

# Minutes

## Nevada State Emergency Response Commission (SERC)

### Bylaws Committee Meeting

Friday, March 10, 2023 – 9:00am

1. **CALL TO ORDER**

David Sellen called the meeting to order at 9:04am.

2. **ROLL CALL, CONFIRM QUORUM, AND INTRODUCTIONS**

Role was taken of members and a quorum was present.

3. **PUBLIC COMMENT**

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

4. **APPROVAL OF MARCH 07, 2022 MINUTES**

Mr. Brenner made a motion to approve the March 7, 2022 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**

Tami Beauregard shared the worksheet listing the exceptions found in the LEPCs Membership List and/or Bylaws. Ms. Beauregard then gave a synopsis of how she reviewed the documents to arrive at the noted answers. Mr. Sellen questioned if an email was sent to the LEPCs prior to this meeting to advise of any exceptions and Ms. Beauregard stated an email was not sent.

Ms. Beauregard advised she noticed many of the LEPCs have their dissolution being completed by the County's Board of Commissioners, however the EPCA law states it is the SERC who can dissolve a LEPC. Ms. Beauregard stated those LEPCs have used the wording on the Sample Bylaws from the SERC website and is wondering if this is an issue. Mr. Brenner asked Nathan Hastings to way in. Mr. Hastings advised if the LEPC used the wording from the Sample Bylaws or the wording used is correct, the LEPC cannot be found out of compliance. Mr. Hastings also noted if the wording on the Sample Bylaws needs to be changed this will have to happen at a different meeting as this action is not agenzied.

Mr. Santos questioned what the next steps are with regards to the LEPCs with exceptions and if any LEPC is in danger of not being able receive any grant funds. Ms. Beauregard stated if the list is approved, she will send an email to the LEPCs with exceptions advising them of the exceptions and noted if a LEPC does not correct the exception the LEPC will be in danger of not receiving grant funds.

Mr. Santos made a motion to approve the LEPC exception Membership List and Bylaws, and the follow up by staff. Mr. Brenner seconded the motion which was approved unanimously.

**6. UPDATE SERC BYLAWS FOR COMPLIANCE**

Mr. Brenner asked Ms. Beauregard if she received any comments from the Commissioners with regards to the SERC Bylaws and Ms. Beauregard stated she did not receive any comments.

Ms. Beauregard stated she has a question with regards to Section 2: Chairpersons "At the pleasure of the Governor, it is recommend Co-Chairs are appointed to represent two sectors of the membership". Ms. Beauregard added Mr. Brenner and Dennis Nolan are both from the Private Sector, meaning two sectors are not being represented at this time. A discussion ensued and it was decided no action is needed because this section is 'recommended'.

Mr. Santos questioned if the SERC Bylaws need to address this Committees ability to address the dissolution article of the Sample Bylaws, as discussed earlier. Ms. Beauregard noted Section 2: Duties already states the SERC is providing management of the Emergency Planning and Community Right-to-Know Act (EPCRA) and it is EPCRA which gives the SERC the authority to dissolve a LEPC. All agreed no changes are needed to the SERC Bylaws.

**7. PUBLIC COMMENT**

Mr. Sellen called for public comment.

Mr. Santos thanked Ms. Beauregard for making the review of these documents easier than the past few years. Ms. Beauregard thanked the Committee for their kind words and advised she is just following policy.

**8. ADJOURNMENT**

Mr. Brenner made a motion to adjourn the meeting at 9:33am. Mr. Santos seconded the motion which was approved unanimously.