

**BYLAWS OF THE  
SUMNER COUNTY LOCAL EMERGENCY PLANNING COMMITTEE**

**ARTICLE I – NAME**

**Section 1.** The name of this organization shall be the "Sumner County Local Emergency Planning Committee". (Referred to as SuCoLEPC in these BYLAWS)

**ARTICLE II - MISSION**

**Section 1.** The mission of the committee shall be to fulfill the requirements of the Superfund Amendments and Reauthorization Act of 1986, commonly known as SARA Title III. In addition, the LEPC shall be an all-hazards planning committee to include: information sharing, community planning, exercise design/implementation, the critique of emergency incidents - real or exercised, other activities aimed at efficient, compassionate, and rapid response to disaster survivors', care-givers', and workers' needs in times of disaster.

**Section 2.** The SuCoLEPC shall review the BYLAWS, and ensure it is updated and submitted annually to the state for its approval.

**ARTICLE III - ORGANIZATION**

**Section 1.** The members of the LEPC shall consist of representatives of the following and in accordance to EPCRA Section 301(c).

1. Elected State and Local Officials
2. Law Enforcement
3. Emergency Management
4. Firefighting
5. Emergency Medical Service
6. Health
7. Local Environmental Groups
8. Hospitals
9. Transportation
10. Broadcast and/or Print Media
11. Community Groups
12. Facilities
13. Public (unaffiliated)

**Section 2.** In addition to the Sumner County Office of Emergency Management, the LEPC's plans review subcommittee shall review the Sumner County Emergency Operations Plan, in particular, the hazardous materials sections contained in the SuCoEOP on an annual basis and make recommendations to the SuCoLEPC regarding appropriate changes after having received input from agencies and personnel as necessary. Upon approval by the LEPC, the state will receive an updated copy of the plan.

**Section 3.** In accordance with the Disaster Mitigation Act of 2000 (DMA 2000) (P.L. 106-390), a Hazard Mitigation Planning Committee (HMPC) (formerly Mitigation Steering committee) shall be formed under the LEPC to fulfill the requirements of 44 Code of Federal Regulations

(CFR) Part 201 – Mitigation Planning and the Local Multi-Hazard Mitigation Planning Guidance which requires the review and compliance of all elements of 44 CFR 206.1, as well as identifying the jurisdictions participating in the planning process. Routine mitigation plan review will be conducted by the mitigation subcommittee and revised as appropriate prior to resubmitting the plan update to the Federal Emergency Management Agency (FEMA) within five years of the expiration date of the existing plan to continue to be eligible for project grant funding. This also requires local jurisdictions to demonstrate to the mitigation committee and the Kansas Division of Emergency Management (KDEM) that proposed mitigation actions are based on a sound planning process that accounts for the inherent risk and capabilities of the individual communities.

#### **ARTICLE IV – MEMBERSHIP**

**Section 1.** Membership will include, at a minimum, group or organizational representatives as listed in Section 301(c) of the Emergency Planning and Community Right-To-Know Act (EPCRA).

**Section 2.** Application for membership may be made at anytime. Upon approval by the LEPC, the name of the individual making application shall be submitted to the Governor’s Commission on Emergency Planning and Response (CEPR) for appointment. All appointments shall expire December 31 of each year

**Section 3.** A Chairperson and Vice-Chairperson shall be elected from the general membership at the last meeting of the fiscal year. Exact time and place will be announced per Article V, Section 1. Duties will be assumed January 1, following and to continue for one (1) year.

A membership list shall be submitted annually and/or as changes occur to the CEPR as a matter of record. The membership list shall indicate voting members and the elected officers of the LEPC for the current LEPC fiscal year.

**Section 4.** If the Chairperson represents a Public Service Agency, the Chairperson-elect shall represent the Private Sector or be a member of the public and vice versa.

**Section 5.** The Chairperson shall appoint an Information Coordinator to process requests from the public for information under Section 324, including Tier II information under Section 312.

**Section 6.** The election shall be by ballot, except that when there is only one nomination for each office, election may be by voice vote.

**Section 7.** The Chairperson shall preside at all meetings of the LEPC. In the absence of the Chairperson, the Vice-Chairperson shall perform duties of the Chairperson.

**Section 8.** The Sumner County Office of Emergency Management shall provide staff members for all administrative functions at all meetings to include: agendas, meeting minutes, notices, and all membership lists. The Office of Emergency Management will maintain and distribute those records in Sumner County, Kansas.

## **ARTICLE V - MEETINGS**

**Section 1.** The annual meeting of the Committee shall be after October 1st and before September 30th of each year at a time and location designated in the "Notice of Annual Meeting" which will be posted on the Sumner County Emergency Management website and delivered by email to each member or entity at least seven (7) days in advance of the meeting. Election of officers, re-nominations and nomination shall take place at the annual meeting and shall occur in the following order: 1) re-nominations, 2) nominations and 3) elections.

**Section 2.** Regular meetings of the Committee shall be subject to the call of the Chairperson. At least seven (7) days notice of the meeting shall be provided to all members by email to the address, provided by the member, to the Committee. The news media shall be informed of meeting dates, times and places.

