

# **Boone County Local Emergency Planning Committee Bylaws**

## **Article I - Scope**

Section 1. NAME OF THE COMMITTEE: The name of the committee shall be the "Boone County Local Emergency Planning Committee" (Boone County LEPC).

Section 2. LEGAL STATUS AND AUTHORITY: The Boone County 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. under the auspices of the Boone County Commission as a governmental entity pursuant to and in strict accordance with all applicable laws, regulations, guidelines and ordinances.

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. In accordance with its tasking, the Committee:

- 3.1 Develops, trains, exercises, and revises as necessary a comprehensive emergency response plan for chemical emergencies within Boone County.
- 3.2 Evaluates the need for resources to develop, implement, and exercise the plan.
- 3.3 As appropriate, recommends resources and the means for providing additional resources.
- 3.4 Provides for public participation and information, including, but not limited to public inquires on the regulated materials and industry and the Boone County LEPC's activities.
- 3.5 Establishes and recommends procedures for receiving reports from the regulated community.

Section 3. MAILING ADDRESS AND TELEPHONE NUMBER: The official mailing address and telephone number of the committee for the planning effort shall be:

Boone County Local Emergency Planning Committee  
2201 I-70 Dr. NW  
Columbia, MO 65202  
Telephone: (573) 447-5000

## **Article II - Membership**

Section 1. MEMBERS: As required by 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, the members of the Committee shall consist of two (2) representatives from each of the following group(s) and six (6) at large:

- (a) Elected State and Local Officials
- (b) Law Enforcement
- (c) Emergency Management (Civil Defense)
- (d) Fire Service (Firefighting)
- (e) Emergency Medical (First Aid)
- (f) Health

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- (g) Local Environmental
- (h) Hospital
- (I) Transportation
- (j) Media (Broadcast and Print Media)
- (k) Community Groups
- (l) Owners and Operators of Facilities Subject to the Requirements of this chapter.

All members must be approved and appointed by the LEPC and approved by the State Emergency Response Commission (MERC).

Each organization represented shall have one vote to cast on any motions or actions before the committee.

Section 2. TERM OF MEMBERSHIP. All members shall serve a two (2) year term from the date of appointment by the LEPC and the MERC and may be reappointed for successive terms. Polling of the membership concerning tenure and review of appointments shall take place during the Annual Meeting.

Section 3. ATTENDANCE AT MEETINGS. All members are required to attend at least fifty percent (50%) of all meetings of the committee held in any twelve (12) month period unless excused for cause by the Chairperson. A Committee Member will be excused from a meeting for good cause upon notification to the Chairperson or Vice Chairperson.

Section 4. AT LARGE MEMBERS: At large members are required to attend at least fifty percent (50%) of all meetings of the committee held in any twelve (12) month period unless excused for cause by the Chairperson. A Committee Member will be excused from a meeting for good cause upon notification to the Chairperson or Vice chairperson. At large members will have all the same voting privileges as members.

Section 5. FILLING VACANCIES AND ADDING NEW MEMBERS. Should vacancies occur on the Committee, they may be filled by persons recommended to the LEPC for approval and then forwarded to the MERC. Vacancies, which occur on the Committee, do not have to be filled unless, because of the vacancy, the Committee will no longer meet any relevant local, state or federal requirements. Should it be deemed necessary to add new members to the Committee, the procedure shall be the same as for filling vacancies.

### **Article III - Officers**

Section 1. OFFICERS. The Committee shall elect from its members a Chairperson and a Vice Chairperson. 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. The Chairperson will be elected at the first meeting on even numbered years and the Vice Chairperson will be elected at the first meeting on odd numbered years. In the 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

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serve out the remainder of the resigning officer's term.

Section 2. CHAIRPERSON. The Chairperson shall preside at all meetings of the Committee, 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 Committee. Except as otherwise authorized by these bylaws or by resolution of the Vice chairperson the authority to sign, all official documents of the Committee. The Chairperson shall establish or authorize the Vice Chairperson to establish, any fees collected by the Committee. The Chairperson shall also insure that an agenda of each Committee meeting is sent to all members of the Committee.

### **Article IV - Meetings**

Section 1. MEETINGS. Meetings shall be conducted quarterly in March, June, September and December. The June meeting shall discuss the next fiscal year funding cycle and LEPC funding needs.

Section 2. REGULAR MEETINGS. Regular meetings of the Committee shall be held at least twice per year and shall be scheduled by the Chairperson. A written notice of the meeting may also be mailed or delivered with the agenda for the meeting. The news media shall be informed of meeting date, times, and locations. An written notice of the meeting and an agenda shall be provided at least seven (7) days in advance of the meeting to all Committee Members by either email, mailing or delivering a written notice to the address provided by the member to the Committee.

Section 3. SPECIAL MEETINGS. The Chairperson of the Committee may, when it is deemed expedient, and shall, upon written request of at least two (2) members of the Committee call a special meeting of the Committee for the purpose of transacting any business of the Committee. The purpose of the meeting shall be set forth in the call of the meeting and the call of the meeting may be mailed or delivered to each Committee Member at least five (5) business days prior to such meeting. At the special meeting no business shall be considered other than as designated in the call, however, if a quorum of the members of the Committee are present at a special meeting, any item of business may be transacted if the members of the Committee present vote unanimously to transact said business. A special meeting shall be held within thirty (30) days following a Level III incident in Boone County, and the agenda shall include a review of said incident.

