

BYLAWS OF THE ESMERALDA COUNTY
LOCAL EMERGENCY PLANNING COMMITTEE

ARTICLE I

This organization shall be known as the Esmeralda County Local Emergency Planning Committee.

ARTICLE II

PURPOSES

The purposes of the Committee are those set out in Title III of the Superfund Amendments and Reauthorization Act of 1986 (SARA), and any other lawful purposes which are assigned to it or permitted by the Esmeralda County Commissioners, hereinafter known as the County Commissioners, and/or the State Emergency Response Commission. In keeping with the intent of SARA, Title III, all activities of the Committee will be conducted in a manner encouraging input and participation from all segments of the community.

The committee's responsibilities will include:

1. Development of the Esmeralda County hazardous materials emergency response plan, and regular review and updating of the emergency response plan, in accordance with the Hazardous Materials Annex of the Esmeralda County Comprehensive Emergency Operation Plan and SARA, Title III;
2. Receipt of reports and other information from regulated facilities and other agencies;

3. Community right to know activities, including providing public access to information in accordance with the Hazardous Materials Annex of the Esmeralda County Comprehensive Emergency Operations Plan;
4. Assessment of resources necessary to implement the plan, and making of recommendations to appropriate people, agencies and organizations regarding additional resources needed to implement the plan;
5. Compliance and Enforcement activities;
6. Act as Emergency Management Advisory Council to the Esmeralda County Commission, per County Ordinance No. 112, Section 7, Subsection A.

ARTICLE III

MEMBERSHIP

SECTION 1 – MEMBERS

The Committee shall consist of as many members as shall be deemed necessary by the Esmeralda County Board of Commissioners. Prospective members may apply for appointment by submitting a letter of interest to the Esmeralda County Office of Emergency Management, or to the Officers of the Local Emergency Planning Committee (LEPC). Appointments shall be approved by the Esmeralda County Board of Commissioners. Membership shall represent the geographic areas of Fish Lake Valley, Goldfield, Gold Point and Silver Peak, and every effort will be made to have representatives from each of the thirteen membership categories listed in Section 301 of

SARA, Title III. The core voting membership shall consist of department heads from the following categories or their designated alternate:

- Elected State Official
- Elected Local Official
- Law Enforcement
- Civil Defense (Emergency Management)
- Firefighting
- First Aid
- Health
- Local Environmental
- Hospital
- Transportation
- Broadcast or Print Media
- Community Groups
- EPCRA Facility Owners/Operators

If after due diligence, the Esmeralda County LEPC is unable to get representatives from all thirteen EPCRA categories, a letter will be submitted to the State Emergency Response Commission (SERC) requesting a waiver for those categories.

SECTION 2 – INACTIVE MEMBERS

Appointed members shall be considered inactive when they have missed three (3) or more Committee meetings within the fiscal year without notification to the committee Chair or

staff office of significant reasons why they are unable to attend the meetings. An annual report listing members declared inactive will be provided to the County Commissioners.

SECTION 3 – REMOVAL OF MEMBERS

The County Board of Commissioners may remove a member. The member's name shall be submitted to the Commissioners for removal upon a majority vote by the Local Emergency Planning Committee (LEPC) committee members.

SECTION 4 – VACANCIES

Vacancies in membership of the Committee shall be filled using the process set out in Section 1 of this Article.

ARTICLE IV

OFFICERS

SECTION 1 – OFFICERS

The officers of the Committee shall consist of two (2) Co-Chairs, a Secretary, and a Training Officer.

SECTION 2 – ELECTION OF OFFICERS

At the first meeting of each calendar year, the Committee shall elect from its own membership a Chair (the Emergency Management Director shall be a permanent Co-Chair), a Secretary and a Training Officer who will serve for one year or until the office becomes vacant for any reason or a successor shall have been elected. The Committee may

elect to designate a staff person who is not a member of the Committee to serve as its Secretary.

SECTION 3 – REMOVAL

Any of the committee's officers may be removed by a majority vote of the committee at a meeting called for that purpose in accordance with the Bylaws.

SECTION 4 – VACANCIES

Vacant officer positions will be filled at the next regular meeting using the procedures set out in Section 2 of this article.

ARTICLE V

DUTIES OF THE OFFICERS

SECTION 1 – DUTIES OF THE CO-CHAIRS

One Co-chair shall preside at all meetings of the Committee; preserve order during its meetings; appoint all subcommittees, after consultation with the membership; serve as an ex-officio member of such subcommittees; and sign all minutes and other documents connected with the work of the Committee requiring signature. In the event neither Co-Chair is available for signatures, the Chairman of the Esmeralda County Board of Commissioners shall have full signing authority.

In the event there is no Chair or Co-Chair person available at a quarterly meeting, the Training Officer can preside over the meeting and the approval of the Agenda items.

SECTION 2 – DUTIES OF THE SECRETARY

The secretary shall have charge of all books, paper **and digital** records, and other documents of the Committee; shall conduct all correspondence pertaining to the Committee; shall perform such other duties as may be directed by the Chair of the Committee.

