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AGENCY REVIEW

DEPARTMENT OF MILITARY AFFAIRS AND PUBLIC SAFETY DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT

AUDIT OVERVIEW

The West Virginia Division of Homeland Security and Emergency Management Has Performance Goals for Important Activities But It Does Not Adequately Measure If It Achieves Them

Emergency Management's Vacant Part-time Positions in the Communications Center Create a Substantial Need for Overtime, Costing the State Significantly More in Overtime Compensation Than Filling the Vacant Positions

Two Required Emergency Management Plans Are Written, But Two Requirements Related to the Plans Have Not Been Met

Emergency Management's Website Needs Improvement In Transparency and User-Friendliness, Particularly in Providing Relevant, Timely Information About Emergencies



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CONTENTS

Executive Summary	5
Issue 1: The West Virginia Division of Homeland Security and Emergency Management Has Performance Goals for Important Activities But It Does Not Adequately Measure If It Achieves Them	9
Issue 2: Emergency Management’s Vacant Part-time Positions in the Communications Center Create a Substantial Need for Overtime, Costing the State Significantly More in Overtime Compensation Than Filling the Vacant Positions	23
Issue 3: Two Required Emergency Management Plans Are Written, But Two Requirements Related to the Plans Have Not Been Met	31
Issue 4: Emergency Management’s Website Needs Improvement In Transparency and User-Friendliness, Particularly in Providing Relevant, Timely Information About Emergencies	37
List of Tables	
Table 1: Emergency Operations Center Activations CY 2009-2011	14
Table 2: FEMA Approved Training FY 2009, FY 2010, FY 2011	19
Table 3: Emergency Management Communications Center Allotted Full and Part-time Positions July 2006 through July 2011	24
Table 4: Actual Communications Center Overtime Costs FY 2007 - FY 2012	26
Table 5: FY 2011 Base Salary, Employer’s Payroll Costs and Overtime Costs to the State For Some Employees Working Overtime in the Communications Center	27
Table 6: Emergency Management Website Evaluation Score	37
Table 7: Emergency Management Website Evaluation Score	38
List of Figures	
Figure 1: Slide from Bluestone Dam Tabletop Exercise February 8, 2012	18
List of Charts	
Chart 1: Comparison of Actual Overtime Costs to Estimated Cost of Filling Vacant ESA positions FY 2007 through FY 2012	25
List of Appendices	
Appendix A: Transmittal Letter to Agency	43
Appendix B: Objective, Scope and Methodology	45
Appendix C: Communications Center Appropriations and Actual Expenses	49
Appendix D: List of Emergency Operations Plan Appendices	51
Appendix E: Recent Mutual Aid Instances	53
Appendix F: Recent Mutual Aid Legal Agreement	55
Appendix G: Website Criteria Checklist and Points System	75
Appendix H: Agency Response	79

EXECUTIVE SUMMARY

This agency review of the Division of Homeland Security and Emergency Management is part of a Department Review of the West Virginia Department of Military Affairs and Public Safety, as authorized by West Virginia Code §4-10-8(b)(4).

Report Highlights:

Issue 1: The West Virginia Division of Homeland Security and Emergency Management Has Performance Goals for Important Activities But It Does Not Adequately Measure If It Achieves Them.

- The Division of Homeland Security and Emergency Management's goals and measures are generally relevant to the agency's operations but need attention to accuracy, verification and focus.
- Emergency Management is not able to provide accurate response times or operational information on which to base goals and percentages for three performance measures. The agency should not publicly report performance that it cannot verify. Publicly reporting goals as being achieved when there are no data or documentation to confirm it does not promote accountability. Given the importance of the agency's activities, Emergency Management needs to improve how it measures actual performance that relates to established goals.
- Emergency Management should consider developing performance measures that relate to its communications center operations. An appropriate measure could involve the timeliness of the communications center notification process such as establishing a minimum time for an initial notification to be made when a communications is received, and tracking the communications center's performance in making the initial notification.

Issue 2: Emergency Management's Vacant Part-time Positions in the Communications Center Create a Substantial Need for Overtime, Costing the State Significantly More in Overtime Compensation Than Filling the Vacant Positions.

- Vacancies in the agency's communications center have created a substantial need for overtime that is being met by allowing employees at all management levels to work overtime hours.
- The State's overtime cost for the communication center vacancies was about \$579,164 or 64 percent more than the cost to fill the part-time vacancies.

Issue 3: Two Required Emergency Management Plans Are Written, But Two Requirements Related to the Plans Have Not Been Met.

- West Virginia has a plan for the provision of emergency services. The plan provides an overview of emergency response policies, describes Emergency Management's organization, and assigns tasks to state agencies and support organizations.
- West Virginia has a Federal Emergency Management Agency (FEMA) approved mitigation plan that identifies the natural hazards that impact West Virginia, identifies a plan of actions and activities to reduce any losses from those natural hazards and establishes a coordinated process to implement the plan.
- Emergency Management has not met the statutory conditions of having agreements for the evacuation and interstate reception of civilian populations or submitting annual reports of mutual aid plans and procedures to the Legislature.

Issue 4: Emergency Management's Website Needs Improvement In Transparency and User-Friendliness, Particularly in Providing Relevant, Timely Information About Emergencies.

- Emergency Management needs to improve the user-friendliness and transparency of its website.
- Emergency Management could improve its website by publishing its most recent budget, increasing webpage readability, conveying real-time emergency situations to the public, and providing performance measures.

Recommendations

1. *Emergency Management should develop performance goals and measures of actual performance that are based on accurate and verifiable data.*
2. *Emergency Management should not publicly report goals and actual performance that are not based on accurate or verifiable data.*
3. *Emergency Management should consider expanding its performance goals and measures to include other aspects of readiness and responsiveness.*
4. *The Division of Homeland Security and Emergency Management should hire staff to fill the vacant part-time positions.*
5. *The Division of Homeland Security and Emergency Management should write internal operating procedures in compliance with §15-5-22 Article III (a) of state Code and in the minimum requirements found in the national compact.*

6. *The Division of Homeland Security and Emergency Management should provide the Legislature with a copy of the mutual aid procedures as required by state Code §15-5-22 Article XIV, and other appropriate documents.*
7. *The Division of Homeland Security and Emergency Management should consider adding recommended features to its website to improve both user-friendliness and transparency.*
8. *Emergency Management should post alerts about emergencies on its homepage.*

ISSUE 1

The West Virginia Division of Homeland Security and Emergency Management Has Performance Goals for Important Activities But It Does Not Adequately Measure If It Achieves Them.

Issue Summary

The West Virginia Division of Homeland Security and Emergency Management (Emergency Management) reports five performance goals in the *Operating Detail* of the 2013 Executive Budget. However, when the Legislative Auditor reviewed the agency's performance in achieving its goals, Emergency Management was only able to confirm the achievement of one of its goals. The Legislative Auditor found the following:

- The agency reports achieving performance goals for three important activities but it has no supporting data to confirm this.
- An important planning goal is dependent on the performance of another division within the Department of Military Affairs and Public Safety.
- Other performance goals and measures should be developed that better reflect the agency's preparedness and responsiveness to emergency events.

Emergency Management serves a critical function of responding to emergencies in a timely manner. Although the agency has taken steps to establish goals for important activities, it needs to improve its documentation of actual performance in achieving its goals. There is a lack of accountability if Emergency Management establishes goals but cannot or does not measure actual performance in relation to achieving those goals.

The West Virginia Division of Homeland Security and Emergency Management's Mission Statement Is Consistent With West Virginia Code

State agencies are required to submit division-level performance measures for the *Operating Detail* of the State's Executive Budget as part of the appropriation request process. Other information reported includes the agency's mission statement, goals, and objectives. Although

The agency needs to improve its documentation of actual performance in achieving its goals. There is a lack of accountability if Emergency Management establishes goals but cannot or does not measure actual performance in relation to achieving those goals.

legislative appropriations are not based on performance measures submitted by state agencies, performance measures are required in order to promote accountability before the Legislature and the public, and to encourage agencies to become result-oriented in their operations.

The Legislative Auditor has observed that many state agencies have not provided adequate performance goals or measures in the *Operating Detail* of the State's Executive Budget. In some cases, the performance measures are not strongly tied to the agency's overall mission, while in other cases the list of performance measures is incomplete. In addition, state agencies often do not provide goals or benchmarks for their performance measures. Without a performance goal or benchmark, a performance measure does not indicate whether performance is good or needs improvement.

The Division of Homeland Security and Emergency Management stated its mission in the *2013 Operating Detail* as follows:

**Division of Homeland Security and Emergency Management
Mission Statement**

The Division of Homeland Security and Emergency Management provides leadership and technical support to reduce the loss of life and property and to professionally protect West Virginia citizens and institutions from all types of natural disasters, man-made hazards, and the potential of terrorist attacks through a comprehensive, results-oriented, risk-based hazards management program of protection, mitigation, preparedness, response and recovery. The division also provides leadership and coordination in establishing a comprehensive program that integrates all aspects of homeland security, critical infrastructure protection, intelligence gathering, and collaboration in order to build a robust capability to mitigate, protect, prepare, respond, and recover from all hazards.

The Legislative Auditor examined the agency's mission statement to determine if the agency's focus is statutorily supported. The performance of an agency is tied to what the agency considers its mission. Therefore, the mission should be clearly understood by the agency and it should

not be more or less than what is statutorily required. The Legislative Auditor has determined that the agency’s mission statement is consistent with statute as indicated in the table below.

The Division of Homeland Security and Emergency Management’s mission statement is:	
fully supported by statute.	X
not supported by statute.	
less than statutorily required.	
more than statutorily mandated.	
determined administratively as allowed by statute.	

Mission Statement Source

Emergency Management’s mission statement is supported by Chapter 15, Articles 5, 5A and 5B.

§15-5-1: *In view of the existing and increasing possibility of the occurrence of disasters of unprecedented size and destructiveness, resulting from terrorism, enemy attack, sabotage or other hostile action, or from fire, flood, earthquakes or other natural or man-made causes and in order to insure that preparations of this state will be adequate to deal with such disasters, and generally to provide for the common defense and to protect the public peace, health and safety and to preserve the lives and property of the people of the state, it is hereby found and declared to be necessary: (1) To create the Division of Homeland Security and Emergency Management and to authorize the creation of local and regional organizations for emergency services in the political subdivisions of the state; (2) to confer upon the Governor, and upon the executive heads of governing bodies of the political subdivisions of the state the emergency powers provided herein; (3) to provide for the rendering of mutual aid among the political subdivisions of the state and with other states and to cooperate with the federal government with respect to the carrying out of emergency services and homeland security functions; (4) and to establish and implement comprehensive homeland security and emergency management plans to deal with such disasters. It is further declared to be the purpose of this article and the policy of the state that all homeland security and emergency management funds and functions*

The Legislative Auditor has determined that the agency’s mission statement is consistent with statute.

of this state be coordinated to the maximum extent with the Secretary of the Department of Military Affairs and Public Safety and with the comparable functions of the federal government including its various departments and agencies, of other states and localities and of private agencies of every type, so that the most effective preparation and use may be made of the nation's and this state's manpower, resources and facilities for dealing with any disaster that may occur.

Emergency Management is also charged with operating a 24-hour-a-day communications center for responding to mine safety and industrial accidents, safe school and arson reports through notification of the appropriate agencies and personnel.

Agency-Reported Performance Goals

Emergency Management is responsible for taking actions before, during and after a disaster or terrorist event to assist the people affected. In the *2013 Operating Detail* of the State's Executive Budget, Emergency Management notes that its goal is to provide effective emergency preparedness, response, recovery and mitigation for the citizens of West Virginia. Listed below are performance goals for the agency's operations in the *2013 Operating Detail*.

1. Maintain a response time of less than ten minutes regarding resource requests and other requests from local level emergency managers during Emergency Operations Center activations.
2. Process all disaster recovery grant applications for payment within the required three-day limit.
3. Develop plans by the end of 2013, in coordination with the Federal Emergency Management Agency (FEMA) Region III, other state and local partners that will allow the state to respond to a scenario involving a catastrophic failure of the Bluestone Dam in Hinton, West Virginia.
4. Provide a minimum of eight FEMA-approved, state-managed emergency management courses per year.
5. Provide a minimum operational rate of 90 percent for the automated, radio-reporting meteorological gauges installed throughout the state.

Emergency Management is responsible for taking actions before, during and after a disaster or terrorist event to assist the people affected.

These performance goals are important to provide planning and render assistance to citizens affected by natural disasters or man-made events. All of the performance goals relate to the agency’s mission. The following is a discussion of each.

1. **Maintain a response time of less than ten minutes regarding resource requests and other requests from local level emergency managers during Emergency Operations Center activations.**

Emergency Management listed a goal of responding to Emergency Operations Center (EOC) resource requests within 10 minutes. The statewide EOC is activated during state emergencies to respond to requests and coordinate materials and assistance needed by county emergency management to protect the lives and property of citizens. The statement to “Maintain a response rate of less than ten minutes...” implies that the response rate is being measured and achieved by the agency. **However, the agency does not measure the actual length of time it takes to respond to EOC resource requests.** There are no data to support that actual performance is being maintained within the stated goal. The agency does not have a procedure that describes when a response is completed, how the response time is measured, or monitored.

The EOC activations utilize a web-based state emergency management system that was updated in 2011. The statewide EOC has been activated ten times from 2009 through 2011. The following table shows the date, reason for activation, and the counties affected.

Emergency Management listed a goal of responding to Emergency Operations Center (EOC) resource requests within 10 minutes. However, the agency does not measure the actual length of time it takes to respond to EOC resource requests.

There are no data to support that actual performance is being maintained within the stated goal.

Table 1 Emergency Operations Center Activations CY 2009-2011	
Date and Reason for Activation	Counties Affected
Flooding on May 9, 2009	Boone, Logan, Mingo, McDowell, Raleigh, Wyoming, Calhoun
Winter storm; December 19, 2009	Initially statewide. Later found to affect 43 counties
Flooding; January 26, 2010	Mudslides in Greenbrier County
Winter storm on February 5, 2010	Statewide
Flooding from snowmelt on March 12, 2010	Statewide
Drought from April through October, 2010	Berkeley, Grant, Hampshire, Hardy, Jefferson, Mineral, Morgan, Pendleton, Preston
Flooding on May 16, 2010	Flash floods in Kanawha County
Flooding on June 11, 2010	Logan, McDowell, Mingo, Wyoming, Lewis
Burning ban on September 30, 2010	Jefferson, Berkeley, Morgan, Hampshire, Mineral, Grant, Hardy, Pendleton
Flooding on April 8, 2011	Boone, Lincoln, Logan, Mingo
<i>Source: The Division of Homeland Security and Emergency Management.</i>	

Emergency Management began using the 10 minute or less response time as a goal in the *FY 2008 Operating Detail*. The agency indicates that it cannot measure response times due to a lack of software capability. The software captures the time a request is received but it cannot generate a report. The agency would have to review information manually to determine its responsiveness but this has not been done. The agency implemented a software upgrade in FY 2011 that gives Emergency Management the capability of tracking its response time.