Section 4. AGENDA FOR COMMITTEE MEETINGS. An Agenda of each Committee Meeting shall be mailed or delivered to each Committee Member prior to each Committee Meeting, unless a vote is taken in accordance with Article V, Section 9 to eliminate this requirement. Should this requirement be eliminated, it can be reinstated by a vote of the Committee in accordance with Article V, Section 9. 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 Committee Members to whom notice is required. The mailing list to which notice is required shall be maintained for the Committee and updated as needed by the Vice Chairperson.

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Section 6. ORDER OF BUSINESS. At meetings of the Committee the following shall be the order of business:

1. Roll Call
2. Approval of minutes of the previous meeting
3. Communications and/or Treasurers Report
4. Reports of Subcommittees
5. Presentations by members of the public
6. New Business
7. Old Business
8. Announcements
9. Adjournment

Section 7. MANNER OF CONDUCTING MEETINGS. No standard rules of procedure shall be required unless adopted by the Committee in accordance with Article V, Section 9. The meeting shall be conducted with order and decorum. The Committee shall follow the procedure determined appropriate by the Chairperson of the Committee which may include the following:

1. No person shall speak unless first recognized by the chairperson.
2. Debate on a matter shall be closed by a motion and second to bring the matter to a vote.
3. Any member of the Committee may make or second a motion.

Section 8. SUMMARIES OF COMMITTEE MEETINGS. Accurate summaries of all of the meetings of the Committee shall be taken and maintained by the Vice Chairman. Accurate summaries shall include, but not limited to, a record of all votes of the Committee, a record of attendance at Committee Meetings and a summary of Committee discussions. The summaries of each meeting shall be mailed to each Committee Member at least fifteen (15) days prior to the next meeting.

Section 9. QUORUM. The Powers of the Committee shall be vested in the Committee. Thirty percent (30%) of the total membership of the Committee shall constitute a quorum for the purpose of opening a Committee Meeting. At a meeting action may be taken pursuant to an affirmative vote of the majority of all those present, unless a majority of those present is less than the number required for a quorum. A minimum of thirty percent (30%) of all Committee Members must vote affirmative for action to be taken.

Section 10. MANNER OF VOTING. The voting on all questions coming before the Committee shall be a "yea" or "nay", or by a show of hands, unless action is taken for a roll call vote on a particular

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

Section 11. PARTICIPATION BY MEMBERS OF THE PUBLIC. Members of the public are encourage to attend all regular, special and annual meetings at the Committee. An opportunity will be provided at each meeting for members of the public to address the Committee on matters related to local hazardous material or other emergency preparedness. A member of the public who desired to address the Committee may mail a written notice of intent to appear to the chairperson at the address found in Article I, Section 3, and then sign in with the Vice Chairperson at the time and place of the meeting before the meeting begins. Members of the public who appear at the meeting and wish to address the Committee will be allowed to do so without prior written notice of intent to appear, however, they will be required to wait until after any members of the public who have provided written notice have spoken. Members of the public are also encouraged to provide written opinions and information to the Committee at the address found in Article I, Section 3. Members of the public include, but are not limited to, citizens, industry representatives, expert witnesses and government entity representatives.

### **Article V - Administration**

Section 1. ANNUAL BUDGET. An annual budget shall be adopted and approved by the Committee.

Section 2. MONIES AND APPROPRIATIONS. The Boone County Commission may receive and disburse public and private funds for the purpose of implementing the Emergency Planning and Community Right-To-Know Act of 1986, and other local, state or federal legislation pertaining to emergency planning, in the plan service area of Boone County. Such monies shall be deposited and managed in accordance with standard procedures of the Office of Emergency Preparedness of Boone County and the Office of the Treasurer of Boone County, established by ordinance by the Boone County Commission. All disbursements require prior authorization by the Presiding Commissioner or the Emergency Management Director by category or specific item. Periodic financial reports will be made to the Committee as required by law or requested by the Committee or Committee Chairperson.

Section 3. FEES. Reasonable fees may be collected for information provided or services rendered by the Committee. The fees collected shall be as established or recommended by local, state or federal law, regulation, guideline or ordinance. In the absence of a recommended or required fee, the fee shall be determined by the Emergency Management Director based on the cost of provided service or data.

### **Article VI. - Amendments**

Section 1. AMENDMENTS TO BYLAWS. The bylaws of the Committee may be amended by an affirmative vote of three fourths (3/4) of voting members present if quorum is achieved. No vote shall

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be taken to amend the bylaws until the proposed amendment has been reduced to writing and distributed with the agenda for the meeting at which the amendment is to be voted on.

Section 2. FILING OF BYLAWS AND AMENDMENTS. A copy of the bylaws and any amendments to the bylaws shall be provided to the parent organization, the Boone County Commission, and are subject to the acceptance and approval of that body. The Boone County Commission may provide copies to any public entity or private citizen upon request and any required fee.

**AMENDED BY-LAWS ADOPTED BY THE:**

**BOONE COUNTY LOCAL EMERGENCY PLANNING COMMITTEE,**

**THIS 18TH DAY OF JUNE, 2008.**

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**Scott Olsen, LEPC Chairperson**

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**Terry Cassil, Vice Chairperson**

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**Ken Pearson  
Presiding Commissioner**

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**Karen Miller  
Commissioner**

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**Skip Elkin  
Commissioner**