

# **Marshall County Local Emergency Planning Committee By-Laws**

## **Article I – NAME**

The nature of this organization shall be the Marshall County Local Emergency Planning Committee”, hereinafter referred to as “LEPC.”

## **Article II - PURPOSE**

The purpose of the Committee is twofold. First, the committee is to ensure that all acts required by SARA Title III, the Emergency Planning and Community Right-to-know Act of 1986 are complied with, and that all necessary work is accomplished to develop a comprehensive chemical emergency response plan for Marshall County. Secondly, the Committee shall serve as an advisory resource for Marshall County disaster planning and coordination.

## **Article III – DUTIES AND FUNCTIONS**

The function of the Committee shall include, but is not limited to the preparation of an emergency response plan that shall include but is not limited to the requirements of SARA Title III.

## **Article IV – MEMBERSHIP**

### **1. Committee Composition:**

The committee shall be composed of members who are appointed by Marshall County Emergency Management and shall include, at a minimum, one representative from each of the following disciplines, with each member serving in only one membership category:

- Broadcast/Print Media
- Community Groups
- Emergency Management
- Emergency Medical Services
- Environmental
- Firefighting
- Health
- Hospital
- Industry
- Law Enforcement
- Local/state government
- Transportation

### **2. Committee Membership Conditions:**

Members must meet the criteria established by the Commonwealth of Kentucky Emergency Response Commission.

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### **3. Terms of Committee Members:**

The term of appointments of Committee members shall be for a period of six (6) years not to exceed two (2) terms.

### **4. Roster of Committee Members:**

A roster of the names, business addresses and telephone numbers of the Committee members shall be on file in the office of Marshall County Emergency Management, 1101 Main Street., Benton, KY 42025 and at other such locations, as the Committee deems necessary or convenient.

### **5. Subcommittees:**

The Chair of the Committee may appoint members and the chairs of subcommittees. Such subcommittees, consisting at a minimum of Training, Planning, Fiscal, and Communications Subcommittees, shall study and report to the Committee on matters of LEPC business requiring special attention, expertise, or investigation. The Committee Chair will serve as an ex officio member of each subcommittee, and may assign tasks to each.

## **Article V - VOTING**

Any proposal for an action or position taken by the Committee or one of its Subcommittees must be adopted by a majority vote of more than half the present at a legal posted meeting at which a quorum is present.

## **Article VI – OFFICERS**

### **1. Election of Officers:**

The Committee shall elect from its members a Chair, a Vice Chair, Secretary, and Treasurer. The officers shall be elected at the first regular meeting of each calendar year at which a quorum is present, and shall serve for a term of two years. In event of an officer's resignation 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.

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### **2. Duties of Elected Officers:**

- a. Chair: The Chair of the Committee shall preside at all regular and special meetings of the Committee, shall appoint all Subcommittee members and their Chairs, shall appoint the Planning and Information Coordinators, shall sign the approved designated by the Committee, shall act as spokesperson for the Committee, shall be an ex officio member of each subcommittee, and shall perform such other duties as the Committee may assign.
- b. Vice Chair: The Vice Chair shall perform all the duties of the Chair in the Chair's temporary absence or disability, and shall perform any other duties assigned by the Chair.
- c. Secretary: The Secretary may be an appointed position as determined by a majority vote of the committee and will be responsible for maintaining a record of the proceedings of the Committee and prepare the Committee's meeting minutes, shall post announcement of Committee and Subcommittee meetings, shall send out meeting notices to Committee member prior to Committee meetings, shall mail out meeting minutes and other documents prepared by the Chair, shall annually mail to the local newspaper the annual legal notice of the Committee, and shall perform such other duties as the Chair may assign.
- d. Treasurer: The treasurer shall maintain all financial records of the Committee, shall report at each meeting all financial activities and balance for the Committee account, and shall maintain records in a manner appropriate for audit purposes.

## **Article VII - COMMITTEE MEETINGS**

### **1. Regular Committee Meetings:**

The regular meetings of the Committee shall be held at such times and places as designated by the Committee Chair, and shall be announced to Committee members and the public at least three working days in advance of the meeting.

### **2. Subcommittee Meetings:**

The Chair of any Subcommittee may call a meeting at their discretion, provided that each subcommittee member, the public, and the Committee are provided notice at least three working days in advance of the meeting.

Notice, reasonable under the circumstances, of special or emergency meetings shall be given contemporaneously with the notice provided members of the public body.



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### **3. Quorum:**

A majority of the Committee or one of its subcommittees must be present at a meeting of either, in order for official action to be taken by either group.

### **4. Voting:**

- a. Any vote by the committee on any issue shall have no force or effect unless or until taken in open session in a manner in which the decision or each member can be publicly observed.
- b. Any motion made by a committee member must receive a second from another member in order for any vote to be taken on such motion. When a motion is made and receives no second, the motion shall be deemed dismissed from consideration.

## **Article VIII – PARLIAMENTARY AUTHORITY**

The rules contained in the current version of Robert's Rules of Order, Newly Revised, shall govern the Committee in all cases to which they are applicable and when they are not consistent with these bylaws; provided that, however, in no case shall a breach of parliamentary procedure invalidate an action taken by the committee unless the chairman determines that the breach resulted in a misleading of one or more committee members as to the nature of the action taken.

## **Article IX – AMENDMENT OF BYLAWS**

These Bylaws may be amended during any regular or special meeting of the Committee by an affirmative vote of a majority of the Committee members when quorum is present, provided any such proposed changes have been submitted in writing to each Committee member at least ten days in advance of the meeting called to amend the Bylaws.

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By-Laws**

Adopted this 21st day of December year of 2017 by the members of the Marshall County Local Emergency planning Committee.

Chair: \_\_\_\_\_

A handwritten signature in blue ink, appearing to be "C. Carter", written over a horizontal line.

Vice Chair: \_\_\_\_\_

A handwritten signature in blue ink, appearing to be "D. H. Hines", written over a horizontal line.