

**ALLEN COUNTY
HAZARDOUS MATERIALS EMERGENCT PLANNING COMMITTEE
(LEPC)**

BYLAWS
(as amended February 2010)

Section 1

Name, Planning District and Office

- 1.01 **Name.** This organization shall be known as the Allen County Hazardous Materials Emergency Planning Committee. Abbvs: Committee or LEPC.
- 1.02 **Planning District.** The Planning District of the Committee shall be all of Allen County, Ohio, also including those areas of Delphos and Bluffton lying within other counties.
- 1.03 **Office.** The office of the Committee shall be the same as that of the Allen County Emergency Management Agency, 333 N. Main Street, Lima, Ohio 45801.

Section 2

Purpose

- 2.01 **Purpose.** The purpose of the Committee shall be to perform the local functions of and to the extent required, to participate in other activities of SARA Title III, known as the "Emergency Planning and Community Right-To-Know Act" and Ohio Revised Code 3750 known by the same name.

Section 3

Committee Membership, Procedures

- 3.01 **Membership.** The Committee shall be composed of thirty (30) voting members who shall be representative of the organizational and individual classifications as shown on Addendum 1 of these Bylaws.
- 3.02 **Selection.** Committee members are selected and nominated by the Board of Allen County Commissioners, or with the Commissioners' consent, by the Committee as a whole. Committee members shall be selected in accordance with the procedures shown in Addendum 1 of these Bylaws.

- 3.03 **Terms of Office.** Committee members shall be nominated for appointment by the Board of Allen County Commissioners or elected by the Committee as a whole during its regular meeting in June of uneven numbered years and shall take office for two-year terms on August 14 of the year in which appointed.
- (a) Members shall begin their terms as voting members on August 14 of the year appointed unless or until otherwise determined by the State Emergency Response Commission (SERC).
 - (b) Any regular meeting conducted in August of the year of membership selection shall be held on or after August 14th.
 - (c) Current active members who complete their two-year term of office and who choose to remain on the Committee may do so without the selection process provided that each such member is approved for nomination to the SERC by the Board of Allen County Commissioners.
- 3.04 **Vacancy.** Any member selected to fill a vacancy occurring prior to the expiration of the two-year term for which his predecessor was appointed shall hold office for the remainder of that term.
- 3.05 **Appointment.** The State Emergency Response Commission (SERC) retains the final authority for approval and appointment of Committee members.
- 3.06 **Regular Meetings.** Meetings of the Committee shall normally be held on the third Thursday of February, April, June, August, October and December, but not less than quarterly.
- 3.07 **Special Meetings.** Special meetings of the Committee may be called by the Chairman and shall be called upon the request of five (5) members of the Committee.
- 3.08 **Notice.** Notice of all regular Committee meetings shall be given by mailing the same to each member at least seven (7) days prior to the meeting.
- 3.09 **Attendance.** Any member who misses three (3) consecutive Committee meetings shall be contacted by the Chairman to determine the member's continuing interest and participation as a Committee member.
- 3.10 **Quorum.** When the Committee consists of thirty members, twelve (12) members shall constitute a quorum for voting purposes. When the Committee consists of less than thirty members due to unfilled vacancies, 40% of the membership shall constitute a quorum. A lesser number may otherwise enter into discussion, hear reports and conduct non-voting business of the Committee.

- 3.11 **Public Involvement.** Notice of regular Committee meetings shall be sent to all Allen County news media with the statement that the public is invited to attend.
- 3.12 **Voting.** Provided that a quorum is seated, and except as otherwise specifically prescribed by the State Emergency Response Commission, all decisions of any meeting of the Committee shall be by majority vote. Each member shall have one vote and no voting by proxy shall be permitted.

Section 4

Committee Officers, Coordinators

- 4.01 **Principal Officers.** Principal officers of the Committee shall be a Chairman, Vice Chairman and Secretary.
- 4.02 **Chairman.** The Chairman shall preside at all meetings of the Committee. He may sign and execute all authorized contracts and other obligations and undertakings in the name of and on behalf of the Committee. He shall have general charge and supervision of the Committee's affairs.
- 4.03 **Vice Chairman.** At the request of the Chairman, or in the event of his absence, the Vice Chairman shall perform any and all of the duties of the Chairman. The Vice Chairman shall perform such other duties as the Chairman may from time to time assign.
- 4.04 **Secretary.** The Secretary shall attend and keep minutes of all meetings of the Committee. The Secretary shall provide for the notices of all meetings and shall perform all duties incident to the Office of Secretary.
- 4.05 **Election.** Officers shall be elected by the Committee membership for two-year terms during the regular meeting in June of uneven years.
- 4.06 **Emergency Coordinator.** The Allen County Emergency Management Agency Director shall serve as the Emergency Coordinator. His duties as such are to coordinate preparation and maintenance of the Hazmat Emergency Response Plan and to receive notices of chemical releases as required by law.
- 4.07 **Information Coordinator.** The Allen County Emergency Management Agency Director shall serve as the Information Coordinator whose job it is to maintain the Committee's files and to make information available to the public to satisfy Community Right-To-Know requirements.

