

**Rockbridge Local Emergency Planning Committee (LEPC)
BY-LAWS**

Rockbridge County LEPC

Scope

Article I

Section 1: Name of the Committee:

The name of the Committee shall be the "Rockbridge, Lexington, and Buena Vista Local Emergency Planning Committee" (LEPC).

Section 2: Legal Status and Authority:

The LEPC shall operate under the legal authority of the provisions of Public Law 99-499: Superfund Amendments and Reauthorization Act (SARA Title III), Emergency Planning and Community Right-to-Know Act (EPCRA) of 1986, 42 U.S.C. 11001 et. seq. and pursuant to and in strict accordance with all other applicable laws, regulations, and ordinances.

Mailing Address, Telephone Number, and Contact Information:

The official mailing address and telephone number of the LEPC shall be:

Rockbridge Local Emergency Planning Committee
C/O LEPC Chair
Carilion Stonewall Jackson Hospital
Attn: Kathie Bare, MBA
1 Health Circle
Lexington, Virginia 24450
Telephone: 540-458-3141
Fax: 540-458-3504
kbare@carilionclinic.org

Section 3: Mission:

The primary mission of the LEPC is to be an effective community network for planning for emergency management of incidents involving spills or releases of hazardous materials. The LEPC has adopted an "all hazards" approach in mitigation, preparedness, response, and recovery to emergency events and exercises.

In accordance with its tasking, the Committee:

- Develops, trains, exercises, and revises as necessary a comprehensive emergency response plan for emergencies within the County of Rockbridge and the cities of Buena Vista and Lexington.
- Evaluates the need for resources to develop, implement, and exercise the plan. As appropriate, recommends resources and the means for providing additional resources.
- Provides for public participation and information, including, but not limited to public inquires on the regulated materials and industry and the Committee's activities.

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Establishes and recommends procedures for receiving reports from the regulated community.

Membership

Article II

Section 1: Qualifications:

Members must be residents of the County of Rockbridge or the cities of Buena Vista and Lexington or conduct business in these locations.

Section 2: Areas of representation:

As required by SARA Title III, the LEPC shall broadly represent the community and include at least one (1) representative from the following groups with additional persons recommended by the committee as needed.

- Elected State and Local Officials
- Emergency Management
- Fire Service
- Emergency Medical Services
- Law Enforcement
- Public Health
- Hospital
- Owners and Operators of Facilities Subject to the Requirement of Title III
- Local Environmentalist
- Transportation
- Community Action

Section 3: Term of Membership:

Members will serve continuous terms from the date of appointment, unless the LEPC votes to suspend any member's privileges.

Section 4: Attendance at Meetings:

All members should attend at least fifty percent (50%) of meetings of the LEPC held in any twelve (12) month period unless excused for cause by the Chairperson. A LEPC Member will be excused from a meeting for good cause and upon notification as described by the Chairperson. Members not attending the number of required meetings are considered as having vacated their position.

Section 5: Filling Vacancies and Appointment of New Members:

Should vacancies occur, they may be filled by recommendations from the LEPC Chairperson to appropriate authorities through the Rockbridge Emergency Management Coordinator for appointment as defined in Article II, section 2. LEPC vacancies do not have to be filled unless, because of the vacancy, the LEPC will no longer meet any relevant local, state, or federal requirements. Should it be deemed necessary to add new members to the LEPC, the procedure shall be the same as for filling vacancies.

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Officers: The officers of the LEPC shall be the Chairperson, Vice Chairperson, and Secretary/Treasurer.

Chairperson:

The Chairperson shall preside at all meetings of the LEPC, be responsible for preserving order and decorum, and submit recommendations and information as he or she may consider proper concerning the business, affairs and policies of the LEPC. Except as otherwise authorized by these bylaws or by resolution of the LEPC, the Chairperson shall sign, or delegate to the Vice-Chairperson the authority to sign, all official documents of the LEPC. The Chairperson will also ensure an agenda for each LEPC meeting is mailed or delivered as provided in Article III, section 2.

