

**TRUMBULL COUNTY  
LOCAL EMERGENCY PLANNING COMMITTEE  
BY-LAWS**

**ARTICLE 1 – NAME AND RESPONSIBILITIES**

The Trumbull County Local Emergency Planning Committee (hereinafter referred to as the “LEPC”) is formed to oversee the Activities of the Trumbull County Local Emergency Planning District as required by Title III of the Superfund Amendments and Reauthorization Act of 1986 and related Sections of the Ohio Revised Code (hereinafter referred to as “SARA”). Members of the LEPC have been selected to represent their constituent groups as required in the act and shall act as a voice for those groups in matters pertaining to LEPC activities.

The purpose of the LEPC is to:

- a) Oversee the Planning and Right-to-Know functions as well as other activities prescribed under SARA.
- b) Annually prepare a budget for the use of LEPC funds. Said budget is to be submitted to the Commissioners of the County for inclusion in the County budget.
- c) Approve the expenditure of LEPC funds.
- d) Approve and adopt all plans required under SARA.
- e) Approve contracts, agreements, and memorandums of understanding in support of the above plans.
- f) Annually exercise the Emergency Plans developed under SARA.
- g) Monitor reporting compliance under SARA and initiate any necessary actions against noncompliant facilities.
- h) Designate the Information and Response Coordinators as required by SARA.

**ARTICLE 2 - AUTHORITY**

The LEPC is formed by the State of Ohio as required by Title III of the Superfund Amendments and Reauthorization Act of 1986 and by Chapter 3750 of the Ohio Revised Code.

### **ARTICLE 3 – MEMBERSHIP**

Members of the LEPC shall be appointed by the State Emergency Response Commission upon recommendation of the County Commissioners. All members shall represent the required constituent groups and shall be appointed in accordance with SARA regulations.

### **ARTICLE 4 – ALTERNATES**

Voting Alternates are not authorized by SARA. Members who cannot attend a meeting may send an alternated to represent them in all activities other than voting.

### **ARTICLE 5 – TERM OF OFFICE**

Terms of office shall be consistent with the appointment terms established by the State Emergency Response Commission.

### **ARTICLE 6 – VACANCIES**

Should there be a vacancy in any seat on the Committee, the Executive Committee established in this agreement shall review the position and make a recommendation to the County Commissioners on a replacement for the vacated position, and such vacancy shall be filled in the manner provided for in original appointments.

### **ARTICLE 7 – REMOVAL**

Any member of the LEPC may be removed from office by the SERC for misfeasance, nonfeasance, and/or malfeasance in office, or other reasons according to the law.

Secretary shall notify the Chairperson of any member who is absent from three (3) LEPC meetings within a 12-month period. The Executive Committee shall review all such absences and may recommend removal of the member to the SERC based on nonfeasance.

## **ARTICLE 8 – OFFICERS**

### **SECTION I – OFFICES**

The officers of the Committee shall consist of the Chairperson, Vice-Chairperson, Finance Chairperson, Training Chairperson, Emergency Coordinator, Information Coordinator, and Secretary.

### **SECTION II – ELECTION AND REMOVAL**

The officers shall be elected bi-annually by majority vote of a quorum of the LEPC members at the regular January meeting. New officers shall assume their duties at the close of the meeting at which they were elected.

Vacancies in officer position shall be filled by majority vote of a quorum of the LEPC members at its next regular meeting.

Any officer of the LEPC may be removed for causes by a majority vote of a quorum all members of the LEPC. If it is necessary to remove a member for cause, it must comply with the removal provisions set forth in the R.C. 3750.03(B).

### **SECTION III – DUTIES**

The officers shall have those duties as outlined in “Robert’s Rules of Order”, and as specified in these By-Laws.

#### **CHAIRPERSON**

The Chairperson shall preside at all meetings of the LEPC.

The Chairperson shall, in addition to the usual duties pertaining to the office, exercise such authority and perform such duties as the LEPC may from time to time assign.

The Chairperson shall serve as chairperson of the Executive Committee.

## **VICE CHAIRPERSON**

The Vice Chairperson shall perform the duties of the Chairperson during the absence of the Chairperson, or when the Chairperson is unable to discharge the duties of office.

The Vice Chairperson shall, in addition to the usual duties pertaining to the office, exercise such authority and perform such duties as the LEPC may from time to time assign.

The Vice Chairperson shall serve as a member of the Executive Committee.

## **FINANCE CHAIRPERSON**

The Finance Chairperson shall perform the duties of the Vice Chairperson during the absence of the Vice Chairperson, or when the Vice Chairperson is unable to discharge the duties of office.

The Finance Chairperson shall have charge of all financial books, checks for approved expenditures; shall report the financial status of the LEPC at each announced meeting; and shall perform such other duties as may be directed by the Chairperson

The Finance Chairperson shall serve as a member of the Executive Committee.

## **SECRETARY**

The Secretary shall be responsible for all minutes and records of the LEPC.

The Secretary shall maintain a record of attendance at all meetings and notify the chair of any member who violates the attendance requirement.

The Secretary shall perform the duties of the Second Vice Chairperson, during the absence of the Second Vice Chairperson, or

when the Second Vice Chairperson is unable to discharge the duties of office.

The Secretary shall, in addition to the usual duties pertaining to the office, exercise such authority and perform such duties as the LEPC may from time to time assign.

The Secretary shall be a member of the Executive Committee.

### **TRAINING COMMITTEE CHAIRPERSON**

The Training Coordinator shall be responsible for developing, implementing and maintaining hazardous materials training programs, exercise design, execution and all subsequent evaluations.

- Testing the hazardous substance emergency response plan
- Reviewing existing federal, state and local plans for the purpose of coordination with the LEPC planning process.

The Training Committee Chairperson shall serve as a member of the Executive Committee.