Section 5

Subcommittees

- 5.01 **Subcommittees.** The subcommittees shall be Risks & Hazards, Community Resources, Training, Public Health, Auxiliary Communications, Transportation, Shelters, Law Enforcement, and Citizens Corps Council.
- 5.02 **Appointment.** Appointment of Subcommittee chairpersons shall be made by the Committee Chairman.

Section 6

Executive Committee

- 6.01 **The Executive Committee.** The Executive Committee shall be composed of the Principal Officers, the Emergency Coordinator, Information Coordinator, and Subcommittee Chairpersons.
- 6.02 **Purpose.** The Executive Committee shall have the authority to carry out the responsibilities of the full Committee when the Committee is not in session provided, however, that no policies may be adopted or changed by the Executive Committee without the approval of the full Committee and actions of the Executive Committee must be reported to the full Committee.
- 6.03 **Meetings.** Meetings of the Executive Committee shall be at the call of the Chairman.
- 6.04 **Quorum.** Five members of the Executive Committee shall constitute a quorum.

Section 7

Amendments

- 7.01 **Amendments.** Amendments to these Bylaws not inconsistent with federal or Ohio law or rules prescribed by the State Emergency Response Commission may be adopted at any Committee meeting by a majority vote, provided that written notices contain terms of the proposed amendments.

Addendum 1

Procedures for Selecting Committee Members and Filling Vacancies

Board of County Commissioners. The Allen County Commissioners may select Committee members for SERC appointment regardless of any procedures adopted by the LEPC.

Committee At Large. If the County Commissioners elect to delegate selection of Committee membership to the Committee at large, nominees for membership may be submitted by any Committee member.

Community Involvement. Any member of the community may submit himself or herself as a nominee for Committee membership by applying to any current Committee member, the Information Coordinator, or the Board of County Commissioners in writing with a brief resume.

Selection. All nominees for Committee membership will be given equal opportunity under the election process shown under ELECTION below. Membership will, however, be considered within the following priority structure:

Priority 1: Federal and state required membership.

- a. Elected state or local official
- b. Law enforcement
- c. Emergency management
- d. Fire department
- e. American Red Cross
- f. Public health
- g. Local environmental agency
- h. Hospital
- i. Transportation
- j. Broadcast or print media
- k. Community group
- l. Facility

Priority 2. In order to fulfill the primary responsibilities of the Committee, the member(s) should have a high degree of interest or experience in the field of emergency planning/response or fill a specific need which has been identified by the Committee.

Priority 3. Members of the community or other organizations who have expressed a desire and willingness to serve as an active member of the Committee.

Election. Nominees to fill vacancies created by resignations or by those members who not choose to remain on the Committee after their two-year term(s) of office will be elected to membership by the Committee. A list of all nominees will be provided to each Committee member. Voting will be conducted by written, confidential ballot.

Elected members must be approved by the County Commissioners and the State Emergency Response Commission.

Addendum 2

Policy Governing the Administration and Expenditure of Community Right-To-Know Planning Grant Funds

1. Grant funds will be expended only in accordance with appropriate Ohio law and rules adopted by the State Emergency Response Commission.
2. Grant funds are maintained in a special CRTN/EP account administered by the Allen County Auditor.
3. Appropriate expenditure of the CRTN/EP Grant Funds include, but is not limited to the following:
 - First responder training (including training materials)
 - Plan writing, printing and distribution
 - Plan updating
 - Conference and meeting expenses
 - Community education
 - Postage
 - Office supplies and related office equipment
 - Contracts and agreements
 - Computers and software
 - Salaries and benefits
4. Authority
 - A. The LEPC Chairman or Emergency Coordinator may approve individual expenditures not to exceed \$500.00.
 - B. The LEPC Executive Committee may approve individual expenditures not to exceed \$1,000.00.
 - C. Expenditures of commitments of more than \$1,000.00 must be approved by a majority of the full Committee present at a regular or special meeting of the LEPC where a quorum has been established.