Vice-Chairperson:

The Vice-Chairperson shall perform the duties of Chairperson in the absence or incapacity of the Chairperson. In case of the resignation, or death of the Chairperson, the Vice Chairperson shall perform such duties as are imposed on the Chairperson until such time a new Chairperson may be elected. The Vice-Chairperson shall have the authority to sign official documents of the pursuant to authority delegated by the Chairperson. The Vice Chairperson shall ensure that any information gathered by the LEPC or submitted pursuant to requirements established by the LEPC, is properly stored and maintained at the address provided in Article I, section 2.

Secretary:

The Secretary shall establish a mailing list of all members, record or transcribe the minutes of all LEPC meetings, and send out meeting notices. The Secretary shall also ensure that an agenda of each LEPC meeting is mailed or delivered as provided by Article III, section 2. The Secretary shall maintain any financial records and make periodic reports to the LEPC.

Section 7: Elections:

The LEPC shall elect by majority the Chairperson, Vice Chairperson, and Secretary from those persons whom they have nominated. Nominations and elections shall occur at the first meeting of each calendar year, or as the need arises.

Section 8: Terms of Office:

Each office shall be for a term of two years, and will be automatically renewed unless other action is deemed necessary by the LEPC.

Vacancy:

Should the Office of Chairperson, Vice Chairperson, or Secretary become vacant, the LEPC shall elect a successor for the unexpired portion of the term within 60 days of the occurrence of the vacancy.

Additional Appointments: Additional personnel appointments for subcommittee positions and any other positions that may be necessary for the operation of the LEPC's tasks shall be made

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by the Chairperson and approved by a majority of the members at a regular meeting of the LEPC.

Section 9: Subcommittees

Appointment of Subcommittees:

The Chairperson may from time to time appoint subcommittees composed of members of the LEPC and knowledgeable individuals from outside the LEPC to study and report on matters relevant to the LEPC. Such subcommittees, its activities, and persons as appointed under, subject to review by the Chairperson or membership as needed.

Standing Committees:

This section intentionally left blank.

Meetings

Article III

Section 1: Annual Meetings:

The annual meeting of the LEPC shall be at a time and place designated in advance in the "Notice of annual meeting" published in the community, and distributed and delivered to each LEPC Member at least fourteen (14) days before such meeting.

Section 2: Regular Meetings:

Regular meetings of the LEPC shall be held and scheduled by the Chairperson. Unless regularly scheduled, notice of the meeting will be provided at least fourteen (14) days in advance to all LEPC members, by mailing or delivering a written notice, to the address provided by the member to the LEPC. The agenda for the meeting will be sent with the written notice of the meeting. Posting the meeting dates, times, locations, and agenda in public locations as appropriate will be used to inform the public.

Section 3: Special Meetings:

The Chairperson of the LEPC may, upon written request of at least two (2) members of the LEPC, and when they deem it expedient, call a special meeting of the LEPC for transacting any business of the LEPC. The purpose of the meeting will be set forth in the call of the meeting and mailed or delivered to each LEPC member at least fourteen (14) business days before such meeting. At the Special Meeting no business will be considered other than that designated in the call, however, if a quorum of the LEPC is present at a special meeting, the LEPC may transact any item of business if the members of the LEPC present vote unanimously to transact said business. A special meeting may be deemed necessary within thirty (30) days following an incident determined to be extremely hazardous by the Chairperson and when this special meeting is called, the agenda will include a review of said incident, as to mitigation, preparedness, response, and recovery.

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Section 4: Frequency:

Regular and special meetings including the annual meeting will be held at least quarterly, and may be scheduled more frequently when needed.

Agenda: An agenda of each LEPC meeting shall be mailed or delivered to each LEPC member with the written notice of the LEPC meeting, unless a vote is taken in accordance with, to eliminate this requirement. Should this requirement be eliminated, a vote of the LEPC can reinstate it in accordance with Article III, section 2. The agenda for the next meeting shall be mailed or delivered to each person or entity whose name and address are found on the mailing list of LEPC members. The Secretary shall maintain and update the mailing list.