### **INFORMATION COORDINATOR**

The Information Coordinator is responsible for maintaining the LEPC's files and information received under Chapter 3750 of the Ohio Revised Code, and rules adopted under it, and receiving and fulfilling requests from the public for that information in accordance with the Ohio Public Records Act.

The Information Coordinator Chairperson shall serve as a member of the Executive Committee.

### **EMERGENCY COORDINATOR**

The Emergency Coordinator shall be responsible for coordinating the development and implementation of the chemical emergency response

and preparedness plan of the district and for receiving verbal and follow up written notices of releases of hazardous substances and extremely hazardous substances provided under Section 3750.06 of the Ohio Revised Code

The Emergency Coordinator Chairperson shall serve as a member of the Executive Committee.

## **ARTICLE 9 – EXECUTIVE COMMITTEE**

The Executive Committee shall consist of the Officers of the LEPC. Other members may be appointed to the Executive Committee by the Chairman, upon confirmation of by majority vote of a quorum of the LEPC members at a regular meeting of the LEPC.

The purpose of the Executive Committee is as follows:

- a) Monitor the progress of the various committees and agencies involved in work of the LEPC.
- b) Monitor and approve expenditures and travel in accordance with LEPC guidelines.
- c) Assist in the review of plans and other documents prior to approval of said items by the LEPC.
- d) The Executive Committee, shall in addition to the above duties, exercise such authority and perform such duties as the LEPC may from time to time assign.

## **ARTICLE 10 – MEETINGS**

### **SECTION I – REGULAR**

The LEPC shall hold regular meetings at the time and place designated by the Chairperson. The Committee shall hold no less than four regular meetings per calendar year.

### **SECTION II – ANNUAL**

The regular monthly meeting in January shall be known as the Annual Meeting and shall be for the purpose of electing officers, receiving any

reports of recommendations of officers and members, and any other business that may arise.

### **SECTION III – SPECIAL**

Special meetings can be called by the Chairperson or by petition of two members. Where practical, all members shall be given 48 hours' notice of all special meetings.

### **SECTION IV – NOTICE OF MEETINGS**

Notice of time, place and agenda items to be considered at each meeting shall be given to all members at least two (2) weekends prior to each meeting, and to the public as required by R.C. 121.22. Notice of special meetings and intended agenda items shall be given to all LEPC members at least seven days in advance of any special meetings, and to the public as required by R.C. 121.22.

### **SECTION V – QUORUM**

A quorum for any meeting shall consist of majority of the voting members of the LEPC. The LEPC shall not conduct business in the absence of the quorum.

Unless otherwise required by law, the vote of the majority of a quorum of the LEPC members at any meeting (regular or special) shall constitute a rule.

### **SECTION VI – MEETING REGULATION**

All regular and special meetings of the LEPC shall be open to the public, except as provided by law. Quarterly regular meetings are scheduled for the 2<sup>nd</sup> Tuesday at noon. Comments from the public may be made at the discretion of the Chairperson prior to adjournment.

## **ARTICLE 11 – COMMITTEES**

The following standing committees shall be appointed and given mandate by the Chairperson within thirty (30) days of taking office:

1. Plan and Exercise Committee
2. Compliance Committee
3. Training Committee
4. Ad hoc or subcommittees may be formed at any time for special purposes or assignments. They will cease to function when their specific task is complete

Standing committees, task forces, ad hoc, and/or special committees may be appointed by the Chairperson.

## **ARTICLE 12 – RECORDS**

The Secretary shall keep all records and minutes of the proceedings of the LEPC. All books and records shall be maintained at the County Emergency Management Agency's office unless otherwise designated by majority vote of the LEPC. The fiscal year of the organization shall be consistent with the County Fiscal Year.

## **ARTICLE 13 – RULES OF ORDER**

The rules contained in "Robert's Rules of Order-Revised" shall govern the LEPC in all cases in which they are applicable and do not conflict with these By-Laws.

## **ARTICLE 14 – REPORTS AND RECOMMENDATIONS**

1. Annual Report. By March 1 of each year, the LEPC shall make a report describing its activities for the preceding calendar year. A copy of this report shall be issued to all members and to the Chairpersons.
2. Issuance of reports. No reports of any kind shall be released in the name of the LEPC unless and until it has been duly adopted by a favorable vote of a majority of a quorum of LEPC members at any announced meeting of the LEPC.

**ARTICLE 15 – PROJECT FUNDING APPROVAL**

Projects proposed to the LEPC for funding consideration shall be submitted to the Chairperson in a timely manner such that the request can be placed on the agenda in advance of the next scheduled meeting as required in Article 10 Section IV above. Such request must provide a detailed project description, scope of work, time-line and estimated expenses.

**ARTICLE 16 – AMENDMENTS TO BY-LAWS**

In order to amend, repeal or change these By-Laws, a two-thirds affirmative vote of a quorum of LEPC members shall be required at a regular meeting of the LEPC.

**ARTICLE 17 – PLANS**

All Trumbull County LEPC Plans shall be approved by the affirmative vote of a majority of a quorum of LEPC members at a regular meeting of the LEPC and forwarded to the State Emergency Response Commission for review and concurrence.

**ARTICLE 18 – RATIFICATION PROVISION**

The Purpose and Principles of the Trumbull County Local Emergency Planning Committee are duly adopted by a majority of a quorum of LEPC members at the announced meeting of the LEPC this \_\_\_\_day of April 8, 2014, in Trumbull County, Ohio.

IN WITNESS WHEREOF, the parties have affixed their signatures and seals on the date indicated.

\_\_\_\_\_  
LEPC CHAIRPERSON

\_\_\_\_\_  
DATE

ATTEST:

\_\_\_\_\_  
LEPC SECRETARY