

BYLAWS
RANDOLPH COUNTY
LOCAL EMERGENCY PLANNING COMMITTEE

Article I

Name

This organization shall be known as the Randolph County Local Emergency Planning Committee (LEPC), hereinafter known as the “LEPC”.

Article II

Purpose

- 1) Establish rules by which to function and procedures for receiving and processing requests from the public for information;
- 2) Oversee the development of an emergency plan in accordance with section 303 of the Emergency Planning and Community Right-to-Know Act (EPCRA), including a chemical hazard/risk analysis, emergency response procedures for off-site emergency response personnel, and identification of private/public sector resources available to respond to hazardous materials emergencies in Randolph County;
- 3) In conjunction with emergency response agencies, review annually and update as necessary the emergency plan, or more frequently as changed circumstances require;
- 4) Receive reports and other information from facilities subject to the requirements of EPCRA;
- 5) Provide public notice and access to information and documents, subject to required limitations, in accordance with EPCRA and established procedures of the LEPC;
- 6) Exercise, on an as needed basis, the existing emergency plan and the updated plan as necessary;
- 7) Other lawful tasks and duties as assigned by all appropriate authorities.

Article III

Voting Membership

Section I. Appointment of Voting Membership

The LEPC shall consist of members appointed by the North Carolina Emergency Response Commission.

- 1) The members of the LEPC must have the authority, commitment, and resources to accomplish the mandated tasks outlined in Article II.
- 2) The LEPC must possess a wide range of expertise relating to the community, the industrial and transportation facilities, and the mechanics of emergency response and emergency response planning.
- 3) Basic committee appointment criteria as required by EPCRA and the North Carolina Emergency Response Commission will be adhered to.
- 4) The committee shall include, at a minimum, representatives from each of the following groups or organizations:
 - Elected State/Local official
 - Law Enforcement
 - Civil defense (Emergency Management)
 - Firefighting
 - First Aid
 - Health
 - Local Environmental
 - Hospital
 - Transportation Personnel
 - Broadcast/Print Media
 - Community Groups
 - (2) Owners and Operators of Facilities Subject to the requirements of EPCRA.

Nominations to the LEPC shall be made from among industry, participating agencies, citizens' groups and individuals. All nominations will be submitted to the LEPC Chairperson and the Randolph County Board of Commissioners for review and approval prior to submission to the North Carolina Emergency Response Commission for appointment.

Any LEPC member may specifically name one designee to attend meetings in the absence of the voting member. Designee members may vote on matters at any regular or special meeting of the LEPC only when they are representing the voting member who is unable to attend such meeting.

Section II. Term

An appointed member's term shall expire after two years. Any member in good standing in accordance with Section III and Section IV of this article may be appointed to consecutive terms.

If a member is separated from the agency from which they represent, they may remain on the LEPC if their new position is a similar position in industry or government and the current LEPC agrees by majority. If these conditions do not apply then they will be removed from the LEPC in that position. This rule will supersede any unfilled term and result in a vacancy (see Section V of this article).

Section III. Attendance

Members shall remain in good standing unless three consecutive LEPC meetings are missed without notification to the LEPC chair regarding the reasons for the absence. After three consecutive unexcused absences of the member or the alternate, the member's position shall be considered vacant.

Section IV. Removal of Members

All members of the LEPC shall serve at the pleasure of the Randolph County Board of Commissioners and the North Carolina Emergency Response Commission.

Section V. Vacancies

Vacancies in Voting Membership of the LEPC shall be filled in accordance with Section I of this Article.

Article IV

General Membership

Section I. Purpose

The purpose of general membership is to allow regular attendees of LEPC meetings and activities to be recognized as an active member of the Committee. General membership may assist the LEPC to accomplish goals and activities decided upon by the voting membership, including but not limited to, serving on sub-committees.

Section II. Application

Anyone who wishes to join the LEPC as a general member must fill out a Membership Application which can be found on the LEPC website, or may request one from the Chairman. All General Membership Applications will be approved by the Voting Membership.

Section III. Term

In order to be considered active, a general member must attend at least one LEPC meeting per calendar year. The member will be considered active for 1 year following the last attended meeting. (Example: Member attends the July 2014 meeting and will remain active through July 2015. If the member then attends the October 2014 meeting, active membership will be extended until October 2015.)

Article V

Officers

Section I. Election of Officers

The Chair, Vice-Chair and Secretary of the LEPC shall be elected among the membership of the LEPC for a period of one year, and shall serve at the pleasure of the LEPC.

