

LOCAL EMERGENCY PLANNING COMMITTEE
WHITLEY COUNTY BY-LAWS

ARTICLE I

NAME

The name of this organization shall be the Local Emergency Planning Committee for Whitley County. (Hereinafter “Whitley County LEPC”).

ARTICLE II

The purpose of the Whitley County LEPC is to carry out the duties and powers of local emergency planning committees as specified in the Emergency Planning and Community Right-To-Know Act of 1986, P.L. 99-499 (the “ACT”).

ARTICLE III

DUTIES AND FUNCTIONS

The functions and duties of the Whitley County LEPC shall include, but not necessarily be limited to, the following:

- A. To prepare and update an Emergency Plan in accordance with Section 303 of the ACT.
- B. Adopt rules, by which the Whitley County LEPC shall function, to include but not necessarily be limited to, provisions for public notification of Whitley County LEPC activities, public meetings to discuss the Emergency Plan, response to public comments by the Whitley County LEPC, and distribution of the Emergency Plan.
- C. Establish procedures for receiving and processing requests from the public for information under Section 324 of the ACT, including Tier II information under Section 312 of the ACT.
- D. Cooperate with the Whitley County Fiscal Court and Judge Executive in and effort to ensure that the Emergency Plan developed by the Whitley County LEPC is consistent with the countywide disaster plan developed by Whitley County Emergency Management.
- E. To establish procedures for fire, rescue, law enforcement, Region 11 Haz-Mat and EMS in receiving and handling alarms regarding any hazardous materials as described in SARA TITLE III.

ARTICLE IV

MEMBERSHIP

A. Whitley County LEPC

1. Composition

The Whitley County LEPC shall be composed of members appointed by the Kentucky Emergency Response Commission and shall include, representatives from but not limited to each of the following groups or organizations: elected county and city officials, law enforcement, civil defense, fire fighting, public health, local environmental, hospital, and transportation personnel; broadcast and print media; community groups; and owners and operators of facilities subject to the requirements of the aforesaid ACT.

2. Term

The term appointment of the Whitley County LEPC shall be for such a period as designated by the Kentucky Emergency Response Commission.

3. Vacancies / Substitutions

Any vacancy, resignation, or request for substitution of any member of the Whitley County LEPC shall first be brought to the attention of the Whitley County LEPC Chairman who shall meet and agree with the Executive Committee that a change is appropriate. Thereinafter, the Chairman of the Whitley County LEPC shall write to the Chairman of the Kentucky Emergency Response Commission and request a change in the Whitley County LEPC membership be made.

Upon receipt by the Whitley County LEPC Chairman of an interim appointment letter of appropriate document, a new member of the Whitley County LEPC may be permitted to attend and vote on matters in a provisional capacity until such time as the final letter of appointment is received by the Chairman of the Whitley County LEPC which will assure full vesting of the newly appointed member's rights to act on the Whitley County LEPC.

4. Attendance

If a Whitley County LEPC member misses two (2) consecutive meetings or three (3) meetings in two (2) consecutive years of the full Whitley County LEPC, the position shall be determined by the Chairman for vacancy or other action. If the Chairman of the Whitley County LEPC determines the position is vacant, then he/she shall then proceed to fill the vacancy according to Article IV.A.3.

B. Executive Committee

The management and conduct of the business of the Whitley County LEPC shall be vested in an Executive Committee composed of the Chairman of the Whitley County LEPC (Whitley County Emergency Management Director) and those persons holding the offices of Vice Chairman, Secretary, Treasurer, and Official Custodian of Records. The Executive Committee is authorized to (1) approve or disapprove proposals for action by the Whitley County LEPC, pending ratification of Executive Committee action by the Whitley County LEPC at its next scheduled meeting, whether a regular or special meeting and (2) recommend changes in the Whitley County LEPC membership as a result of a vacancy, resignation, request for substitution, or removal in accordance with any absenteeism policy.

