

MINUTES

Nevada State Emergency Response Commission (SERC)

Bylaws Committee Meeting

Thursday, March 07, 2022 – 9:00am

1. CALL TO ORDER

David Sellen called the meeting to order at 9:02am

2. ROLL CALL, CONFIRM QUORUM, AND INTRODUCTIONS

Role was taken of members and a quorum was present.

Elizabeth Frances of White Pine County LEPC, Tabatha Hamilton of White Pine County LEPC, and Patricia Brownfield of Esmeralda County LEPC were also present.

3. PUBLIC COMMENT

Mr. Sellen called for public comment. There was none.

4. APPROVAL OF MARCH 03, 2021 MINUTES

Mr. Brenner made a motion to approve the March 03, 2021 Bylaws Committee meeting minutes. Eric Santos seconded the motion which was approved unanimously.

5. REVIEW ANY EXCEPTIONS FOUND BY SERC STAFF IN THE DOCUMENTS SUBMITTED BY THE LOCAL EMERGENCY PLANNING COMMITTEES (LEPCs) TO STAY IN COMPLIANCE WITH SERC POLICIES – MEMBERSHIP LIST AND BYLAWS

The Committee reviewed the deficiency spreadsheet with regards to the Membership List submitted by LEPCs created by Tami Beauregard.

Ms. Beauregard stated she would send an email to the LEPC's letting them know of their deficiencies after this meeting. Ms. Beauregard noted that if the Committee agreed with Staff's exceptions, then those become deficiencies.

Ms. Beauregard asked if it was OK for the LEPC to use the words 'proxy' and/or 'designee' instead of 'alternate' as noted in the SERC policy in their Bylaws. Nathan Hastings stated using proxy or designee is acceptable for what the SERC is asking the LEPC to provide.

The Committee reviewed the deficiency list with regards to the Bylaws submitted by the LEPCs provided by Ms. Beauregard. Ms. Beauregard reviewed the Bylaws sample from the SERC website noting how she established the columns for the Bylaws compliance spreadsheet.

Mr. Brenner questioned if Ms. Beauregard would be reaching out to the LEPCs who are missing the 'Public Request for Information', 'Distribution of the Hazmat Plan & Annex', and 'Dissolution of the LEPC' with the majority of the LEPCs missing these sections? Ms. Beauregard stated she would be sending a deficiency email to the LEPCs with the items this Committee determined to be deficient. Mr. Brenner asked if the sample Bylaws is part of SERC policy? Ms. Beauregard stated the policy does not mention the sample Bylaws. Mr. Brenner, Mr. Sellen, Mr. Santos, and TJ Qualls agreed the LEPCs should have these sections in their Bylaws. Mr. Santos asked that Ms. Beauregard include a copy of the sample Bylaws to the LEPC when sending the deficiency email.

Mr. Santos also questioned if the Bylaws need to have a signature. Ms. Beauregard noted the SERC Bylaws are not signed and there is no signature line on the sample. Ms. Beauregard noted the LEPC does have to approve the Membership List and Bylaws in a meeting and a column can be added to the spreadsheet with the date of the meeting.

Ms. Beauregard noted the comment of White Pine LEPC not having any mention of the Nevada Open Meeting Law in their Bylaws. Mr. Brenner noted it is important to have the information in there.

Mr. Sellen questioned if this Committee needs to make a motion with regards to the deficiency spreadsheet. Mr. Hastings noted it would be acceptable for the Committee to make a motion to approve the deficiency list and that it be forwarded to the SERC as is.

Mr. Santos made a motion to approve the exceptions of the LEPC's Membership List and Bylaws and to direct staff to notify the LEPCs of the deficiencies and advise the SERC of the deficiencies. Mr. Qualls seconded the motion which was approved unanimously.

6. UPDATE SERC BYLAWS FOR COMPLIANCE

Ms. Beauregard stated there was only one SERC Bylaws received with suggested changes. Ms. Beauregard reviewed the suggested changes with the Committee.

Mr. Brenner questioned if the sentence regarding how the Co-Chairs shall direct staff should be taken out completely. Ms. Beauregard noted it should stay in as suggested because staff will converse with the Co-Chairs with regards to SERC business and fiscal responsibility.

Mr. Brenner questioned if the Community Health Organization should continue to be on the list. Ms. Beauregard reviewed how the Commission Members choose which seat he/she are applying for. Mr. Brenner suggested the seat stay as is.

Mr. Brenner made a motion to approve the recommended changes to the Bylaws and forward to the SERC for review and approval. Mr. Qualls seconded the motion which was approved unanimously.

7. PUBLIC COMMENT

Mr. Sellen called for public comment. Mr. Santos thanked Ms. Beauregard for the documentation provided for the meeting. Mr. Sellen and Mr. Brenner agreed.

8. ADJOURNMENT

Mr. Santos made a motion to adjourn the meeting at 9:54am. Mr. Brenner seconded the motion which was approved unanimously.