

**LIMESTONE COUNTY
LOCAL EMERGENCY PLANNING COMMITTEE
BY-LAWS**

BY-LAWS OF THE LIMESTONE COUNTY LOCAL EMERGENCY PLANNING COMMITTEE

ARTICLE 1 - ORGANIZATION NAME

This organization shall be known as the Limestone County Local Emergency Planning Committee (LC-LEPC).

ARTICLE II - PURPOSE

The purpose of the LEPC is set forth in the Emergency Planning and Community Right to Know Act (EPCRA) 42 USC§11001 et. seq., and any other lawful purposes which are assigned to it or permitted by the Limestone County Commission and/or the State Emergency Response Commission (SERC). In keeping with the intent of EPCRA, all activities of the LEPC will be conducted in a manner encouraging input and participation from all segments of the community. In accordance with EPCRA Section 303, the LEPC will develop a Hazardous Materials Emergency Response Plan for Limestone County and establish procedures for conducting its public information and education responsibilities. The plan shall be reviewed and updated on an annual basis, or as needed.

In addition, the LEPC shall:

- a) Receive and process requests for information from the public.
- b) Notify the public of all LEPC meetings.
- c) Perform a hazard analysis utilizing information and reports from facilities operating within the jurisdiction and including transportation hazards in the county.
- d) Establish and maintain a database of hazardous chemical locations and quantities in Limestone County.
- e) Establish and maintain a system of data management.
- f) Maintain information on all facilities that manufacture or store Extremely Hazardous Substances (EHS) and include this information within the emergency response and preparedness plan.

All LEPC meetings, including sub-committee and ad hoc committee meetings, shall be open to the public. The LEPC will implement such other and related activities as may hereafter be legally required by the federal government or the State Emergency Response Commission (SERC).

The LEPC will assess the resources necessary to implement the emergency response plan and make recommendations to appropriate people, agencies, and organizations regarding additional resources needed to implement the plan. The LEPC shall be instrumental in fulfilling the purpose of the Community Right to Know laws to increase the protection of the community from exposure to chemicals produced, used, stored, and/or transported within the planning district.

ARTICLE III – MEMBERSHIP

Membership will include, at a minimum, representatives of the groups listed in Section 301 of SARA Title III. This includes representation of law enforcement, emergency management, firefighting, EMS, public health, hospital, media, community groups, local elected officials, and owners/operators of local industry.

TERMS OF MEMBERSHIP. Members must reside in or represent organizations or industries located in Limestone County. Members in good standing shall be considered Active Members.

INACTIVE MEMBERS. Members shall be considered inactive when they have missed more than three consecutive LEPC meetings, without notification to the LEPC Executive Committee. Inactive members shall not have voting rights on any business pertaining to the LEPC.

REMOVAL OF MEMBERS. The LEPC may remove members by a majority vote at any regular or special meeting. The vote shall be by ballot only.

ARTICLE IV – OFFICERS

Elected offices of the LEPC are Chairperson, Vice-Chairperson, Secretary, and Treasurer. The officers shall be elected by ballot or voice vote at a regular meeting of the LEPC. The office of the Information Coordinator will be filled by a staff member of the Limestone County Emergency Management Agency.

CHAIRPERSON. The Chairperson shall preside at all meetings of the LEPC unless he/she cannot be present at an announced meeting. The Chairperson shall serve as an ex-officio member of all committees and shall perform such duties and acts as necessary to accomplish the goals of the LEPC. The Chairperson shall be empowered to create such other ad-hoc committees as necessary to accomplish the goals of the LEPC.

public; publicity of the LEPC, including meeting notices; development of a public education and information program.

- c) Emergency Response and Resources Committee.** This Committee will work with the Emergency Management Agency and local response organizations to develop the Hazardous Materials Emergency Response Plan for Limestone County.
- d) Industrial Safety Committee.** This committee will consist of all industrial members and shall be responsible for maintaining relationships and communications with facilities within the county.
- e) Finance Committee.** This committee shall be responsible for reviewing minor funding requests by the LEPC membership. Additionally, this committee will assist the treasurer with LEPC financial activities including grant applications and grant management. The Treasurer will serve as the Chairperson of this committee.
- f) Membership Committee.** This committee shall be responsible for maintaining a record of the membership, contact information, and membership status. Additionally, this committee shall be responsible for connecting with prospective members to join the LEPC, such as facilities that are new to Limestone County. The Secretary will serve as the Chairperson of this committee.

