	City of Riverside Police Department	gfowlston@riversidemo.com	816 372 9024
	Harry Gurin	City of Peculiar Police Department	hgurin@peculiarpd.com	816 779 5102
Other	Erin Lynch	Mid America Regional Council	elynych@marc.org	816 701 8390
	Vickie Phillips	Mid America Regional Council	vphillips@marc.org	816 474 4240
Transportation	Lane Sekavec	Union Pacific Railroad	laneasekavec@up.com	816 399 1883
	Steve McNealy	KC Southern Railway	SMcNealy@KCSouthern.com	816 983 1588



James Zeeb, LEPC Chair
 April 14, 2021



County Commissioner
 Date:

DRAFT LETTER FROM COUNTY TO MERC

Michael Harris
Executive Director
Missouri Emergency Response Commission
Department of Public Safety
2302 Militia Drive
Jefferson City, MO 65102
Mike.Harris@sema.dps.mo.gov

Dear Mr. Harris,

_____ County, Missouri, has taken official action at its (date) meeting regarding participation in the newly formed Local Emergency Planning District.

It is our desire to participate in a new multi-county Local Emergency Planning District.

We encourage you as the MERC Executive Director to take swift action to finalize the new multi-county Local Emergency Planning District to minimize any disruption in operations.

Sincerely,