

BY-LAWS OF THE CHATHAM COUNTY  
LOCAL EMERGENCY PLANNING COMMITTEE (LEPC)

REVISED: OCTOBER 2008

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**Bylaws of the  
Local Emergency Planning Committee (LEPC)  
Of Chatham County (revised October 2008)**

**Article I - Name**

The Chatham County Emergency Planning Committee, hereinafter referred to as the "LEPC," is a local entity created pursuant to SARA Title III, the Emergency Planning and Community Right-to-Know act of 1986.

**Article II – Purpose and Functions**

The LEPC shall exist to promote and facilitate the safety of all persons in Chatham County with respect to the potential exposure and or threat of major emergencies and disasters both natural and manmade.

The functions and duties of the LEPC are those authorized by the Chatham County Board of Commissioner, in accordance with, but not necessarily limited to the provisions of Title III of the Superfund Amendments and Reauthorization Act of 1986. More specifically the LEPC shall engage in at least the following activities:

1. Conduct regular meetings to address all pertinent issues
2. Maintain a county-wide master inventory of hazardous materials regulated by State and Federal governments as regulated by SARA Title III.
3. Develop and update a Hazardous Material Emergency Response Plan as defined by SARA Title III, Section 303[42 U.S.C. 11003] Comprehensive Emergency Response Plans.
4. Identify private/public sector resources available to assist with hazardous material emergencies.
5. Review, process and respond to public requests of information.
6. Review, maintain and process all appropriate reports and records, as required by law.
7. Provide information on training programs related to hazardous material safety and emergency response procedures.
8. Coordinate emergency response exercises.
9. Provide expertise and assistance to industries and business upon request.
10. Provide community "out-reach" services on all hazards safety.
11. Research and disseminate emerging legislation relating to hazardous materials.

It is not and never has been the intent of the LEPC to be a local regulatory, enforcement, permitting, or policy making body or agency. Further, the LEPC shall not be placed in a position to interfere with the permitting process of the State of Georgia.

## **Article III - Membership**

**Section 1**     **NUMBER:** The LEPC shall consist of as many Member Agencies as deemed necessary by the Chatham County Board of Commissioners, the Georgia Emergency Response Commission and SARA Title III requirements.

**Section 2**     **CATEGORIES:** There shall be two categories of membership, Mandated Agencies and Member Agencies.

**MANDATED AGENCIES:** Those Agencies required by Federal law to have membership status on the LEPC (SARA Title III, Part 301, Section C) Chatham County Mandated Agencies are:

- Chatham County Commission Chairman
- Chatham County Manager's Office
- Chatham County Legal Council
- Savannah Chatham Metropolitan Police Department
- Chatham Emergency Management Agency
- Savannah Fire and Emergency Services
- Medstar One Ambulance Service
- Southside Fire and EMS (EMS Service)
- Chatham County Public Health
- St. Josephs/Candler Hospital
- Memorial Health Medical University
- Humane Society
- Broadcast and/or Print Media
- Chatham Area Transit

**MEMBER AGENCIES:** Those Agencies recommended having membership status on the LEPC, This includes entities such as:

- Community, Civic and Environmental Groups
- Emergency Responders
- Business and Industry Representatives
- Municipal representatives
- Local, State and Federal Regulatory Entities
- State and Federal Government Entities
- Volunteer Organizations Active in Disasters.

**Section 3**     **REPRESENTATION:** Each mandated and Member Agency shall appoint a Full Voting Representative and at least one Associate Representatives to act on the behalf of the Agency while serving on the LEPC.

*Full Voting Representative:* The Mandated and Member Agency shall appoint one Full Voting Representative to speak and vote for the Agency. This appointment shall be made in writing to the LEPC Chairperson at the

time the Agency requests membership or anytime the assigned Full Voting Representative is no longer able to serve in that capacity.

*Associate Representative:* The mandated or Member Agency shall appoint no more than two Associate Representatives to serve on the LEPC. The Associate Representative(s) serves in the absences of the Full Voting Representative. This appointment shall be made in writing to the LEPC Chairperson at the time the Agency requests membership or anytime the assigned Associate Representative(s) are no longer able to serve in that capacity.

**Section 4** **TERM:** The term of membership in the LEPC shall be continuous from year to year or as defined in Article III, Section 8.

