

**DAGGETT COUNTY
LOCAL EMERGENCY PLANNING COMMITTEE**

RESOLUTION NO. 99-12

DATE: November 2, 1999

**A RESOLUTION OF THE DAGGETT COUNTY LOCAL EMERGENCY
PLANNING COMMITTEE APPROVING THE MEMBERSHIP OF
THE EXECUTIVE COMMITTEE**

BE IT KNOWN AND REMEMBERED THAT:

WHEREAS, Daggett County Local Emergency Planning Committee (LEPC) exists pursuant to 42 USCS 1101 the Emergency Planning and Community Right-to-Know Act, and Utah Code Annotated Section 63-5-5 (5).

WHEREAS, the LEPC has the authority to make policy, rules and regulations to fulfill the requirements, and duties set forth under the Federal Emergency Planning and Community Right-to-Know Act.

WHEREAS, the best interests of the LEPC will be served by allowing the current voting members, and officers of the executive committee to continue to serve in their present position.

NOW, IT IS HEREBY RESOLVED that the LEPC hereby approves the members, and officers of the current LEPC executive committee as stated in the attached listing, and in accordance with the bylaws of the Daggett County Local Emergency Planning Committee.

APPROVED and ADOPTED this 13 day of Oct 1999.

DAGGETT COUNTY LOCAL EMERGENCY
PLANNING COMMITTEE

By Winston Slough

ATTEST:

Melna Coleman

Secretary to the Committee

Attachments:

E 019577 B 0052 P 0076
Date 20-DEC-1999 11:41am
Fee: No Fee Check
RANAE WILDE, Recorder
Recorded by CL
For DAGGETT COUNTY
DAGGETT COUNTY

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

**ARTICLE I
Name and Purpose**

Section 1. NAME

The name of this organization shall be: **DAGGETT COUNTY LOCAL EMERGENCY PLANNING COMMITTEE**, hereinafter referred to as the "LEPC."

Section 2. PURPOSE

The LEPC is organized and exists pursuant to 42 USCS 1101 and Utah Code Annotated, 63-5-5 (5). The purpose of the LEPC is to carry out those duties set forth in the Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA) and to prepare to respond to all hazards facing the residents of Daggett County.

Section 3. MISSION. The Mission of the LEPC is to:

- a. Hold scheduled public meetings to establish short, and long range plans subject to the requirements of SARA Title III (Superfund and Reauthorization Act of 1986).
- b. Provide planning focus, and support to facilities and companies planning for hazardous materials incidents at their location. In the event of a hazardous material (Hazmat) emergency, advises the On-scene Coordinator (OSC).
- c. Receive comments from the public on areas of concern and/or problems and respond to requests for information from the community. Process Community Right-to-Know Requests in compliance with EPCRA.
- d. Assess local natural and technological hazards for their impact on the lives, property and environment of Daggett County residents.
- e. Adopt policies, rules, and procedures through resolution, to accomplish the goals and objectives of the LEPC.

ARTICLE II
Membership & Organization

Section 1. Membership

- a. Active membership shall consist of public, and governmental officials and from those facility, business, and industrial entities reporting under SARA Title III. These facilities, businesses and industries may each nominate to the LEPC Executive Committee (one) representative. These representatives shall have all voting rights, and shall represent those agencies' interests and concerns to the LEPC Executive Committee.
- b. Active membership shall attend at least 75% of all regular meeting unless the member has a valid excuse.
- c. Membership on the LEPC may terminate by voluntary withdrawal or a member may be removed from the LEPC by a majority vote of all active members for **just cause** or for **inactivity**. Upon termination, all rights, privileges and interests in the LEPC shall cease. Withdrawals or termination shall be effective as determined by the member or by joint resolution of the active members. Membership on the committee is non transferable.
- d. Associate or Honorary membership may be granted by the Executive Committee to any person who is interested in the activities of the LEPC. This category of membership shall be non-voting.

ARTICLE III
Officers and Duties

Section 1. Officers

The officers of the LEPC shall consist of a Chairperson, Co-Chairperson, and a Secretary, who shall be elected by a majority vote of a quorum of active members. The term of office for elected officers shall be two years or upon receipt of resignation or removal as provided for in these bylaws. The election for the LEPC Executive Committee Officers shall take place at the first scheduled meeting in January of every odd numbered year.

Section 2. Elections

Officers, and members, may be reelected and may succeed themselves. Officers will assume office immediately following the meeting.

