

By-Laws of Weston County Local Emergency Planning Committee

ARTICLE I

Identification

The Weston County Local Emergency Planning Committee (LEPC), hereinafter referred to as the “LEPC”, is a state entity created pursuant to SARA Title III. SARA is the Superfund Amendments and Reauthorization Act. Title III of SARA is specifically named the Emergency Planning and Community Right to Know Act of 1986. The Wyoming State Emergency Response Commission (SERC) appoints the LEPC membership. The primary purpose of the LEPC is to implement SARA Title III in Weston County and thus enhance environmental protection and public health and safety in the County.

ARTICLE II

LEPC Members

Section 1: Membership Guidelines

Wyoming SERC rules direct that LEPC members should be drawn from the following five groups: (1) local elected officials, (2) homeland security, law enforcement, firefighting, emergency medical, public health, environmental, hospital, and transportation personnel; (3) broadcast and print media; (4) community groups; and (5) owners and operators of facilities subject to the requirements of SARA Title III.

Section 2: Membership Allocations

Specific seats on the Weston County LEPC are allocated as follows:

Weston Co Commission -	1
Newcastle City Council -	1
Upton Town Council -	1
Weston Co Fire District -	1
Newcastle Volunteer Fire Department -	1
Upton Volunteer Fire Department -	1
Weston Co Sheriff’s Office -	1
Newcastle Police Department -	1
Upton Police Department -	1
Joint Dispatch Center-	1
Weston Co Homeland Security Office -	1
Newcastle Ambulance Service -	1
Osage Ambulance Service -	1

Weston Co Public Health -	1
Weston Co Health Services (Hospital) -	1
Weston Co Coroner's Office -	1
Weston Co Road and Bridge -	1
Local Media -	1
Newcastle Area Business (w/HAZMAT) -	1
Upton Area Business (w/HAZMAT) -	1

Section 3: Membership Certification

Each January the Weston County LEPC will submit a membership roster to the Wyoming SERC for approval and official appointment.

ARTICLE III

LEPC Meetings

Section I: Frequency of Meetings

The LEPC meets on the last Wednesday of every month, unless decided differently at the prior meeting.

Section 2: Announcement of Meetings

a) Members of the LEPC will be notified at the end of each LEPC meeting of the next meeting time and date, and will be notified in writing (email) and/or via pager one week in advance of the next meeting's agenda, time and date.

b) The Public will be notified of LEPC meetings at least a week in advance of each meeting by an announcement in a local newspaper.

Section 3: Location and Time of Meetings

The LEPC meetings will be held at the Newcastle Fire Hall at 1900 hours (7p.m.), or as otherwise determined by the Chair.

Section 4: Quorum of Members for Meetings

A quorum of five (5) LEPC members is required for the conduct of business at a meeting.

Section 5: Conduct of Meetings

a) LEPC meetings will be conducted according to Robert's Rules of

Order and LEPC business according to the provisions of the Wyoming Statute 16-4-401 et SEQ Public Meeting Act, WY Statute 16-4-201 et SEQ Public Records Act, WY Statute 16-3-101 et SEQ WY Administrative Act.

b) Any matter to be voted on will take the form of a resolution or motion. A simple majority of the members in attendance at a LEPC meeting must vote affirmatively for adoption of any resolution or motion.

c) Each LEPC member, including the Chair, will have one vote.

d) A LEPC member may vote for or against a resolution, or may abstain from voting.

e) A LEPC member who is unable to attend a regularly scheduled meeting may delegate their voting privileges to another member with a proxy. The proxy must state in writing to whom the voting privileges are delegated and must be signed by the delegating member.

ARTICLE IV

LEPC Sub-Committees

Section 1: Identification of Sub-Committees and Appointments/Resignations

a) Sub-Committees may be established and existing ones dissolved by a majority vote of the LEPC. Some examples of possible Sub-Committees are: Planning, Training, Communications, and Media.

b) Appointments to Sub-Committees, including Sub-Committee Chairs are made by the Chair of the LEPC.

c) Resignations of Sub-Committee members are to be submitted in writing to the LEPC Chair, who will, at his/her discretion, replace resigning members.

Section 2: Dissolution and Establishment of Sub-Committees

Additional Sub-Committees may be established and existing ones dissolved by a majority vote of the LEPC.

Section 3: Duties of Sub-Committees

a) Sub-Committees will convene to consider issues assigned by the LEPC and/or issues within the purview of the Sub-Committee.

b) Sub-Committee meetings will be held at the discretion of Sub-Committee Chairs in terms of frequency and location.

c) Sub-Committees will report their findings and make their recommendations to the full LEPC.

d) Sub-Committee recommendations must, to be adopted, be affirmed as resolutions by a majority of the LEPC members.

e) Additional duties may be assigned to Sub-Committees by the LEPC.

ARTICLE V

Officers

Section 1: Officers

The Officers of the LEPC are the Chair, Vice-Chair, and Secretary/Treasurer.

Section 2: Terms of Officers

The terms of the officers are for a period of three years, usually beginning with an election in February after the appointment of members at the annual January meeting.

Section 3: Election of Officers

As required, the election of Officers will be by a majority vote of all LEPC members appointed by the Wyoming SERC.

ARTICLE VI

Powers and Duties of Officers

Section 1: Delegation of Authority

The Chair of the LEPC may delegate at his/her discretion his/her powers and duties to the Vice-Chair, consistent with other provisions of the By-Laws.

Section 2: Sub-Committee Appointments

The LEPC Chair will appoint the Chair and members of each Sub-Committee.

Section 3: Conduct of LEPC Meetings

- a) The Chair will conduct LEPC meetings according to Robert's Rules of Order.
- b) LEPC meeting agendas will be set by the Chair with input as required from members.

ARTICLE VII

Title III Document Submissions

Section 1: Repository of Documents

The Weston County Homeland Security Office, 1 West Main, Newcastle, Wyoming will be the repository for all documents submitted to the LEPC pursuant to the provisions of SARA Title III.

Section 2: Availability of Documents to the Public

Title III documents will be available for examination by the public by appointment during the hours of 8:00 a.m. to 11:00 a.m. Monday through Thursday, at the Weston County Homeland Security Deputy Coordinator's Office in the basement of the Weston County Courthouse.

Section 3: LEPC Records

All records of LEPC meetings, including meeting agendas and minutes, will be available for examination by the public by appointment during the hours of 8:00 a.m. to 11:00 a.m. Monday through Thursday at the Weston County Homeland Security Deputy Coordinator's Office in the basement of the Weston County Courthouse.

Section 4: Legal Notices

The LEPC will publish annually a legal notice indicating where all Title III documents are maintained and their availability for examination.

Article VIII

Adoption/Amendment of LEPC By-Laws

Section 1: Adoption of By-Laws

A vote by a majority of LEPC members at an official LEPC business meeting is required to adopt the LEPC By-Laws.

Section 2: Amendment of By-Laws

A vote by a two-thirds (2/3) majority of LEPC members at an official LEPC business meeting is required to amend the LEPC By-Laws. An amendment must be read at three (3) consecutive meetings before a vote on the amendment is taken.

Article IX

Non-Exclusion Provision

Nothing in these By-Laws is to be construed as excluding or contravening any additional provisions of federal or state law which are not explicitly or implicitly referred to within these By-Laws.

Article X

By-Laws Adoption and Signing

Upon their adoption by the LEPC, a copy of these By-Laws will be signed and dated by the Chair of the LEPC and will be available for review at the Weston County Homeland Security Office located at 1 West Main, Newcastle, WY.

Chairman Signature

Date