

**UNION COUNTY, TENNESSEE
LOCAL EMERGENCY PLANNING COMMITTEE
BY-LAWS**

ARTICLE I

NAME , PURPOSE, and MISSION

SECTION 1. Name The name of this organization shall be the "Union County Local Emergency Planning Committee", hereinafter referred to as the "LEPC", with principal office at the Union County Emergency Management Agency, Maynardville, Tennessee.

SECTION 2. Purpose The purpose of the LEPC shall be:

- A. To carry out for Union County, Tennessee those responsibilities required of the LEPC pursuant to Public Law 99-499, Sec 301 (c) (also known as the Superfund Amendments and Reauthorization Act of 1986 (SARA) Title III), and related regulations including but not limited to:
1. Identification of extremely hazardous substance (EHS) facilities and transportation routes in and through Union County.
 2. Development of response procedures to be followed by local facility, emergency response, medical personnel, volunteer agencies, and government agencies for hazardous material emergencies as well as natural disasters (such as severe storms, floods, tornados, earthquakes), terrorism attacks, and large-scale public health threats.
 3. Establishment of public alert and notification procedures.
 4. Identification of emergency response resources and capabilities in the community, and at each hazardous material site, and make recommendations to the local governing body with respect to additional resources required and the means for providing such resources .
 5. Formulation of effective evacuation plans and procedures.
 6. Development of effective training programs.
 7. Review the Union County Emergency Management Plan (EMP) at least yearly or more frequently as changes which occur in the community or at any facility may require.
 8. Development of procedures for receiving and processing requests from the public under the Community Right-To-Know provisions of SARA Title III.

9. Annually publish in a local newspaper a Notice of Public Availability (Per Section 324) of the Union County Emergency Management Plan, Material Safety Data Sheets (MSDS), and Tier I and II inventory reports as submitted by facilities subject to this law.
 10. Provision for public notification of committee activities, public meetings to discuss the Emergency Management Plan, public comments, response to such comments by the committee, and the distribution of the Emergency Management Plan.
- B. To implement such other and further related activities as may hereinafter be legally required of the LEPC by the Federal Government or the State of Tennessee.

SECTION 3. Mission The Mission of the Union County LEPC is for first responders, businesses, medical personnel, county officials, volunteer agencies, civic organizations, and private citizens to identify potential disaster and emergency needs, organize a unified, planned response in advance of those needs, to test the plan and response system for their efficacy, and periodically update both the plan and the system through ongoing evaluation.

ARTICLE II

MEMBERSHIP

SECTION 1. Qualifications The organization shall consist of those members appointed by the County Mayor and approved by the Tennessee Emergency Response Commission (TERC). Members of the LEPC shall be residents of, or conduct business in, Union County.

SECTION 2. Membership shall consist of at least 16 representatives; an attempt will be made to include at least two from each of the following categories:

- Elected state and local officials
- Law enforcement, Emergency Management, fire fighting, Tennessee Division of Forestry
- Broadcast and print media
- Community and environmental groups
- Facilities within the County subject to the emergency planning requirements of SARA
- Interested private citizens.
- Emergency medical services, healthcare facilities
- Private industry/businesses/transportation

SECTION 3. Number of Members There shall be no limit on the number of members to serve on the LEPC

SECTION 4. Terms of Committee Members shall be for a period of two years expiring on December 31 of the second year. All members may hold unlimited successive terms as long as they are active members and maintain current membership status. All members must attend a minimum of three regular LEPC meetings per calendar year. Any member who misses two consecutive meetings or three total meetings per calendar year will be contacted by the Secretary in writing to determine their intentions as far as continuation of membership on the LEPC. If they no longer wish to continue membership, they will be requested to submit their resignation in writing and a new member will be appointed to fill the vacancy per Article II, Sec. 1&2.

SECTION 5. Officers. Officers shall be elected to conduct meetings, appoint subcommittees, keep minutes of meetings, and to otherwise accomplish the work of the Committee.

SECTION 6. Vacancies. Any vacancy occurring in the LEPC by reason of the resignation, death, or disqualification of an appointed member will be filled in accordance with Article II, Section 1.. Any vacancy occurring in the Executive Committee as described in Article V, Section 1 will be filled by appointment by a majority vote of the Executive Committee until such time that a special election can be held. This election will be held at the next full Committee meeting that allows for at least a two week notification of the members.