Section 3. Duties of the Officers

a. **Chairperson.** The Chairperson shall be the official representative and spokesman for the LEPC. He or she presides over all meetings of the LEPC and Executive Committee. The Chairperson shall:

- Conduct correspondence and to execute all orders, votes, and resolutions approved by the committee.
- Keep records of any agent or agency retained by the LEPC and supervise the performance of their assigned duties.
- Maintain accountability of funds and disburse funds.

b. **Co-Chairperson.** The Co-Chairperson shall:

- Assist the Chairperson in all matters;
- Shall serve as Chairperson in the absence or the inability of the Chairperson to perform all duties of his or her office:
- Coordinate the activities of any working group.

c. **Secretary.** The Secretary to the committee shall:

- Keep a current roster of all members of the LEPC.
- Keep a complete and accurate account of all proceedings of the LEPC.
- Disburse Minutes of LEPC meetings to committee membership.

ARTICLE IV

Quorum

In order to conduct a meeting for the transaction of business, a minimum of one officer, and four voting members must be present. Interim business may be conducted, but must be subsequently approved by a duly convened quorum in a regular or special meeting.

ARTICLE V
Voting

Section 1. Voting

- a. Each officer and active member of the LEPC shall have one vote.
- b. A simple majority of active members present, constituting a quorum, and voting at any meeting shall carry an issue. A tie vote shall be considered lost.
- c. In the event an active member cannot attend an LEPC meeting, a duly appointed representative may attend in his or her stead and have full privileges and authority as the active member. Proxy votes for specific issues are also authorized.

ARTICLE VI
Meetings

Section 1. General. There shall be (twelve) regular meetings of the LEPC during each calendar year, unless cancellations are ordered by the members of the Executive Committee. The calendar of all meetings shall be mailed by the secretary to the last known address of each member by the 1st of January each year. **All meetings are open to the public.**

Section 2. Special Meetings. Special meetings of the LEPC may be called at any time by the Chairperson, Co-chairperson, or upon the written request of a majority of the active membership. Notice of any special meeting must be given to the members of the LEPC. The notice must state the purpose of the special meeting.

ARTICLE VII
Committees

Section 1. Standing Committees. The LEPC shall have an Executive Committee and such other committees deemed necessary for the accomplishment of the stated objectives.

Section 2. Executive Committee. The best interest of Daggett County will be served by establishing an Executive Committee that will represent the LEPC at large. The Executive Committee shall consist of the Chairperson, the Co-Chairperson, Secretary, one member of the Daggett County Commission and such other members as deemed appropriate to represent the diverse communities and activities of Daggett County. The Executive Committee shall execute the decisions and accomplish the objectives of the LEPC. It is empowered to adopt such rules for the conduct of its business and may appoint subcommittees or agents to work on specific problems or reports. When the Executive Committee meets, it will provide a report to the active membership of any action taken. It may meet upon the request of any member of the Executive Committee or upon the demand of a majority of active membership.

ARTICLE VIII

Finance

Section 1. Budget. No later than 1 October of each year the Executive Committee shall adopt a budget for the ensuing fiscal year. The budget will be prepared with input from appointed subcommittees and shall show revenue and expenditure line items necessary for the effective operation and management of the LEPC. The budget along, with supporting documents, shall be submitted to the State Office of Comprehensive Emergency Management not later than 15 December for consideration of Hazardous Material Emergency Planning (HMEP) grant funds.

Section 2. Disbursement of Funds. The Executive Committee shall be authorized to approve all expenditures for the operation and maintenance of the LEPC that have received prior budgetary approval. Expenditures of \$200.00 or less may be authorized by the Executive Committee without prior LEPC approval provided revenues are available to cover such expenses. Non-budgeted expenditures over \$200.00 must first be authorized by a majority vote of a quorum of active members of the LEPC.

ARTICLE IX

Resolutions or Actions

Final decisions or actions of the LEPC shall be adopted by resolution or by a majority vote as provided for in Article V herein.

ARTICLE X

Amendments to the Bylaws

The LEPC shall have full power at any meeting to amend, repeal, or revise these Bylaws in whole or in part, by a majority vote of all active members of the LEPC. Notice of such amendment, repeal, or revision must be provided to the Chairperson at least seven working days prior to the meeting in which the action is to be taken, and must be in the form of a resolution.

ARTICLE XI

Adoption and Effective Date

These bylaws were approved and adopted on 11/9 1999 as shown in the Minutes of the regular or special meeting held on that date, and shall take effect immediately.

ATTEST:

John R. Coleman
Secretary to the Committee

DAGGETT COUNTY LOCAL EMERGENCY
PLANNING COMMITTEE

By Winston Slaugh
Winston Slaugh, Chairperson

APPROVED AND ADOPTED this 2nd day of November, 1999.

BOARD OF COUNTY COMMISSIONERS
OF DAGGETT COUNTY

James M. Briggs
James M. Briggs, Chairman

Chad L. Reed

Chad L. Reed

Sharon P. Walters

Sharon P. Walters

ATTEST:

Vicky McKee
Vicky McKee, County Clerk

