

Minutes

Nevada State Emergency Response Commission (SERC)

Bylaws Committee Meeting

March 29, 2017 – 9:00 a.m.

State Emergency Response Commission

107 Jacobsen Way

Carson City Street

Room #51, for Phone-In Carson City 775-687-0999 or Las Vegas 702-486-5260

Passcode 47516

Carson City, NV 89711

Members Present: Stacey Giomi -Chair, Richard Brenner, Resty Malicdem and Eric Santos

Staff: Nathan Hastings, Stephanie Parker, Christina Wilson, Gwen Barrett

Guests: Patty Brownfield

The Committee may take action on items marked "Discussion/For Possible Action". Items may be taken out of the order presented on the agenda at the discretion of the chairperson. Items may be combined for consideration by the Committee at the discretion of the chairperson. Items may be pulled or removed from the agenda at any time.

1. **CALL TO ORDER-** *Mr. Giomi Called meeting to order at 9:01am*
2. **ROLL CALL, CONFIRM QUORUM, AND INTRODUCTIONS (Non-action Item)**
Roll call was taken by Stephanie Parker, quorum was present. Patricia Brownfield Esmeralda county LEPC.
3. **PUBLIC COMMENT-** *Mr. Giomi called for public comment. There was none.*
4. **APPROVAL OF MAY 31, 2016 MEETING MINUTES (Discussion/For Possible Action)** – *Ms. Parker had some Typographical changes to make which didn't change context of information. Mr. Brenner motioned to adopt these minutes with the changes Ms. Parker noted. Mr. Malicdem 2nd. Unanimously carried.*
5. **REVIEW OF LOCAL EMERGENCY PLANNING COMMITTEE (LEPC) MEMBERSHIP LISTS FOR COMPLIANCE WITH THE EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT (EPCRA) (Discussion/For Possible Action)** - *Mr. Giomi motioned for items 5 and 6 be combined together as each county is reviewed. Starting with Esmeralda County with having their LEPC in attendance.*

Esmeralda County LEPC- *Mr. Brenner review bylaws for county finding a typo pg. 7 "declare and active pursuant to article II section 2". Mr. Brenner believes that should have stated article III Section. Mr. Brenner stated bylaws were done very well and met requirements.*

Mr. Brenner also reviewed membership list; Identifying different vacancies in elected official, Hospital and Local Environmental. Ms. Brownfield stated she would get a typographically corrected copy in to SERC. Mr. Giomi then asked before if there was a preference to when corrections are sent in. Ms. Parker advised that getting corrections within 90 days of date would be preferred. Mr. Giomi stated that with any contingencies to make corrections it will be within 90 days. Mr. Brenner would like to motion to approve Esmeralda Bylaws and Membership List with previously state contingency. Mr. Santos Seconded the motion which was approved unanimously motion carries.

Mr. Malicdem asked if there was a check list to use while doing bylaws reviews for future use.

Mr. Brenner advised that there is not an actual check list; we usually look for information of a chair person, co-chair, quorum, but not official check list.

After reviewing the document [Sample Bylaws \(http://serc.nv.gov/uploadedFiles/sercnvgov/content/Resources/SampleOfBylaws.doc\)](http://serc.nv.gov/uploadedFiles/sercnvgov/content/Resources/SampleOfBylaws.doc) Mr. Giomi request to Ms. Parker that this be placed on the next agenda for review and potential updating of the document; After taking to full SERC Admin to look at possibly late summer/ early fall to make available for next year reviews.

Carson County LEPC- Mr. Brenner reviewed Bylaws and Membership lists. 2 areas that were pointed out as being deficient; 1 elected state Official and 1 Elected local official. Mr. Giomi pointed out that both the state and Local Official had lost the election in November of 2016 and the spots hadn't been filled since that time period.

Mr. Brenner motioned to approve Bylaws and Membership list for Carson County LEPC. Mr. Giomi 2nd the Motion. All in favor; unanimously approved motion carries.

