



JACKSON COUNTY MISSISSIPPI

LOCAL EMERGENCY PLANNING COMMITTEE

BYLAWS

## **ARTICLE I.**

### **NAME**

The name of this committee shall be the Jackson County Local Emergency Planning Committee, hereinafter referred to as the "LEPC."

## **ARTICLE II.**

### **PURPOSE**

The Emergency Planning and Community Right-to-Know Act (EPCRA), enacted as Title III of the Superfund Amendments and Reauthorization Act (SARA), charged MEMA with establishing Local Emergency Planning Committees (LEPCs) throughout the state, thus, the Jackson County LEPC was created. The LEPC was originally designed to provide a forum for emergency management agencies, responders, industry, and the public to work together to evaluate, understand, and communicate chemical hazards in the community and develop appropriate emergency plans in case of accidental release of these chemicals. However, in recent years, the LEPC's planning efforts have often been refocused to include planning for a variety of disasters that may affect our community; even taking an all-hazards approach to planning and no longer solely focusing on chemical emergency preparedness.

The responsibilities of the LEPC are:

- A. Develop and maintain up-to-date plan for hazardous material and chemical emergency accidents. This plan can be expanded to include all hazards if agreed upon by LEPC members.
- B. Review the plan annually and make any needed updates or changes.
- C. Collect and store information from regulated facilities regarding hazardous materials stored, manufactured or used.
- D. Identify people and equipment resources for responding to hazardous materials accidents.
- E. Make the above information available to the public on request under the Freedom of Information Act (FOIA).
- F. Provide the public education on emergency preparedness for hazardous materials accidents.
- G. Conduct an emergency response exercise annually and incorporate any lessons learned into the plan update.
- H. Support training for emergency preparedness and emergency responders as able.

## **ARTICLE III.**

### **MEMBERSHIP**

Any person or firm engaged in business and who subscribes to the principles and purposes of the LEPC is eligible for membership. If a corporation or other entity holds

## Jackson County Mississippi Local Emergency Planning Committee Bylaws

membership, the entity shall be considered one member. Each member shall be eligible for benefits if they support the purpose of the LEPC and maintain active participation in LEPC functions and activities. A minimum of 70% meeting attendance by agency representative or designee for all general LEPC meeting is required to retain active core membership. The Secretary will keep track of attendance at meetings and periodically submit a report of attendance to the members.

The LEPC **Core** Membership shall consist of at least one representative from each of the following **required** entities:

- A. Elected State Officials or their designate
- B. Mayor of each City within the County or his/her designate
- C. County Board of Supervisors or their designate
- D. Fire Department representatives from each city and county
- E. Law Enforcement from each city and county
- F. Emergency Management or Civil Defense representatives
- G. State response and environmental agencies (MEMA, DEQ, DMR, etc.)
- H. State and/or County Public Health Departments
- I. Hospital representatives
- J. State and/or County Transportation Agencies
- K. Industry/facilities subject to EPCRA and RMP facilities
- L. Media representative (television, radio, & print)
- M. Port Facilities located within Jackson County
- N. County E-911 Commission

Additionally, LEPC **Associate** membership from the following groups should be encouraged:

- O. Federal representatives (EPA, USCG, NOAA, Fish & Wildlife, etc.)
- P. Maritime representatives (i.e. pilots, waterways)
- Q. Volunteer Fire Departments within Jackson County
- R. Emergency Medical Service and Medical Community Entities
- S. Rail Representatives
- T. Community Groups
- U. American Red Cross
- V. Private and Commercial Businesses in industrial areas
- W. Environmental Clean up and Spill Response Groups
- X. City, County, and Private Sector Schools & Colleges
- Y. Members of the Public (at their request)
- Z. Technical Advisors
- AA. Agriculture
- BB. County and/or Local Utility partners
- CC. MS Board of Animal Health

**FINANCIAL SHARE AND CONTRIBUTION PROGRAM**

\*\*\*\*\* RESERVED SPACE -- TO BE DEVELOPED \*\*\*\*\*

The LEPC shall determine dues to be paid, if any, by vote, specifically if needed for funding meetings or particular functions. All funding received into the LEPC, grant or otherwise, shall be used for the following types of activities unless specifically voted upon by a quorum of Core members.

- A. Community awareness of emergency response projects
- B. Communications equipment, systems, or software
- C. Emergency response related activities such as planning, exercises, drills, or studies
- D. Training
- E. Administration activities such as meeting support, general business, transportation, and contingencies

**MONIES AND APPROPRIATIONS**

The LEPC may receive and disburse public and private funds for carrying out the Emergency Planning and Community Right-to-know Act of 1986 (EPCRA), and any other local, state or federal legislation pertaining to emergency planning, in the plan service area of Jackson County, MS. The Chairperson and Treasurer or Secretary will authorize normal operating expenditures. In the event of an extended absence or vacancy of the Chairperson, the Vice Chair may authorize normal operating expenditures with the Treasurer or Secretary. The Treasurer shall maintain the financial records and make periodic financial reports to the LEPC.

**ARTICLE IV.**

**ALTERNATE MEMBERS**

Each member may designate an alternate to assume his or her duties and position on the LEPC in his or her absence. The alternate may vote only in the absence of the member.