Section 5: Order of Business:

At meetings of the LEPC the following shall be the order of business:

- Roll Call
- Special Presentations
- Approval of minutes
- Report from the LEPC Chair
- Reports of subcommittees
- Report of the Emergency Management Coordinator
- Old (Unfinished) Business
- New Business
- Public Comments
- Date, time, place, and tentative agenda of the next regular meeting
- Adjournment

Section 6: Manner of Conducting Meetings:

No standard rules of procedure shall be required unless adopted by the LEPC in accordance with Article III, section 5. The meetings shall be conducted with order and decorum. The Chairperson shall determine the appropriate procedure for conducting the meetings. Debate on a matter shall be closed by a motion and second to bring the matter to a vote. Any member of the LEPC may make or second a motion. A motion to table takes precedence over any motion currently on the floor.

Section 7: Summaries of Meetings:

Accurate summaries of all the meetings of the LEPC shall be taken and maintained by the Secretary. Accurate summaries shall include, but not limited to, a record of all votes of the LEPC, a record of attendance at LEPC meetings, and a summary of LEPC discussions. The summaries of each meeting shall be distributed to each LEPC Member not later than fourteen (14) days following a meeting.

Section 8: Manner of Voting:

Only appointed LEPC members or appointed alternate member as per Article II, section 3 and shall have a right to vote. The voting on all questions coming before the LEPC shall be a "yea" or "nay," or by a show of hands, unless action is taken for a roll call votes on a particular

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matter. If a roll call is approved, the "yeas" and the "nays" shall be recorded in the minutes of the meeting.

Section 9: Participation by Members of the Public:

Members of the public are encouraged to attend all regular, special, and annual meetings of the LEPC. Members of the public will be provided an opportunity to address the LEPC on matters related to local hazardous material or other LEPC matters at each meeting. A citizen who wants to address the LEPC may contact the Chairperson at the address found in Article I, section 2, and then sign in at the time and place of the meeting before the meeting begins. A citizen who wishes to address the LEPC without prior notice shall wait until after all members of the public who have provided notice have spoken. The time each citizen is allowed to speak may be limited by the Chairperson to five minutes, or as appropriate. Members of the public are also encouraged to provide written opinions and information to the LEPC at the address found in Article I, section 2.

Administration

Article IV

Section 1: Annual Budget:

The LEPC shall propose an annual budget for its affairs to the Office of the Fiscal Director for the county.

Section 2: 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, and any other local, state, or federal legislation pertaining to emergency planning, in the plan service area of Rockbridge, Virginia. Such monies shall be deposited and managed in accordance with generally accepted accounting practices. All disbursements over \$500 require a majority vote of the LEPC. The Chairperson and Secretary will authorize normal operating expenditures. The Secretary shall maintain the financial records and make periodic financial reports to the LEPC

Section 3: Fees:

Reasonable fees may be collected for information provided or services rendered by the LEPC. The fees collected shall be as established by County of Rockbridge policy.

Section 4: Annual Report:

An annual report shall be prepared and made available to the public upon request.

Amendments

Amendments to Bylaws: A majority vote of three-fourths (3/4) of those present, or 50% of the members may amend the LEPC bylaws.

No vote shall be taken to amend the bylaws until the proposed amendment has been reduced to writing and distributed with the agenda at least thirty (30) days before the meeting at which the amendment is to be voted on.

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Section 5: Filing of Bylaws and Amendments:

A copy of the bylaws and any amendments to the bylaws shall be provided to the Virginia Emergency Response Commission. The LEPC may provide copies to any public entity or private citizen upon request and payment of any required fee.

Adopted by the Rockbridge Local Emergency Planning Committee (LEPC), this 7th day of September 2006.

Modified by the Rockbridge Local Emergency Planning Committee (LEPC), this 7th day of September, 2006, in full compliance with the provisions of Article IV, section 4. Distributed 09/07/2006.

Modified by the Rockbridge Local Emergency Planning Committee (LEPC), this 27th day of June, 2012, in full compliance with the provisions of Article IV, section 4.
Distributed 6/27/12

Approved by the Rockbridge Local Emergency Planning Committee (LEPC), this 6th day of September, 2012

Modified/Approved by Rockbridge LEPC, this 2nd day of March, 2017, in full compliance with the provisions of Article IV, section 4. Distributed 3/27/17