Lincoln County LEPC- Mr. Brenner reviewed Bylaws and Membership: Article 3: members will be nominated by Lincoln county commission and will be appointed by the State Emergency Response Commission. Mr. Brenner brought up concerns of wording with how LEPC members are appointed. It is by Federal standard but voice the concern to make known it might not be clear with the wording that's used; but will still be accepted. All Membership spots are filled except Elected state Official as of Jan.

Mr. Brenner Motioned to Approve Lincoln County Bylaws and Membership lists. Mr. Santos 2nd the Motion. All in favor; unanimously approved motion carries.

Storey County LEPC- Mr. Brenner reviewed; making a note they are very well prepared. Mr. Brenner recommends accepting Storey County Bylaws and

Membership list. Mr. Santos 2nd the motion. All in favor; unanimously approved motion carries.

Clark County LEPC - Mr. Malicdem reviewed the Bylaws and membership list. Mr. Malicdem Motioned to accept the Bylaws and Membership list; Mr. Giomi 2nd the motion; All in favor; unanimously approved motion carries.

Eureka County LEPC- Mr. Malicdem requested further explanation to why Eureka county hospital member spot is "Exempt", this is due to Eureka County not having a hospital in the county. Along with Storey county, with this cannot reasonably ask them to fill a position for a location they don't have in their county. Mr. Malicdem Recommends the bylaws and membership list be approved; Mr. Brenner 2nd the motion; All in favor; unanimously approved motion carries.

Mineral County LEPC- Mr. Malicdem reviewed the Bylaws and membership list. Pointing out they have 2 letters of invitation for elected State official and Hospital official awaiting response. Mr. Malicdem recommend the Bylaws and Membership list be approved. Mr. Brenner 2nd the motion; All in favor; unanimously approved motion carries.

Washoe County LEPC- Mr. Malicdem reviewed Bylaws and Membership lists. Raised a question of a time frame of which the LEPC have to review their bylaws, Mr. Giomi replied stating as long as it's within the year there is no specific time frame. Mr. Malicdem motions the approved Bylaws and Membership List; Mr. Santos 2nd the motion. All in favor; unanimously approved motion carries.

Churchill County LEPC- Mr. Santos reviewed the Bylaws and Membership lists. Missing elected state official; Appears to be attempting to invite. Mr. Santos Motioned to approve the Bylaws and Membership list for Churchill County LEPC. Mr. Giomi Suggested a contingency of approval that Churchill LEPC has 90 days from March 29th, 2017 to get the fully completed membership list along with signature returned to SERC office. Mr. Giomi 2nd the motion with Contingency. All in favor; unanimously approved motion carries.

Humboldt County LEPC- Mr. Santos reviewed both Bylaws and Membership list. Mr. Santos motions to approve Bylaws and Membership list. Mr. Brenner 2nd the motion; All in favor; unanimously approved motion carries.

Nye County LEPC- Mr. Santos reviewed both Bylaws and Membership list. Mr. Santos motions to approve the Bylaws and membership list; Mr. Brenner 2nd the motion; All in favor; unanimously approved motion carries.

Douglas County LEPC- Mr. Giomi reviewed the Bylaws and membership lists. Mr. Giomi Motioned to approve the Bylaws and Membership list. Mr. Brenner 2nd the motion. All in favor; unanimously approved motion carries

Lyon County LEPC- Mr. Giomi reviewed Bylaws and Memberships list. Mr. Giomi motioned to approve Bylaws and Membership lists. Mr. Santos 2nd the motion; All in favor; unanimously approved motion carries.

Elko County LEPC- Mr. Giomi reviewed the Bylaws and membership lists. Reviewing the membership list; The county health category no longer works for the company; Mr. Giomi motions to approve the Bylaws and Membership list with contingency that within 90 days of March 29th, 2017 Elko LEPC correcting Item #7 be updated by removing Karissa Smith/ Nevada Rural Health Center due to no longer being with that company. Mr. Malicdem 2nd the motion with 90 day Contingency. All in favor; unanimously approved motion carries.