**ARTICLE V.**

**OFFICERS**

The officers of the LEPC shall be an Information Coordinator, Chairperson, a Vice-Chair, a Secretary, and a Treasurer. The LEPC shall elect/appoint each of these officers except for the Information Coordinator which will be filled by the current County Emergency Management Director. In addition to the duties specifically set forth in these bylaws, each officer may perform any other duties that the LEPC may assign to the officer. The LEPC may appoint other officers and assistant officers, as it deems necessary. The same individual may simultaneously hold more than one office in the

## Jackson County Mississippi Local Emergency Planning Committee Bylaws

LEPC, except for position of Chair and Vice Chair; these two positions should be filled separately. An effort should be made to maintain a balance of representation between industry and public safety officials among the officers.

The LEPC shall appoint/elect officers of the LEPC for a term of one year from date of election. A designation of a specified term does not grant to the officer any contract rights, and the LEPC can remove the officer at any time prior to the termination of the designated term. In the event of failure or lack of opportunity to hold elections or render an appointment, the existing officers shall remain in office until new officers are installed. The Chair shall at his/her discretion, solicit and recommend a nominations committee each year to facilitate appointment of new officers.

### **ELECTIONS & DUTIES**

- A. The LEPC shall elect by a majority vote officers as deemed necessary to conduct business who will serve at the pleasure of the LEPC.
- B. The Chairperson shall preside at meetings of the LEPC, appoint such standing and special committees as needed to conduct the business of the LEPC, serve as spokesperson for the LEPC, and shall keep copies of true records of the proceedings of all meetings of the LEPC.
- C. The powers and duties of other officers shall be determined by the LEPC.
- D. Elections shall be held in the first quarter of the fiscal year.
- E. The Information Coordinator shall be responsible for processing requests from the public for information under Section 324 of EPCRA and FOIA.

### **ARTICLE VI.**

#### **MEMBERSHIP VACANCIES**

Vacancies on the LEPC shall be filled by a nomination from a current member followed by majority vote at any regular scheduled meeting.

### **ARTICLE VII.**

#### **INDIVIDUAL REPRESENTATIVES**

Individuals on the LEPC:

- A. May request to resign to the LEPC Chairperson in written or oral form and may name their replacement.
- B. May request to terminate the membership of an LEPC member by another member at a regular scheduled meeting if the motion is seconded and a majority vote concurs. In this case, a letter will be sent to the individual's business or organization notifying them of this change.
- C. Failing to attend at least 50% of regular meetings or name a designate for those meetings will result in a letter being sent from the LEPC to the business or organization represented to notify them on non-attendance on their part.

**ARTICLE VIII.**

**CONDUCT OF MEETINGS**

- A. The LEPC shall meet as often as is necessary to conduct its business, and in no event less often than once per quarter.
- B. The LEPC shall conduct its business by means of motions duly adopted by a majority of the core membership.
- C. Meetings will be run by consensus until such a time as any member requests governance by Robert's Rules of Order.
- D. At a minimum, the members shall convene meetings on the fourth Thursday of the month designated for the quarter, at the hour of 10:00 o'clock A.M., or at another time on another day within the quarter that the LEPC agrees upon. Unless otherwise indicated, all minutes are considered public record. Matters of confidentiality and vulnerability shall not be included in public record minutes.
- E. The Chairperson, sub-committees, or the members may call a special meeting for any purpose or purposes described in the meeting notice.

**ARTICLE IX.**

**VOTING**

- A. One Vote Each – Each group or organization, identified in Article III as required core members, plus the Officers (if not core members), shall be entitled to one vote. Associate members are not entitled to vote when it involves monetary decisions. All Core and Associate members are entitled to vote in elections and non-monetary decisions.
- B. Proxy Votes – A voting member may designate verbally or in writing someone to vote upon his/her behalf. This documentation or announcement must be presented to the Chairman before the meeting begins.
- C. Abstention – Members may register their abstention on any vote, which shall be reflected in the minutes. Members are encouraged to abstain from voting and from participating in deliberations on matters which may pose a conflict of interest for them.
- D. Determination of Actions – All final actions, committee positions, or policy recommendations shall require the favorable vote of a majority of those Committee members present and not abstaining on the vote at a duly called meeting.
- E. Quorum - For the purpose of official LEPC business, a simple majority vote by the members in attendance at a regularly scheduled meeting, including at least one officer, shall constitute a quorum. Once a vote is represented for any purpose at a meeting, the LEPC shall deem it present for quorum purposes for the remainder of the meeting and for any adjournment of the meeting.

Jackson County Mississippi Local Emergency Planning Committee Bylaws

**ARTICLE X.**

**AMENDMENTS**

These Bylaws may be altered, amended or repealed and new Bylaws may be accepted by an affirmation vote of a simple majority (no proxy or absentee ballots) at any regular meeting or a special meeting called for that purpose.

**ARTICLE XI.**

**AUTHORITY**

1. Public Law 99-499, Superfund Amendment and Reauthorization Act of 1986 (SARA): and
2. The State of Mississippi Emergency Management Law as amended, Section 33-15-1.

THIS DOCUMENTS THE BYLAWS OF JACKSON COUNTY LOCAL EMERGENCY PLANNING COMMITTEE (LEPC) ADOPTED AT THE REGULAR MEETING OF THE LEPC ON THIS THE 26TH DAY OF NOVEMBER, IN THE YEAR 2009.

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LEPC CHAIRPERSON

DATE SIGNED

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PRESIDENT, JACKSON COUNTY BOARD OF SUPERVISORS

DATE SIGNED