



FAYETTE COUNTY **LEPC** BYLAWS

Adopted 02/26/2026
Rev.2

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ARTICLE I—IDENTIFICATION

The Fayette County **Local Emergency Planning Committee (LEPC)**, hereinafter referred to as the “LEPC Committee,” is a state entity created pursuant to SARA Title III, the Emergency Planning and Community Right-to-Know Act of 1986. The Committee has been appointed by the Indiana Emergency Response commission as a special State Appointee. The primary purpose of the Committee is to implement SARA Title III in Indiana, but its broader purpose is to enhance environmental protection and public health and safety as these are affected by chemical hazards in Fayette County.

ARTICLE II—COMMITTEE MEMBERS

SECTION 1: Organization Represented

The LEPC Committee consists of members selected under the provisions of these Bylaws and appointed by the Indiana Emergency Response Commission (IERC) and includes representatives from the following: local and state government, law enforcement, emergency management, firefighting, emergency medical services, health, hospital, environmental, transportation, media, industry and community groups.

SECTION 2: Membership Applications

Membership on the Committee is open to any interested person who meets the criteria established by the IERC for membership in the roster category in question. The names of the qualifying applicants will be forwarded to the IERC for provisional appointment until the next IERC meeting. Applicants whom the Chair informs do not meet the IERC’s criteria will be informed of the procedure for petitioning the IERC to appeal the Chair’s determination.

ARTICLE III—COMMITTEE MEETINGS

SECTION 1: FREQUENCY OF MEETINGS

The LEPC Committee will meet at least quarterly, and more frequently at the discretion of its chair.

SECTION 2: ANNOUNCEMENT OF MEETINGS

- A. Members of the LEPC Committee shall be notified at each Committee meeting of the next meeting time, place, and date, and shall be notified in writing two weeks in advance of such meetings of the next meeting, agenda, time, place, and date.
- B. The public will be notified of Committee meetings at least two (2) business days in advance of each meeting.

SECTION 3: LOCATION OF MEETINGS

Local Emergency Planning Committee meetings will be held at 2:00 PM at Connersville City Hall, 500 N. Central Ave. Connersville, Indiana 47331, or as otherwise determined by the Chair.

SECTION 4: QUORUM OF MEMBERS FOR MEETINGS

A quorum of LEPC Committee members is required to conduct business and consists of the presence of a majority of members at which time the minutes will be approved as submitted or as modified by the LEPC Committee. LEPC Committee members are required to attend four (4) out of five (5) meetings and the Committee shall have nine (9) out of seventeen (17) members to meet quorum standards for each meeting.

SECTION 5: CONDUCT OF MEETINGS

- A. Any matter to be voted on shall take the form of a resolution or motion. A simple majority of the members in attendance at a committee meeting must vote affirmatively for adoption of any resolution.
- B. Each Committee member, including the chair will have one vote.
- C. A Committee member may vote for or against a resolution or may abstain from voting.
- D. In the absence of the chair, LEPC Committee meetings will be conducted by the vice-chair.
- E. LEPC Committee meeting agendas are set by the chair.
- F. The minutes of the LEPC Committee meetings will be reviewed by the chair between meetings and distributed to Committee members in draft form prior to the next LEPC meeting.

SECTION 6: ELECTRONIC COMMUNICATION POLICY

Purpose

- A. Indiana Code 5-14-1.5-3.6 allows members of the governing body of a state agency, such as the Local Emergency Planning Committee, who are not physically present at the meeting to participate in meetings of the governing body using electronic communications if all of the requirements under IC 5-14-1.5-3.6 are met including the requirement that the governing body adopt a policy to govern participation in the governing body's meetings by electronic communication.
- B. This Fayette County Local Emergency Planning Committee's Meeting Policy (the "Policy") is intended to comply with these statutory requirements and will provide for the participation in and conducting of meetings where means of electronic communication are used by members of the Commission not physically in attendance.

