

**Minutes**  
**Nevada State Emergency Response Commission (SERC)**

**Bylaws Committee Meeting**

Professional Engineers and Land Surveyor's State Board Room  
1755 E. Plumb Lane, Suite 130  
Reno, NV

March 26, 2008

**Members Present**

Larry Farr, Chair  
Richard Brenner

**Member Not Present**

Stacey Giomi

**Staff**

Suzanne Adam  
Bruce Ferrel  
Karen Pabòn

**Guests**

Susan Crowley

**I. Call to Order**

Larry Farr called the meeting to order at 1:12 p.m.

**II. Introductions**

Members and staff introduced themselves as shown above. A quorum was present.

**III. Approval of the March 29, 2007 meeting minutes**

Richard Brenner made a motion to approve the minutes of the March 29, 2007 meeting. Mr. Farr seconded the motion which was approved unanimously.

**IV. New Business**

**A. \*Discussion/Review/Recommendation of possible changes to SERC Mission and Vision Statements to include the duty to support preparedness to combat terrorism**

Karen Pabòn advised after reviewing the SERC Mission Statement and Vision Statement, there needs to be discussion as to whether this Committee wants to recommend including the duty to support preparedness to combat terrorism in the statements as SERC is charged by the Nevada

Revised Statutes (NRS) to implement the United We Stand license plate funding. A discussion ensued.

Mr. Farr made a motion to recommend adding “terrorism and” before “the negative effects of hazardous materials” in the SERC Mission Statement; and to add “and terrorism” to the end of the second to the last sentence in the SERC Vision Statement. Mr. Brenner seconded the motion which was approved unanimously.

**B. \*Discussion/Review/Recommendation of possible changes to SERC bylaws to include the duty to support preparedness to combat terrorism**

Ms. Pabòn stated the inclusion of supporting preparedness to combat terrorism is basically the only item identified by staff to be added to the SERC bylaws in Article II, Section 1: Purposes, in the first sentence.

The Committee also discussed in Article II, Section 2: Duties, adding a new number 3 to read “Providing management and oversight of United We Stand funds pursuant to NRS 482.379365.”

Mr. Farr made a motion to recommend adding “terrorism and” to the first sentence in Article II, Section 1: Purposes, after the word “against.” In addition, to add a new number 3 to Section 2: Duties, which will read “Providing management and oversight of United We Stand funds pursuant to NRS 482.379365.” Mr. Brenner seconded the motion which was approved unanimously.

**C. \*Discussion/Review/Recommendation of the Local Emergency Planning Committee (LEPC) membership lists for compliance with the Emergency Planning and Community Right-to-Know Act (EPCRA)**

Bruce Ferrel advised membership lists were not received from Humboldt, Pershing and Washoe LEPCs. Mr. Ferrel received a membership list from Lyon LEPC requesting a waiver of an elected state official and a media representative. Mr. Ferrel advised he had concerns about the number of requested waivers for EPCRA membership from Churchill and Douglas LEPCs. The Committee discussed membership by exception only, therefore, all other lists are approved.

*Churchill LEPC* – Churchill LEPC is requesting a waiver of the elected state official, health, hospital, transportation and EPCRA facility representatives.

*Douglas LEPC* – Douglas LEPC is requesting a waiver of nine of the 13 recommended EPCRA membership representatives.

*Elko LEPC* – Elko LEPC requested a waiver for the elected state official and hospital representatives.

The Committee recommends to the SERC that letters be sent to Churchill and Douglas County Commissioners, with copies to the LEPCs, stating they are not in substantial compliance. In addition, Elko needs to submit a signed membership list.

No action was taken.

**D. \*Discussion/Review/Recommendation of LEPC bylaws for compliance with EPCRA. The LEPCs to be reviewed are Carson City, Churchill, Elko, Esmeralda, Humboldt, Lander, Lyon, Mineral, Nye and White Pine.**

Mr. Farr stated the Committee will go through those LEPCs that are substantially out of compliance. Others not mentioned or not reviewed are in compliance.

*Carson City LEPC* – Carson City LEPC needs to submit signed bylaws. (Note: After the meeting, it was discovered Carson City LEPC bylaws were not formatted to be signed and, therefore, no signature is required.)

*Elko LEPC* – Elko LEPC needs to submit updated bylaws or a letter stating there are no changes.

*Humboldt LEPC* – Humboldt LEPC needs to submit updated bylaws or a letter stating there are no changes.

*Mineral LEPC* – Mineral LEPC needs to submit signed bylaws.

*Pershing LEPC* – Pershing LEPC needs to submit updated bylaws or a letter stating there are no changes.

*Churchill LEPC* – Mr. Ferrel advised Churchill LEPC's bylaws specifically state six committee members will be considered a quorum to transact business, instead of a simple majority of voting members.

*White Pine LEPC* – Mr. Ferrel advised White Pine LEPC's bylaws specifically state five committee members will be considered a quorum to transact business, instead of a simple majority of voting members. SERC staff raised this question to the Attorney General's office but was unsure if a letter was sent. The LEPC has asked for an opinion from the White Pine County District Attorney.

Mr. Farr recommended staff contact the AG's office to see if they sent a letter to White Pine LEPC and, if so, send a reminder to the LEPC.

Mr. Ferrel advised Esmeralda LEPC set up a core voting membership, which Mr. Ferrel addressed with Esmeralda. Esmeralda LEPC is working on correcting the situation.

**V. Public Comment**

There was no public comment.

**VI. \*Adjournment**

Mr. Brenner made a motion to adjourn the meeting at 1:50 p.m.

DRAFT