Emergency Management needs to develop a methodology to describe how it measures response times so that it can measure and accurately report its performance of this goal.

The agency’s goal to maintain a response time of 10 minutes or less is a good goal. **However, the agency should not publicly state in the *Operating Detail* that it is maintaining a goal of responding in 10 minutes or less when the actual response time is not known.** Emergency Management needs to develop a methodology to describe how it measures response times so that it can measure and accurately report its performance of this goal.

2. Process all disaster recovery grant applications for payment within the required three-day limit.

Following a disaster, the people and locales affected may need financial assistance to repair the damage created by the disaster. Federal relief is available in the form of Homeland Security Public Assistance disaster grants. Emergency Management is the pass-through agency for the disbursement of these FEMA grants. These funds are available to the State via electronic transfer. However, if the State requests these funds, FEMA requires that the State does not have the funds more than three business days before it disburses them. Therefore, it is important that when the State receives these funds that it will be in position to disburse them to the affected entities within three days of receiving them. The three-day limit is a requirement that comes from FEMA's Public Assistance Policy Digest and is based on federal code.

The three-day limit is a requirement that comes from FEMA's Public Assistance Policy Digest and is based on federal code.

Emergency Management does not have data that confirm the three-day limit has been met; however, it contends that its process for disbursing funds is set up to always comply with the three-day limit.¹ The agency's procedure requires grant sub-recipients to complete all necessary paperwork before the agency makes an electronic fund transfer request to FEMA for Homeland Security grant funds. This preparation and assembling of all necessary documents and signatures allows the agency to set up the payment information in the State's Financial Information Management System (FIMS) so that payments to sub-recipients are disbursed as soon as the fund transfer is received from FEMA.

A more meaningful goal for responsiveness would be achieving a desired timeframe between when a disaster occurs and when local entities receive FEMA funds. This desired timeframe should be a realistic minimum time span that can be measured and monitored against actual performance.

The three-day processing goal is important to Emergency Management in complying with FEMA policy requirements. However, the three-day fund disbursement goal may imply to the public that disaster funds flow into affected areas within three days of the disaster, which is not the case. The process of applying for and receiving FEMA funds can be lengthy. Emergency Management attempts to minimize the timeframe by assisting local entities in applying for funds. Since Emergency Management has a significant role in assisting entities in assembling the paperwork needed to request FEMA grants, a more meaningful goal for responsiveness would be achieving a desired timeframe between when a disaster occurs and when local entities receive FEMA funds. This desired timeframe should be a realistic minimum time span that can be measured and monitored against actual performance.

¹The West Virginia Statewide Single Audit determines if the agency meets FEMA requirements relating to sub-recipient grants. Grant recipients also are subject to additional audits by the Department of Homeland Security Office of the Inspector General and State auditors.

3. Develop plans by the end of 2013, in coordination with FEMA Region III, other state and local partners that will allow the state to respond to a scenario involving a catastrophic failure of the Bluestone Dam in Hinton, West Virginia.

Progress is being made in achieving the goal of developing plans by 2013 to respond to a catastrophic failure of the Bluestone Dam. Emergency Management is supporting exercises that will provide information for the creation of these plans. However, the Military Authority of the Adjutant General, another agency of the Department of Military Affairs and Public Safety, is responsible for creating the Bluestone Dam failure response plans under the guidance of the Director of Emergency Management. This is not a goal of the Adjutant General in the *Operating Detail*. The Emergency Management Director of Operations noted that he was reluctant to comment on if the plans will be complete by CY 2013. He did note that an action plan should be available that covers the initial and continuing response phases and the initial recovery from a Bluestone Dam failure. The Department of Military Affairs and Public Safety should consider the establishment of plans to respond to a potential failure of the Bluestone Dam in Hinton as a department goal, since it involves more than one agency of the department.

Emergency Management supports the State's participation in model exercises of large-scale disaster responses to disasters occurring in the FEMA Region III². FEMA assists the states to conduct such exercises through providing Emergency Management Performance Grants (EMPG). The EMPG Program provides direction, coordination, guidance and assistance so that a comprehensive emergency preparedness system exists in the United States for all hazards. In the past, the State has participated in exercises to prepare for mass migration events such as the evacuation of the national capital region into West Virginia. The most recent events subject to exercises are in the southern and eastern counties. The preparation for a failure of the Bluestone Dam in Summers County is being mirrored in the eastern counties by exercises related to the Jennings Randolph Lake in Mineral County. The federal government assists with this type of modeling by providing templates of actions that the emergency response agencies in affected areas can practice such as citizen evacuation and shelter-in-place, or mass care (sheltering, feeding and related services) for evacuees.

The Military Authority of the Adjutant General, another agency of the Department of Military Affairs and Public Safety, is responsible for creating the Bluestone Dam failure response plans under the guidance of the Director of Emergency Management.

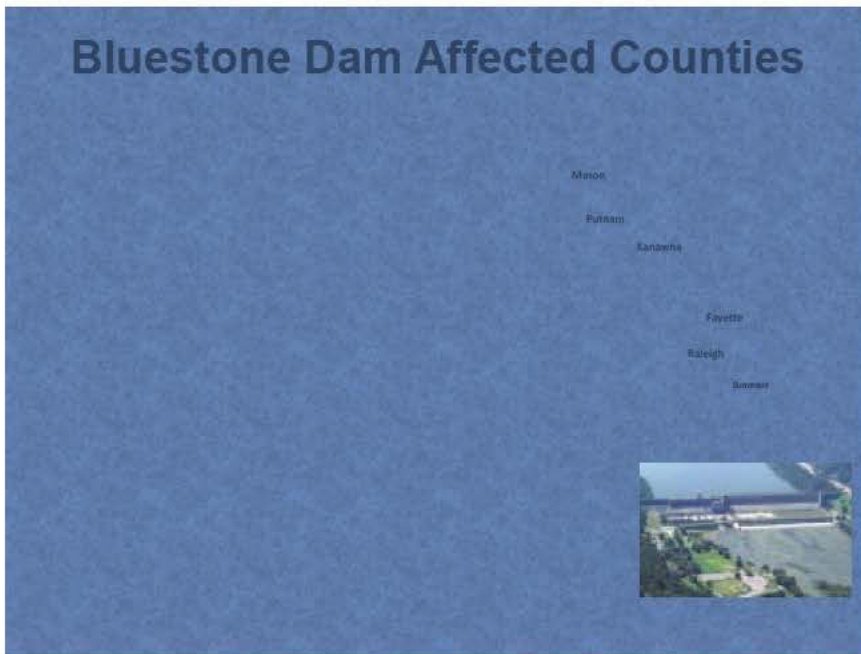
The Department of Military Affairs and Public Safety should consider the establishment of plans to respond to a potential failure of the Bluestone Dam in Hinton as a department goal, since it involves more than one agency of the department.

²FEMA Region III consists of Washington, District of Columbia, Delaware, Maryland, Pennsylvania, Virginia and West Virginia.

The Bluestone Dam exercises anticipate a flood disaster that would directly affect areas in six counties (Summers, Raleigh, Fayette, Kanawha, Putnam and Mason), and has the potential to indirectly affect the population in 14 other counties through the failure of infrastructure such as water systems.

Preliminary exercises and planning events for the potential failure of the Bluestone Dam were held in 2009 and 2011. In 2012, four planning events were scheduled. The first two events were conducted in January and February. The February event brought together 139 participants representing the US Army Corps of Engineers, FEMA, the National Weather Service, the American Red Cross, the National Guard, the state of Ohio, and West Virginia state agencies. There were also representatives from city and county offices of emergency management, local hospitals, local transportation systems, and local health, fire and police departments in the affected region. A third event was held in June. The final event will be a physical enactment of state, county and local agencies in the affected region. Local agencies will practice conducting operations, evacuations, sheltering and mass care required in the event of a Bluestone Dam failure and a subsequent flood. This exercise was scheduled for August 25 through 26, 2012 but was not held due to the wind storm emergency in late June, 2012. It is being rescheduled. These exercises will contribute information for the creation of the Bluestone Dam plan. The following slide is from one of the first exercises held in February 2012.

The Bluestone Dam exercises anticipate a flood disaster that would directly affect areas in six counties (Summers, Raleigh, Fayette, Kanawha, Putnam and Mason).

Figure 1**Slide from Bluestone Dam Tabletop Exercise February 8, 2012**

Source: Department of Homeland Security and Emergency Management

While a goal for preparation and planning in the event of the failure of the Bluestone Dam is important, the Legislative Auditor questions why the development of the plans is a goal for Emergency Management when the plans are being drafted in another agency, the Adjutant General. The production of the plans is dependent on collection of data through exercises set up by Emergency Management. The data will be analyzed and assessed by another agency. While the Director of Emergency Management is guiding and directing this process, the development of the plans is an effort that involves a number of officials and is not fully under the control of Emergency Management. The performance goal should focus on activities that Emergency Management has direct control over, such as holding the four events that are scheduled in 2012, not establishing a date for the development of the Bluestone Dam plans.

The Legislative Auditor questions why the development of the plans is a goal for Emergency Management when the plans are being drafted in another agency, the Adjutant General.

4. Provide a minimum of eight FEMA-approved, state-managed emergency management courses per year. This is a performance output measure that the agency noted had been met during FY 2011.

In order to effectively prepare the state’s manpower, resources and facilities for dealing with various disasters, Emergency Management makes training available for emergency- response personnel throughout the state. The agency annually provides a minimum of eight training sessions which achieves the performance goal.

The Legislative Auditor determined that there is no difference between the FEMA courses offered by Emergency Management and the RESAs.

Emergency Management also has a five-year Memorandum of Understanding with the state’s Regional Education Service Agencies (RESAs) to provide training.³ Emergency Management and the RESAs both provide FEMA-approved classes. The following table shows the training for the past three years:

Table 2 FEMA Approved Training FY 2009, FY 2010, FY 2011			
<i>Emergency Management Training</i>			
	FY 2009	FY 2010	FY 2011
FEMA Courses	8	13	9
Responders Trained	270	318	240
<i>RESA Hazardous Materials Emergency Preparedness (HMEP) Training</i>			
	FY 2009	FY 2010	FY 2011
FEMA Courses	0*	64	69
FEMA Trained Responders	0	1,077	1,238
Other HMEP courses	251	194	167
Responders Trained	3,956	3,217	3,025
*No FEMA-approved courses were listed as taught by the RESAs in FY 2009 Source: The Division of Homeland Security and Emergency Management			

The Legislative Auditor determined that there is no difference between the FEMA courses offered by Emergency Management and the RESAs. The state-managed FEMA courses are offered to meet specific

³The training offered by the RESAs includes basic and advanced first-responder training, National Incident Management System (NIMS) training, hazardous materials training and other specialized courses for first-responders, emergency managers, school personnel, and local emergency planners.

requests from the counties. The provision of both targeted and broad-based training sessions is important to develop the special skills needed by emergency personnel in the state. Emergency Management should continue to have a performance goal that relates to training.

5. Provide a minimum operational rate of 90 percent for the automated, radio-reporting meteorological gauges installed throughout the state.

Emergency Management published the following information in the *2013 Operating Detail* for FY 2009, 2010 and 2011:

Emergency Management considers an operational rate of at least 90 percent is necessary for an effective alert system.

	Actual	Actual	Estimated	Actual	Estimated
Estimated Fiscal Year	2009	2010	2011	2011	2012
2013					
Operational rate of gauges	92%	92%	90%	93%	90%
90 %					

Emergency Management operates 445 automated radio reporting meteorological gauges (including weather sensors) throughout 55 counties.⁴ Meteorological gauges across the state should be operational in order to transmit information about precipitation that could lead to flood conditions. However, at times some meteorological gauges do not work properly. Emergency Management has staff assigned to going out to specific locations to repair malfunctioning devices. Emergency Management considers an operational rate of at least 90 percent is necessary for an effective alert system. This is an important performance goal because these gauges provide critical weather information to alert state officials and residents about flooding. However, the operational rates published in the *2013 Operating Detail* are not based on data generated or monitored by an information system. Instead, the percentages are based on staff’s periodic visual observations of the devices that are not working.

However, the operational rates published in the 2013 Operating Detail are not based on data generated or monitored by an information system. Instead, the percentages are based on staff’s periodic visual observations of the devices that are not working.

The Legislative Auditor asked the agency how the actual operational rates for each fiscal year are calculated. The Communications Officer in charge of the Integrated Flood Observing and Warning System

⁴There are 927 sensors across the state. Some sites measure only rain and stream flows, while others have up to five sensors for wind speed, wind direction, temperature, humidity and precipitation.

(IFLOWS) program noted that the operational rates are not calculated. They are visual estimates by the Communications Officer based on the software map of daily/weekly sensors working which are displayed as points of light. The software map is constantly changing as the sensors come on-line or go out of service. Information transmitted every five minutes to the National Weather Service updates an Emergency Management IFLOWS website every 15 minutes. In addition to providing a near real-time data snapshot of rainfall and stream flows throughout the state, this information allows the agency to determine which sensors are not in service. However, although Emergency Management has real-time data on the operational rate of its sensors, the agency does not compile data or document the operational rate of the gauges.

The Legislative Auditor questions the agency's practice of stating the *actual* operational rate of the gauges for a fiscal year is 92 or 93 percent when it does not have data verifying this statement, and the statement is based on visual estimates and memory. The actual operational rate of the gauges may have been higher or lower than the Communications Officer's visual estimates and memory of daily assessments during the preceding 12 months. Emergency Management should report operational rates based on actual information. The agency should develop methodology to capture, measure, and monitor the operational rate of meteorological gauges.

The Legislative Auditor questions the agency's practice of stating the actual operational rate of the gauges for a fiscal year is 92 or 93 percent when it does not have data verifying this statement, and the statement is based on visual estimates and memory.

Conclusion

Emergency Management has an important function in having the state prepared for emergency events. The agency has developed good performance goals that are relevant to appropriate and timely responses to emergencies. However, the agency either cannot or does not accurately measure actual performance against the desired standards of performance. Publicly reporting goals as being achieved when there are no data or documentation to confirm it does not promote accountability. Furthermore, it is misleading if actual performance is reported to be at desired levels when it may not be. Given the importance of the agency's activities, Emergency Management needs to improve how it measures actual performance that relate to established goals. Measures of actual performance should be verifiable, accurate, and monitored. Emergency Management should also consider expanding its performance goals and measures to include other aspects of responsiveness.