Applicability

A. This Policy applies to meetings of the Committee in which any member of the Committee participates electronically.

B. Policy:

1. Minimum Physical Participation. As required by IC 5-14-1.5-3.6, at any meeting of the Committee held in person, at least nine (9) voting members of the Committee must be physically present at the place where the meeting is conducted.
2. Treatment of Members Participating by Electronic Means. A member of the Committee who participates in a meeting by permitted electronic communication shall be considered to be present at the meeting and may vote at the meeting.
3. Quorum. Pursuant to IC 13-25-1-5(b), since the Committee has seventeen (17) members a quorum consists of nine (9) members of the Committee. A member of the Committee who participates by a permitted electronic means of communication shall be counted for the purposes of establishing a quorum.
4. Permitted Means of Communication. A member of the Committee not physically present at a meeting may participate in the meeting by any electronic means of communication so long as that electronic means of communication permits:
 - i. the member and all other members participating in the meeting; and all members of the public physically present at the place where the meeting is conducted to simultaneously communicate with each other.
5. Roll Call Voting. As required by IC 5-14-1.5-3.6(c)(2), all votes of the Committee during a meeting where any member participates by means of electronic communication shall be taken by roll call vote, in which the name of each member of the Committee present will be called individually and requested to cast their vote aloud.
6. Limitations. In addition to the above requirements, the following requirements are also applicable:
 - i. Annual minimum physical participation. Each member of the Committee must physically attend at least fifty percent (50%) of the Committee meetings held in a calendar year.
 - ii. Technological Limitations. If a meeting location is chosen for a committee meeting that is not conducive to participation by means of electronic communications due to technological limitations, the Committee members will be notified in advance of the meeting that participation by electronic

communications will not be available for that meeting.

- iii. Publication of Policy. As required by IC 5-14-1.5-3.6(h), this policy will be posted on the Internet website of Fayette County.

ARTICLE IV—COMMITTEE SUB-COMMITTEES

SECTION 1: IDENTIFICATION OF COMMITTEES AND APPOINTMENTS/ RESIGNATION

- A. The Sub-Committees are four (4) in number and are the Planning, Fiscal, Communications, and Training Sub-Committees.
- B. Appointments to Sub-Committees, including Sub-Committee Chairs, are made by the Chair of the Committee.
- C. Resignations of Sub-Committee members are to be submitted in writing to the Chair, who may, at his/her discretion, replace resigning members.
- D. Sub-Committee recommendations must be adopted and affirmed as resolutions by a majority of the Committee members.

SECTION 2: DISSOLUTION AND ESTABLISHMENT OF COMMITTEES

Additional Committees may be established, and existing ones dissolved by a majority vote of the LEPC Committee.

SECTION 3: DUTIES OF COMMITTEES

- A. Committees will convene to consider issues assigned by the Commission and/or issues of the Committee's devising.
- B. Committee meetings will be held at the discretion of Committee chairs in terms of frequency and location.
- C. Committee chairs will publicize and conduct their meetings in the manner prescribed by the Open Door Law.
- D. Committees will report their findings and make their recommendations to the full Commission.
- E. Committee recommendations must, to be adopted, be affirmed as resolutions by a majority of the Committee members.
- F. Additional duties may be assigned to Committees by the Commission chair.

ARTICLE V—OFFICERS

SECTION 1: OFFICERS

The officers of the Committee are the chair, vice-chair, and the treasurer who are appointed by election of the LEPC Committee.

SECTION 2: TERMS OF OFFICERS

The terms of the elected Committee officers shall be for a period of three years *(amended March 21st, 2024)*

SECTION 3: ELECTION OF OFFICERS

The three-year election of officers will be affected by a majority vote of all Committee members *(amended March 21st, 2024)*.

ARTICLE VI—POWERS AND DUTIES OF OFFICERS

SECTION 1: MEETING FREQUENCY, DATES, TIMES, AND LOCATIONS

The chair determines the frequency, dates, times, and locations of Commission meetings.

SECTION 2: COMMITTEE APPOINTMENTS

The Chair appoints the chairs and members of each sub-Committee.

SECTION 3: COMMITTEE MEETINGS CONDUCT

- A. The chair conducts Committee meetings according to Robert's Rules of Order.
- B. Committee meeting agendas will be set by the Chair.

SECTION 4: DELEGATION OF AUTHORITY

The Chair of the Committee may delegate at his/her discretion his/her powers and duties to the Vice-Chair, consistent with other provisions of the bylaws.

ARTICLE VII—TITLE III DOCUMENT SUBMISSIONS

SECTION 1: REPOSITORY OF DOCUMENTS

Fayette County Homeland Security and Emergency Management, 111 West 4th Street, Connersville, Indiana 47331 will be the repository for all documents submitted to the Committee pursuant to the provisions of SARA Title III and the Indiana Access to Public Records law.

