

**THE BYLAWS
Of the Onslow County Local Emergency Planning Committee**

I. ARTICLE I - Name

This organization shall be known as the Onslow County Local Emergency Planning Committee (OCLEPC).

II. ARTICLE II - Purpose

The duties and activities of the OCLEPC are those set forth by the Onslow County Board of Commissioners, not limited to, but in accordance with, Title III of the Superfund Amendments and Reauthorization Act (SARA) of 1986.

- (1) Establish procedures for reviewing and processing requests from the public for information under Section 324.
- (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 agencies.
- (6) Exercise emergency plans and update them accordingly.
- (7) Receive, review, and catalogue all Tier II Reports generated within Onslow County. Ensure 100% compliance from reporting agencies within Onslow County.
- (8) Manage the Onslow County E-Plan membership access.

III. ARTICLE III – Membership

Section 1 Members: The OCLEPC shall consist of as many members as shall be deemed necessary by the Onslow County Board of Commissioners, the Chairperson, or the North Carolina Emergency Response Commission and in accordance with SARA Title III

- (1) All members appointments to the committee will be made by the Onslow County Board of Commissioners and submitted to the North Carolina Emergency Response Commission.
- (2) The members of the committee must have a demonstrated commitment to the mission of the OCLEPC.
- (3) The OCLEPC must possess or have ready access to a wide range of expertise relating to the community, our industrial facilities and transportation, and the mechanics of emergency response planning.

- (4) The OCLEPC must be representative of all elements of our community with a substantial interest in reducing the risks posed by hazardous materials.

Section 2 Terms of Appointments: All new membership requests shall be submitted to the Board of Commissioners on the 1st meeting in November of each calendar year. Once appointed, a member will remain active until their term expires unless removed by vote (See Section 4) or by withdrawal request by the agency. A member agency may be reappointed to the committee subject to the approval of the Onslow County Board of Commissioners. Each term shall last for no more than 2 years from the date of appointment.

Section 3 Inactive Members: Members shall be considered inactive when they have missed more than two consecutive committee meetings without notification to the committee chairman or staff office of significant reasons why they were unable to attend the meetings. The names of those inactive members shall be submitted to the Parent Agency for either reappointment or replacement at the committee's discretion.

Section 4 Removal of Members: Members who are not represented at three OCLEPC meeting during a year and fail to reassign a new representative once made aware are subject to removal from the committee. Any members recommended for removal must be presented by the OCLEPC and approved by the Onslow County Board of Commissioners.

Section 5 Vacancies: Vacancies due to unexpired terms shall be filled by the Onslow County Board of Commissioners and submitted to the North Carolina Emergency Response Commission. The appointment shall be for the remainder of the unexpired term.

IV. 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: At the first meeting of the calendar year (January) the committee shall elect from its own membership a chairman and vice-chairman who shall serve for two years or until his or her resignation, retirement, removal, disqualification, or a successor shall have been elected and qualified. An officer may serve more than one term if re-elected by the membership. The Secretary's position shall be filled by the Onslow County Hazardous Materials Coordinator.

Section 3 Removal: The chairman, or vice-chairman may be removed by the committee whenever, in its judgment, the best interests of the committee will be served.

Section 4 Vacancies: Whenever the position of chairman, vice-chairman becomes vacant before the term of office has expired, the committee shall elect a new officer from its own membership to fill the unexpired term in office.

V. ARTICLE V - Duties of the Officers

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

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 have all the powers of the chairman. He shall exercise such other duties as from time to time may be assigned to him by the chairman of the committee.

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

- (1) All files and records will be maintained in the Onslow county Hazardous Materials Coordinators office.
- (2) The secretary is authorized to call and chair a regular meeting in the absence of the Chairman or Vice-Chairman.

VI. ARTICLE VI - Meetings

Section 1 Regular Meetings: The committee shall meet at least quarterly for regular meetings. The meetings shall be held the second Thursday of the first month of each quarter starting in January of each year.

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

Section 3 Emergency Meetings: An emergency meeting may be called at any time a bona fide emergency exists.

Section 4 Hearings: The committee shall hold such hearings as it may deem necessary and desirable at such times and places as may be determined by a vote of the committee in regular meetings.

Section 5 Quorum: A quorum shall consist of a majority of committee members. A quorum shall be required to transact business.

Section 6 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 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 and notice that complies with the State's open meeting laws. The members will be notified at least two weeks in advance of a regular meeting. Any matters not appearing on the agenda maybe considered upon a favorable vote of a majority of the members present to do so.

Notice of special and intended agenda items shall be given to all committee members in writing or by phone at least seven days in advance of any special meetings. An emergency meeting may be called at any time providing every effort is made to notify all committee members, the County Commissioners and the media. The emergency nature of the meeting shall be substantiated and well documented.

VII. ARTICLE VII - Voting

Section 1 One Vote Each: Each member shall be entitled to one vote.

Section 2 Proxy Votes: A member must be present to vote. No member may vote by proxy.

Section 3 Abstentions: Members may register their abstentions on any vote and such abstentions shall be recorded in the minutes. Members are encouraged to abstain on all 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.

VIII. ARTICLE VIII - Reports and Recommendations

Section 1 Annual Report: By the end of the second quarter of each year, the committee shall make a report describing its activities for the preceding calendar year to the Onslow 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 by the end of the first quarter prior to consideration by the full committee.

Section 3 Issuance of Reports: No reports of any kind shall be approved in the name of the committee unless it has been duly adopted by a favorable vote of a majority of the members present at a duly called meeting.

IX. ARTICLE X - Dissemination of Information

The Chairman of the committee shall make every effort to make available to the public and to the media all information regarding hazardous materials stored or used in Onslow

County. The Chairman shall not provide interested parties any information deemed "TRADE SECRET" which is protected under Public Law 99-499-Oct, 17 1986, Section 322.

X. ARTICLE X - Amendments

These bylaws may be amended or replaced upon the affirmative vote of a two-thirds majority of the members present at a regular meeting and by the approval of the Onslow County Board of Commissioners provided that the proposed changes shall have been circulated to all members and the County Commissioners at least thirty days prior to said meeting.

XI. ARTICLE XI - Ratification Provision

The Bylaws are duly adopted by a majority of the members of the Onslow County Board of Commissioners this 4th day of January 2023 in Jacksonville, North Carolina. The signature(s) of those subscribing to these bylaws are set forth below.

Chairman, Board of Commissioners

Attest.

Clerk to the Board