Recommendations

1. *Emergency Management should develop performance goals and measures of actual performance that are based on accurate and verifiable data.*
2. *Emergency Management should not publicly report goals and actual performance that are not based on accurate or verifiable data.*
3. *Emergency Management should consider expanding its performance goals and measures to include other aspects of readiness and responsiveness.*

Issue 2

Emergency Management’s Vacant Part-time Positions in the Communications Center Create a Substantial Need for Overtime, Costing the State Significantly More in Overtime Compensation Than Filling the Vacant Positions.

Issue Summary

The Legislative Auditor determined that the operations of Emergency Management’s 24-hour communications center are not economical. The agency has four vacant part-time positions in the communication center each year that results in the need for overtime on weekends. These positions have never been filled since the communication center was created in 2006. The agency covers the overtime hours primarily with non-communication center staff who have higher base salaries than communication center staff. Since overtime compensation is based on base salaries, the agency’s overtime costs are substantially higher than if the agency filled the vacant part-time positions. The Legislative Auditor estimates that from FY 2007 through FY 2012 the total cost of filling the vacant positions would have been \$321,314. However, actual overtime compensation from FY 2007 through FY 2012 was more than \$900,478, for a cost differential of \$579,164. It is the opinion of the Legislative Auditor that fully staffing the communications center would significantly reduce the cost of operating the communications center by lowering the need for overtime compensation. The Legislature allotted the part-time positions to the agency; therefore, the agency should fill them accordingly.

The agency covers overtime hours primarily with non-communication center staff who have higher base salaries than communication center staff. Since overtime compensation is based on base salaries, the agency’s overtime costs are substantially higher than if the agency filled the vacant part-time positions.

Emergency Management Communications Center

Emergency Management operates a statutorily-required emergency operations telephone number that is to initiate a rapid emergency response to any mine or industrial accident. As stated in §15-5B-2(c),

The emergency operations center shall be readily accessible twenty-four hours a day at a statewide telephone number established and designated by the director.

This toll-free telephone number is answered in a communications center that has operated since 2006. The Mine and Industrial Accident Rapid Response (MIARR) System is accessible 24 hours a day, 7 days a week. Emergency Management has also assumed responsibility for

answering four additional hotlines in the communications center: the Arson hotline, the Division of Environmental Protection (DEP) spill line, the Mine and Industrial Worker Tip line, and the Safe Schools help line. The agency did not provide the Legislative Auditor with code citations or executive orders requiring the other four hotlines.

Beginning in FY 2008 the agency was allowed to convert two of the eight FTEs into four part-time positions. These four part-time positions have never been filled.

Table 3 shows the number of allotted positions for Emergency Management’s communication center. Initially the communication center had eight full-time equivalent (FTE) civil service positions when the center was first established. However, beginning in FY 2008 the agency was allowed to convert two of the eight FTEs into four part-time positions. These four part-time positions have never been filled, as Table 3 shows.

Table 3						
Emergency Management Communications Center						
Allotted Full and Part-time Positions						
July 2006 through July 2011						
Fiscal Year	2006	2007	2008	2009	2010	2011
Total Positions	8	8	10	10	10	10
Full Time	8	8	6	6	6	6
Part Time	0	0	4	4	4	4
Vacancies						
Full Time	5	2	1	0	0	0
Part Time	n/a	n/a	4	4	4	4

Source: Tax Department’s Position Information Management System Expenditure Schedules.

Overtime Compensation Is More Expensive Than Filling Part-time Vacancies

As a result of the continuously vacant part-time positions, a minimum of 2,496 hours in weekend overtime is necessary in the communications center each year. In order to cover the weekend and holiday hours of operation, Emergency Management offers overtime to all employees in the agency, including non-communication center employees, at a significant cost to the State. See Appendix C for the communications center appropriations and actual expenses.

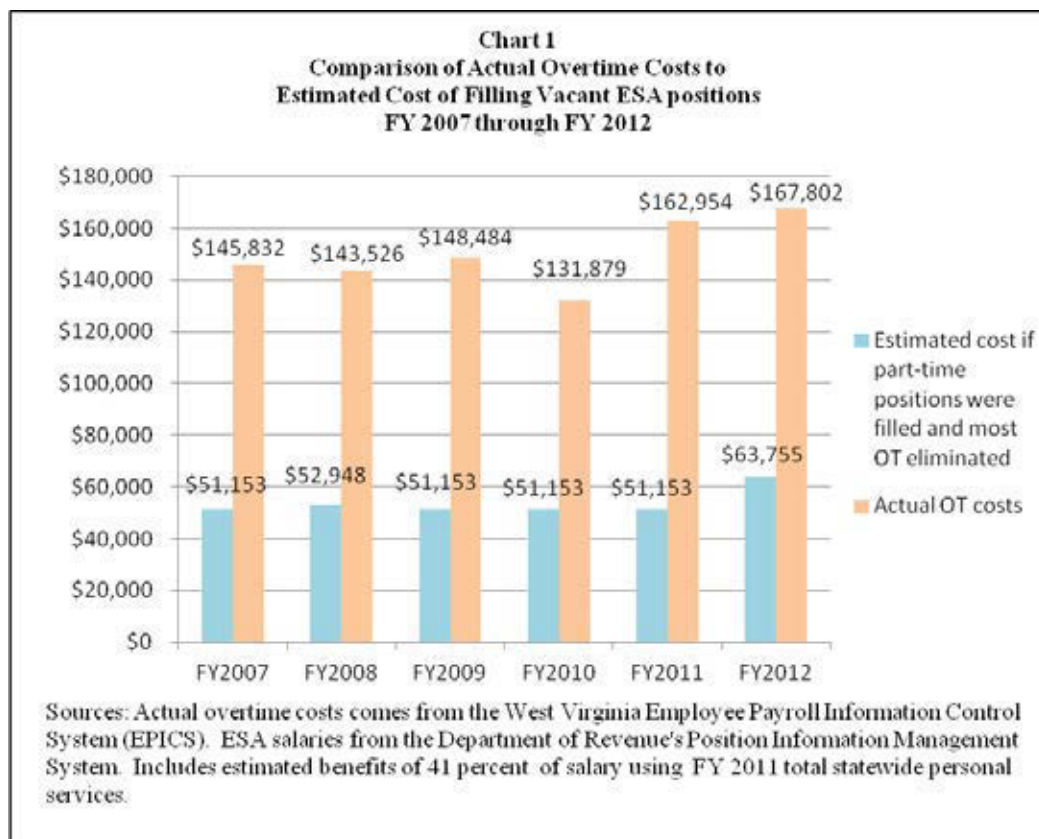
In order to cover the weekend and holiday hours of operation, Emergency Management offers overtime to all employees in the agency, at a significant cost to the State.

Chart 1 shows a comparison of actual overtime costs to estimated costs of filling the part-time vacant Emergency Services Associate (ESA) positions. The ESA position currently has a starting annual salary of

\$22,584. Actual overtime costs include compensation, the employer share of costs for the Federal Insurance Contributions Act (FICA), and the employer’s share of state retirement contribution. Estimated costs for the ESAs are based on ESAs being paid at the salary rate listed in the Department of Revenue’s Position Information Management System at the beginning of each respective fiscal year. The cost for the ESA positions includes employer-paid benefits calculated at 41 percent of base salary.⁵

The Legislative Auditor estimates that in the last six fiscal years the State’s overtime cost for the communication center was at least \$579,164 or 64 percent more than the cost to fill the vacant part-time positions that are budgeted for the communication center.

The Legislative Auditor estimates that in the last six fiscal years the State’s overtime cost for the communication center was at least **\$579,164 or 64 percent more** than the cost to fill the vacant part-time positions that are budgeted for the communication center. This cost differential is substantial and warrants the agency’s immediate attention.



⁵The 41 percent is the average state government ratio of benefits-to-compensation in FY 2011.

Actual Overtime Costs to Cover Hours of Vacant Positions

The Legislative Auditor examined the communications center staffing in terms of the cost to the State. In fiscal years 2007 through 2012, communications center overtime costs totaled approximately \$900,478. Table 4 breaks out the costs by fiscal year.

Table 4
Actual Communications Center Overtime Costs
FY 2007 – FY 2012

Compensation	FY07	FY08	FY09	FY10	FY11	FY12
Overtime Pay	\$123,430	\$121,478	\$125,674	\$111,150	\$135,626	\$137,374
Public Retirement	\$12,960	\$12,755	\$13,196	\$12,226	\$16,953	\$19,919
Social Security	\$7,653	\$7,532	\$7,792	\$6,891	\$8,409	\$8,517
Medicare	\$1,790	\$1,761	\$1,822	\$1,612	\$1,967	\$1,992
Total	\$145,832	\$143,526	\$148,484	\$131,879	\$162,955	\$167,802

Source: Legislative Auditor's calculations based on EPICS data. Totals may not sum due to rounding.

All Emergency Management employees except the Director are allowed to work overtime in the communications center.⁶ Employees are paid their straight hourly rate of pay up to 40 hours a week, and time and a half their usual rate of pay above 40 hours a week. Employees earning a lower salary will earn a lower hourly payment of overtime while employees earning a higher salary will earn a higher hourly payment of overtime. For instance, in September 2011 overtime pay ranged from \$16.29 to \$35.55 an hour at the time and a half rate. Overall, 22 employees earned overtime in the communications center in FY 2011. Fifteen of these employees increased their earnings by more than 10 percent. Of these 15 employees, 7 increased their earnings by over 30 percent. Table 5 shows regular and overtime earnings (with FICA and PERS benefits) in the communications center for 15 Emergency Management employees in FY 2011.

All Emergency Management employees except the Director are allowed to work overtime in the communications center.

⁶Only the Director has been classified by the agency as being exempt from receiving overtime pay under the Fair Labor Standards Act.

Table 5
FY 2011 Base Salary, Employer’s Payroll Costs and Overtime Costs to the State For
Some Employees Working Overtime in the Communications Center

Employee	Annual Base Salary	Employer’s Base Payroll Costs*	Overtime Earnings	Employer’s Overtime Payroll Costs*	Increased Costs to the State as Percentage ▲
E18	\$34,424	\$4,533.44	\$18,087.09	\$3,644.55	55.78%
E7	\$35,532	\$6,912.40	\$16,787.92	\$3,382.77	47.52%
E21	\$44,244	\$8,915.17	\$15,174.23	\$3,057.61	34.30%
E15	\$31,584	\$6,364.18	\$10,732.36	\$2,162.57	33.98%
E4	\$34,608	\$7,105.27	\$12,481.21	\$1,168.49	32.72%
E8**	\$12,233	\$2,464.95	\$3,754.58	\$756.87	30.69%
E12	\$41,220	\$8,305.53	\$12,576.02	\$2,534.07	30.51%
E17**	\$22,584	\$4,550.68	\$6,411.74	\$1,291.97	28.39%
E13	\$23,724	\$4,780.39	\$6,468.84	\$1,303.47	27.27%
E3	\$23,724	\$4,637.31	\$5,385.22	\$1,085.48	22.82%
E19**	\$22,584	\$4,550.68	\$4,701.27	\$947.31	20.82%
E6	\$39,876	\$8,196.55	\$8,197.73	\$1,651.84	20.49%
E22	\$33,060	\$6,661.59	\$5,405.68	\$1,089.15	16.35%
E9**	\$22,584	\$4,550.68	\$3,133.11	\$631.32	13.87%
E5	\$6,587	\$1,262.46	\$819.93	\$165.22	12.55%

Source: EPICS.

*Payroll costs includes employer’s share of FICA and State retirement.

**Communication Center Employee

▲ Overtime earnings and employer’s overtime payroll costs as percentage of annual base salary and employer’s base payroll costs.

Employer contributions to both the pension system and a subsidy for healthcare are based on an agency’s covered payroll.⁷ As overtime pay is making the current payroll higher, Emergency Management’s contributions to the pension system and the healthcare subsidy are also higher. Fifteen Emergency Management employees are eligible to receive the healthcare subsidy. Any employee earning overtime will eventually receive a higher pension because overtime is calculated as salary. The on-going vacancies allow employees to increase their salaries and enhance their retirement.

As overtime pay is making the current payroll higher, Emergency Management’s contributions to the pension system and the healthcare subsidy are also higher.

⁷Covered payroll is the total payroll of all current members eligible to receive subsidies from state employers.

Emergency Management Should Increase Its Efforts to Operate the Communication Center More Economically

Emergency Management informed the Legislative Auditor that it has had difficulty filling the part-time positions in the communication center. The agency has posted the part-time positions through the Division of Personnel (DOP) three times, twice in 2008 and once in 2011. Although the DOP forwarded a list of qualified people to Emergency Management, the agency did not fill the part-time positions with anyone from the list.

The communication center is operated with three eight-hour shifts on Monday through Friday and two 12-hour shifts on Saturday and Sunday. Each shift has two people on duty. Six full-time employees work shifts that rotate monthly between the three eight-hour shifts on Monday through Friday. Overtime hours are granted to cover the weekends and holidays. Emergency Management should reduce its overtime costs by filling the vacant part-time positions. Ideally, if the part-time positions are filled, the only need for overtime would result from holidays, turnover, and communication center employees taking vacation, annual, and sick leave. Part-time staff should be first in line to receive those hours as a means to reduce overtime hours. Although filling the part-time positions will not eliminate the need for overtime, it will substantially reduce overtime costs.

Conclusion

Emergency Management's communication center is not being operated economically. The principal loss of economy involves vacant part-time positions. These vacancies have created a substantial need for overtime that is being met by allowing employees at all management levels to work overtime hours. Paying overtime to cover these vacant positions in the communications center is not a cost-effective use of the State's funding, particularly when the Legislature allotted the part-time positions specifically for the communication center. The analysis of this review is clear in showing that substantial cost savings can be achieved in operating the communication center. Emergency Management should make every effort to address the staffing of the communications center in order to significantly reduce costs to the State.

Emergency Management's communication center is not being operated economically.

Paying overtime to cover vacant positions in the communications center is not a cost-effective use of the State's funding, particularly when the Legislature allotted the part-time positions specifically for the communication center.

Recommendation

4. *The Division of Homeland Security and Emergency Management should hire staff to fill the vacant part-time positions.*

Issue 3

Two Required Emergency Management Plans Are Written, But Two Requirements Related to the Plans Have Not Been Met.

Issue Summary

The Legislative Auditor reviewed agency performance in fulfilling statutory requirements for emergency preparedness plans. Emergency Management has written two statutorily required emergency preparedness plans. However, Emergency Management has not satisfied other statutorily required planning mandates in the 16 years since the requirement was enacted into West Virginia law.

- Emergency Management has not entered into agreements with other states for the evacuation and reception of civilian populations.
- Emergency Management has not communicated to the Legislature interstate mutual assistance processes, operations or events.

Emergency Management has not fully complied with law resulting in the Legislature not having all information about costs associated with emergencies, state equipment and personnel who may be outside of the state assisting with emergencies elsewhere or when other states have a presence within West Virginia responding to emergencies within West Virginia.