SECTION 2: AVAILABILITY OF DOCUMENTS TO THE PUBLIC

Public records will be available for examination by the public during the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday with an appointment. The Committee shall comply with the Indiana

Access to Public Records law, including provisions relating to confidential records.

SECTION 3: COMMITTEE AND TITLE III PUBLIC RECORDS

All records of Committee meetings, including meeting agendas and minutes, will be available for inspection and copying by the public during the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday with an appointment at the office of Fayette County Homeland Security and Emergency Management, 111 West 4th Street, Connersville, Indiana 47331.

SECTION 4: LEGAL NOTICES

The Committee shall publish annually a legal notice indicating where all Title III documents are maintained, including the Committee’s emergency plan, Tier III Report forms, and written follow-up notices from facilities experiencing Title III spills.

ARTICLE VIII—ADOPTION AND AMENDMENT OF COMMITTEE BYLAWS

SECTION 1: ADOPTION OF BYLAWS

A majority of Committee members are required to adopt the Committee’s Bylaws.

SECTION 2: AMENDMENT OF BYLAWS

A majority of Committee members are required to amend the Committee’s bylaws.

ARTICLE IX—NON-EXCLUSION PROVISION

Nothing in these bylaws is to be construed as excluding or contravening any additional provision of federal or state law which are not explicitly or implicitly referred to within these bylaws.

ARTICLE X—BYLAWS ADOPTION AND SIGNING

Upon their adoption by the Committee, a copy of these bylaws will be signed and dated by the Chair of the Committee and will be available for inspection and copying by the public at Fayette County Department of Homeland Security and Emergency Management, Connersville, Indiana.

Approved and adopted by majority vote in a special meeting held this 26th day
of February 2026.

Wade Walling | LEPC Chairman



LOCAL EMERGENCY PLANNING COMMITTEE



Date: 02/26/2026

LEPC Bylaws

Annex A ELECTRONIC VOTING POLICY

Rules of Procedures for Electronic Online Voting

The Bylaws of the Fayette County Local Emergency Planning Committee (LEPC) provide that certain decisions may be made by online voting. This includes voting about new members and deciding about certain rules of procedures. In addition, the LEPC Committee allows the use of online voting for decisions which are not covered in the Bylaws. There are several types of votes which slightly differ in procedure and method to calculate results. These rules regulate the procedure of online votes and how results are calculated. The intention of these rules is to provide a fair and pragmatic way to let the LEPC Committee make decisions by online voting.

1 Voting Administrators

The LEPC Committee assigns one voting administrator (LEPC Secretary) who is responsible for technically performing the voting. This includes sending out the electronic ballots, receiving the votes, calculating and publishing the results.

The voting administrators must not disclose any information about the identity of the voters or any other information which is not contained in the published voting results.

2 General procedure for online voting

Online voting is initiated by a voting proposal followed by a twenty-four (24) hour discussion period. After the discussion period the twenty-four hour (24) voting period is started. The voting is finished by calculating and publishing the voting results.

Results of online votes are effective immediately following publication of the results unless otherwise stated in the voting proposal.

2.1 Voting Proposal

Online voting is initiated by a proposal for voting which states the subject of the voting. The proposal is sent by email to the LEPC membership mailing list and must include exact and complete information on what is to be voted upon. Only the information which is directly included in the mail sent as voting proposal is subject of the voting.

The voting proposal email must be explicitly marked as voting proposal by starting the email subject line with the following string.

- *Voting Proposal:*

Any active member can initiate voting by sending a voting proposal to the Secretary of the LEPC Committee.

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FAYETTE COUNTY DEPARTMENT OF HOMELAND SECURITY & EMERGENCY MANAGEMENT

111 W. 4th Street, Box 2 | Connersville, IN 47331

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LOCAL EMERGENCY PLANNING COMMITTEE



The member who has initiated a vote can retract the voting proposal by sending an email to the membership list stating the intention to retract the proposal.

A proposal can only be retracted within the twenty-four (24) hour discussion period.

2.2 Discussion Period

The discussion period begins on the date the membership mailing list receives the voting proposal. Unless specified otherwise in the procedures for the specific type of vote (see: Types of Votes), the discussion period lasts for twenty-four (24) hours. The discussion period should be used to discuss the voting and form opinions about the options which are available for voting.

