



# BOONE COUNTY LOCAL EMERGENCY PLANNING COMMITTEE BYLAWS

## ARTICLE I. SCOPE

### Article I. Section 1 - Name of the Committee

The name of the committee shall be the "Boone County Local Emergency Planning Committee", hereinafter referred to as the "LEPC", the "Boone County LEPC" or the "Boone CO LEPC".

### Article I. 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. - also known as and hereafter referred to as "EPCRA" - pursuant to and in strict accordance with all applicable laws, regulations, guidelines and ordinances.

### Article I. Section 3 - Mission

The mission of the Boone County LEPC is to promote safety in the community through hazardous materials awareness, supporting planning efforts, encouraging cooperative partnerships between community and industry, and developing and sponsoring educational and training programs relative to hazardous materials and emergency preparedness for Boone County emergency responders, industry and the community. The LEPC:

- Develops, trains on, exercises and revises as necessary a comprehensive emergency response plan for hazardous materials emergencies within Boone County.
- Completes and submits an annual Chemical Emergency Preparedness Fund (CEPF) grant application to the Missouri Emergency Response Commission (MERC) for funding to enable the LEPC to carry out responsibilities as designated in state and federal statutes.
- Evaluates the need for resources to develop, implement and exercise the plan.
- Provides opportunities for public participation and information sharing including, but not limited to, holding public meetings, offering community training opportunities, and responding to public inquiries regarding regulated materials and industry in Boone County and the activities of the Boone County LEPC.



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## **Article I. Section 4 - Mailing Address, Email address and Telephone Number**

The official mailing and email addresses and telephone number for the LEPC shall be:

Boone County Local Emergency Planning Committee  
2145 County Drive, Columbia, MO 65202  
(573) 554-7900 [admin@bcmolepc.org](mailto:admin@bcmolepc.org)

## **ARTICLE II. MEMBERSHIP/PARTICIPATION**

### **Article II. Section 1**

The Boone County LEPC shall consist of 3 categories of participants – “committee members”, “general membership” and “citizen attendees”.

#### **Article II. Section 1.a – LEPC Committee Members**

The first category of participating stakeholders – who shall be referred to as “committee members” – includes 2 representatives from each of the 12 listed groups below who shall sit on the committee as voting members for a term of 2 years, and whose mission is to bring forward to the committee the interests of the communities they represent. The listed groups reflect the EPCRA requirements for representation on the LEPC:

- elected state and local officials
- law enforcement
- emergency management
- fire service
- emergency medical
- health
- local environmentalists
- hospital
- transportation
- media
- community groups and
- owners and operators of facilities

Committee members may include, but do not require, two at large members. At large members are voting positions which may be filled by past officers who have concluded



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their terms and who remain active in the LEPC; active participation shall be defined as attending a minimum of two meetings per year. Filling at large positions is not required and is based on the interest of eligible past officers.

Each committee member may designate an alternate representative who may take part in the LEPC discussions and vote on behalf of the absent committee member. The alternate must be identified at the start of the meeting to be included in any vote. The alternate representative's attendance shall be counted as a present committee member for the purposes of a quorum.

All committee members must be approved and appointed by the Boone County LEPC officers. After approval and appointment, the member is eligible to vote and run for officer positions.

Committee members shall serve for 2 years and may seek reappointment for an unlimited number of terms.

A current list of committee members is submitted to the MERC annually along with the CEPF grant funding request.

### **Article II. Section 1.b – General Membership**

The second category of participating stakeholders – who shall be referred to as “general membership” – are non-voting representatives from any of the 12 groups above who attend LEPC meetings and have provided contact information to the LEPC. General membership participants may be nominated for open committee positions.

### **Article II. Section 1.c – Citizen Attendees**

The third category of participant are members of the general public who have interest in and attend LEPC meetings, who shall have no voting privileges, and who do not represent any of the groups listed above. These participants will be referred to as “citizen attendees”.

### **Article II. Section 2 - Filling Committee Vacancies**

Should mid-term vacancies occur on the LEPC, they may be filled by persons recommended to the LEPC who are then approved by a majority vote. Potential candidates may be selected from a list of individuals who had previously applied for annual vacancies but had not been selected, through response to a public notice of interest, through an independent recommendation, or by a combination of these processes.



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Once the individual is approved and accepted as a committee member, the updated membership list will be forwarded to the MERC.

### **Article II. Section 3 – Subcommittees**

Subcommittees may be formed to address governance, planning, training, exercising, grants and/or any other issues or projects which may arise during the course of business withing the LEPC. The LEPC Chair, with assistance from BCOEM, will appoint subcommittee members from the LEPC committee and/or general membership. Reports will be presented to the LEPC by representatives of each standing subcommittee during the regular meetings of the LEPC.

Sub-committee members will have no voting rights outside of sub-committee meetings and shall serve until such time as the subcommittee is dissolved.

