

THE BY-LAWS  
OF THE  
DUPLIN COUNTY LOCAL EMERGENCY PLANNING COMMITTEE

ARTICLE I

NAME

This organization shall be known as the Duplin County Local Emergency Planning Committee (DCLEPC).

ARTICLE II

PURPOSES

The duties and activities of the DCLEPC are those set forth by the State Emergency Response Commission, not limited to but, in accordance with Title III of the Superfund Amendments and Reauthorization Act of 1986 (SARA).

- (1) Establish procedures for reviewing and processing request from the public for information under Section 324 of the act.
- (2) Develop a chemical hazard/risk analysis.
- (3) Develop emergency response procedures for off-site emergency response personnel.
- (4) Identify private/public sector resources available to deal with hazardous materials emergencies.
- (5) Review emergency plans submitted by the subcommittees and make recommendations on revisions of the plans that may be necessary to ensure coordination of such plan with emergency response plans of other emergency planning agencies.
- (6) Exercise emergency response plans and update them accordingly.

## ARTICLE III

### MEMBERSHIP

Section 1. Members. The DCLEPC shall consist of as many members as shall be deemed necessary by the Duplin County Board of Commissioners and the North Carolina Emergency Response Commission and in accordance with Title III.

- (1) All nominations to the committee will be approved by the Duplin County Board of Commissioners and the North Carolina Emergency Response Commission.
- (2) The members of the committee must have the ability, commitment, and authority, to get the job done.
- (3) The committee must possess or have ready access to a wide range of expertise relating to the community, or industrial facilities and transportation, and the mechanics of emergency response and response planning.
- (4) The committee must be representative of all elements of our community with a substantial interest in reducing the risk posed by hazardous materials.

Section 2. Inactive members. Appointed members shall be considered inactive when they have missed more than two consecutive meetings with out notification to the committee chairman ore staff office of significant reasons why they are unable to attend the meeting.

Section 3. Removal of Members. All members of the DCLEPC shall serve at the pleasure of the Duplin County Board of Commissioners.

Section 4. Vacancies. Vacancies in membership of the committee shall be filled by the original appointing authority for the remainder of the unexpired term.

## ARTICLE IV

### OFFICERS

Section 1. Named. The officers of the committee shall consist of a chairman, a Vice Chairman, and a Secretary.

Section 2. Election and term. The Duplin County Board of Commissioners shall approve the nomination of the chairman of the committee who shall serve at the pleasure of the Board. At the first meeting of each calendar year, the committee elects from its own membership a vice-chairman and a secretary who shall serve for one year or until his death, reassignment, retirement, removal, disqualification or his successor shall have been elected and qualified.

Section 3. Removal. The vice-Chairman or secretary may be removed by the committee whenever in its judgment the best interest of the committee will be served thereby.

Section 4. Vacancies. The Duplin County Board of Commissioners shall approve all Nomination by the DCLEPC to fill all vacancies caused by death, resignation, or other reason, except as otherwise provided in Article IV, Section

## ARTICLE V

### DUTIES OF THE OFFICERS

Section 1. Duties of the Chairman. The chairman shall preside at all meetings of the committee, preserve order during its meetings, appoint all subcommittees, serve as an ex-officio member of such subcommittees, and sign all minutes and such records, vouchers, or other documents connected with the of the committee requiring such signature. He shall have authority to call special meetings.

Section 2. Duties of the Vice-Chairman. In the absence of the chairman or in the event of his inability or refusal to act, the vice-chairman, unless otherwise determined by the committee, shall perform the duties of the chairman, and when so acting shall have all the powers the chairman. He shall exercise such other duties as from time to tome may be assigned to him by the chairman of the committee.

Section 3. Duties of the Secretary. The secretary shall have charge of all books, papers, records and other documents of the committee; shall keep the minutes of all meetings of the committee and executive board thereof; shall conduct all correspondence pertaining to the office of the secretary; shall compile statistics and other data as may be required for the use of the members of the committee, and shall perform such other duties as may be directed by the committee or by the executive board.