2.3 Start of Voting

When the discussion period has finished the voting period starts by sending ballots to all active members. The ballots should include the text of the proposal which is voted about.

2.4 Voting Period

The twenty-four (24) hour voting period starts by sending out the ballots. Unless specified otherwise in the procedures for the specific type of vote (see: Types of Votes), the voting period lasts for twenty-four hours (24). During the voting period the active members cast their votes. Only votes cast within the voting period are considered for the results of the voting.

2.5 End of Voting

After the voting period all cast votes are counted and the results of the voting are published to the LEPC committee.

The results of a vote are published to the LEPC Committee by sending the results to the committee's mailing list. They have to include the number of members permitted to vote, the total number of votes, and the number of votes for each available voting option. The results should also include a statement if the voting was valid according to section 5.

3 Types of Votes

There are three types of votes: Votes about new members (3.1), elections of groups of people (3.2), votes for decision (3.3).

3.1 Voting about new members

The discussion period starts by sending a new member proposal to the membership mailing list. Within the discussion period at least two other members have to declare their support for the vote, otherwise the proposal is considered to be rejected. If two members declare their support the voting starts.

The discussion period has a duration of twenty-four (24) hours and may be extended up to forty-eight (48) hours, if requested by a member.

The voting period has a duration of twenty-four (24) hours.

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For new member votes there are three options: “Yea,” “Nay,” “Abstain.” The new member is accepted, if there are more “Yea” than “Ney” votes and the vote is not invalid according to section 5.

3.2 Electing groups of persons

For elections of groups of people there is an additional candidacy period before the voting proposal is sent. The person responsible for the execution of the voting sends a call for candidates to the membership mailing list which starts the candidacy period.

The candidacy period lasts forty-eight (48) hours. All members who declare their candidacy in a statement sent to the membership list become candidates for the election.

After the candidacy period the list of candidates is sent as a voting proposal. This starts the one-week discussion period.

The candidates are voted on as options according to section 3.4.

3.3 Voting about decisions

The LEPC Committee can officially make decisions or decide about official request if at least two active members declare their support of request. The LEPC Secretary must send the voting proposal to the membership mailing list. This starts the discussion period. Within the discussion period at least two other members have to declare their support for the vote, otherwise the proposal is considered to be rejected. If two members declare their support the voting starts.

The LEPC Secretary is responsible for execution of voting and sends the voting proposal which includes all options to the LEPC committee. This starts the discussion period.

After the discussion period the voting period started. The options are voted on according to section 3.4.

3.4 Voting System

3.4.1 Multiple options

If there are more than two options (excluding abstention), the following voting system shall be used:

The members are asked to vote their preference into a ballot. A ballot may contain two or more options. Each member may make up to one ballot. The members shall cast their vote by choosing for example, A or B or Abstain or No Vote.

The winners are found by:

- i. The option with the highest total vote count.

3.4.2 Two options

If the number of options is exactly two (excluding abstention), then:

- Each active member can vote with “Yea,” “Ney” or “Abstain.”

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- If there are more “Yea” than “Ney” votes and the vote is not invalid according to section 5, the decision is accepted.

4 Right to vote

All members of the LEPC Committee which are active members at the time the voting period starts have the right to cast a vote. The prerequisite for taking part in online votes is a valid email address listed on the LEPC committee Roster. The member is solely responsible for initially setting and updating his email address on the roster and may send email changes to the LEPC Chair and Secretary.

5 Quorum

The result of a voting only becomes effective when the number of votes which have chosen an option different from “Abstention” is greater than 51% percent of the number of active members. If this quorum is not reached the voting is considered invalid. An invalid voting can be repeated, but not before a period of two weeks has passed between publishing the results of the invalid vote and the proposal for the repeated voting.

6 Publication of voting results

All voting results are published through email and recorded by the voting administrator.

8 Modification of voting procedure

The LEPC committee may modify the voting procedures for individual votes upon request if there is justification for the change, and it is approved by the committee.

The rules and procedure for electronic and online voting have been approved and adopted by majority vote and appended as “Annex A” to the LEPC Bylaws on 26th, day of February 2026.

Wade Walling | LEPC Chair

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