SECTION 7. Annual Notice of Membership. The County Mayor shall notify the TERC annually of nominations for appointments to the membership of the LEPC.

ARTICLE III

Meetings

SECTION 1. Meetings There shall be at least four (4) regular meetings of the Committee per year. All regular and special meetings shall be open to the public. Special meetings of the LEPC may be called by the Chair at such time and place as the Chair may determine. The Chair must call a special meeting of the LEPC upon the written request of four members. The special committees shall meet as the work under their groupings proceeds.

SECTION 2. Quorum The presence of nine members of the LEPC at the opening of the meeting shall constitute a quorum for the transaction of business by the LEPC. For the purposes of standing committee meetings, the presence of three members shall constitute a quorum for the transaction of business. For the purpose of the Executive Committee meetings, the presence of five members shall constitute a quorum for the transaction of business.

SECTION 3. Voting All appointed members shall be entitled to one vote on all matters presented for a decision by the LEPC. The affirmative vote of a majority of those present is necessary for an official action. A member may designate an alternate to represent them at regular meetings. Such designee will have full voting rights on behalf of the regular member. In the event that any member shall have a direct or indirect personal interest in any business before the LEPC, such member shall disclose the interest and be disqualified from voting on the business.

ARTICLE IV

OFFICERS

- SECTION 1. Enumeration of Officers. The officers of the LEPC shall be the Chair, Vice Chair, Secretary, and Treasurer, all of whom shall be elected by the LEPC membership as a whole in a manner herein provided, and the Custodian of Records, who shall be the Union County Director of Emergency Management. All officers shall be members of the LEPC.
- SECTION 2. Nomination and Election of Officers. Prior to the expiration of the officer's term of service, nomination and election of officers shall occur. Nominations will be accepted from the floor for the positions of Chair, Vice Chair, Secretary, and Treasurer. The election shall be by ballot, except that when there is only one nomination for each office, election may be by voice vote. These officers shall be selected by a majority of the members of the LEPC present and voting at the meeting,
- SECTION 3. Term of Office. The term of each officer shall be for a period of two years. The term of the officers elected shall expire on December 31 of each even-numbered year. All officers may hold unlimited successive terms.
- SECTION 4. Chair. The Chair of the Committee shall be an appointed member of the LEPC, shall preside at all meetings of the LEPC and have full voting rights, shall serve as ex officio member of all committees, shall appoint all Subcommittee members and their Chairs (with the exception of the Emergency Response Training Committee, whose Chair shall be the Union County Emergency Management Director), shall sign the approved minutes of the Committee and any other documents as designated by the Committee, shall act, along with the Community Information Coordinator, as spokesperson for the Committee and shall perform such duties and acts as necessary to accomplish the goals of the LEPC. The Chair shall be empowered to create such other Ad Hoc committees as necessary to accomplish the goals of the LEPC.
- SECTION 5. Vice Chair The Vice Chair shall be an appointed member of the LEPC with full voting rights. Upon resignation or death or in the absence of the Chair, the Vice Chair shall perform the duties of the Chair. The Vice Chair shall perform such other duties as may be assigned by the Chair, and shall be a member of the Executive Committee.
- SECTION 6. Secretary. The Secretary shall be an appointed member of the LEPC with full voting rights, record and retain the minutes of the proceedings of all LEPC meetings, including but not limited to a log of all attendees at LEPC meetings, a copy of which shall be forwarded to the Chair no later than 15 days after the meeting. Additionally, the Secretary shall send notification of full Committee meetings to all members, shall distribute meeting minutes and other documents prepared by the Chair, shall annually deliver to the local newspaper the annual legal notice of the Committee, shall perform

such other duties as the Chair may assign, and shall be a member of the Executive Committee.

SECTION 7. Treasurer. The Treasurer shall maintain appropriate accounts and an accurate record of all monies received and expended for the use of the LEPC. The Treasurer shall also be a member of the Finance Committee and the Executive Committee.

SECTION 8. Officer Vacancies In the event of the resignation or death of the Vice Chairman, Secretary, or Treasurer prior to the end of the officer's term, a new officer shall be elected at the next meeting of the Committee at which a quorum is present, and shall serve out the remainder of the resigning officer's term.