Emergency Management has not fully complied with law resulting in the Legislature not having all information about costs associated with emergencies, state equipment and personnel who may be outside of the state assisting with emergencies elsewhere or when other states have a presence within West Virginia responding to emergencies.

Two Required Emergency Preparedness Plans Exist

Emergency Management plans provide an overview for how the response to a disaster will be directed, managed, and coordinated. At the beginning of this review, three plans were required in state code. However, during the 2012 regular legislative session, one of the required plans was removed from statute. It was a plan to remove and dispose of debris that obstructs natural water flow in streams in order to lessen the effect of flooding. The two remaining emergency response plans that have been written are:

1. the Emergency Operations Plan, and
2. the Standard Hazard Mitigation Plan.

Emergency Operations Plan

A comprehensive plan and a program for the provision of emergency services are required by Code §15-5-5 (2). The Emergency Operations Plan (EOP) provides an overview of West Virginia's approach to emergency operations. It identifies emergency response policies, describes Emergency Management's organization, and assigns tasks to state agencies and support organizations. The primary audience of the EOP consists of Emergency Management's officials and staff, and other state agency heads. The previous EOP, dated June 1999, was updated in 2008 at the direction of Governor Joe Manchin. State statute does not indicate how often the EOP should be updated. According to the Emergency Management Director, the EOP will be amended as necessary when the federal response framework changes.

The EOP has appendices that identify response actions and support of various state agencies when the state is experiencing an emergency. Some of the EOP's appendices address communications, continuity of government, search and rescue, and transportation. A list of all 31 appendices is included in Appendix D.

Standard Hazard Mitigation Plan

The Disaster Mitigation Act of 2000 (United States Public Law 106-390) requires state governments to identify the natural hazards that impact them, identify a plan of actions and activities to reduce any losses from those natural hazards, and establish a coordinated process to implement the plan. An updated plan must be prepared and submitted to FEMA for review every three years. FEMA approved West Virginia's Standard Mitigation Plan in October 2010. The FEMA-approved mitigation plan allows West Virginia to receive non-emergency Stafford Act assistance and FEMA mitigation grants. The funding can be used to pay for pre-disaster projects that reduce the effects on life and property in the state.

West Virginia Is a Member of a National Mutual Aid Agreement

In the aftermath of a disaster, a state may not be able to respond and recover alone. West Virginia, together with all the other states, has a mutual aid agreement in recognition that any one state may need assistance. The mutual aid agreement, the Emergency Management Assistance Compact (Compact), facilitates providing resources across state lines during a governor-declared state of emergency. Recent

The Emergency Operations Plan (EOP) provides an overview of West Virginia's approach to emergency operations.

The Disaster Mitigation Act of 2000 (United States Public Law 106-390) requires state governments to identify the natural hazards that impact them, identify a plan of actions and activities to reduce any losses and establish a coordinated process to implement the plan.

The FEMA-approved mitigation plan allows West Virginia to receive non-emergency Stafford Act assistance and FEMA mitigation grants.

instances of West Virginia’s participation in the mutual aid agreement can be seen in Appendix E. All states, West Virginia included, enacted the same Compact language into their respective laws.⁸ The Compact details conditions each state must carry out under the mutual aid agreement. When West Virginia enacted the Compact, one additional requirement was added to state code. This requirement was that Emergency Management would annually provide the Legislature with any new or amended mutual aid plans and procedures.

Emergency Management has not fulfilled two aspects of interstate mutual aid conditions detailed in the Compact and state statute. These are listed below.

1. No agreements with other states for civilian population evacuation and reception.

State statute requires West Virginia to form and maintain agreements for the evacuation and interstate reception of civilian populations with the other party states. Emergency Management has not created these agreements. While Emergency Management recognized in an appendix to the State’s EOP that another state’s catastrophic event could require evacuations through West Virginia, this appendix does not meet the statutory requirement because it is not an agreement with another state. The appendix discusses the goal of how to have an orderly and coordinated migration of these citizens to West Virginia. West Virginia’s geographic location to the Washington, D.C. beltway makes the state a likely location where other state’s citizens would relocate in the event of a situation in the United States capitol. Additionally some events could occur in West Virginia necessitating our citizens to leave the state. **The lack of evacuation agreements in particular could make evacuation and/or reception of civilians disorganized.**

2. No reports of mutual aid plans or procedures have been made to the Legislature.

The Legislature added a reporting requirement in 1996 when it incorporated Compact language into code. As written in §15-5-22 Article XIV,

The director of the office of emergency services shall, on or before the first day of January, one thousand nine hundred ninety-seven, provide to the joint committee on government and finance copies of all mutual aid plans and procedures promulgated, developed or entered into after the effective

Emergency Management has not fulfilled two aspects of interstate mutual aid conditions detailed in the Compact and state statute.

Emergency Management has not created agreements for the evacuation and interstate reception of civilian populations with the other party states.

No mutual aid plans or procedures have been provided to the Legislature.

⁸This Compact was enacted into West Virginia law in 1996.

date of this section. The director shall annually thereafter provide the joint committee on government and finance with copies of all new or amended mutual aid plans and procedures on or before the first day of January of each year.

No mutual aid plans or procedures have been provided to the Legislature. Emergency Management told the Legislative Auditor it understands the reporting requirement to mean that if Emergency Management enters into mutual aid agreements *in addition to the Compact* the Legislature is to be informed. The Legislative Auditor's understanding of the reporting requirement is that while agreement documents were not created, other documents relating to agreements exist and should have been reported to the Legislature. For instance, since 2008 Emergency Management has entered into agreements with the states of Pennsylvania (2011), Louisiana (2008), Mississippi (2010), and Vermont (2011), to provide aid, and to receive aid from Virginia in 2009. Some of the mutual aid agreements for these cases that the agency could have provide to the Legislature are found in Appendix F. With this information, the Legislature would be aware of state resources being committed across state lines. Other existing documents the agency could have provided to the Legislature include the agency's Compact implementation guide or even the broad procedures all states use when implementing the Compact.

If the Legislature is to make informed oversight, policy and funding decisions, it must be provided with appropriate and sufficient information.

Conclusion

Emergency situations can occur with little or no warning. Federal, state and local emergency plans have been mandated by government to address how government resources will be utilized in response and recovery efforts. The response plans are intended to reduce the negative impact on lives, property and the environment of all types of emergencies, including natural disasters and man-made events. If the Legislature is to make informed oversight, policy and funding decisions, it must be provided with appropriate and sufficient information. An important part of emergency preparedness is communication. In the event of a far-reaching disaster, all branches of government need to be informed as to the role all members will perform so response and recovery is prompt, efficient and appropriate.

Recommendations

5. *The Division of Homeland Security and Emergency Management should write internal operating procedures in compliance with §15-5-22 Article III (a) of state Code and in the minimum requirements found in the national compact.*

6. *The Division of Homeland Security and Emergency Management should provide the Legislature with a copy of the mutual aid procedures as required by state Code §15-5-22 Article XIV, and other appropriate documents.*

Issue 4

Emergency Management’s Website Needs Improvement In Transparency and User-Friendliness, Particularly in Providing Relevant, Timely Information About Emergencies.

Issue Summary

The Legislative Auditor conducted a literature review on assessments of government websites and developed an assessment tool to evaluate West Virginia’s state agency websites (see Appendix G). The assessment tool lists website elements, some that should be included in every state website, while others may not be necessary or practical for certain agencies. Table 6 indicates that Emergency Management integrates 42 percent of the checklist items in its website. This percentage illustrates a need to improve the user-friendliness and transparency of the website.

Emergency Management could improve its website by publishing its most recent budget, increasing webpage readability, providing and updating information about emergency situations to the public, and providing performance measures.

Table 6 Emergency Management Website Evaluation Score			
Substantial Improvement Needed	More Improvement Needed	Modest Improvement Needed	Little or No Improvement Needed
0-25%	26-50%	51-75%	76-100%
	Emergency Management 42%		
<i>Source: The Legislative Auditor’s review of Emergency Management’s website.</i>			

The public has come to expect that government websites will be used to convey information. Emergency Management could improve its website by publishing its most recent budget, increasing webpage readability, providing and updating information about emergency situations to the public, and providing performance measures.

Emergency Management Needs Improvement In Both Transparency and User-Friendliness

Government websites should provide transparency regarding agency operations in order to promote accountability and public trust. A website that promotes transparency provides sufficient information about an agency’s budget, organization and performance. In order to actively engage with a government agency online, citizens must be able to access and comprehend information on government websites. Therefore, government websites should be designed to be both transparent and user-friendly. A user-friendly website is understandable and easy to navigate from page to page.

Emergency Management’s official government website should be the primary web presence.

The Legislative Auditor reviewed Emergency Management’s website for both user-friendliness and transparency. Table 7 demonstrates that Emergency Management’s website needs improvement in both areas; however the primary needs are in transparency.

Table 7 Emergency Management Website Evaluation Score			
Category	Possible Points	Agency Points	Percentage
User-Friendly	18	10	56
Transparent	32	11	34
Total	50	21	42

Source: The Legislative Auditor’s review of Emergency Management’s website.

Emergency Management’s Website Could Increase Its Transparency

Emergency Management’s website could increase the information it is providing users about real-time situational awareness. The Legislative Auditor found safety and emergency alerts on Emergency Management’s social media sites that were not located on its official government webpage. Emergency Management’s official government website should be the primary web presence. This is the site where the public expects to find information about an emergency as well as instructions on personal protective measures. Timely and accurate information could

The Legislative Auditor found safety and emergency alerts on Emergency Management’s social media sites that were not located on its official government webpage.

save lives, protect property and reduce panic and confusion. Emergency Management's web pages do not indicate website updates although its social media sites indicate the last dates of updates. Social media technologies can be used as **supplemental** methods to reach broader audiences. However, some audiences are not users of these social media technologies and may not recognize the technologies as possible sources of pertinent information. More importantly, the public should not have to visit multiple sites in order to find information important to their safety and welfare. **Regular website updates are of particular importance for this agency because some of the information it conveys is critical to human safety and well-being.**

Emergency Management's website does have several core elements including its general address, telephone number, and administrative official's names and contact information. Transparency would be increased if budgetary information, performance measures, an online complaint form and information concerning how to submit a FOIA were included on the agency's website.

Emergency Management's web pages do not indicate website updates although its social media sites indicate the last dates of updates. Social media technologies can be used as supplemental methods to reach broader audiences.

Transparency Considerations

The following are a few attributes that could be beneficial to Emergency Management in increasing its transparency:

- **Website updates-** There should be website update status for each page. Updates are particularly important for an agency such as Emergency Management when disaster situations are in progress.
- **Location of Agency Headquarters-** The agency's contact page should include an embedded map that shows the agency's location.
- **Email-** There should be general website contact through an email address.
- **Organizational Chart-** The agency's website should contain a narrative describing the agency organization, preferably in a pictorial representation such as a hierarchy/organizational chart.
- **Complaint Form-** A specific page that contains a form to file a complaint, preferably an online form.
- **Budget-** Budget data should be available at the checkbook level, ideally in a searchable database.

- **Mission Statement** – Mission statement should be located on homepage.
- **Graphic Capabilities** – A specific page showing maps of the state with geographic areas highlighted showing watches, warnings, or emergencies in effect.
- **FOIA Information**- The agency’s website should contain information on how to submit a FOIA request, ideally with an online submission form.
- **Performance Measures/Outcomes**- A page linked to the homepage explaining the Department’s performance measures and outcomes.

Emergency Management’s Website Could Be More User-Friendly

Emergency Management’s website users can easily navigate from page to page. Its website has important elements such as a search tool and a site map that acts as an index of the entire website. The website has the Really Simple Syndication (RSS) element that allows subscribers to receive updated work in a standardized format. This feature is important for Emergency Management to have, given the importance of some of its emergency information. However, some of the agency’s webpages have a readability for that of a college graduate or above. Even those pages specifically for residents are written at a 10th grade level. According to a Brookings Institute report, government websites should be written at the 8th grade level because that facilitates readability. Readable, plain language helps the public find information quickly, understand the information easily and use the information effectively.

Emergency Management’s website is in need of modest improvements in terms of user-friendliness.

User-Friendly Considerations

Emergency Management’s website is in need of modest improvements in terms of user-friendliness. The following are a few improvements that could lead to a more user-friendly website:

- **Site Functionality**- Buttons to adjust the font size and text resizing that do not distort site graphics or text.
- **Foreign Language Accessibility** – A link to translate web pages into other languages.
- **Mobile Functionality**- A mobile version and mobile applications.

- **Frequently Asked Question**- Most asked questions and answers.
- **Help or Need Assistance**- Link that indicates how user can find assistance.

Conclusion

Emergency Management is West Virginia's central agency to support citizens and communities during disasters and to provide leadership in responding to emergencies impacting the state. However, Emergency Management's website does not provide real-time situational awareness of safety and emergency alerts, graphic maps of the geographic locations of the alerts, mobile functionality, and help and/or assistance links. When an emergency strikes, persons in the affected area need up-to-date information. More and more citizens look to the internet to obtain real-time situational awareness. Therefore, Emergency Management's website should be among the best in the state in communicating up-to-date information about conditions influencing the state. Such updates should be available in an easily accessible and user-friendly format.

Emergency Management is West Virginia's central agency to support citizens and communities during disasters. However, Emergency Management's website does not provide real-time situational awareness of safety and emergency alerts, graphic maps of the geographic locations of the alerts, mobile functionality, and help and/or assistance links.

Recommendations

7. *The Division of Homeland Security and Emergency Management should consider adding recommended features to its website to improve both user-friendliness and transparency.*
8. *Emergency Management should post alerts about emergencies on its homepage.*

Appendix A: Transmittal Letter

WEST VIRGINIA LEGISLATURE *Performance Evaluation and Research Division*

Building 1, Room W-314
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305-0610
(304) 347-4890
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John Sylvia
Director

September 21, 2012

Jimmy Gianato, Director
Division of Homeland Security and Emergency Management
Building 1, Room EB-80
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Mr. Gianato:

This is to transmit a draft copy of the Agency Review of the Division of Homeland Security and Emergency Management. This report is scheduled to be presented at the October 9, 2012 interim meeting of the Joint Committee on Government Organization, and the Joint Committee on Government Operations from 11 a.m. to 1 p.m. in the House Chamber. It is expected that a representative from your agency be present at the meeting to orally respond to the report and answer any committee questions.

We wish to schedule the exit conference for Wednesday, September 26, 2012 to discuss any concerns you may have with the report. Please contact me to set up the time for our exit conference. We need your written response by noon on Wednesday, October 3, 2012 in order for it to be included in the final report. If your agency intends to distribute additional material to committee members at the meeting, please contact the House Government Organization staff at (304) 340-3192 by Friday, October 5, 2012 to make arrangements.