## **ARTICLE III. OFFICERS AND SUPPORTING POSITIONS**

### **Article III. Section 1 – Officer Positions**

The LEPC shall elect from its committee members three officers - a Chair, a Vice Chair and a Secretary. The officers shall be elected at the first regular meeting of each calendar year at which a quorum is present. The Chair and Secretary will be elected at the first meeting on even numbered years. The Vice Chair will be elected at the first meeting on odd numbered years.

All members shall serve for a two year term from the date of appointment and may be reappointed for an unlimited number of successive terms. If an officer resigns prior to the end of the two-year term, or if the officer no longer meets the qualifications for appointment, a new officer shall be elected at the next meeting of the LEPC at which a quorum is present; that person shall serve out the remainder of the exiting officer's term.

#### **Article III. Section 1.a – Chair**

The Chair shall preside at all meetings of the LEPC, is responsible for preserving order and decorum, and may provide recommendations and information he or she considers proper concerning the business, affairs and policies of the LEPC. The Chair shall also provide an agenda to the LEPC Coordinator no later than seven days prior to each LEPC meeting for posting and email to the LEPC general membership.

Except as otherwise authorized by these bylaws or by resolution, the authority to sign all documents of the LEPC shall reside with the Chair.



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### **Article III. Section 1.b – Vice Chair**

The Vice Chair shall preside at all meetings and fulfill the duties of the Chair when the Chair is not present. The authority to sign official documents pertaining to the LEPC may be conferred upon the Vice Chair by the Chair.

### **Article III. Section 1.c – Secretary**

The Secretary will be responsible for collecting any fees garnered by the LEPC [see **Article V. Section 3**] and shall fulfill the meeting duties of the LEPC Coordinator, should the Coordinator be absent.

### **Article III. Section 2 – LEPC Coordinator**

Boone County Office of Emergency Management (BCOEM) shall provide administrative and clerical support to the Boone CO LEPC as outlined in the BCOEM and Boone CO LEPC Service Level Agreement and by designation of an LEPC Coordinator. The LEPC Coordinator will be the primary point of contact for any information requests from the public, LEPC members or response agencies. The Coordinator shall also maintain a mailing list of all members, record or transcribe the minutes of all Boone CO LEPC meetings and send out notices. The Coordinator shall ensure that an agenda of each Boone CO LEPC meeting is received from the Chair and provided to the committee and general membership no later than seven days prior to each meeting. Should the Coordinator be unavailable or unable to fulfill the responsibilities listed above, the Secretary shall fulfill these roles.

## **ARTICLE IV. MEETINGS**

### **Article IV. Section 1 - Attendance at Meetings**

The committee shall conduct at least four meetings per year.

All committee members, including at large members, are required to attend at least 50% of all meetings of the LEPC held in any 12 month period. An LEPC member will be excused from a meeting for good cause upon notification to the Chair or Vice Chair. If a committee member misses more than 50% of the meetings without an excuse from the Chair, the LEPC will nominate and vote on a replacement committee member at the next scheduled LEPC meeting at which a quorum is present.

### **Article IV. Section 2 - Meeting Scheduling and Notification**



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Regular meetings of the LEPC shall be held quarterly and shall be scheduled by the Chair. A written notice of the meeting and an agenda shall be provided at least seven days in advance of the meeting to the LEPC committee and general membership by email. Public notices of meetings will also be posted at least seven days before each meeting on BCOEM social media platforms and on the BCOEM website.

### **Article IV. Section 3 - Special Meetings**

The Chair has the authority to and may, when it is deemed necessary, call a special meeting of the LEPC. The Chair also shall call a special meeting upon written request of at least two members of the LEPC.

A special meeting shall also be held within 30 days following a Level 3 hazardous materials incident in Boone County, and the agenda shall include a review of said incident.

The purpose of the special meeting shall be set forth in the meeting notification which will be emailed to each LEPC Member at least seven business days prior to such meeting. At the special meeting no business shall be considered other than as designated in the notification. However, if a quorum of the members of the LEPC is present at a special meeting, any item of business may be transacted if the members of the LEPC present vote unanimously to transact said business.

### **Article IV. Section 4 - Order of Business**

At meetings of the LEPC, the following shall be the order of business:

- Roll call
- Approval of minutes of the previous meeting
- Communications and/or Treasurers report
- Reports of Subcommittees
- Comments/presentations by members of the public
- Old business
- New business
- Announcements
- Adjournment



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## **Article IV. Section 5 - Manner of Conducting Business**

The manner of conducting business during meetings of the LEPC shall follow the most current edition of Robert's Rules of Order.

## **Article IV. Section 6 - Voting**

In order to vote for any motion or action, a quorum must be present at the meeting during which the vote is to take place. **The quorum for the Boone County LEPC is defined as 50% of the committee members representing at least 6 of the 12 disciplines.** Action by the LEPC may be taken pursuant to an affirmative vote of the majority of the committee members present, provided the voting body present is not less than the number required for a quorum.

If a quorum is not present, a business meeting may be conducted, and discussion of the proposed action may take place. An actual vote on the item will be delayed until which time a quorum is present and may take place at a meeting or by conference call.

A simple majority is required for a motion to pass, with the exception of an amendment to the bylaws which requires an affirmative vote of three-fourths of committee members present, if a quorum is achieved (see Article VI. Section 1).