Lander County LEPC- Mr. Giomi reviewed Bylaws and Membership list. Bylaws does not show they were reviewed or adopted except of Jan 8, 2013. County needs to show they have updated/reviewed/ adopted the bylaws within the last year. Mr. Giomi is Motioning to approve Membership list, and the Bylaws with Contingency of Updating with Review and/or Adoption date within last year; with having these updates submitted within 90 days of March 29, 2017 to SERC Office. Mr. Brenner 2nd the motion with 90-day contingency. All in favor; unanimously approved motion carries

Pershing County LEPC- Mr. Giomi reviewed Membership list and Bylaws. Stating that county had all membership spots filled along with alternates. Bylaws content is good, missing a date of review/ Adoption within last year. Mr. Giomi is Motioning to approve Membership list, and the Bylaws with Contingency of updating with review and/or adoption date within last year; with having these updates submitted within 90 days of March 29, 2017 to SERC Office. Mr. Brenner 2nd the motion with 90-day contingency. All in favor; unanimously approved motion carries.

White Pine County LEPC –County has not submitted Bylaws or Membership information.

6. **REVIEW OF LEPC BYLAWS FOR COMPLIANCE WITH EPCRA (Discussion/For Possible Action)** – Was combined with Item # 5 please see specific county above.

7. **UPDATE SERC BYLAWS FOR COMPLIANCE (Discussion/For Possible Action)** – Mr. Giomi stated that last bylaws meeting the guidelines were gone through with fine tooth comb; however, if anyone had any further suggestions or comments. Ms. Parker raised question to if there was a specific reason Mr. Brenner is Ex officio on planning and Training sub-committee which does not allow him to vote or make motions according to the bylaws. Mr. Giomi advised that the Planning and Training committee is a sub-committee of the Funding Committee ex officio can't vote due to making motions due to Planning and Training committee they make recommendations to Funding committee for allocations and prevents a conflict of interest. The committee members should be reviewing the documents; with having Mr. Brenner there to provide expertise as Co-Chair and member of Funding Committee while providing answers and background to their questions. Mr. Giomi motion to recommend to SERC to review the July 2016 Bylaws make a recommendation to make No changes. Mr. Brenner 2nd the motion. To be clear this motion should be brought in front of full commission to follow own guidelines All in favor, unanimously approved Motion Carries.
8. **PUBLIC COMMENT (Non-action Item)** – Mr. Santos has a question regarding White Pine County not submitting on and what the processes for them are. Mr. Giomi advised that once they submit their packet there could have a to be a special meeting for the Bylaws and Membership lists to be reviewed. Ms. Parker stated they would apply for funding at that time. White Pine did submit a partial packet which did not include Bylaws or Membership lists. Ms. Parker is working with that county.
- ADJOURNMENT (Discussion/For Possible Action)**- Mr. Giomi motioned to adjourn the meeting Mr. Santos 2nd the motion. *All in favor; unanimously approved motion carries.*

This is a public meeting. In conformance with the Nevada Public Meeting Law, I, Gwen Barrett, posted or caused the posting of this agenda on or before March 23, 2017, 9:00 a.m. at the following locations.

Pursuant to NRS 241.020(2) (c), a copy of supporting materials for the meeting may be obtained by contacting the State Emergency Response Commission at (775) 684-7511, 107 Jacobsen Way, Carson City, NV 89711 or gbarrett@dps.state.nv.us.

*State Emergency Response Commission – 107 Jacobsen Way – Carson City
Carson City Public Library – 900 North Roop Street – Carson City
Clark County Public Library – 833 Las Vegas Boulevard – Las Vegas
Grant Sawyer Building – 555 East Washington Street – Las Vegas
NV Department of Transportation – 1301 Old Hot Springs Road – Carson City
NV Department of Transportation – 123 East Washington Avenue – Las Vegas
SERC web site – <http://serc.nv.gov>
Nevada Public Notice Website – <https://notice.nv.gov>*

We are pleased to make reasonable accommodations for members of the public who are disabled. If special arrangements are necessary, please notify the Commission at (775) 684-7511. Twenty-four hour advance notice is requested.