We request that your personnel not disclose the report to anyone not affiliated with your agency. Thank you for your cooperation.

Sincerely,

Handwritten signature of John Sylvia in blue ink.
John Sylvia

Enclosure
C: Joseph C. Thornton, Cabinet Secretary, DMAPS
Christine F. Morris, Deputy Secretary, DMAPS

Joint Committee on Government and Finance

Appendix B: Objective, Scope and Methodology

The Performance Evaluation and Research Division (PERD) within the Office of the Legislative Auditor evaluated the Division of Homeland Security and Emergency Management (Emergency Management) as part of the Agency Review of the West Virginia Department of Military Affairs and Public Safety. The review is required and authorized by the West Virginia Performance Review Act, pursuant to West Virginia Code §4-10-8(b)(4) as amended. The purpose of the agency, as established in West Virginia Code §15-5, is to coordinate preparations and response to emergency events in West Virginia.

Objective

The purpose of this report was to review agency-reported performance measures, routine overtime payments in the agency's communications center, statutorily-required emergency preparedness plans, and the agency website. PERD's specific objectives included determining if Emergency Management has relevant performance measures and to confirm the validity of agency's reported performance measures. In addition, this review evaluated the cost differential between incurring overtime costs to operate a communications center and filling part-time positions. PERD staff determined whether Emergency Management has created statutorily-required emergency preparedness plans and procedures, and submitted these plans, procedures and reports to the Legislature. Finally, PERD staff assessed the agency's website for user-friendliness and transparency.

Scope

The scope of this audit included five performance goals and measures the agency reported in the *Operating Detail* of the Executive Budget for fiscal year 2013. Overtime payments for the communications center were for fiscal years 2007 through 2012. The examination of overtime hours focused solely on those hours employees worked in the communications center. PERD staff did not examine overtime payments made to employees for working disasters, special events and other instances. PERD staff made no determination as to whether agency employees were correctly classified as eligible to receive overtime under the Fair Labor Standards Act. PERD staff also did not determine if overtime payments or benefits were correctly calculated or verify that employees were present at their work stations for hours paid as overtime in the communications center. The time-frame for the emergency preparedness plan issue was for statutory requirements existing through the 2012 legislative session. PERD staff did not determine whether or not the emergency preparedness plans were sufficient or comprehensive. The website assessment was performed in January 2012.

Methodology

The principal research methods used to examine report issues included interviews, software program observations, documentation review, and data analysis.

- 1. Interviews.** PERD staff visited the agency's main office in the Capitol building and met with its staff. Interviews with staff were a means of learning about agency performance measurements, processes and decisions. PERD staff also visited the agency's Big Chimney office and met with the agency staffed at that location. Key Emergency Management staff interviewed included the agency Director, unit Directors, the agency Comptroller, the flood warning program manager and communications center staff. PERD also interviewed staff at the Consolidated Public Retirement Board, the Division of Personnel, the State Budget Office, as well as the Legislative Auditor's Budget Office Division and Fiscal Division to gain an understanding of employer's responsibilities for current employees and retirees. Interviews and verbal comments made by these agencies were confirmed by written statements and in many cases were confirmed by corroborating evidence as well.
- 2. Software Program Observations.** Agency staff demonstrated the use of two software programs, IFLOWS and ETEAM, to PERD.
- 3. Documentation Review.** PERD staff reviewed a variety of agency documents including emergency preparedness plans, communications center policies and procedures, and the agency website. In addition, PERD staff examined requirements in *West Virginia Code*, legislative rules, the *Operating Detail* of the Executive Budget Fiscal Year 2013, purchase contracts for the ETEAM software at the Department of Administration's Purchasing Division, payments for the software through the State Auditor's vendor payment system (VISTA), payroll information obtained through the State Auditor's payroll system (EPICS), actuarial reports of the Public Employees Insurance Agency, retirement benefits and tenure for state employees through the Consolidated Public Retirement Board, the Division of Personnel's classification and compensation schedules and the overtime policies and procedures for state employees, and the Joint Committee on Government and Finance file of agency reports filed.
- 4. Data analysis.** PERD staff analyzed agency payroll data from the West Virginia Employee Payroll Information Control System (EPICS). PERD staff did not test the sufficiency and appropriateness of data in the EPICS system by comparing them with the State Auditor's payroll journals or the agency's employee time sheets. PERD knew the part-time vacancies necessitated a need for overtime of at least

2,496 hours a year (52 weeks a year for the weekly 48 hours). Given the minimum number of hours that had to be filled, overtime costs could be expected to be within an expected range of \$95,000 and \$195,000 based on the salaries of Emergency Management's employees. PERD staff determined that reported overtime in EPICS were within this range for each year examined, and therefore the data were sufficient and appropriate.

5. Calculations of annual base salaries, overtime earnings, associated employer's payroll costs for each, and estimated projected costs of filling staff vacancies.

Using data from EPICS, PERD staff calculated total compensation, including annual base salaries and associated employer payroll costs for Social Security and Medicare, overtime earnings and the associated employer payroll costs for Social Security and Medicare for the agency's communications center. PERD staff calculated employer payroll costs for retirement by multiplying the overtime earnings by the employer contributions percentage for each year examined during the scope of this audit. In fiscal years 2007 through 2009 the percentage employers contributed was 10.5 percent of earnings, in fiscal year 2010 it was 11 percent, in 2011 it was 12.5 percent and in 2012 it was 14.5 percent. The calculations for Social Security and Medicare were obtained by multiplying overtime earnings by the employer tax rate of 6.2 percent for Social Security and 1.45 percent for Medicare as written in the Internal Revenue's Employer Tax Guide. To determine the estimated total costs (compensation and payroll costs) of filling the vacant positions, PERD staff summed the beginning annual salary for a classified, regular part-time Emergency Services Associate in the communications center and estimated employer payroll costs. For 2011, payroll costs for state agencies averaged 41 percent of base salary. An agency's contributions to a healthcare subsidy are based on the total payroll of employees eligible to receive the healthcare subsidy. Therefore, PERD staff reviewed employee tenure to determine the number of agency employees eligible for a future healthcare subsidy. In reviewing employee tenure with the State, PERD staff relied on data from the Consolidated Public Retirement Board, which we determined were sufficient and appropriate.

This performance audit was conducted in accordance with generally accepted government auditing standards. Those standards require that the audit is planned and performed to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. The Legislative Auditor believes that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

Appendix C: Communications Center Appropriations and Actual Expenses

Communications Center					
Appropriations and Actual Expenses					
FY2007-2011					
	FY2007	FY2008	FY2009	FY2010	FY2011
Appropriated Amount	\$741,739	\$558,154	\$558,154	\$564,360	\$503,407
Personal Services*	\$223,256	\$419,364	\$387,687	\$285,688	\$297,997
Benefits	\$66,156	\$126,344	\$134,970	\$95,373	\$144,868
Current Expenses	\$6,433	\$194,351	\$33,900	\$99,195	\$28,471
Insurance Reserve Fund	\$1,636	\$1,680	\$1,598	\$2,047	\$2,060
Retiree Health Benefit	Unfunded	Unfunded	Unfunded	\$14,056	\$30,011
Total Expenses	\$297,481	\$741,739	\$558,155	\$496,359	\$503,407
End of Year Balance	\$444,258	-\$183,585	-\$1	\$68,001	\$0
Source: Legislative Auditor's calculations based on actual appropriation in Budget Bill and FIMS. *Includes overtime costs and costs of a temporary worker.					

Current expenses in FY 2008 were significantly higher than in other fiscal years. The costs were charged primarily to computer supplies and equipment and miscellaneous equipment purchases. Expenses in FY 2010 were higher due to costs charged to computer services and telecommunications costs.

Appendix D: List of Emergency Operations Plan Appendices

1. Annex A - Direction and Control
2. Annex AA - Damage Assessment
3. Annex B - Notification and Warning
4. Annex C - Communications
5. Annex CC - Debris Management
6. Annex D - Search and Rescue
7. Annex DD - Training and Education
8. Annex E - Evacuation and Re-entry
9. Annex EE – Recovery
10. Annex F - Mass Care
11. Annex FF - Department of Education
12. Annex G - Emergency Health and Medical Services
13. Annex GG - Donations Management
14. Annex H - Law Enforcement
15. Annex I - Fire Services
16. Annex J - Staffing/Personnel
17. Annex K – Transportation
18. Annex L - Volunteer Relief Organizations
19. Annex M - Public Information
20. Annex N - State Military Support
21. Annex O - Hazardous Materials
22. Annex P - Continuity of Government
23. Annex Q - Resource Management
24. Annex R - Intentionally Left Blank
25. Annex S - Nuclear Attack Response
26. Annex T – Terrorism
27. Annex U – Drought
28. Annex V - Energy Resources
29. Annex W - Highly Contagious Animal and Poultry Diseases
30. Annex X - Animal Services
31. Annex Y - Urban to Rural Migration
32. Annex Z - Coal Mine Emergencies

Appendix E: Recent Mutual Aid Instances

When a state is impacted by a disaster, it identifies specific resources, personnel or equipment needed. It requests needed resources on an electronic Compact database. Other states respond on the database if they are able and willing to offer any of the needed resources. The state offering aid specifies which of the needed resources it is able to provide and the costs associated with the resource. A contractual agreement is entered into if the requesting state agrees to the terms of the offering state. Resources are then readied for mobilized from an Assisting State to a Requesting State. West Virginia has requested and offered interstate mutual aid under the Compact authority. Recent instances of West Virginia’s participation in the mutual aid agreement can be seen in the table below.

West Virginia Participation in Mutual Aid CY 2009-2011			
West Virginia Rendered Aid			
Date	State	Event	Form of Aid
Emergency Management Rendered Aid			
September 2011	Pennsylvania	Tropical Storm Lee Flooding	Restoration of Communications
West Virginia National Guard Rendered Aid			
August 2008	Louisiana	Hurricane Gustav	Voice, data and video capabilities and Aircraft
June 2010	Mississippi	Deep Water Horizon Oil Spill	Aircraft
September 2011	Vermont	Hurricane Irene	Trucks, Wreckers, Fuelers
West Virginia Received Aid			
May 2009	Virginia	So West Virginia Flooding	Personnel, Dump trucks, End loaders
*Source: Contractual agreements between West Virginia and named states to provide mutual aid.			

Appendix F: Recent Mutual Aid Legal Agreements

**Emergency Management Assistance (EMAC)
Interstate Mutual Aid Request for Assistance
Form REQ-A, 2007**



SECTION I: TO BE COMPLETED BY THE REQUESTING STATE															
Event Name:	Hurricane Gustav	State Mission #:	2882												
Date:	8/30/2008	EMAC #:	0808-042												
Time:	2:34	From State of:	Louisiana												
REQ-A Contact Name:	D. Smith/V. Carpenter														
Phone:	225-925-7561 225-925-3633	E-mail:	laemac@ohsep.louisiana.gov												
Mission Type:	National Guard	If State:	Pick Discipline:	If NG:	State Active Duty										
Mission Assignment:	WV to provide voice, data and video capability to a deployed task force operations center.														
Resources Needed:	JISCC plus operators (4) for sustained 24 hour operations for duration. NGB pre-assigned WV NG to provide JISCC support to La for emergencies. Deploy with prime mover DF2 or JP8 for generators.														
Mobilization:	Date Needed:	8/31/2008	Time needed:	ASAP	hrs										
Demobilization:	Date Released:	9/15/2008	Time needed:		hrs										
Special Deployment Considerations:	<table border="1"> <tr> <td>Working Conditions</td> <td>Normal</td> </tr> <tr> <td>Living Conditions</td> <td>Normal - all amenities available</td> </tr> <tr> <td>Work Location/Facilities: State EOC:</td> <td>Joint Field Office</td> </tr> <tr> <td>Additional Conditions Comments:</td> <td>Deploy with prime mover DF2 or JP8 for generators.</td> </tr> <tr> <td>Safety Concerns/Remarks:</td> <td></td> </tr> </table>					Working Conditions	Normal	Living Conditions	Normal - all amenities available	Work Location/Facilities: State EOC:	Joint Field Office	Additional Conditions Comments:	Deploy with prime mover DF2 or JP8 for generators.	Safety Concerns/Remarks:	
Working Conditions	Normal														
Living Conditions	Normal - all amenities available														
Work Location/Facilities: State EOC:	Joint Field Office														
Additional Conditions Comments:	Deploy with prime mover DF2 or JP8 for generators.														
Safety Concerns/Remarks:															
Resource Coordination Contact:	Name/Title:	MAJ Durel													
Phone:	318-290-5169	E-mail:													
Staging Area:	Location:	Joint Operations Center													
Address:	Building 801b, JOC, Camp Beauregard Rapides, 71360														
Name of EMAC Authorized Representative:	Mark Cooper, Director														
Signature of EMAC Authorized Representative with date:	<i>Mark Cooper</i>	Date:	8/30/2008												

<http://www.emacweb.org>

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WEB/EOC
1 - 8/30/2008
09/13/11

Emergency Management Assistance (EMAC)
 Interstate Mutual Aid Request for Assistance
 Form REQ-A, 2007




SECTION II: TO BE COMPLETED BY THE ASSISTING STATE					
The EMAC Authorized Signature below certifies that information contained herein is a mission estimate to be accepted or declined by the EMAC Requesting State.					
Name of EMAC Authorized Representative:		JAMES GIANATI			
Signature of EMAC Authorized Representative with date:		<i>James Gianati</i>		Date:	31 Aug 2008
Date:		Time:			
From the State of:	West Virginia	To the State of:	Louisiana		
Event Name:	Hurricane Gustav	EMAC #:			
State Mission #:		Requesting State Tracking Number:			
REQ-A Contact Name:		Herbert E. Lettmore			
Phone:	(304) 558-5300	E-mail:	herbert.lettmore@wv.gov wvdes@wv.gov		
Mission Type:	Pick One:	If State:	Pick Discipline:	If NG:	Pick Status: SAD
Mission Assignment:	WV to provide voice, data, and video capability to a deployed task force operations center				
Resources Available:	JISCC plus operators (4) for sustained 24 hr operations for duration. Deploy with prime mover DF2 or JP8 for generators				
In-state Resource Point of Contact:		West Virginia Joint Operations Center			
Phone:	(304) 581-6496	E-mail:	wva.locarea1@wv.nob.emv.mil		
Mobilization:					
Date Available:	31-Aug	Time needed:	Pick hrs:	hrs	
Demobilization:					
Date Released:	15-Sep	Time needed:	Pick hrs:	hrs	
TOTAL ESTIMATE (details on subsequent pages):					
Total Cost Estimate:	\$20,468.00	Total Cost Estimate (Total from Detail sheets):	\$20,468.00		

