

BYLAWS
Local Emergency Planning Committee
Menominee County, Michigan

AUTHORITY

1.0 Authority

These Bylaws have been adopted pursuant to authority granted under the Act of Congress known as the Superfund Amendments and Reauthorization Act of 1986, Title III, "Emergency Planning and Community Right-to-Know" and the State Executive Order 1987-5, the Michigan Emergency Planning and Community Right-to-Know Commission of April 17, 1987.

NAME AND TERRITORY

2.0 Name

This Committee shall be known as the Menominee County Local Emergency Planning Committee (LEPC).

2.1 Jurisdiction

The jurisdiction assigned to the LEPC by the State Emergency Planning and Community Right-to-Know Commission (the State Commission) includes all of Menominee County, Michigan.

PURPOSE

3.0 Purpose

The purpose of the LEPC shall be to:

- 1) Investigate the potential for hazardous chemicals accidents in the community;
- 2) Review, improve and implement plans to deal with such occurrences;
- 3) Integrate such plans into the main county Emergency Action Guidelines (EAGs);
- 4) Disseminate information obtained under Title III to the general public;
- 5) Offer and encourage all LEPC members and the general public current educational study materials made available through various governmental departments, for the betterment of the community's ability to respond to any disaster;
- 6) Act as a financial resource for the purchase of needed equipment and supplies for educational and/or response purposes, through fund raising activities;
- 7) Participate in the planning and execution of LEPC-related disaster exercises.

MEMBERSHIP

4.0 Membership

Any member of the LEPC may nominate a person for membership, either orally or in writing, provided that such nominees shall have the qualifications to represent one of the following groups:

- 1) Elected Officials
- 2) Law Enforcement, Emergency Management, Fire Service, Health Service, First Aid, Hospital, Environmental Organizations, Transportation
- 3) Print and Broadcast Media
- 4) Community Groups
- 5) Facility Owners / Operators

Upon approval by the LEPC, the person's name shall be submitted to the Chief Executive of the county for approval before submission to the State.

4.1 Alternates

Each member of the LEPC may nominate one alternate member from his or her group. Upon confirmation by the LEPC, the alternate member shall be entitled to attend and participate in all meetings of the LEPC. Alternate members may vote only if the primary member who nominated him or her is not present at that meeting.

4.2 Attendance

Attendance records shall be kept by the LEPC Secretary. Any member who shall fail to attend three (3) consecutive meetings of the LEPC without being excused from any such meeting by an officer, or without having been represented by his or her alternate, shall be issued a notice of suspension by the Secretary of the LEPC. Failure to submit a reply to this notice within ten (10) days to any member of the Executive Committee shall result in termination. The Executive Committee shall review submission of reply within ten days and their decision shall be final.

4.3 Termination of Membership

Voluntary termination must be received in writing by any member of the Executive Committee and be presented at the next meeting. Any termination must be forwarded to the State for removal from the county's membership listing.

4.4 Vacancies

Any vacancy left in the LEPC shall be an item on the agenda and all efforts made to find a suitable replacement (item 4.1) at the earliest possible date.

MEETINGS

5.0 Quarterly Meetings

The LEPC shall hold a quarterly meeting of its members. Such meetings shall be held during such a time as most members can be present. Meetings shall be held open to the public in accordance with the nature of the Title III legislation and the Michigan Open Meetings Act.

5.1 Notice of Meetings

The notice shall outline as far as practicable, the matters to be considered at such meeting. Members will be notified via Email or postal mail. Members' preferences will be on file with the LEPC Secretary.

5.2 Special Meetings

Special meetings of the LEPC may be called by the LEPC Chairperson upon the receipt of written request of at least four (4) members of the LEPC with at least 72 hours notice prior to the event.

5.3 Emergencies

When a release of a substance covered by the notification requirements of Title III, Section 304, has occurred or is imminent the Chairperson may call an emergency meeting of the LEPC. All reasonable attempts will be made through the media to notify the public of the meeting and the agenda of such meetings will be limited to the present emergency conditions.

5.4 Location, Dates and Times of Meetings

The LEPC shall establish a normal meeting location, date and time within Menominee County for its regular quarterly meeting that is convenient to the majority of the county residents. Alternating sites for meetings, dates and times may be approved with a majority vote of the membership.

5.5 Public Involvement

The agenda of every LEPC meeting will include time for public input and comments on a first-come, first-served basis with written comments given priority. Comments and discussion will be limited to thirty (30) minutes per meeting, approved by a majority roll-call of the committee members present. Any action item requiring a vote of the committee members shall be determined by a majority of the members present according to item 5.8.

5.6 Agenda Items

Agenda items will be submitted to the Chairperson at least ten (10) working days prior to meetings. The agenda will be organized and distribution made to the committee members, media and others upon request, within five (5) days prior to the meeting. Distribution to members shall be by Email or postal mail. Members' preferences will be on file with the LEPC Secretary. Agenda items may be added on the floor of the meeting at the discretion of the Chairperson, if time allows.

5.7 Voting

At every meeting of the LEPC, each member, or alternate member as defined in 4.1, present in person shall be entitled to one, and only one, vote; and voting by proxy shall not be permitted. Decisions on any question at a meeting of the LEPC shall be by majority vote of the members present and voting.