Section II. Vacancies

A vacancy of any officer because of death, resignation, removal, disqualification, or otherwise, may be filled by the LEPC by majority vote for the unexpired portion of the term.

Article VI

Duties of the Officers

Section I. Duties of the Chair

The LEPC Chair shall preside at all meetings of the LEPC; preserve order during its meetings; prepare the meeting agenda; serve as the official spokesperson and coordinator for information; and sign all minutes, and such records, vouchers, or other documents connected with the work of the LEPC as may be required. The Chair may appoint committees or special study groups as appropriate to fulfill the purposes of the LEPC.

Section II. Duties of the Vice-Chair, and Secretary

The duties of the Vice-Chair, and Secretary shall be as assigned by the Chair of the LEPC. The Vice-Chair will be responsible for arranging for the meeting place and recording the attendance at each meeting. The Vice-Chair shall preside at meetings of the LEPC in the absence of the Chair. The Secretary shall serve as the records custodian of the LEPC and will be responsible for

providing a draft of the minutes to the Chair within one week following each meeting.

Article VII

Meetings

Section I. Regular Meetings

The LEPC will strive to meet at least quarterly for the conduct of its regular business. All meetings will be open to the public.

Section II. Special Meetings

The LEPC chair may call such special meetings as may be deemed necessary to carry out the duties of the committee. Upon the written request of at least four members, the chair shall call a meeting within 10 days.

Section III. Public Forum

The LEPC may hold public forums, as it deems necessary and desirable, at such times and places as may be determined by a majority vote of the LEPC at regular or special meetings. The public forum shall be duly noticed.

Section IV. Agenda

Requests for items to be placed on the agenda may be made by any member or citizen to the LEPC chair and shall be submitted at least two weeks prior to a regularly scheduled meeting.

Section V. Minutes

Draft minutes from the meeting will be approved at the next regular meeting. The draft minutes will be sent to all members no later than two weeks after the meeting, and reviewed individually by each member. Minutes may be read aloud at the meeting by request of any member. Any changes to the minutes will be approved by majority vote. Approved minutes will be made available to the public online on the LEPC website.

Section VI. Notice of LEPC Meetings

The LEPC will meet regularly on the second Tuesday of the first month of each quarter (January, April, July, and October). The dates will be made available to the public on the LEPC website.

Meetings may be cancelled upon written notice and posted in a public place at the regular meeting location.

Section VII. Quorum

A quorum shall consist of a simple majority of the total number of LEPC members existing on the roll of voting membership at the time that any regular or special meeting is held. A quorum shall be required to transact business at any meeting of the LEPC.

ARTICLE VIII

Voting

Section I. Motions

The LEPC shall proceed by motion. Any member, including the Chairman, may make a motion. A motion shall require a second in order to be considered by the Committee by vote.

Section II. One Vote Per Representation

Each LEPC representative shall be entitled to one vote. If one member serves on the committee as a representative of two or more agencies or organizations, then that member is entitled to one vote per each of the agencies served.

Section III. Abstentions

Members may register their abstention on any vote, which shall be reflected in the minutes.

Section IV. Determination of Action

All final actions, LEPC positions, or policy recommendations shall require the favorable vote of a majority of members present at a duly called meeting at which a quorum is present.

Section V. Emergency Matters

Emergency matters that may arise prior to the next scheduled LEPC meeting may be addressed by polling the LEPC members, approved by a quorum as required in Article VI, Section VII, then ratifying the action at the next regularly scheduled meeting.

ARTICLE IX

Resolutions and Emergency Plan

Section I. Resolutions and Ordinances

The LEPC may recommend and/or endorse proposed resolutions and ordinances, equipment acquisitions, budgets and similar matters dealing with the ability of the LEPC or its member agencies effectively to perform the functions assigned to them by federal or state legislation and/or regulations, or by the approved emergency response plan.

Section II. Emergency Plan

The LEPC shall review and approve, in accordance with Section 303 of EPCRA, the Randolph County Emergency Operations Plan. Once adopted by the LEPC, copies of the plan will be distributed to other agencies pursuant to the distribution portion of the plan. Copies of the plan will be maintained for review by the general public, unless protected by G.S. § 132-1.7.

ARTICLE X

Amendments

These by-laws may be amended or replaced upon the affirmative vote of a majority of the members of the LEPC in attendance at any regular or special meeting of the LEPC at which a quorum is present, provided that any proposed changes have been circulated to all members at least 30 days prior to any action thereupon.

Article XI

Ratification Provision

The by-laws were adopted by a majority of the members of the LEPC on the 14th day of February, 2012.

4/8/2014 – By-laws amended by majority vote; General Membership