**Emergency Management Assistance (EMAC)
 Interstate Mutual Aid Request for Assistance
 Form REQ-A, 2007**

Costs		Equipment	
# of fuel consuming equipment:		# of non-fuel consuming equipment:	
Travel Costs:			
Personal Vehicle:		Vehicle Rental/Fuel/Mileage:	
Governmental Vehicle Costs:	\$1,600.00	Air Travel:	
Meals/Tips:	\$3,456.00	Lodging:	\$8,206.00
Notes/Comments:			

**Emergency Management Assistance (EMAC)
Interstate Mutual Aid Request for Assistance
Form REQ-A, 2007**



SECTION III: TO BE COMPLETED BY THE REQUESTING STATE			
Date:	8/31/2008	Time:	12:35
Event Name:	Hurricane Gustav	EMAC #:	0808-042
Requesting State Tracking Number:	2882	Assisting State Tracking Number:	
Mission Assignment	Wv to provide voice, data and video capability to deployed task force operations center		
The EMAC Authorized Signature below certifies that they have reviewed Section II submitted by the Assisting State and agree to the estimated mission costs and requirements. The mission is accepted.			
Name of EMAC Authorized Representative:	Mark Cooper, Director		
Signature of EMAC Authorized Representative with date:		Date:	8/31/08
Date:	8/31/2008	Time:	

**Emergency Management Assistance (EMAC)
Interstate Mutual Aid Request for Assistance
Form REQ-A, 2007**



SECTION I: TO BE COMPLETED BY THE REQUESTING STATE					
Event Name:	Hurricane Gustav	State Mission #:	4404		
Date:	8/31/2008	EMAC #:	0808-076		
Time:	14:55	From State of:	Louisiana		
REQ-A Contact Name:		D. Smith/V. Carpenter			
Phone:	225-925-7561 225-925-3633	E-mail:	laemac@ohsep.louisiana.gov		
Mission Type:	National Guard	If State:	Pick Discipline:	If NG:	State Active Duty
Mission Assignment:	LANG Requests West Virginia National Guard to provide up to 2 HH-60 aircraft along with aircrews				
Resources Needed:	LANG Requests West Virginia National Guard to provide up to 2 HH-60 aircraft along with aircrews consisting of up to 5 pilots and up to 5 crewchiefs for search and rescue missions, logistical air movement of supplies, air movement of evacuees, and sandbagging of levee breaches. partial satisfaction is acceptable by the requestor. Crews should be NVG current and slingload qualified. Crews should bring appropriate PLL parts and package POL to Maintain aircraft in an FMC status				
Mobilization:					
Date Needed:	8/31/2008	Time needed:	12:00	hrs	
Demobilization:					
Date Released:	9/15/2008	Time needed:		hrs	
Special Deployment Considerations:					
Working Conditions			Health & Safety Concerns		
Living Conditions			Base Camp (or similar) - meals/lodging provided		
Work Location/Facilities: State EOC:			Field - impacted area		
Additional Conditions Comments:					
Safety Concerns/Remarks:					
Resource Coordination Contact:		Name/Title:	Col. Gwaltney		
Phone:	504-214-1535	E-mail:			
Staging Area:		Location:	Esler Field		
Address:		Camp Beauregard Rapides, 71360			
Name of EMAC Authorized Representative:		Mark Cooper, Director			
Signature of EMAC Authorized Representative with date:		<i>Mark Cooper</i>	Date:	8/31/08	

Emergency Management Assistance (EMAC)
 Interstate Mutual Aid Request for Assistance
 Form REQ-A, 2007



SECTION II: TO BE COMPLETED BY THE ASSISTING STATE					
The EMAC Authorized Signature below certifies that information contained herein is a mission estimate to be accepted or declined by the EMAC Requesting State.					
Name of EMAC Authorized Representative:		JAMES S. GRANATO			
Signature of EMAC Authorized Representative with date:				Date: 9/2/08	
Date:		Time:			
From the State of:		To the State of:			
Event Name:	Hurricane Gustav		EMAC #:		
State Mission #:		Requesting State Tracking Number:			
REQ-A Contact Name:		Herbert E. Lattimore			
Phone:	(304) 558-5380	E-mail:	wvoes@wv.gov		
Mission Type:	National Guard	If State:	Pick Discipline:	If NG:	Title 32
Mission Assignment:	LANG Requests West Virginia National Guard to provide up to 2 HH-60 aircraft along with aircrews				
Resources Available:	LANG Requests West Virginia National Guard to provide up to 2 HH-60 aircraft along with aircrews consisting of up to 5 pilots and up to 5 crewchiefs for search and rescue missions, logistical air movement of supplies, air movement of evacuees, and sandbagging of levee breaches partial satisfaction is acceptable by the requestor. Crews should be NVG current and slingload qualified. Crews should bring appropriate PLL, parts and package POL to Maintain aircraft in an FMC status				
In-state Resource Point of Contact:		West Virginia Joint Operations Center			
Phone:	(304) 661-6496	E-mail:	wva.jocarea1@wv.ngb.army.mil		
Mobilization:					
Date Available:	9/1/2008	Time needed:	Pick hrs:	hrs	
Demobilization:					
Date Released:	9/9/2008	Time needed:	Pick hrs:	hrs	
COST ESTIMATE (details on subsequent pages):					
Total Cost Estimate:	\$0.00	Total Cost Estimate (Total from Excel sheet):	\$0.00		

Emergency Management Assistance (EMAC)
Interstate Mutual Aid Request for Assistance
Form REQ-A, 2007



SECTION I: TO BE COMPLETED BY THE REQUESTING STATE					
Event Name:	DeepWater Horizon Oil Spill	State Mission #:	MSNG-0510-003		
Date:	06.07.2010	EMAC #:	MSNG-0510-003		
Time:	1330	From State of:	Mississippi		
REQ-A Contact Name:	Charlie Smith				
Phone:	601-933-6716	E-mail:	csmith@mema.ms.gov		
Mission Type:	National Guard	If State:	Other (not listed)	If NG:	Title 32
Mission Assignment:	Request one WV RC-26 aircraft for reconnaissance and fixed wing aviation support in response to the Deepwater Horizon Oil Spill and will be used for Incident Awareness and Assessment operations in support of all 5 states bordering the Gulf of Mexico.				
Resources Needed:	One WV RC-26 aircraft				
Mobilization:	Date Needed:	06.08.2010	Time needed:	Pick hrs:	hrs
Demobilization:	Date Released:	06.21.2010	Time needed:	Pick hrs:	hrs
Special Deployment Considerations:	Working Conditions: Normal				
	Living Conditions: Normal - all amenities available				
	Work Location/Facilities: State EOC: Other				
	Additional Conditions Comments:				
	Safety Concerns/Remarks: Cost is covered under Title 32 USC - no cost to the State of MS				
Resource Coordination Contact:	Name/Title:	LTC Phil Hardy			
Phone:	601-313.6700 or 601-941-7833	E-mail:	john.p.hardy@us.army.mil		
Staging Area:	Location:	JFH-MS			
	Address:	Jackson MS			
Name of EMAC Authorized Representative:	<i>KENT W. BUCKLEY</i>				
Signature of EMAC Authorized Representative with date:	<i>Kent W. Buckley</i>				Date: 06.07.2010

JUN-7-2010 06:23P FROM: SUTTON/FLATWOODS DAY 7652067 TO: 13043444538
 05/07/2010 17:54 WV (TINE SAFETY HOTLINE) 913047652033 P.1
 05/27/3 0635

Emergency Management Assistance (EMAC)
 Interstate Mutual Aid Request for Assistance
 Form REQ-A, 2007

SECTION II: TO BE COMPLETED BY THE ASSISTING STATE

The EMAC Authorized Signature below certifies that information contained herein is a mission estimate to be accepted or declined by the EMAC Requesting State.

Name of EMAC Authorized Representative: James J. Gianato		Date: 7-Jun-10	
Signature of EMAC Authorized Representative with date: <i>James J. Gianato Director</i>		Date: 7-Jun-10	
Event Name: Deepwater Horizon Oil Spill	EMAC #: MSNG-0510-003	Requesting State	MSNG-0510-003
State Mission #: MSNG-0510-003	Tracking Number:	MSNG-0510-003	
REQ-A Contact Name: Herb Lattimore			
Phone: (304) 858-8380	E-mail: herbert.lattimore@wv.gov		
Mission Type: National Guard	If State:	Pick Discipline:	IFNG: Title 32
Mission Assignment: Fixed wing evaluation support in response to the Deepwater Horizon Oil Spill, including Awareness & Assessment operations in support of all 5 States bordering the Gulf of Mexico.			
Resources Available: One WV HC-26 aircraft			
In-state Resource Point of Contact: Charlie Smith			
Phone: (801) 853-6716	E-mail: csmith@mems.ms.gov		
Mobilization:			
Date Available: 8-Jun-10	Time needed:	Pick hrs:	hrs
Demobilization:			
Date Released: 21-Jun-10	Time needed:	Pick hrs:	hrs
COBY ESTIMATE (details on subsequent pages):			
Total Cost Estimate:	Total Cost Estimate (Total from Excel sheet):	\$02,704.00	

**Emergency Management Assistance (EMAC)
Interstate Mutual Aid Request for Assistance
Form REQ-A, 2007**

Total Travel Costs:		\$3,440.00
# of fuel consuming equipment:	1	# of non-fuel consuming equipment: 0
Travel Costs:		
Personal Vehicle:	\$300.00	Vehicle Rental/Fuel/Mileage: \$400.00
Governmental Vehicle Costs:		Air Travel: \$1,500.00
Meals/tips:	\$640.00	Lodging: \$600.00
Notes/Comments:		

**Emergency Management Assistance (EMAC)
Interstate Mutual Aid Request for Assistance
Form REQ-A, 2007**

Total Equipment Costs:		\$78,344.00							
Equipment Costs (insert lines as needed):									
	Description:	Cost:							
1	RC26 Aircraft	78344							
2									
3									
4									
5									
Total Commodity Costs:		\$0.00							
Commodity Costs (insert lines as needed):									
	Description:	Cost:							
1		0							
2									
3									
4									
5									
Total Other Costs:		\$920.00							
Other Costs (insert lines as needed):									
	Description:	Cost:							
1	Personnel pay for 4 days for two people.	920							
2									
3									
4									
5									
Total Personnel Costs:		\$0.00							
Enter Total # of Personnel on Mission:		2							
Detail for Personnel costs (insert lines as needed):									
Name:	Regular Salary Hourly Rate	Fringe Benefit Hourly Rate	# of Regular Hours worked per day	Overtime Salary Hourly Rate	Overtime Fringe Benefit Hourly Rate	# of Overtime Hours worked per day	# of Days on Mission	Total Daily Cost	Total Mission Cost
								#REF!	\$0.00
								#REF!	\$0.00
								#REF!	\$0.00
								#REF!	\$0.00
								#REF!	\$0.00
								#REF!	\$0.00
								#REF!	\$0.00

**Emergency Management Assistance (EMAC)
Interstate Mutual Aid Request for Assistance
Form REQ-A, 2007**



SECTION III: TO BE COMPLETED BY THE REQUESTING STATE			
Date:	06.08.2010	Time:	900
Event Name:	DeepWater Horizon Oil Spill	EMAC #:	MSNG-0510-003
Requesting State Tracking Number:	MSNG-0510-003	Assisting State Tracking Number:	MSNG-0510-003
Mission Assignment	Request one WV RC-26 aircraft for reconnaissance and fixed wing aviation support in response to the Deepwater Horizon Oil Spill and will be used for Incident Awareness and Assessment operations in support of all 5 states bordering the Gulf of Mexico.		
The EMAC Authorized Signature below certifies that they have reviewed Section II submitted by the Assisting State and agree to the estimated mission costs and requirements. The mission is accepted.			
Name of EMAC Authorized Representative:	Mike Thomas Wornack		
Signature of EMAC Authorized Representative with date:	<i>Thomas M. Wornack</i>	Date:	06.08.2010
Date:	06.08.2010	Time:	900

Emergency Management Assistance (EMAC)
 Interstate Mutual Aid Request for Assistance
 Form REQ-A, 2007



SECTION I: TO BE COMPLETED BY THE REQUESTING STATE					
Event Name:	TS Lee	State Mission #:	20110910-0054		
Date:	9/11/2011	EMAC #:	496-RR-5643-0-6694-0		
Time:	1300	From State of:	Pennsylvania		
REQ-A Contact Name:	Pam Weeks				
Phone:	717-651-2141	E-mail:	pweeks@pa.gov		
Mission Type:	State	If State:	Pick Discipline:	If NG:	Pick Status:
Mission Assignment:	Restoration of communications				
Resources Needed:	COW, Trailer and three personnel to restore UHF p25 communications in Derry Township, Dauphin County, Pennsylvania. Costs for personnel and materials need to meet FEMA cost codes. Dauphin County is arranging for and picking up the costs of lodging for personnel.				
Mobilization:	Date Needed:	9/12/2011	Time needed:	Pick hrs:	ASAP
Demobilization:	Date Released:	12/8/2011	Time needed:	Pick hrs:	hrs
Special Deployment Considerations:					
Working Conditions			Protective Measures Needed		
Living Conditions			Minimal - some hotels/restaurants operational		
Work Location/Facilities: State EOC:			Field - impacted area		
Additional Conditions Comments:			May still be closed roads so coordinate route with Resource Coordination Contact.		
Safety Concerns/Remarks:			Because of oil, sewage, and other similar materials released into the water, appropriate protective equipment is recommended.		
Resource Coordination Contact:	Name/Title:	Greg Kline			
Phone:	717-982-1779	E-mail:	gkline@dauphinc.org		
Staging Area:	Location:	Derry Twp Police Department			
Address:	620 Clearwater Road, Hershey, PA 17033				
Name of EMAC Authorized Representative:	Glenn Cannon, Esq., Director				
Signature of EMAC Authorized Representative with date:		Date:	9/11/11		




09/11/2011 16:00 WV MINE SAFETY HOTLINE → 917176512240
 Sep. 11, 2011 3:40PM

NO. 0374 NO. 022 002
 r. 1

**Emergency Management Assistance (EMAC)
 Interstate Mutual Aid Request for Assistance
 Form REQ-A, 2007**



SECTION III: TO BE COMPLETED BY THE ASSISTING STATE					
The EMAC Authorized Signature below certifies that information contained herein is a mission estimate to be accepted or declined by the EMAC Requesting State.					
Name of EMAC Authorized Representative: Jimmy Gianato					
Signature of EMAC Authorized Representative with date: 				Date:	09/11/2011
Date:	09/11/2011	Time:	1513		
Event Name:	Tropical Storm Lee-PA	EMAC #:	400RR5643088940		
State Mission #:		Requesting State Tracking Number:			
REQ-A Contact Name: Joe Gonzalez					
Phone:	3046286012	E-mail:	jggonzo@westmell.us		
Mission Type:	Pick One:	If State:	Pick Discipline:	# NO:	Pick Status:
Mission Assignment:	Assist in Restoring Communications using a WV portable Trunk Site (COW)				
Resources Available:	Portable COW containing a Motorola UHF Trunk Radio Site				
In-state Resource Point of Contact:					
Phone:			E-mail:		
Mobilization:					
Date Available:	9/12/2011	Pick hrs:	hrs		
Demobilization:					
Date Released:	TBD	Time needed:	Pick hrs:	hrs	
COST ESTIMATE (details on subsequent pages):					
Total Cost Estimate:	TBD between PA and WV		Total Cost Estimate (Total from Excel sheet):	\$0.00	