SECTION 3 – DUTIES OF THE TRAINING OFFICER

The Training Officer shall be responsible for the coordination of all requirements for necessary training. In the event there are no Chair or Co-Chair persons available at a quarterly meeting, the Training Officer will preside over the meeting and the approval of the Agenda items.

ARTICLE VI

STAFF

The Committee may employ its own staff where it is legally authorized to do so and if funding is available, or may use the personnel of an existing agency with the approval of that agency's head. Staff shall perform only such duties as are requested or authorized by the Committee or are necessary to carry out the policies, decisions, and work of the Committee.

ARTICLE VII

MEETINGS

SECTION 1 – REGULAR MEETINGS

The Committee shall meet at least quarterly for regular meetings. The recommended months shall be January, April, July and October of each year.

SECTION 2 – SPECIAL MEETINGS

The Chair may call such special Meetings as may be deemed necessary to carry out the duties of the Committee. Upon the written request of at least three members, the Chair shall call a meeting following requirements set forth in Section 7 of this Article.

SECTION 3 – HEARINGS

The Committee shall hold such hearings or public forums as it may deem necessary and desirable at such times and places as may be determined by a majority vote of the Committee. At least one such public hearing or forum shall be held each year for the purpose of discussing the Committee's Emergency Plan with the public, receiving comment, and responding to public comments.

SECTION 4 – QUORUM

A quorum shall consist of a majority of the core voting Committee members, excluding those declared inactive pursuant to Article III, Section 2. A quorum shall be required to transact business. (Revised to reflect correction "Article III instead of Article II, Section 2 - Inactive Members")

SECTION 5 – AGENDA

Any member may request that the Chair place an item on the agenda. If the Chair should decline to do so, a member may have such item placed in the agenda by submitting it in writing to the Chair with supporting signatures of three (3) members.

SECTION 6- NOTICE OF MEETINGS

Notice of time, place and agenda items to be considered at each meeting shall be given in writing to all members at a minimum of three (3) business days prior to each meeting by the staff or Chair. Notice of special meetings and intended agenda items shall be given to all Committee members in writing or by phone at least three (3) business days in advance of any of the special meetings, pursuant to Nevada's Open Meeting Law, with reference to NRS 241.020. Emergency items shall be acted upon in accordance to NRS 241.

ARTICLE VIII

VOTING

SECTION 1 – ONE VOTE EACH

Each core Committee member, including the Chair, shall be entitled to one vote.

SECTION 2 – PROXY VOTES

No member shall vote by proxy.

SECTION 3 – ABSTENTIONS

Members may register the abstention on any vote. The abstention shall be reflected in the minutes. Members are required to abstain on matters which pose a conflict of interest for them.

SECTION 4 – DETERMINATION OF ACTIONS.

All final actions, Committee positions, or policy recommendations shall require the favorable vote of a majority of the core Committee members present at a duly called meeting.

ARTICLE IX

REPORTS AND RECOMMENDATIONS

SECTION 1 – ISSUANCE OF REPORTS

No report of any kind shall be released in the name of the Committee unless and until it has been duly adopted by a favorable vote of a majority of the core Committee members.

SECTION 2 – ORDINANCE RESOLUTIONS AND RECOMMENDATIONS

The Committee may address matters regarding ordinance and resolutions to be endorsed by the Committee.

SECTION 3 – EMERGENCY PLAN

The hazardous materials emergency response plan will be developed and exercised in accordance with SARA, Title III, and address the issues in the Hazardous Material Annex of the Esmeralda County Comprehensive Emergency Operations Plan, and will be distributed by the Secretary. A copy of the plan will be provided to those listed on Exhibit A attached hereto.

ARTICLE X

AMENDMENTS

These Bylaws may be amended or replaced upon the affirmative vote of the majority of the core membership of the Committee at any regular meeting of the Committee provided

that any proposed changes have been circulated to all members two (2) weeks prior to any action thereon.

ARTICLE XI

PUBLIC REQUEST FOR INFORMATION

Any person may submit a written request for information under Sections 311, 312, and 324 of EPCRA. Requests shall be addressed the Esmeralda County LEPC at P.O. Box 547, Goldfield, NV 89013. The LEPC shall respond to requests for information no later than 45 days from the receipt of request. The LEPC Chairman shall serve as the Coordinator of information.

ARTICLE XII

DISTRIBUTION OF THE HAZARDOUS MATERIALS RESPONSE PLAN ANNEX

Routine distribution of the Response Plan will be in accordance with operational needs. Copies of the most recent published plan will be available for public review in the Esmeralda courthouse during normal office hours.

ARTICLE XIII

DISSOLUTION OF LEPC

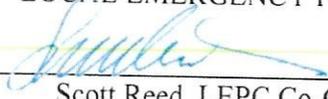
In the event that the Esmeralda County LEPC is dissolved or becomes inactive as determined by the Esmeralda County Board of Commissioners; all equipment and LEPC responsibilities shell revert to the Esmeralda County Board of Commissioners.

ARTICLE XIV

RADIFICATION PROVISION

The Bylaws are duly amended by a majority of the core Committee members this **21st** day of **January, 2026**, in the County of Esmeralda, State of Nevada.

LOCAL EMERGENCY PLANNING COMMITTEE

BY:  Date: 1/21/26
Scott Reed, LEPC Co-Chairman