The Chairpersons of the Standing Committees shall be nominated and elected by their respective committees. The election shall be by ballot.

All members should volunteer to serve on at least one standing committee. Final membership of the Standing Committees shall be determined by the Executive Committee.

All Committees must have sufficient manpower to carry out the assigned tasks.

AD HOC COMMITTEES. The Executive Committee may create temporary Ad Hoc Committees, as necessary, to perform the functions of the LEPC. Chairpersons of Ad Hoc Committees shall be appointed by the Executive Committee of the LEPC.

Should an Ad HOC Committee request Standing Committee status, the Ad HOC Committee Chairperson shall present the request to the membership for a vote.

ARTICLE VI - MEETINGS

REGULAR LEPC MEETINGS. The LEPC shall meet at least semi-annually to conduct regular LEPC business.

SPECIAL MEETINGS. The Chairperson may call such special meetings as may be deemed necessary to carry out the duties of the Committee. Upon written request of at least 60 percent of the members, the Chairperson shall call a meeting within ten (10) days.

COMMITTEE MEETINGS. Meetings of the Standing and Ad Hoc Committees may be called by the Chairperson of the LEPC, or the Chair of the Committee, as deemed necessary.

EMERGENCY MEETINGS. The Executive Committee may call an emergency meeting, provided notification is made in writing, email, or fax at least 1 hour prior to the meeting date (In accordance with Alabama Open Meetings Act of 2005). One-third of the membership shall constitute a quorum, and the number of votes necessary to transact the business shall be the majority of the members present.

FORUMS. The LEPC shall hold such public meetings or forums, as it may deem necessary or desirable at such time and places as may be determined by a majority vote of the Committee.

VIRTUAL MEETINGS. The LEPC membership may request virtual access for any regular or special meeting, or forum due to an emergency impacting Limestone County, such as the COVID-19 Pandemic where guidelines suggest refraining from meeting in large groups.

QUORUM. A quorum shall consist of a majority of the LEPC membership being present, excluding those members declared inactive. A quorum shall be required to transact all business. In the event there is virtual meeting access, those attending virtually will be counted towards the quorum.

AGENDA. The Chairperson will set the regular meeting agenda. Any LEPC member may request that the Chairperson place an item on the meeting agenda.

RULES OF ORDER. The deliberations of all meetings of the LEPC and its subcommittees shall be governed by Robert's Rules of Order, Newly Revised.

NOTICE OF MEETINGS. Notice of time, place, date, and agenda items to be considered at each meeting shall be emailed to all members at least two weeks prior to each meeting.

An annual notice of the regular meeting schedule of the LEPC shall be published in the local newspaper. This notice shall specify the meeting designated specifically for the receipt of public comments on the emergency plan.

ARTICLE VII – REQUEST FOR INFORMATION

In accordance with EPCRA, Section 324, upon request by any member of the general public, specific information must be disclosed by the LEPC. This information may include a facility

emergency response plan, material safety data sheets, toxic chemical release report and follow-up report, and TIER II Inventory forms.

TRADE SECRETS. Facilities may withhold specific chemical identity from the LEPC, in accordance with EPCRA Section 322, Trade Secrets. This provides protection for the facility and its processes. In such cases, the LEPC will not have the requested information.

PHOTOCOPY REQUEST. Should the requestor ask for a photocopy of the requested information, the cost of such reproduction shall be set by the Information Coordinator, with prior approval by the Executive Committee.

ARTICLE VIII – VOTING

MAJORITY VOTE. Votes taken on major issues coming before the LEPC shall be taken by a majority vote. Voting shall be conducted by ballot. For virtual meetings, voting features may be utilized.

CASTING VOTES. Each agency/organization shall be allowed one vote on each issue coming before the LEPC; that vote may be cast by either the representative or alternate that is in attendance and must be a member of the LEPC.

