

2025

Sanders County LEPC Bylaws

Sanders County

May 2025



LEPC Bylaws

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ARTICLE I—Identification

Sanders County Emergency Planning Committee, hereinafter referred to as the “LEPC” is a local entity created pursuant to SARA Title III, the Emergency Planning and Community Right-to-Know Act of 1986. The purpose of the LEPC is to implement SARA Title III in Sanders County is to enhance environmental protection and public health and safety as these are affected by chemical hazards within these jurisdictions and to provide a platform for all hazard planning and community information.

ARTICLE II—LEPC Members

Section 1: Organizations Represented

The LEPC consists of members selected under the provisions of Section 301 EPCRA and includes representatives from the following: local and state government, law enforcement, emergency management, firefighting, emergency medical services, health, hospital, environmental, transportation, media, industry and community groups.

Section 2: Membership

Membership on the LEPC is open to any interested person who meets the criteria established by the LEPC for membership. The names of the qualifying applicants will be forwarded to the LEPC for provisional appointment until the next meeting.

ARTICLE III—LEPC Meetings

Section 1: Frequency of Meetings

The LEPC will meet every other month on the second Thursday of the month.

Section 2: Announcement of Meetings

(a) Members of the LEPC shall be notified at each LEPC meeting of the next meeting time, place, and date, and shall be notified in writing one week in advance of such meetings of the next meeting, agenda, time, place and date.

(b) The public will be notified of LEPC meetings at least two (2) business days in advance of each meeting.

Section 3: Location of Meetings

The LEPC meetings will be held at varying locations in Sanders County.

Section 4: Quorum of Members for Meetings

A quorum of LEPC members is required for the conduct of business, and consists of the members present.

Section 5: Conduct of Meetings

- (a) LEPC meetings will be conducted according to Robert's Rules of Order and are subject to the State Open Meetings Act.
- (b) Any matter to be voted on shall 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.
- (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.

ARTICLE IV—LEPC Working Groups

Section 1: Identification of LEPCs and Appointments/Resignations

- (a) The Working Groups are four (4) in number and are the Planning, Fiscal, Communications, and Training Working Groups.
- (b) Appointments to Working Groups, including Working Group Chairs, are made by the Chair of the LEPC.
- (c) Resignations of Working Group members are to be submitted in writing to the Chair, who may, at his/her discretion, replace resigning members.

Section 2: Dissolution and Establishment of Working Groups

Additional Working Groups may be established and existing ones dissolved by a majority vote of the LEPC.

Section 3: Duties of Working Groups

- (a) Working Groups will convene to consider issues assigned by the LEPC and/or issues of the Working Group's devising.
- (b) Working Groups meetings will be held at the discretion of Working Groups Chairs in terms of frequency and location. Such meetings shall comply with the Montana Open Meetings law.
- (c) Working Groups will report their findings and make their recommendations to the full LEPC.
- (d) Working Groups recommendations must, to be adopted, be affirmed as resolutions by a majority of the LEPC members.
- (e) Additional duties may be assigned Working Groups by the LEPC Chair.

Article V—Officers

Section 1: Officers

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

Section 2: Terms of Officers

The Terms of the Officers are for a period of one year.

Section 3: Election of Officers

Annual election of Officers will be effected by a majority vote of all LEPC members present.

ARTICLE VI—Powers and Duties of Officers

Section 1: Meeting Frequency, Dates, Times and Locations

The Chair will determine the frequency, dates, times and locations of LEPC meetings. Such meetings shall comply with the Montana State Open meeting law.

Section 2: Working Groups Appointments

The LEPC Chair shall appoint the Chair and members of each Working Groups.

Section 3: LEPC Meetings' Conduct

- (a) The Chair will conduct LEPC meetings according to Robert's Rules of Order.
- (b) LEPC meeting agendas will be set by the Chair.

Section 4: 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 bylaws.

Section 5: Meeting Minutes and Fiscal Records

The Secretary/Treasurer shall keep LEPC meeting minutes and a record of the finances of the LEPC.

ARTICLE VII—SARA Title III Document Submissions

Section 1: Repository of Documents

Sanders County Office of Emergency Management (O.E.M.) will be the repository for all documents submitted to the LEPC pursuant to the provisions of SARA Title III and the Montana Access to Public Records law.

Section 2: Availability of Documents to the Public

Title III documents will be available by written request for examination and copying by the public by appointment only during the hours of 8:15 am and 3:45 pm, Monday through Thursday, at Sanders County O.E.M. The LEPC shall comply with the Montana Access to Public Records law, including provisions relating to confidential records.

Section 3: LEPC Records

All records of LEPC meetings, including meeting agendas and minutes, shall be stored at Sanders County Clerk & Recorder office.

Section 4: Legal Notices

The LEPC annually shall publish a legal notice indicating where all Title III documents are maintained, including the jurisdiction's emergency plan, MSDS, Tier forms, and written follow-up notices from facilities experiencing Title III spills.

ARTICLE VIII—Adoption/Amendment of LEPC Bylaws

Section 1: Adoption of Bylaws

A majority of LEPC members is required to adopt the LEPC's bylaws

Section 2: Amendment of Bylaws

A majority of LEPC members is required to amend the LEPC's bylaws.

ARTICLE IX—Non-Exclusion Provision

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

ARTICLE X—Bylaws Adoption and Signing

Upon their adoption by the LEPC, a copy of these bylaws will be signed and dated by the Chair of the LEPC and will be available for inspection and copying by the public at Sanders County O.E.M.

Approved and adopted by majority vote in a public meeting held this 10th the day of July, 2025.

William P. Nagel, Chairman