## ARTICLE VI

### STAFF

The committee may hire and discharge its own staff, if it so desires; or may use the personnel of and existing agency with the approval of the agency's head.

## ARTICLE VII

### MEETINGS

Section 1. Regular Meetings. The committee shall meet at least quarterly for regular meetings.

Section 2. Special Meetings. The chairman may call such special meetings or emergency meetings, as may be deemed necessary to carry out the duties of the committee. Upon the written or verbal request of at least four members, the chairman shall call a meeting within 10 days.

Section 3. Hearing. The committee shall hold such hearings as it may deem necessary and desirable at such times and places as may be determined by a majority vote of the committee in regular meetings.

Section 4. Quorum. A quorum shall consist of a majority of committee members. A quorum shall be required to transact business.

Section 5. Agenda. Any member may request the chairman to place an item on the agenda. If the chairman should decline to do so, a member may have such item placed on the agenda by submitting it in writing to the Chairman with supporting signatures of three members.

Section 6. Rules of Order. The deliberations of all meetings and its various Subcommittees shall be governed by Robert's Rules of Order, Newly Revised.

Section 7. Notice of Meetings. Notice of time, place and agenda items to be considered at each meeting shall be given in writing to all members at least two weeks prior to each meeting by the staff, and to the Clerk of the Duplin County Board of Commissioners in accordance with GS 143-318.12 (2) . Exception emergency meeting. Any matters not appearing on the agenda may be considered upon a favorable vote of a majority of the members present to do so. Notice of special meetings and intended agenda items shall be given to all committee members and the Clerk to the Board of Commissioners in writing or by phone at least seven days in advance of any special meetings, except Emergency Meetings.

## ARTICLE VIII

### VOTING

Section 1. One Vote Each committee member including the chairman, shall be entitled to one vote.

Section 2. Proxy votes. No member shall vote by proxy.

Section 3. Abstentions. Members may resister their abstention on any vote which shall be reflected in the minutes, and members are encouraged to abstain on matters which pose for them a conflict of interest.

Section 4. Determination of Actions. All final actions, committee positions or policy recommendations shall require the favorable vote of a majority of those committee members present at a duly called meeting.

## ARTICLE IX

### REPORTS AND RECOMMENDATIONS

- Section 1. Annual Report. By February 1 of each year, the committee shall make a report describing its activities for the proceeding calendar year to the Chairman of the Duplin County Board of Commissioners.
- Section 2. Review of Draft Reports. A draft of any proposed annual report shall be circulated to all members of the committee at least 30 days prior to consideration by the full committee at a regular scheduled meeting.
- Section 3. Issuance of Reports. No reports of any kind shall be released in the name of the committee unless and until it has been duly adopted by a favorable vote of a majority of the members of the committee.
- Section 4. Ordinances/Resolutions, Recommendations. The committee may address matters regarding ordinances and resolutions to be endorsed by the committee in between regularly scheduled meetings. This may be accomplished by means of telephone conferences provided the requirements of GS 143-318.13(a) are met. In the event that the committee is divided into smaller groups to accommodate the logistic requirements of telephone conferencing, the committee chairman shall be a party to each conference.
- Section 5. Public Notice. A public notice shall be given annually to inform the public of activities of the DCLEPC, meetings, time and place.

## ARTICLE X

### AMENDMENTS

The By-Laws may be amended or replaced upon affirmative vote of a majority of the members of the committee at any regular meeting of the committee, provided that any proposed changes have been circulated to all members 30 days prior to any action thereon.

ARTICLE XI

RATIFICATION PROVISION

The By-Laws are duly adopted by a majority of the members of the committee  
this, the \_\_\_\_\_ day of \_\_\_\_\_.  
In Kenansville, North Carolina. The signatures of those subscribing to these  
By-Laws are set forth.

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