09/11/2011 16:00 WV MINE SAFETY HOTLINE → 917176512240
 Sep. 11. 2011 3:41PM

NO. 0399 NO. 822 004

Emergency Management Assistance (EMAC)
 Interstate Mutual Aid Request for Assistance
 Form REQ-A, 2007

Total Equipment Costs:		\$0.00							
Equipment Costs (insert lines as needed):									
	Description:	Cost:							
1	The requesting agency will reimburse the State of West Virginia the actual costs of	TBD							
2	salary, travel and per diem for up to three State Staff responding with and returning this								
3	unif. Vehicle cost will be at the standard state travel rate for State Vehicles								
4	Mobile trunk site will be billed at the standard FEMA reimbursement rate								
5	Any additional expenses will be billed at cost								
Total Commodity Costs:		\$0.00							
Commodity Costs (insert lines as needed):									
	Description:	Cost:							
1									
2									
3									
4									
5									
Total Other Costs:		\$0.00							
Other Costs (insert lines as needed):									
	Description:	Cost:							
1									
2									
3									
4									
5									
Total Personnel Costs:									
Enter Total # of Personnel on Mission:		21							
Detail for Personnel costs (insert lines as needed):									
Name:	Name:	Fringe Benefit Hourly Rate	# of Regular Hours worked per day	Overtime Salary Hourly Rate	Overtime Fringe Benefit Hourly Rate	# of Overtime Hours worked per day	# of Days on Mission	Total Daily Cost	Total Mission Cost
								#REF!	\$0.00
								#REF!	\$0.00
								#REF!	\$0.00
								#REF!	\$0.00
								#REF!	\$0.00
								#REF!	\$0.00
								#REF!	\$0.00
								#REF!	\$0.00

Form REQ-A, 2010

Emergency Management Assistance Compact (EMAC)
 Interstate Mutual Aid Request for Assistance
 Form REQ-A, 2010

Section I



SECTION I: TO BE COMPLETED BY THE REQUESTING STATE					
Select Exercise or Event:	Event	New or Amended #:	New		
Event Name:	Hurricane Irene FEMA-4022-DR				
Date:	9/2/2011	Requesting State:	Vermont		
State Mission TN #:		EM Software TN #:			
Requesting Agency:	VEM	EMAC TN #:	0811-004		
Requesting State REQ-A Contact:					
First Name:	Peter	Last Name:	Coffey		
Phone 1:	802-951-2722	Phone 2:	802-316-2127		
E-mail 1:	emac.vem@gmail.com	E-mail 2:	pcoffey@dps.state.vt.us		
Mission Type:	National Guard	If State:	Select Discipline:	If NG:	State Active Duty
Mission Assignment:	West Virginia to provide 5ea. 20-Ton Dumps, Driver, A-Driver; 1ea. HMMWV, Driver, NCOIC; 1ea. HMMWV, driver, A-Driver (Medic); 1ea. Contact Truck, driver, A-Driver; 1ea. Wrecker, Driver, A-Driver; 1ea. Fueler, Driver, A-driver (92F Fuel handler) 20 PAX for up to 4 weeks.				
Resource Requested:	5ea. 20-Ton Dumps, Driver, A-Driver; 1ea. HMMWV, Driver, NCOIC; 1ea. HMMWV, driver, A-Driver (Medic); 1ea. Contact Truck, driver, A-Driver; 1ea. Wrecker, Driver, A-Driver; 1ea. Fueler, Driver, A-driver (92F Fuel handler) 20 PAX.				
Deployment Dates (including travel days):					
Mobilization:			Demobilization:		
Date Needed:	9/6/2011	Date Released:	10/3/2011		
Deployment Details:					
Work Location/Facilities:			Field - Impacted area		
Location/Facility Name:		Drummerston Incident Command Center			
Address 1:		860 Route 6			
Address 2:					
City:		Drummerston	Zip Code: 5301		

Form REQ-A, 2010

Emergency Management Assistance Compact (EMAC)
Interstate Mutual Aid Request for Assistance
Form REQ-A, 2010

Section I

Select Exercise or Event:	Event	Now or Amended #:	Now
Event Name:	Hurricane Irene FEMA-4022-DR		
Date:	9/2/2011	Requesting State:	Vermont
State Mission TN #:		EM Software TN #:	
Requesting Agency:	VEM	EMAC TN #:	0811-004
Deployment Details (continued):			
Working Conditions		Normal - Infrastructure & Support Services Operational	
Working Conditions Comments:			
Living Conditions		Normal - All Amenities Available	
Living Conditions Comments:			
Identify Health & Safety Concerns (select all that apply):			
<input checked="" type="checkbox"/>		No Safety or Health Concerns have been identified.	
<input type="checkbox"/>		Immunizations or Vaccinations are suggested to deploy on this mission.	
<input type="checkbox"/>		Environmental Hazards Exist for this mission (identified below).	
<input type="checkbox"/>		Personal Protection Equipment Needed	
Safety Concerns/Remarks:			
Requesting State Resource Coordination Contact:			
First Name:	Wayne	Last Name:	Gammell
Title:		Agency:	
Phone 1:	802-461-7291	Phone 2:	
E-mail 1:		E-mail 2:	
Staging Area or EMAC Mobilization Unit (EMU) Location and Point of Contact:			
POC First Name:	Col. Robert	Last Name:	Gingras
Phone 1:	802-999-9745	Phone 2:	
Location/Facility Name:		Drummerston Incident Command Center	
Address 1:		860 Route 5	
Address 2:			
City:		Drummerston	
Zip Code:		5301	
The EMAC Authorized Signature below certifies that information contained herein accurately represents, to the best of their knowledge, the resource request at the time.			
Name of EMAC Authorized Representative:		Randy Bronson	
Signature of EMAC Authorized Representative with Date:		Date:	9/2/11 9/2/2011

Emergency Management Assistance (EMAC)
 Interstate Mutual Aid Request for Assistance
 Form REQ-A, 2007



SECTION II: TO BE COMPLETED BY THE ASSISTING STATE					
The EMAC Authorized Signature below certifies that information contained herein is a mission estimate to be accepted or declined by the EMAC Requesting State.					
Name of EMAC Authorized Representative:		James J. Gianato			
Signature of EMAC Authorized Representative with date:			Date:	2-Feb-11	
Date:	2-Sep-11	Time:	18:26		
Event Name:	Hurricane Irene FEMA-4022 DR	EMAC #:	0811-004		
State Mission #:	0811-004	Requesting State Tracking Number:	0811-004		
REQ-A Contact Name:		Herb Lattimore			
Phone:	(304) 558-5380	E-mail:	herbert.e.lattimore@wv.gov		
Mission Type:	National Guard	If State:	Pick Discipline:	If NG:	State Active Duty
Mission Assignment:	WVNG to provide equipment to the VTNG in support of Hurricane Irene missions.				
Resources Available:	See attached.				
In-state Resource Point of Contact:		Peter Coffey			
Phone:	802-951-2722	E-mail:	pcoffey@dps.state.vt.us		
Mobilization:					
Date Available:	6-Sep-11	Time needed:	Pick hrs:	hrs	
Demobilization:					
Date Released:	3-Oct-11	Time needed:	Pick hrs:	hrs	
COST ESTIMATE (details on subsequent pages):					
Total Cost Estimate:		Total Cost Estimate (Total from Excel sheet):	\$100,632.80		

**Emergency Management Assistance (EMAC)
Interstate Mutual Aid Request for Assistance
Form REQ-A, 2007**

Total Travel Costs:		\$12,500.00	
# of fuel consuming equipment:	10	# of non-fuel consuming equipment:	0
Travel Costs:			
Personal Vehicle:	\$0.00	Vehicle Rental/Fuel/Mileage:	\$0.00
Governmental Vehicle Costs:	\$12,500.00	Air Travel:	\$0.00
Meals/tips:		Lodging:	
Notes/Comments:			
Fuel Cost (5 20-T Dumps, 2 HMMWVs, 1 Contact Truck, 1 Wrecker, 1 Fuel Tanker) 10 Vehicles x 2,500 miles x .50			



09/03/2011 17:36

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MECCA911

PAGE 01/01

Emergency Management Assistance (EMAC)
 Interstate Mutual Aid Request for Assistance
 Form REQ-A, 2007

SECTION II: TO BE COMPLETED BY THE ASSISTING STATE					
The EMAC Authorized Signature below certifies that information contained herein is a mission estimate to be accepted or declined by the EMAC Requesting State.					
Name of EMAC Authorized Representative:		James J. Ginnato			
Signature of EMAC Authorized Representative with date:				Date:	2-Feb-11
Date:	2-Sep-11	Time:	18:26		
Event Name:	Hurricane Irene FEMA-4122 DR	EMAC #:	0811-004		
State Mission #:	0811-004	Requesting State Tracking Number:	0811-004		
REQ-A Contact Name:		Herb Lattimore			
Phone:	(304) 558-5380	E-mail:	herberle.lattimore@wv.gov		
Mission Type:	National Guard	# Sts:	Pick Discipline:	# NG:	State Active Duty
Mission Assignment:	WVNG to provide equipment to the VTNG in support of Hurricane Irene missions.				
Resources Available:	See attached.				
In-state Resource Point of Contact:		Peter Coffey			
Phone:	602-951-2722	E-mail:	pcoffey@dds.state.vt.us		
Mobilization:					
Date Available:	6-Sep-11	Time needed:	Pick hrs:	hrs	
Demobilization:					
Date Released:	3-Oct-11	Time needed:	Pick hrs:	hrs	
COST ESTIMATE (details on subsequent pages):					
Total Cost Estimate:	Total Cost Estimate (Total from Excel sheet):		\$100,632.88		

http://www.emacweb.org

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1-9/02/2011

NO. 786

002

09/03/2011 17:30 WV MINE SAFETY HOTLINE → 913045996336

Appendix G: Website Criteria Checklist and Points System

Website Criteria Checklist and Points System [Division of Homeland Security and Emergency Management]			
User-Friendly	Description	Total Points Possible	Total Agency Points
Criteria	The ease of navigation from page to page along with the usefulness of the website.	18	10
		Individual Points Possible	Individual Agency Points
Search Tool	The website should contain a search box (1), preferably on every page (1).	2 points	2 points
Help Link	There should be a link that allows users to access a FAQ section (1) and agency contact information (1) on a single page. The link's text does not have to contain the word help, but it should contain language that clearly indicates that the user can find assistance by clicking the link (i.e. "How do I...", "Questions?" or "Need assistance?").	2 points	1 point
Foreign language accessibility	A link to translate all web pages into languages other than English.	1 point	0 points
Content Readability	The website should be written on a 6 th -7 th grade reading level. The Flesch-Kincaid Test is widely used by Federal and State agencies to measure readability.	No points, see narrative	
Site Functionality	The website should use sans serif fonts (1), the website should include buttons to adjust the font size (1), and resizing of text should not distort site graphics or text (1).	3 points	1 point
Site Map	A list of pages contained in a website that can be accessed by web crawlers and users. The Site Map acts as an index of the entire website and a link to the department's entire site should be located on the bottom of every page.	1 point	1 point
Mobile Functionality	The agency's website is available in a mobile version (1) and/or the agency has created mobile applications (apps) (1).	2 points	0 points
Navigation	Every page should be linked to the agency's homepage (1) and should have a navigation bar at the top of every page (1).	2 points	2 points

Website Criteria Checklist and Points System [Division of Homeland Security and Emergency Management]			
FAQ Section	A page that lists the agency’s most frequent asked questions and responses.	1 point	0 points
Feedback Options	A page where users can voluntarily submit feedback about the website or particular section of the website.	1 point	1 point
Online survey/poll	A short survey that pops up and requests users to evaluate the website.	1 point	0 points
Social Media Links	The website should contain buttons that allow users to post an agency’s content to social media pages such as Facebook and Twitter.	1 point	1 point
RSS Feeds	RSS stands for “Really Simple Syndication” and allows subscribers to receive regularly updated work (i.e. blog posts, news stories, audio/video, etc.) in a standardized format.	1 point	1 point
Transparency	Description	Total Points Possible	Total Agency Points
Criteria	A website which promotes accountability and provides information for citizens about what the agency is doing. It encourages public participation while also utilizing tools and methods to collaborate across all levels of government.	32	11
		Individual Points Possible	Individual Agency Points
Email	General website contact.	1 point	0 points
Physical Address	General address of stage agency.	1 point	1 point
Phone Number	Correct phone number of state agency.	1 point	1 point
Location of Agency Headquarters	The agency’s contact page should include an embedded map that shows the agency’s location.	1 point	0 points
Administrative officials	Names (1) and contact information (1) of administrative officials.	2 points	2 points
Administrator(s) biography	A biography explaining the administrator(s) professional qualifications and experience.	1 point	1 point

Website Criteria Checklist and Points System [Division of Homeland Security and Emergency Management]			
Privacy policy	A clear explanation of the agency/state’s online privacy policy.	1 point	1 point
Public Records	<p>The website should contain all applicable public records relating to the agency’s function. If the website contains more than one of the following criteria the agency will receive two points:</p> <ul style="list-style-type: none"> • Statutes • Rules and/or regulations • Contracts • Permits/licenses • Audits • Violations/disciplinary actions • Meeting Minutes • Grants 	2 points	2 points
Complaint form	A specific page that contains a form to file a complaint (1), preferably an online form (1).	2 points	0 points
Budget	Budget data is available (1) at the checkbook level (1), ideally in a searchable database (1).	3 points	0 points
Mission statement	The agency’s mission statement should be located on the homepage.	1 point	0 points
Calendar of events	Information on events, meetings, etc. (1) ideally imbedded using a calendar program (1).	2 points	1 point
e-Publications	Agency publications should be online (1) and downloadable (1).	2 points	2 points
Agency Organizational Chart	A narrative describing the agency organization (1), preferably in a pictorial representation such as a hierarchy/organizational chart (1).	2 points	0 points
Graphic capabilities	Allows users to access relevant graphics such as maps, diagrams, etc.	1 point	0 points
Audio/video features	Allows users to access and download relevant audio and video content.	1 point	0 points
FOIA information	Information on how to submit a FOIA request (1), ideally with an online submission form (1).	2 points	0 points

Website Criteria Checklist and Points System [Division of Homeland Security and Emergency Management]			
Performance measures/outcomes	A page linked to the homepage explaining the agencies performance measures and outcomes.	1 point	0 points
Agency history	The agency’s website should include a page explaining how the agency was created, what it has done, and how, if applicable, has its mission changed over time.	1 point	0 points
Website updates	The website should have a website update status on screen (1) and ideally for every page (1).	2 points	0 points
Job Postings/links to Personnel Division website	The agency should have a section on homepage for open job postings (1) and a link to the application page Personnel Division (1).	2 points	0 points

Appendix H: Agency Response



STATE OF WEST VIRGINIA
DEPARTMENT OF MILITARY AFFAIRS
AND PUBLIC SAFETY
DIVISION OF HOMELAND SECURITY
AND EMERGENCY MANAGEMENT
Building 1, Room EB-80
1900 Kanawha Blvd., East
Charleston, West Virginia 25305-0360
Telephone: (304) 558-5380 Fax: (304) 344-4538

EARL RAY TOMBLIN
GOVERNOR

JOSEPH C. THORNTON
CABINET SECRETARY

JIMMY J. GIANATO
DIRECTOR

October 4, 2012

Mr. John Sylvia, Director
Performance Evaluation and Research Division
Legislative Auditor's Office
Building 1, Room W-314
1900 Kanawha Boulevard, East
Charleston, WV 25305



Dear Mr. Sylvia:

This letter provides the West Virginia Division of Homeland Security and Emergency Management's response to the performance review conducted on our division of the last several months. Unfortunately, I will not be able to attend the meeting as you have been advised to a prior commitment that was made several months ago out of state. The comments contained in this response represent the opinions of the management and staff of the Division of Homeland Security and Emergency Management. We will attempt in this response to clarify some things that we pointed out during the exit interview that were not accurately reflected. We will be happy to meet with any committee or member of the legislature to discuss any portion of this report. We are always looking for ways to improve the way we do business and provide service to the citizens of our state. Thank you for the opportunity to respond to your review and we look forward to working with you and the legislature to implement any necessary improvements.

