

BY-LAWS
LOCAL EMERGENCY PLANNING AND ADVISORY COMMITTEE

ARTICLE I - NAME

This organization established by the Mecklenburg County Commissioners shall be known as the Local Emergency Planning and Advisory Committee, hereinafter referred to as the LEPAC.

ARTICLE II - PURPOSE

The purpose of this Board shall be to develop a planning document as described by Sections 301 and 303 of the "Superfund Amendments and Reauthorization Act of 1986," hereinafter referred to as SARA. The charge of the LEPAC by the Mecklenburg County Commissioners is defined as items 1 - 12 below:

- 1) Identifies facilities that are subject to Section 301 and 303 of SARA, and that are within the planning district as defined by the boundary lines for Mecklenburg County. The facility identification will include but not be limited to facility transportation routes and other facilities adjacent that would pose additional risk regarding the facilities that are subject to this requirement.
- 2) Formulates methods and procedures that facility operators and local emergency and medical personnel will follow regarding response to release of hazardous substances.
- 3) Designate a community and facility emergency coordinator who shall make determinations necessary to implement the plan.
- 4) Develop procedures that provide reliable, effective and timely notification by the above emergency coordinator to the public that a release has taken place.
- 5) Develop procedures and/or protocols for determining occurrence of a release and the area and population affected.
- 6) Develop resource listing for the community and facilities and the person(s) charged with the custody of those resources. (Note: the facility resource listing will pertain to only the facilities subject to this act.)
- 7) Develop evacuation plans that address routes and that also address precautionary evacuation conditions.
- 8) Develop training programs and training schedules for local emergency and medical response personnel.
- 9) Develop a method and schedule to exercise the emergency plan.

- 10) Develop a method(s) for distributing information under Section 324 and 312 of SARA.
- 11) Other requirements as required by SARA Title III.
- 12) To review the Emergency Management program for Charlotte-Mecklenburg County and to make recommendations for program improvement regarding major disasters/emergencies and planning issues.

ARTICLE III - MEMBERS

Section 1 - Number and Qualifications: The LEPAC shall consist of a maximum of thirty-one (31 members), including a chairperson. The LEPAC membership shall include at least one person selected from each of the following disciplines or groups:

- Local Elected Official
- Charlotte-Mecklenburg Emergency Management Office
- Fire Service (city) (towns) (county)
- Emergency Medical Service (EMS) - Medic
- Mecklenburg County Health Department
- Department of Environmental Protection
- Charlotte Department of Transportation
- Hospitals
- Manufacturing S. I. C. 20-39
- Gasoline distribution, Warehousing, Public Gas Utility, Public Electric Utility
- Media (Print) (Broadcast)
- Community Groups
- Education
- Business and Industry
- Law Enforcement

The members of the LEPAC shall represent business and/or industries located in Mecklenburg County. LEPAC members may designate in writing alternate representatives or other LEPAC members to vote in their absence, and notice hereof shall be given to the chairperson at the commencement of the LEPAC meeting.

Section 2 - Terms: Appointments of LEPAC members shall be made by the Board of County Commissioners with each agency representative serving until the Committee is terminated. The Commissioners as indicated in Article III, Section 1, shall approve and make appointments to fill vacancies.

ARTICLE IV - OFFICERS

Section 1 - Officers Defined: The officers of the LEPAC shall consist of a chairperson and a vice-chairperson. The chairperson and vice-chairperson shall be elected by the committee membership annually. The chairperson will rotate terms between the public, governmental sector, and private business and industry sector. The vice-chairperson will also rotate terms identical to that of the chairperson. Unless otherwise voted or by failure to abide by the by-laws, the vice-chairperson will assume the duties of the chairperson at the first meeting of the committee in July of each year. At the first meeting called by the new chairperson, a vote for the vice-chairperson will be addressed and seated.

Section 2 – Duties: The chairperson shall call and preside at meetings and appoint subcommittees. The vice-chairperson shall, in the absence of the chairperson, assume the duties of the chairperson and perform other duties delegated by the chairperson.

Section 3 – Elections: Election of officers shall be by majority vote at the first meeting of the LEPAC, or as vacancies occur, and annually during each July thereafter. In case of three or more nominees, the top two nominees shall vie for the position.

ARTICLE VIII – DISBURSEMENTS

The funds approved and budgeted for the committee shall be disbursed by the fiscal disbursing officer of Mecklenburg County in the same manner as other county department funds are disbursed. All funds received by the LEPAC shall be deposited with the Mecklenburg County fiscal officer to the credit of Mecklenburg County and shall be disbursed by the county's disbursing officer. The LEPAC shall have the power to receive monies from the city, county, state and federal government for operation of the program, but the LEPAC shall not have power to impose fees or charges except for reasonable costs for supplying copies of materials to requesters.

ARTICLE IX – ATTENDANCE

Attendance for committee members, which is based on guidelines established by the Board of County Commissioners, is as follows:

Committee members must attend 75 percent of all meetings and must remain at the meeting for at least 50 percent of the time allocated for the meeting. Also, there are not excused absences from the meeting.

The chairperson of the committee shall submit to the chairperson of the Board of County Commissioners an annual attendance report by January 30 of each year that lists any member who has failed to observe the attendance policy. Persons who fail to meet attendance requirements are removed automatically upon receipt of the annual report.

ARTICLE X – POWERS. GENERAL

The LEPAC shall have no powers, except as stated in previous articles or as entrusted to it by city, county, or state authority.

The members present will constitute a quorum for agenda items that were published in the meeting notice. For any new business that is not identified on the meeting agenda, 51 percent of the members on the roster must be present to constitute a quorum.

ARTICLE XI

Mecklenburg County shall indemnify and hold harmless all LEPAC members and non LEPAC members of the above subcommittees against all loss, costs, damages, and expenses including attorney's fees arising out of or connected with the activities of the LEPAC.