**Section 5** **Assignment:** Full Voting Representatives of each Mandated and Member Agency shall select at least one LEPC sub-committee to serve. If a sub-committee is not selected by the representative, then they shall be assigned to a sub-committee. Associate Representatives shall serve on the same subcommittee and act in the absence of the Full Voting Representative.

**Section 6** **Removal:** Each LEPC Member Agency serves at the discretion of the Chatham County Board of Commissioners. Member Agencies, Full Voting Representatives and Associate Representatives may be removed from membership by a vote of the LEPC during a regularly scheduled or a special called meeting of the LEPC body.

Member Agencies who are not represented at three LEPC meetings during a calendar year may be removed from membership.

#### **Article IV: Subcommittees (Required)**

##### **Identification of Committees and Appointments / Resignations**

The Sub-Committees are seven (7) in number and are identified as the Executive Committee, By-Laws/Steering Committee, Grants and Finance Committee, Training and Exercise Committee, Emergency Response Committee, Outreach Committee and Support and Development Committee.

Subcommittees shall be created by vote of the LEPC whenever necessary. For each term cycle, or the creation of a new subcommittee, the Chairperson shall appoint each subcommittee chairperson and give objectives for the subcommittee within thirty (30) days.

Ad-hoc committees may be formed at any time for special purposes or assignments. Ad-hoc subcommittees shall cease to function when their specific task is completed.

## Section 1 Committee Definitions:

**1.1 Executive Subcommittee** will comprise of the Chairperson, Vice-Chairperson, Secretary and Treasurer. Each member of the Executive Committee must be a Full Voting Representative of a Mandated or Member Agency in good standing. Due to fiscal accounting, the Treasurer functions will be performed by the Chatham Emergency Management Agency. This position serves in a supportive capacity to the Executive Committee. The Treasurer will maintain and oversee all financial records for the LEPC and shall ensure appropriate signature authority is processed for legal and financial institutions. Service in this position does not preclude the Chatham Emergency management Agency from serving in any other capacity necessary to support the LEPC. The LEPC Committee and Committee Chair will determine goals and duties of Sub-Committees.

**1.1.1 Term:** The term of office for each Executive Committee officer shall be two calendar years. Each term begins on the first month of each even numbered calendar year and continues through the last month of each odd numbered calendar year.

**1.1.2 Election:** Two meetings prior to the end of a current term cycle, the LEPC shall appoint three persons to the Nominating Committee with a charter to select persons interested in serving as an officer on the Executive Committee for the upcoming term.

One meeting prior to the end of the current term cycle, the Nominating Committee will present proposed nominations to the LEPC body for consideration. Each proposed nominee shall develop a one page fact sheet on their background for distribution to the LEPC body.

Election of the Executive Committee officers shall take place by voting immediately following the roll call at the first meeting of each term cycle. Nominations from the floor shall be offered as required by Robert's Rules of Order.

If a quorum does not exist, the previous term Chairperson shall schedule a special election to select the LEPC Executive Committee.

**1.1.3 Removal:** An Executive Committee officer may be removed from office at any time by a vote of Mandated and Member Agencies.

**1.1.4 Vacancies:** An officer vacancy shall be filled as soon as possible through a special election or the next

regularly scheduled meeting. The selected candidate shall serve the remainder of the term cycle in which they were elected.

**1.1.5 Eligibility:** Executive Committee Officers must be Full Voting Representatives of a Mandated or Member Agency. The Agency and the Representative must be in good standing with the LEPC at the time of nomination.

**1.2 By-Laws/Steering Committee** – is responsible to the review, update and present changes in the By-Laws to the LEPC committee annually for approval.

**1.3 Grants and 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 Chairman.

**1.4 Training and Exercise Committee** – identify training needs for all hazard types and make provisions to satisfy those needs; and to plan, coordinate and conduct training exercises. To conduct one full-scale Hazardous Materials related exercise every other year.

**1.5 Emergency Response Committee** -will work with the Training and Exercise and the Business Outreach Committees within existing emergency response organizations within the planning district to review and help local emergency management offices develop and test a hazardous substance emergency response plan for the planning district.  
This Committee shall review existing federal, state and local plans for the purpose of coordination with the LEPC planning process.

**1.6 Outreach Committee**– To distribute all hazard materials and information to the public including resource support to business on CFR requirements and emergency plan development, ways to recycle and seek long-term environmental improvements. This will include planning and development of all public outreach efforts. This group will annually visit and provide support with all Tier II facilities.