Issue 1: The West Virginia Division of Homeland Security and Emergency Management Has Performance Goals for Important Activities But It Does Not Adequately Measure If It Achieves Them.

The real performance measure of our Division is our ability to meet the needs of the state's citizens and our support of local jurisdictions during an emergency or disaster situation. That performance is almost impossible to quantify and qualify. We agree that the Division needs performance goals that are easily measured. To meet that requirement, we have been working with the state budget office to establish new performance goals and those are reflected in our 2014 budget.

Mr. John Sylvia, Director

October 4, 2012

Page 2

Item 1:

The Division strives to respond to all resource requests it receives from local jurisdictions within the 10 minute window we have established. This goal was never intended to mean that the request would be filled, but that we would acknowledge and begin to work on that request within that time frame. The ETEAM system automatically logs when the request was made and when someone logs in and checks the status and takes any actions on it. Currently, the system will not automatically generate a report that shows these times, but the upgraded version has a reporting capability that can sort and print that information. We plan to work with the vendor to establish a report to provide the needed information. Another important issue is that all requests are not put into the system by local jurisdictions due to extenuating circumstances. If necessary, the times can be manually reviewed on a case by case basis. These requests could come in via phone, radio, fax or email. We respond to these requests as quickly as possible, but it may not be able to provide reports as to the timeliness of the response.

Item 2:

This goal has always been intended to mean that the Division would process the payment for funds within the 3 day limit as required by FEMA policy. That means that from the time the state receives the federal funds, the Division must process that request, include the necessary state match and make payment to the public agency that has completed its application for FEMA assistance. Benefits to citizens through the Individual Assistance program are processed to the individuals directly by FEMA. To try and establish a goal related to the time from when the disaster occurs is very problematic. In many cases, it is beyond the control of the Division. All entities requesting public assistance must complete a request for Public Assistance to FEMA. That must be done within 30 days of the disaster declaration, not the Disaster itself. As with the current disaster, we still have agencies we are trying to get to make the request to FEMA and have asked for one extension of the 30 day time limit and are working with the Federal Coordinating Officer on a case by case basis for those agencies that have not made the request. Over 525 applicants have applied for this Wind Storm event.

Item 3:

As explained during the exit interview, the planners working at the National Guard are under the direct control of the Director of DHSEM. The Planners working at the National Guard Armory, 1703 Coonskin Drive, Charleston, WV, are being paid by the WV Military Authority through funds provided by DHSEM. This program is a continuation of a DHS funded program called Task Force Emergency Response (TFER). Originally the TFER planners reported to the Secretary of DMAPS as part of TFER and worked on various planning programs. The Secretary of DMAPS transferred funds to the Military Authority

Mr. John Sylvia, Director
October 4, 2012
Page 3

which provided payroll and support for the planners. The Planners were housed at the National Guard so they could work in concert with the military planners on various projects, primarily the Bluestone Dam Failure plans. As stated above, these individuals although paid through the Military Authority report to the Director of DHSEM who is provided bi-weekly reports on their progress. It is inaccurate to say that the personnel housed at the Armory and working on this and other planning efforts report to or that the Adjutant General is responsible for the Bluestone Dam Failure Plans. DHSEM does not have adequate space to house the combined planning group and the WV National Guard has provided that facility. DHSEM also provides the network connectivity linking these individuals to our network.

The Bluestone planning is a much larger planning effort than any one state agency or Department should handle. It involves almost all executive branch agencies, local jurisdictions, several federal agencies including DHS/FEMA, HHS, DOD, USACE, EPA and others. It is integrated with the private sector that will play a large role in both the response to and recovery from an event such as this. DHSEM is the main coordinating body for this planning effort and will play a major coordination role in the event of a catastrophic failure or major flooding event.

Item 4:
Concur

Item 5:
The Division agrees with the assessment and has taken steps to improve the information available as to the readiness of the system. The current software does not allow for the generation of reports of actual outages. The Division is capturing weekly snapshots of the system operational readiness in order to more accurately report the readiness of the system. If the software can be modified to reflect the type of reporting requested, the Division will work with the vendor to implement that reporting.

Issue 2: Emergency Management's Vacant Part-time Positions in the Communications Center Create a Substantial Need for Overtime Costing the State Significantly More in Overtime Compensation Than Filling the Vacant Positions.

WV Division of Homeland Security and Emergency Management (WVDHSEM) does not have an Emergency Management Communications Center. Our Watch Center is our 24/7/365 operation which maintains emergency management operational awareness for WVDHSEM. The

Mr. John Sylvia, Director
October 4, 2012
Page 4

Watch Center is staffed by WVDHSEM personnel at all times. Five (5) are assigned permanently to the Watch Center. With the short turnaround time the Division was provided to respond to this report and develop this response, the Division has not had sufficient time to analyze the total dollars spent in overtime as it relates to the part time staffing used in this report. The figures utilized by the Legislative Auditors for non-Watch Center personnel are inclusive of holidays, vacations, sick, and Emergency Operations Center activations. In addition, allowing other DHSEM staff to work the watch center allows for cross training of personnel in order to provide additional depth of personnel to perform other job functions. An additional cause for overtime has been a full time employee who has been off ill from the Watch Center for almost two years being treated for cancer. That person has been able to return to work on and off for only short periods of time leaving many shifts to be filled by other personnel.

The Division agrees that filling the part-time positions is more cost effective than paying overtime, but as explained during the exit interview; this has been a challenging endeavor. Although we have posted the positions three times, we have pulled registers for the positions multiple times. We have had individuals who have the necessary experience tell us they were unable to qualify for the Emergency Services Associate position. It is not simply a matter of taking someone from this list, but finding qualified individuals for the positions. We have also asked the Division of Personnel to actively and aggressively recruit for this position. Low salaries, long hours and the difficulty in advancement have seen a turn-over rate of more than 50% during the last 6 years. We cannot simply hire unqualified persons to work who have no emergency experience. Most individuals on state registers do not have emergency management or first responder experience. These positions require individuals who can take calls for assistance, make decisions and then take the appropriate actions when necessary. In addition to maintaining the 24 hour watch operation for the Division of Homeland Security and Emergency Management, these individuals answer calls related to mine incidents, industrial incidents, fire fatalities and Arson, Safe Schools, DEP Spills and also answer the phones after hours for Agriculture and Aviation divisions. They monitor our ETEAM system, NAWAS, Weather, current events and answer all incoming calls for service. It is imperative that we hire qualified individuals. We recently hired one part time person, but due to a full time person leaving, he will likely be appointed to the full time position and thus we will need to begin the process again. We will continue to work with DOP to attempt to fill these positions. We hope the current efforts to reclassify job descriptions will result in positions more representative and provide improved qualified individuals on the registers.

Issue 3: Two Required Emergency Management Plans Are Written But Two Requirements Relating to the Plans Have Not Been Met.

The Legislative Auditor reviewed agency performance in fulfilling statutory requirements for emergency preparedness plans. Emergency Management has written two statutorily required emergency preparedness plans. However, Emergency Management has not satisfied other statutorily required planning mandates in the 16 years since the requirement was enacted into West Virginia law.

Mr. John Sylvia, Director
October 4, 2012
Page 5

- Emergency Management has not entered into agreements with other states for the evacuation and reception of civilian populations.

The State of West Virginia is a member state of the Emergency Management Assistance Compact. EMAC is the first national disaster-relief compact since the Civil Defense and Disaster Compact of 1950 to be ratified by Congress. Since ratification and signing into law in 1996 (Public Law 104-321), 50 states, the District of Columbia, Puerto Rico, Guam, and the U.S. Virgin Islands have enacted legislation to become EMAC members.

EMAC offers assistance during governor-declared states of emergency through a responsive, straightforward system that allows states to send personnel, equipment, and commodities to help disaster relief efforts in other states. The State of West Virginia does not have specific plans that spell out the evacuation and reception of civilian populations. Since 2005, the State has worked through this issue with surrounding states on evacuating the population of Washington, DC. The original planning effort for this was done in the Office of the Secretary of DMAPS under former Secretary Jim Spears. Currently the Department of Transportation is working with surrounding states in the National Capitol Region on evacuation routes for the movement of citizens. Many issues are associated with this including a discussion and planning issue one of which is it better to evacuate or shelter in place? Evacuation routes, and methods of support, i.e., food, water, fuel, shelter includes issues such as should WV shelter populations or facilitate movement through the state. Many of these discussions are on-going and have seen little progress or agreement. WV is working with FEMA and other Federal Agencies to facilitate activities on this subject as well as planning dealing with catastrophic events. Even current Hurricane plans for FEMA Region III, show WV is not designated as a sheltering state.

According to the current WV Emergency Operations Plan, the Department of Health and Human Resources is the lead state agency for mass care and sheltering. The American Red Cross is also an integral player in sheltering and most WV shelters are part of the National Shelter System operated by the Red Cross. Shelters are not designated for in state or out of state populations and would be managed and operated the same regardless of where the citizen resides.

In addition, costs associated and all other agreements for staffing and operational activities will be governed by EMAC. If WV were requested to shelter individuals from another state similar to the sheltering activities accomplished during Katrina, the current EMAC system would be utilized. That operation was a model of reception and sheltering.

Since this requirement was pointed out by the Legislative Auditor, we will review our current plans, potential need for revision and take the appropriate action as required by WV Code.

- Emergency Management has not communicated to the Legislature interstate mutual assistance processes, operations or events.

Mr. John Sylvia, Director
October 4, 2012
Page 6

EMAC has not changed since its passage by the legislature. Some of the procedures for the implementation of assistance have changed such as moving from a paper format to electronic, but the same agreements are in place. Documents are completed by both the giving and receiving state at the time of each deployment which provide the specifics for that mission. These documents are called Requisition A and must be signed by both states at the time the request is agreed to.

The Requisition A documents are operational documents and not new agreements. The strength of EMAC and the quality that distinguishes it from other plans and compacts lie in its governance structure; its relationship with federal organizations, states, counties, territories, and regions; the willingness of states and response and recovery personnel to deploy; and the ability to move any resource one state wishes to utilize to assist another state.

We will be glad to provide copies of all future Req. A documents to the legislature should it desire and feel them to be appropriate. Most EMAC missions are between the National Guard units of the states. The status these military units are deployed under, determines whether they deploy under mutual aid or under the authority of the President.

The Items listed in Table X are EMAC deployments of personnel or equipment out of the state or the receipt of assistance from another state and are covered under a Req. A. They are not changes to the State EMAC agreement which would require both the approval of the legislature and the other states legislative or executive bodies.

Issue 4: Emergency Management's Website Needs Improvement in User-Friendliness, Transparency Particularly in Providing Relevant, Timely Information about Emergencies.

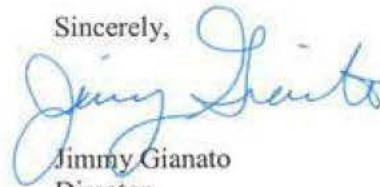
The Division is working with WV Interactive who holds the contract for providing web services to state agencies. We concur that more information needs to be included in the web site and are working to post that information or the appropriate links there. We plan to include budget, grant and other information on the web site. Working with the contractor we will make an effort to incorporate many of the items you list in your evaluation, many of which are already included such as the mission statement which is under the about tab of the home page, a common contact email is included under contact us at the bottom of the home page, a link to current weather watches and warnings links to the graphic on the National Weather Service Page when warnings are issued. We are also looking at ways to send notifications when that status changes of these warnings change. The Division developed a mobile version of the site almost as soon as the initial site was deployed by the Vendor. In addition, we are looking at new ways to post information more timely using social media. More people get information from Social Media than from web sites during actual events and we have a mechanism in place so that when information is posted to Facebook or Twitter, it displays on the web site as well. We are also looking at translating the site into Spanish through a translation program that will be coming out

Mr. John Sylvia, Director
October 4, 2012
Page 7

very soon. We are always looking at ways to push information to the public so that they can be better prepared to help themselves during times of emergency. We will provide your check list to our vendor to try to incorporate as many of the items you have included into our web site.

We have responded to your draft report to the best of our ability. DHSEM will always continue to work to improve the way we operate and serve the Citizens of West Virginia and take your report and the findings very seriously. We appreciate the opportunity to respond to this review and look forward to working with you to provide better and more effective service to people of this great State of West Virginia.

Sincerely,



Jimmy Gianato
Director



WEST VIRGINIA LEGISLATIVE AUDITOR

PERFORMANCE EVALUATION & RESEARCH DIVISION

Building 1, Room W-314, State Capitol Complex, Charleston, West Virginia 25305

telephone: 1-304-347-4890 | www.legis.state.wv.us/Joint/PERD/perd.cfm | fax: 1-304-347-4939