ARTICLE V

VOTING

A. Whitley County LEPC

A majority of the members of the Whitley County LEPC shall constitute a quorum for transaction of business. Action by the Whitley County LEPC shall be by majority vote of the members present at a regular or special meeting at which a quorum is present.

B. Executive Committee

A majority of the members of the Executive Committee shall constitute a quorum for transaction of business. Binding action of the Executive Committee shall be by majority vote of the members present at the meeting, at which a quorum is present.

ARTICLE VI

OFFICERS

A. Elected Officers

The Whitley County LEPC shall elect from its members a Chairman, a Vice Chairman, a Secretary, a Treasurer, a Parliamentarian, and an Official Custodian of Records. These officers shall be elected at the first meeting regular meeting of the Whitley County LEPC or as soon thereafter as possible. The terms of these elected officers shall be (2) two years, and the members holding these offices shall be eligible for re-election at the end of their respective terms.

If an officer resigns or the office otherwise becomes vacant before the expiration of the term, the Chairman, or in the event of a vacancy of the office of Chairman, the Executive Committee, shall appoint a replacement who shall serve until the next regular or special meeting of the Whitley County LEPC at which time the vacancy shall be filled by election for the remainder of the term.

B. Duties of Elected Officers

1. Chairman: The Chairman of the Whitley County LEPC shall preside at all regular and special meetings of the Whitley County LEPC and Executive Committee, sign any documents as designated by the Whitley County LEPC, and perform such other duties as the Whitley County LEPC and Executive Committee may designate.

2. Vice-Chairman: The Vice-Chairman shall perform all the duties of the Chairman in the temporary absence or disability of the Chairman, except as otherwise provided by the Whitley County LEPC and these By-Laws, and such other duties as the Chairman may designate.

3. Secretary: The Secretary shall keep a record of the proceedings of the Whitley County LEPC and shall prepare all minutes and special actions of any meeting of the Whitley County LEPC, shall certify all minutes and official documents of the Whitley County LEPC.

4. Treasurer: The Treasurer shall handle monies collected by the Whitley County LEPC and shall keep and report on records of all monies collected and spent, and shall co-sign all checks with the Chairman or designee.

5. Parliamentarian: The Parliamentarian shall be responsible for compliance by the Whitley County LEPC with parliamentary procedure in accordance with Article VIII of the By-Laws, and shall advise the Executive Committee and Subcommittees on proper parliamentary procedure.

6. Community Emergency Coordinator: The Community Emergency Coordinator shall receive notices of releases under Section 304 of the ACT and carry out such other duties

as specifies in the ACT. This position is part of the process and duties of the Whitley County Emergency Management Director.

7. Official Custodian of Records: The Official Custodian of Records shall be responsible for managing the receipt and processing of requests from the public for plans, data sheets, forms, Tier I and Tier II information, as well as insuring that an annual notice appears in the local newspaper that the Emergency Plan and other documents required by the ACT have been submitted to the Whitley County LEPC and are available for review by the public at a location designated by the Whitley County LEPC. This position is part of the process and duties of the Whitley County Emergency Management Director.

ARTICLE VII

WHITLEY COUNTY LEPC MEETINGS

A. Regular Meetings

The regular meeting of the Whitley County LEPC shall be held quarterly, at a reasonable time and place as designated by the Chairman. Five days prior notice of the meeting shall be given to members. The Official Custodian of Records shall publish the dates of the quarterly meetings one (1) time as prescribed by KRS Chapter 424.

B. Special Meetings

The Chairman of the Whitley County LEPC may call a special meeting of the Whitley County LEPC to consider specified issues by wither written or oral communication giving the time and place of such meeting and stating the purpose(s) for which the meeting is called and that each member receives at least a twenty-four (24) hour notice of the meeting. Notice of the meeting shall be given to the public at least twenty-four (24) hours in advance of the meeting.

C. Executive Meetings

The Chairman of the Executive Committee may call a meeting of the respective group by either written or oral notification giving the time and place of such a meeting, provided that each member receive notice at least twenty-four (24) hours thereof. Notice of the meeting shall be given to the public at least twenty-four (24) hours in advance of the meeting.