**1.7 Support and Development Committee** – to develop and support each of the Subcommittees as needed. This group is responsible for all printed materials, any promotional items and communications of events including the maintenance of the LEPC Website.

## **Article V – Duties of the Executive Committee Officers**

**Section 1: Chairperson:** The Chairperson shall preside over meetings of the LEPC, preserve order during the meetings, appoint subcommittee chairpersons, serve as an ad-hoc representative on each subcommittee, have signature authority for minutes, records, vouchers, or other documents connected with the work of the LEPC.

- Will determine the frequency, dates, times, locations and agendas of Committee meetings not specified elsewhere in these By-Laws.
- Will appoint the chair and members of each Sub- Committee.
- Will conduct meetings according to Robert's Rules of Order.
- May delegate powers and duties to the Vice-Chair, consistent with other provisions of the By-Laws.

**Section 2: Vice-Chairperson:** In the absence of the Chairperson, or in the event the Chairperson is unable to serve, the Vice-Chairperson shall perform the duties of the Chairperson, and assume all powers of the Chairperson when acting in that capacity. The Vice-Chairperson shall also perform such other duties as assigned by the Chairperson.

- Will perform or exercise and duty or power delegated by the Chair.
- Will perform the duties of the Chair at meetings in the absence of the Chair.
- Will succeed as Chair upon removal or resignation of the Chair for the remainder of the Chair's term.

**Section 3: Secretary:** The Secretary shall maintain the minutes of the LEPC meetings; develop LEPC correspondences and compile statistics and other data as required for the use by the LEPC. The Secretary shall also perform such other duties as assigned by the Chairperson. The Secretary will keep, circulate, and file attendance and minutes of Committee meetings.

**Section 4. TREASURER.** Due to fiscal accounting, Treasurer functions will be performed by the Chatham Emergency Management Agency. The Treasurer shall maintain and oversee all financial records for the LEPC and shall ensure appropriate signature authority is processed for legal and financial institutions.

## **Article VI - Meetings**

- Section 1: Frequency of Regular Meetings:** The LEPC must meet bi-monthly for regular meetings unless otherwise specified by the Chairperson but no less than quarterly.
- Section 2: Special Meetings:** The Chairperson may schedule a Special Meeting when necessary to carry out the duties of the LEPC. Additionally, upon formal request of at least 4 members, the Chairperson shall schedule a special meeting within ten (10) business days and ensure meeting notices are distributed to the LEPC body in accordance with Article VII, Section 8.
- Section 3: Subcommittee Meetings:** Subcommittees shall meet by any method at least bi-monthly on alternate months from the regular meetings. Additional meetings may be scheduled by the subcommittee Chairperson as necessary to complete projects.
- Section 4 Quorum:** A quorum for all regularly scheduled and special called meetings shall consist of one-third of all mandated and Member Agencies Full Voting Representative or Associate Representative. Business of the LEPC will not be conducted without satisfying the quorum requirement.
- Section 5 Location of Meetings:** The Committee meetings will be held at the location specified by the Committee Chair.
- Section 6 Agenda:** Any member may request an item to be placed on the Agenda during the next regularly scheduled meeting of the LEPC. If the Chairperson should decline to do so, a member may have the item placed on the Agenda by submitting it in writing to the Chairperson with supporting signatures of three (3) members.
- During a scheduled LEPC meeting, matters not appearing on the printed Agenda may be added with a favorable vote.
- Section 7 Rules of Order:** The deliberations of all LEPC meetings shall be governed by Robert's Rules of Order, newly revised.
- Section 8 Notice of Meetings Dates and Times:** (After the first meeting of the year).
- Publish scheduled meetings dates and time for the entire year with expected meeting locations on the [www.lepc.org](http://www.lepc.org) website.
  - Notices regarding regularly scheduled meetings, special meeting and subcommittee meetings shall be distributed to the LEPC body at least seven (7) business days prior to the scheduled meeting. The meeting notice will identify the date, time, location and agenda of the meeting for which the announcement is intended.

- In the event of a meeting cancellation, the LEPC Coordinator for the State of Georgia Emergency Management Agency must be personally notified of the cancellation.