MINUTES OF MEETINGS

6.0 Minutes

The Secretary shall prepare the minutes of the meetings according to the time frame established by the Michigan Open Meetings Act. Unapproved minutes shall be available for public inspection within eight (8) business days after each meeting. Approved minutes shall be available for public inspection within five (5) days after approval. Copies of all minutes shall be maintained and open to public inspection at the offices of the Secretary and Information Coordinator.

6.1 Distribution

Distribution of unapproved minutes shall be made to the committee members, the media and others upon request within five (5) days prior to the next meeting. Distribution to the members shall be by Email or postal mail. Members' preferences will be on file with the LEPC Secretary.

AMENDMENTS TO THE RULES OF OPERATION

7.0 Amendments

Amendments to the subject rules of operation can be made at any regularly scheduled meeting of the LEPC as an agenda item, or at a special meeting called with a reasonably adequate notice of the terms of the amendment, by a two-thirds roll call vote of the members present.

OFFICERS AND DUTIES

Menominee County Local Emergency Planning Committee Officers shall consist of: Chairperson, Vice-Chairperson, Secretary and Public Information Coordinator. These positions shall be filled by process of nominations from the floor and majority vote of the members present at a scheduled meeting. The position of Community Emergency Coordinator shall be the county's appointed Emergency Services Coordinator, since their duties are the same.

8.0 Chairperson

- Opens and conducts LEPC meetings;
- Establishes the agenda, forwards it to the Secretary for distribution and guides the meeting through the agenda;
- Authenticates LEPC proceedings (e.g., by signing the minutes);
- Appoints subcommittees and respective Chairperson(s);
- Is a non-voting member except in the case of a tie-breaking situation

8.1 Vice-Chairperson

- Assumes the roles and responsibilities of the Chairperson in the Chairperson's absence;
- Tracks, gathers, prepares and forwards to the Secretary and Public Information Coordinator a copy of all subcommittee meeting minutes;
- Acts as education liaison between government and educational organizations, and the LEPC.

8.2 Secretary

- Prepares and keeps legible, permanent records of attendance and minutes of the general committee meetings;
- Receives and keeps copies of subcommittee meeting minutes from the Vice-Chairperson;
- Distributes to members (by Email or postal mail), the media and anyone requesting a copy: the unapproved minutes of the last meeting (item 6.1) and the notice of the upcoming meeting and agenda (item 5.6).

8.3 Public Information Coordinator

- Reviews all facility reports with the review committee;
- Maintains a file of all reviews and follow-ups;
- Maintains all MSDS or lists of chemicals as required;
- Processes all information requests from the public;
- Initiates surveys of county businesses and farms;
- Tracks survey replies and maintains files of hazardous materials on-site

8.4 Community Emergency Coordinator

- Coordinates the development and implementation of site-specific hazardous materials emergency response plans;

- Receives immediate notification on the LEPC's behalf regarding any hazardous materials release in the jurisdiction;
- Makes determinations (in conjunction with the Facility Coordinator) necessary to implement the plan.

SUBCOMMITTEES

At the discretion of the Chairperson, subcommittees may be formed and disbanded as occasions arise to accomplish initial and ongoing tasks. Subcommittee membership is not limited solely to LEPC members. Expertise from the community for additional input may be solicited.

9.0 Executive Subcommittee

- Develop LEPC long-term goals
- Review membership and solicit volunteers to fill vacancies
- Tend to the needs of members
- Develop a working plan with timetables for the other subcommittees
- Be familiar with state, local and federal laws which impact the hazardous materials planning process

9.1 Planning/Review Subcommittee

- Assist in the revision of the hazardous material response portion of the county emergency operations plan
- Establish a vulnerability zone determination methodology
- Review site-specific standard operating procedures for each section 302 site and help them achieve complete and operable plans

9.2 Training and Exercise Subcommittee

- Collecting MIOSHA training information and compliance statistics
- Establishing an exercise program related to the LEPC
- Coordinating training programs related to the LEPC

9.3 Farm Review Subcommittee

- Survey county farms for hazardous materials on-site
- Assist in drawing up emergency plans for each farm, following guidelines provided in Extension Bulletin E-2575 "Emergency Planning for the Farm"

9.4 Resource Development Subcommittee

- Research the community's resources available for emergency response to a hazardous materials incident, including identifying alternate resources which the community may draw from
- Provide information to Emergency Management for updating of the local resource manual
- Identify alternate

9.5 Finance Subcommittee

- Examine and recommend funding sources
- Work with the Local Planning Team to develop lists and make recommendations of needed equipment and training; and the cost involved
- Work with the Emergency Management Coordinator to manage the LEPC budget

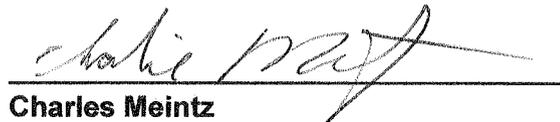
These bylaws have been reviewed, approved and adopted by the Menominee County Local Emergency Planning Committee (LEPC) and the Menominee County Board of Commissioners.



Michael Shaffer
Chairperson - LEPC

1/18/16

Date



Charles Meintz
Chairperson – Board of Commissioners

2-9-16

Date