VIRTUAL VOTING. Some meetings may be held via virtual meeting platform (e.g. Zoom, WebEx, etc.) or included to regularly held, in-person meetings. If voting is required in either instance, votes cast by members via virtual platform shall be counted equally to members attending in-person.

ARTICLE IX – MISCELLANEOUS PROVISIONS

FISCAL YEAR. The fiscal year shall be considered to run from October 1 to September 30.

INDEBTEDNESS. All indebtedness incurred by the LEPC shall be approved by the Executive Committee prior to purchase or payment.

APPROVAL OF BY-LAWS. These by-laws shall become effective upon approval by a majority of those in attendance at the LEPC meeting.

ARTICLE X – AMENDMENTS

These by-laws may be amended by a majority vote of members present at any meeting of the LEPC, provided that any amendments be submitted to the membership in writing at least one

week in advance of the meeting. Any active member of the LEPC shall have the right to comment on or suggest a revision to the by-laws.

ARTICLE XI – ADDITIONAL RULES

The LEPC may need to adopt additional rules to be followed by the membership and governing the execution of responsibilities under EPCRA. Such rules must first be disclosed, in proposed form, not less than 10 days prior to final adoption by the LEPC.

PROPOSAL OF ADDITIONAL RULES. Any member of the LEPC may propose to adopt specific rules or guidelines for a specific purpose. The proposal should be submitted, in writing and in a proposal format, to a member of the Executive Committee. The proposal will be considered by the Committee and if deemed necessary shall thereafter be forwarded to the membership for review.

ADOPTION OF ADDITIONAL RULES. Following a 10-day review and comment period by the membership, the Executive Committee shall review all comments and prepare a statement that responds to comments and discusses the basis for any appropriate changes to the proposal. The Executive Committee shall present such a statement to the LEPC membership. The LEPC shall then vote on the adoption of the proposed rule. If the vote is favorable, the rule shall take effect immediately upon the time and date the notice of adoption is first published.

EMERGENCY RULES. In emergency circumstances, the LEPC may adopt rules without prior notice and comment, provided that no such rule will remain in effect for more than 90 days.

ARTICLE XII – EARMARKED FUNDS

Any funds that are donated to the LEPC by any entity, including grant funds, for specific items or use, are not subject to the approval of the LEPC membership. Additional funds to match a grant or to purchase additional items in addition to earmarked funds are subject to approval by the Finance Committee and/or membership.

ARTICLE XII – FINANCIAL ACCOUNTABILITY

The Limestone County LEPC Operating Accounts shall carry three (3) approved signatories. Those authorized are the Chairman, Vice Chair and Secretary/Treasurer, with two (2) signatures required on all checks for expenses.

Only one (1) debit card is maintained by the LEPC and in the possession of the Treasurer. Purchases with the debit card will be authorized users only. Those being current members of the

Executive Committee. The debit card will be signed out and receipts are to be submitted to the Treasurer when card is returned.

Disbursements can take the form of either check or use of the debit card. Invoices must be submitted to the Treasurer for payment of preapproved budget items and amounts. Any non-budgeted disbursement up to \$2500 shall require Executive Committee approval. Any non-budgeted disbursement over \$2500 shall require the approval of the Full Members.

The Treasurer will collect, photocopy, and deposit all checks made payable to the Limestone County LEPC in a timely manner.

The checkbook is maintained by the Treasurer. A financial report is provided to the membership at each meeting.

For greater accountability of all accounting, the Executive Committee shall obtain an independent review during odd-numbered years, beginning in 2023.

Independent review will be conducted by the Limestone County Commission Accounting Department.

THIS CONSTITUTES THE BY-LAWS OF THE LIMESTONE COUNTY LOCAL EMERGENCY PLANNING COMMITTEE (LC-LEPC).

ADOPTED ON THIS THE 8th DAY OF November, IN THE YEAR 2023.


LEPC CHAIRPERSON

11-8-23
DATE SIGNED


LEPC VICE-CHAIRPERSON

11/8/23
DATE SIGNED

I, Kathy Iker Secretary of Limestone County Local Emergency Planning Committee, certify that the foregoing Bylaws have been duly adopted as the Bylaws of Limestone County Local Emergency Planning Committee effective as of the 08 day of November, ~~2022~~ 2023.