**Article VII: Voting**

- Section 1**     **One Vote:** Each Mandated Agency and member Agency, including the Chairperson, shall be entitled to one vote. Associate Members shall not vote except as provided for in Article VIII, Sections 2 and 3.
- Section 2:**    **Proxies:** One Associate Representative of the Mandated Agency or the Member Agency shall be allowed to vote by proxy only in the absence of the Agency’s Full Voting Representative. No other proxy votes shall be allowed.
- Section 3**     **Abstentions:** Mandated Agencies and member Agencies may register their abstention on any vote and shall be reflected in the minutes. Abstentions are encouraged on matters which pose a conflict of interest.
- Section 4**     **Determination of Actions:** All final actions, obligations of funds or policy recommendations shall require the favorable vote of Mandated Agencies and Member Agencies present at a scheduled meeting.

**Article VIII – Finance**

Financial Responsibilities:

1. A LEPC receives funding from the state after it becomes a Recognized Local Emergency Planning Committee (LEPC).
2. Funds will be spent towards, Planning, Training, Exercises and Prevention activities in accordance with the Hazardous Materials Emergency Preparedness Grant Program issued through the US Department of Transportation.
3. Purchases under \$100.00 may be spent by the Treasurer for stamps, stationary and other incidentals.
4. Purchases from \$101.00 to \$300.00 must be approved by the Executive Committee of the LEPC.
5. Purchases of \$301.00 and over must be approved by the Voting members of the LEPC when there is a quorum present.
6. All LEPC funds received from the state must be accounted for separately within each entity. Funds received must be in a separate account/fund/project established for the LEPC.
7. A financial report (expenditures and balance) must be made at each LEPC meeting to the membership.
8. At the beginning of each fiscal year (September 30), a report that includes funds on-hand at the beginning and end of the year and all expenditures for the year will be made to the membership. All financial reports become a part of the minutes.
9. Funds cannot be used to pay any salary regardless of the percentage.
10. Fund and checking account must be established with the oversight of the EMA Director and County Administrator but can

- be managed by the Treasurer. Any checking accounts established must require at least two (2) signatures per transaction.
11. Financial records of the LEPC must be made available to the LEPC Coordinator for GEMA upon request.

### **Article IX – Reports and Recommendations**

**Section 1: Annual Reports:** No later than December 31<sup>st</sup> of each calendar year, the LEPC Executive Committee shall develop an Annual Report describing its activities during the preceding calendar year.

The Annual Report shall be distributed to the LEPC body in Draft form in accordance with Article VII, Section 7. Final comments and discussion regarding the Annual Report will be conducted during the first scheduled meeting of each calendar year.

No later than fifteen (15) days following the meeting, the LEPC shall submit the Annual Report to the Chairperson of the Chatham County Board of Commissioners and the State Emergency Response Commission.

**Section 2: Review of Draft Reports:** All LEPC reports, to include the Annual Report, shall be reviewed, discussed and approved comments incorporated prior to submission to the body for which the report is intended,

**Section 3 Issuance of Reports:** All LEPC reports, to include the Annual Report, shall not be released until it has met the requirements of Article IX, Section 2. Each LEPC report shall contain the signatures of the LEPC Executive Committee prior to final submission.

Meeting minutes of the LEPC will be mailed /emailed to the State LEPC Coordinator of the Georgia Emergency Management Agency (GEMA) within thirty (30) days of each meeting date.

**Section 4 Recommendations:** The LEPC may endorse or oppose matters regarding legislation, ordinances and resolution. This process can be accomplished through the regularly scheduled meeting or special meeting assuming all By-Laws requirements are satisfied.

### **Article X. Amendments**

These By-Laws may be amended or replaced upon a favorable vote of the LEPC body during any scheduled meeting and provided that any proposed changes have been circulated to the LEPC body at least seven (7) business days prior to the scheduled meeting.

**Article XI, Ratification Provision:**

The Bylaws are duly adopted by the LEPC this \_\_\_\_\_ day of \_\_\_\_\_ in Chatham County, Georgia. The signatures of those subscribing to these bylaws are set forth below.

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Chairperson, LEPC \_\_\_\_\_ Date  
James Phillips, Chatham County Health Department

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Vice Chairperson, LEPC \_\_\_\_\_ Date  
Michelle Nooney, BASF, Inc.

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Secretary, LEPC \_\_\_\_\_ Date  
Noel Perkins, SAGIS

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Treasurer, LEPC \_\_\_\_\_ Date  
Dennis Jones, CEMA