

THE BY-LAWS
OF THE
GUILFORD COUNTY
LOCAL EMERGENCY PLANNING COMMITTEE

ARTICLE I

Name

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

ARTICLE II

Purposes

The duties and responsibilities of the LEPC shall be to implement the “Emergency Planning and Community Right-To-Know Act of 1986” (EPCRA) and implementing laws and regulations. These duties and responsibilities shall include the requirement to:

- 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 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 Guilford County.
- 3) In conjunction with emergency response agencies, review annually and update as necessary the emergency plan, or more frequently as changed circumstances in the community or at any facility may 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) Insure that a yearly exercise based on the existing emergency plan is conducted and the plan is updated as necessary; and,
- 7) Other lawful tasks and duties as assigned by appropriate authorities.

ARTICLE III

Membership

Section I. Appointment of Members

The LEPC shall consist of members appointed by the Guilford County Board of Commissioners and the North Carolina Emergency Response Commission. Membership will include representatives from the groups listed in Section 301 of SARA, Title III.

- 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.

At a minimum, the Guilford County LEPC will have appointments from the following agencies: Guilford County Emergency Management, Guilford County Sheriff's Office, Guilford County Environmental Health, Guilford County Fire, the Greensboro Fire Department, the Greensboro Police Department, the High Point Police Department, and the High Point Fire Department. Each agency shall appoint a primary representative annually to be included on the LEPC membership roster.

Additionally, the Guilford County LEPC membership should consist of local elected officials and additional representatives from community groups, owners / operators of EHS facilities, local media, and the general public. An individual from any of these categories may apply for voting membership after they have attended six LEPC meetings.

Section II. Attendance

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

By written notice to the Executive Board, any LEPC member may specifically name one alternate to attend meetings in the absence of the primary member. Alternate members may vote on matters at any regular or special meeting of the LEPC only when they are representing the primary member who is unable to attend such meeting.

Section III. Removal of Members

All members of the LEPC shall serve at the pleasure of the Guilford County Board of Commissioners and the North Carolina Emergency Response Commission. The Executive Board has the authority to remove members from the annual roster that do not meet attendance requirements as listed in Section II of this article.

Section IV. Vacancies

Vacancies in membership of the LEPC shall be filled by the North Carolina Emergency Response Commission in accordance with Section I of this Article, as deemed necessary by the Executive Board.

Section V. SERC Reporting

Annually, the Guilford County LEPC membership roster will be presented to the Guilford County Board of Commissioners for approval. Once approved, the membership list will be forwarded to the State Emergency Response Commission for final concurrence.

ARTICLE IV

Officers

Section I. Election of Officers

The Chair, Vice-Chair, Secretary and Treasurer of the LEPC shall be elected from among the membership of the LEPC for a period of 2 years, and shall serve at the pleasure of the LEPC. The Treasurer shall be a voting member in good standing who is an Industry representative.

Section II. Executive Board

The Board shall be composed of the officers of the LEPC and the chairs of the standing committees. The Guilford County Emergency Management Director and t elected officials who are members of the LEPC shall serve as ex-officio, non-voting members of the Board.

The LEPC members who serve on the Executive Board shall have the authority to vote on: (1) routine matters not otherwise requiring a vote of the full LEPC (see Articles VII, VIII and IX of these By-Laws) and (2) items of an emergency nature when sufficient time is not available to call a special meeting of the LEPC, provided that all votes of the Executive Board shall be recorded in the minutes of its meetings and reported at the next meeting of the LEPC.

Section III. Standing Committees

The standing committees shall be: Outreach and Education Committee; By-Laws Committee; Program Committee; and the Regulatory Review **and Advisory** Committee. Each standing committee shall elect a chairperson from among its membership who shall serve at the pleasure of the committee.

Section IV. Vacancies

A vacancy in any office 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 V

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, appoint the membership of the standing committees, 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 additional committees or special study groups as appropriate to fulfill the purposes of the LEPC.

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

The duties of the Vice-Chair, Secretary and Treasurer 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 will be responsible for providing a draft of the minutes to the Chair within one week following each meeting. The Treasurer is responsible for maintaining the financial accounts of all LEPC activities and committees and for reporting on the status of each account at each LEPC meeting.

ARTICLE VI

Meetings

Section I. Regular Meetings

The LEPC shall meet at least quarterly for the conduct of its regular business.

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.

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. Notice of LEPC Meetings

A written notice of the time, place, and agenda items to be considered at each meeting of the LEPC shall be sent to all LEPC members at least one week prior to such meeting and made available to the public.

Section VI. Quorum

A quorum shall consist of a simple majority of the total number of LEPC members existing on the roll of primary 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 VII

Voting

Section I. One Vote Each

Each LEPC member shall be entitled to one vote. If two or more LEPC members are employed by the same company or agency, collectively they will be entitled to one vote.

Section II. Abstentions

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

Section III. 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.

ARTICLE VIII

Resolutions and Emergency Plan

Section I. Resolutions

The LEPC may recommend and/or endorse proposed 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, an emergency plan for Guilford County. 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.

ARTICLE IX

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 X

Rules of Order

The deliberations of all meetings of the LEPC and its various committees shall be governed by **Robert's Rules of Order, Newly Revised.**

ARTICLE XI

Role of Guilford County Emergency Management

Guilford County Ordinance 7.5 designates the Emergency Management Division as the coordinating entity for Emergency Management within Guilford County. As such, Guilford County Emergency Management will provide staff support to the LEPC to meet the requirements set forth through Local, State, and Federal legislation.

Guilford County Emergency Management will act as the liaison between the LEPC and the Board of Commissioners, and the State Emergency Response Commission.

It is the responsibility of Guilford County Emergency Management to process requests for public information, receive chemical inventory reports, receive incident notifications from local industry, and inform the LEPC of major events within the County at regularly scheduled LEPC meetings.

ARTICLE XII

Ratification Provision

The by-laws were duly adopted by a majority of the members of the LEPC the 3rd day of September, 1992, in High Point, North Carolina; and were duly amended on the dates listed below.

May 12, 1994; January 12, 1995; December 15, 1997; September 9, 1998; August 10, 2000; March 11, 2004