The voting on all questions coming before the LEPC shall be a "yea" or "nay" or by a show of hands. The vote shall be uncounted unless a motion is made for a counted vote. A roll call vote or secret ballot may be used if requested by a committee member. If a roll call is approved, each member's vote shall be recorded in the minutes of the meeting.

Each committee member represented at the meeting shall have one vote to cast on any motions or actions before the committee. An alternate may vote in place of an absent committee member, if the alternate was previously identified as filling in for the missing member at the start of the meeting.

Representation for voting can be in the form of physical attendance or voice/video conference which allows for active dialog and discussion of the voting topic.

## **Article IV. Section 7 - Meeting Minutes**

Accurate and complete minutes of all the meetings of the LEPC shall be taken and maintained by the LEPC Coordinator. Minutes shall include, but are not limited to:



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- A record of attendance of voting and general membership
- A record of all votes conducted during the meeting
- A summary of LEPC discussions to include both discussions on matters put to vote, and those unrelated to voting.

The summaries of each meeting shall be distributed to the LEPC and general membership at least seven days prior to the next meeting along with the notice of meeting and the agenda. The minutes of each meeting shall also be posted on the BCOEM website after approval by the LEPC.

### **Article IV. Section 8 - Participation by Members of the Public**

Members of the public are encouraged to attend all regularly scheduled or special meetings. An opportunity will be provided at each meeting for members of the public to address the LEPC on matters related to local hazardous material or other emergency preparedness.

A member of the public who desires to address the LEPC may mail or email a written notice of intent to appear to the Chair at the address found in Article I, Section 4 or to [LEPC@boonecountymo.org](mailto:LEPC@boonecountymo.org). This will be included on the agenda. The public member shall sign in with the Vice Chair 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 LEPC without having prior written notice will be allowed to do so. However, they will be required to wait until after everyone who has provided written notice has spoken. Members of the public are also encouraged to provide written opinions and information to the LEPC via mail or email.

Open comments by the public will be limited to five minutes.

### **ARTICLE V. ADMINISTRATION**

#### **Article V. Section 1 - Reporting**

The committee shall report information regarding past, current and planned LEPC activities, projects and objectives to the Boone County Commission at its request, but no less than annually,





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### **Article V. Section 2 - Annual Budget and Expenditures**

An annual budget shall be approved and adopted by the LEPC with subsequent notification to the Boone County Treasurer.

The LEPC may receive and disburse 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 the standard procedures of the Boone County Government. Financial reports shall be made to the LEPC as an order of business at each meeting

Expenditures can be made with approval of the LEPC if the expenses are within the original budgeted items.

Any expenditure outside the approved budget will require a budget change utilizing the following procedure:

- The chair or vice-chair shall introduce the change request to the committee with the reason for the request. A vote will be taken provided a quorum is present. If no quorum is present, the vote may be taken at the next regular meeting, a special meeting may be called – either in person or via conference call - or the issue will be tabled until which time a quorum can be convened.
- Upon approval by the committee, the change will be presented to the MERC for final approval. The change will be considered complete once the MERC approval is received, at which time the Boone County treasurer will be notified.

### **Article V. Section 3 - Fees**

Reasonable fees may be collected for information provided or services rendered by the LEPC. 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 and the Boone County LEPC Chair based on the cost of provided service or data.

### **Article V. Section 4 - Annual Public Notifications**

The Emergency Planning and Community Right-to-Know Act of 1986 requires each Local Emergency Planning Committee (LEPC) to publish a notice annually to inform the public of



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the availability of information concerning emergency response plans, chemical lists, inventory forms, toxic release forms and follow-up emergency notices regarding hazardous chemicals in the community. This Public Notice is pursuant to 42 USC §11044.

This annual notice will be published in the Columbia Daily Tribune and the Missourian each year on a date between March and May, following the submission of the Tier II reports and before the deadline for the Boone County CEPF grant application. The contact listed for this posting will be the Boone County LEPC Chair. The LEPC Coordinator will be responsible for making this publication and additionally posting on social media.

### **ARTICLE VI. AMENDMENTS**

#### **Article VI. Section 1 - Amendments to Bylaws**

The bylaws of the LEPC may be amended by an affirmative vote of two-thirds of committee members present, if a quorum is achieved. No vote shall 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.

#### **Article VI. Section 2 - Filing of Bylaws and Amendments**

The final bylaws as approved by the LEPC will be provided to the MERC. These bylaws and any amendments shall be maintained on the LEPC website for public viewing.





# BOONE COUNTY LOCAL EMERGENCY PLANNING COMMITTEE BYLAWS

Amended By-Laws adopted by the Boone County Local Emergency Preparedness Committee, this 20<sup>th</sup> day of Jan 2021.

Pete Martin

Signature

LEPC Chair

Pete Martin

Printed

Sara Martin

Signature

LEPC Vice Chair

Sara Martin

Printed

Tom Darrough

Signature

Boone County Treasurer

TOM DARROUGH

Printed