SECTION 9. Custodian of Records. The Custodian of Records shall be the custodian of all books, papers, documents and other property of the LEPC. These duties shall be performed by the Union County Emergency Management Director.

ARTICLE V

COMMITTEES

SECTION 1 Executive Committee The **Executive Committee** will consist of the LEPC Chair, LEPC Vice Chair, LEPC Secretary, LEPC Treasurer, Custodian of Records, and Chairs of the four standing committees as described below. The Chair of the Executive Committee shall be the Chair of the LEPC. The duties of the Executive Committee shall be to coordinate the annual review of the Union County Emergency Management Plan and the activities of the standing and Ad Hoc Committees.

SECTION 2. Standing Committees The following Standing Committees shall be established:

A. Community Awareness Committee. This committee shall be responsible for the formulation and implementation of a program to inform the citizens of Union County about the activities of the LEPC, the emergency notification and information system, the Union County Emergency Management Plan, and other matters related to SARA Title III as may be assigned by the LEPC Chair. The Chair of this committee shall be known as the **Community Information Coordinator**.

B. Transportation Committee. This committee shall be responsible for the development and implementation of a program to address issues related to the transportation of hazardous materials through Union County, Tennessee and other matters related to SARA Title III as may be assigned by the LEPC Chair.

This committee shall develop the emergency evacuation section of the Emergency Management Plan and may request, as needed, likely transportation routes of hazardous materials to and from any facility under the jurisdiction of the LEPC.

C. Emergency Response Training Committee. This committee shall be responsible for planning and conducting drills to practice the Union County Emergency Management Plan, recommend programs to improve emergency response capabilities, and other matters related to SARA Title III as may be assigned by the LEPC Chair. The Chair of this committee shall be the Union County Director of Emergency Management, who will also be the designated **Community Emergency Response Coordinator (CERC).**

D. Finance Committee. This committee shall be responsible for preparing and presenting a proposed annual operating budget, formulating a plan to finance the activities of the LEPC through the annual operating budget, overseeing the accounting for and expenditure of the funds of the LEPC, and other matters as may be assigned by the LEPC Chair.

SECTION 3. Meetings. Meetings of the standing, Ad Hoc, and Executive Committees may be called by the Chair of the LEPC or the Chair of those committees as deemed necessary.

SECTION 4. Ad Hoc Committees. The LEPC Chair may create Ad Hoc committees as necessary with concurrence of the Executive Committee. The chairs of Ad Hoc committees shall be appointed by the LEPC Chair.

ARTICLE VI

MISCELLANEOUS PROVISIONS

SECTION 1. Fiscal Year. The fiscal year shall be considered to run from July 1 to June 30.

SECTION 2. Finance. All expenditures in excess of \$2000 incurred by the LEPC shall be approved by the full LEPC. Expenditures between \$501 and \$2000 shall be approved by the Executive Committee. Expenditures of \$500 or less shall be approved by the LEPC Chair and the Treasurer. In addition, the LEPC Chair will approve all payments before they are made by the Treasurer.

SECTION 3. Approval of Bylaws. These bylaws shall become effective upon approval by a majority of those in attendance at the time of the vote.

ARTICLE VII

AMENDMENTS

SECTION 1. Amendments. These bylaws may be amended by a two-thirds vote of members present and voting at any meeting of the LEPC provided that any proposed amendments to these by-laws be submitted to the Chairman of the LEPC at least thirty (30) days in advance and to the membership in writing at least two weeks in advance of the meeting. Approved amendments become effective immediately.

SECTION 2. Emergency Rules. In emergency circumstances, to be determined by the LEPC, rules may be adopted without prior public notice and comment, provided that no such rule will remain in effect for more than ninety (90) days.

ARTICLE VIII

PARLIAMENTARY AUTHORITY

SECTION 1. Parliamentary Authority. The rules contained in Robert's Rules of Order, Newly Revised. shall govern this committee in all cases to which they are applicable and in which they are not inconsistent with these by-laws.

These By Laws were unanimously adopted at a regular meeting of the Union County, Tennessee LEPC on February 8, 2007.