**Section 3.** The Chairperson of the Committee may, when it is deemed expedient, and upon written request of at least two (2) members of the Committee, shall call a Special Meeting for the purpose of transacting any business of the Committee. The purpose of the meeting shall be set forth in the call and seven (7) days prior notice will be given in the same manner as with a regular meeting. At the special meeting no business shall be considered other than as designated in the call. However, if all of the members are present at a special meeting, any item of business may be transacted if the members vote unanimously to transact said business.

**Section 4.** There shall be at least one (1) regular or special meeting per year. This requirement may be fulfilled by the annual meeting,

**Section 5.** The power of the Committee shall be vested in the Committee. The quorum is the amount of people present at the meeting. At a meeting, action may be taken pursuant to an affirmative vote of a majority of all those present.

**Section 6.** At meetings the following shall be the order of business:

1. Roll Call
2. Reading and approval of minutes of previous meeting
3. Presentations by member of the public
4. Reports of subcommittees
5. Haz-Mat Spill Reports
6. Tabled or Carried-over Business
7. New business
8. Adjournment

- A. Any member may request that the Chairperson place an item on the meeting agenda. If the chairperson should decline to do so, a member may have such item placed on the agenda by submitting it in writing to the Chairperson with support signatures of 2 members of the Committee.

**Section 7.** Members of the Public are encouraged to attend all regular, special and annual meetings. Members of the public who appear at the meeting and wish to address the Committee will be allowed to do so without a prior written notice of intent to appear. Members of the Public are also encouraged to provide written opinions and information to the Committee by mailing written materials to the Chairperson at address found in Article X, Section 3D.

#### **ARTICLE VI - SUBCOMMITTEES**

**Section 1.** The Chairperson shall appoint any standing or ad-hoc subcommittees deemed necessary to fulfill the ACT (SARA Title III).

#### **ARTICLE VII - AMENDMENTS**

**Section 1.** Should it become necessary to amend these bylaws, the following procedures shall be used: The membership will be notified at least thirty (30) days in advance of any proposed changes and of the time and place voting on such changes will take place. It shall require an affirmative vote of a simple majority of those voting members present and voting to declare the amendment passed. Unless stated in a proposed change, the amendment shall take effect immediately following the vote.

#### **ARTICLE VIII – VOTING**

**Section 1.** Any business coming before the committee that should require a vote shall be decided by simple majority of those voting members present and voting.

#### **ARTICLE IX – RULES OF ORDER**

**Section 1.** All business of the committee shall be conducted as per the latest edition of Roberts Rules of Parliamentary Procedure.

#### **ARTICLE X – INFORMATION REQUESTS**

**Section 1.** In accordance with Section 324 of the Act, all information obtained from an owner or operator pursuant to EPCRA and any requested Tier II form or the Material Safety Data Sheet (MSDS) otherwise in possession of the Committee shall be made available to the person submitting the request under this section. Provided upon request of the owner or operator, the Committee shall withhold from disclosure the location of any specific chemical identified in the Tier II form.

**Section 2.** Request for MSDS and Other Non-Confidential Information.

- A. Any person may obtain a MSDS with respect to a specific facility by submitting a written request to the Office of Sumner County Emergency Management.
- B. Any person may obtain any other non-confidential information in the possession of the Committee by submitting a written request to the Office of Sumner County Emergency Management.
- C. If the Committee does not have in its possession the MSDS or other information requested in subsections 2A or 2B of this section, it shall request a submission of the MSDS from the owner or operator of the facility that is the subject of the request. The Committee will only make requests to specific facilities for information, which it is required to maintain or collect pursuant to applicable law.

**Section 3. Requests for Tier II Information**

- A. Any person may request Tier II information with respect to a specific facility by submitting a written request to the Office of Sumner County Emergency Management.
- B. If the Committee does not have in its possession the Tier II information requested in subsections 3A of this section, it shall request a submission of the Tier II form from the owner or operator of the facility that is the subject of the request...provided that the request is from a state or local official acting in his/her official capacity or the request is limited to hazardous chemicals stored at a facility in an amount in excess of threshold planning quantities.
- C. If the request under subsection 3A of this section does not meet the requirements of subsection 3B of this section, the Committee may request submission of the Tier II form from the owner or operator of the facility that is the subject of the request under subsection 3A of this section includes a general statement of need.
- D. The address where MSDS and Tier II information is filed and to submit written requests for hazardous materials information in Sumner County is located at:

Sumner County Emergency Management  
219 W. 8<sup>th</sup> Street  
Wellington, KS 67152  
(620) 326-7376

This documents the BYLAWS of the Sumner County Local Emergency Planning Committee (SuCoLEPC) adopted by the SuCoLEPC on this \_\_\_\_\_ day of \_\_\_\_\_, 2012, and approved by the Board of Sumner County Commissioners.  
This document supersedes any previous BYLAWS of the Sumner County Local Emergency Planning Committee.

\_\_\_\_\_  
SuCoLEPC Chairperson (Printed)

\_\_\_\_\_  
SuCoLEPC Chairperson (Signature)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Chairman, County Commissioners (Printed)

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Chairman, County Commission (Signature)

\_\_\_\_\_  
Date