

**BYLAWS
SOLID WASTE ADVISORY COUNCIL**

**ARTICLE 1
PURPOSE**

The purpose of the Solid Waste Advisory Council (SWAC) is to assist the Board of Commissioners (Board) in Planning and implementation of solid waste management, pursuant to BCC Chapter 23, the Benton County Solid Waste Management Ordinance.

**ARTICLE 2
MEMBERSHIP**

- A. Membership shall consist of ten (10) voting members, and three (3) ex-officio, not voting members. All members shall be appointed by the Board. To the extent feasible, the Board shall select members of the committee from each of the following groups:
- (1) Residents residing near or adjacent to the regional disposal site.
 - (2) Owners of real property adjacent to or near the regional disposal site.
 - (3) Persons who reside in or own real property within the county in which the regional disposal site is located
 - (4) Local organizations and community member interest groups whose majority of members either:
 - (a) Are electors of the county in which the regional disposal site is located; or
 - (b) Own real property in the county in which the regional disposal site is located.
 - (5) Up to three (3) ex-officio, non-voting members representing any of the following:
 - (a) Education
 - (b) Technology
 - (c) Health
 - (d) Construction
 - (e) Food Service
 - (f) Property Management
 - (g) Manufacturing
 - (h) Waste Management
 - (i) Other industries in the county

SWAC members appointed as individual members of the public are not precluded from being employed in the above sectors; however, they are appointed not as representatives of their employer but as individual members of the public.

Of the SWAC members appointed as individual members of the public, the Board of Commissioners will strive for geographic distribution across the county, and will encourage the incorporated cities to submit nominees, but will not require membership to consist of a certain number of people from a certain area or city.

- B. Terms of office shall be three (3) years. Any member may serve successive terms if reappointed by the Board of Commissioners. Terms begin on January 1 and end on December 31. Members may not serve more than two (2) successive terms; partial terms

shall not be counted toward the successive term limit. Terms shall be staggered, with no more than four (4) of the members' terms expiring each year.

- C. Council members shall regularly attend meetings of the Council and any meetings of the subcommittees to which they are appointed, and shall fulfill other duties as appointed by the Chair.
- D. Mid-term vacancies shall be filled by appointment of the Board of Commissioners as they occur. Such appointments shall be for the duration of the unexpired term of that position.
- E. The Board of Commissioners may remove Council members as follows:
 - (1) Failure to attend three or more consecutive regular council meetings.
 - (2) For cause following public hearing, for reasons including, but not limited to:
 - (a) Commission of a felony;
 - (b) Corruptness;
 - (c) Intentional violation of open meetings law;
 - (d) Failure to declare conflicts of interest;
 - (e) Incompetence.
 - (3) Without cause pursuant to Benton County Code chapter 3.035.

ARTICLE 3 COMMITTEES

- A. **Creation of Committees:** The Council, with the concurrence of the Community Development Department, shall have the power to create standing committees and subcommittees with such responsibilities as the Council directs.
- B. **Naming of Committees:** The Chair, with the concurrence of the Community Development Department, shall appoint and charge each standing committee and subcommittee with its responsibilities, shall appoint the members of each committee, and shall appoint the chair of each committee in the event the committee consists of more than one person. The committee chair shall be responsible for scheduling meetings, assigning specific tasks within the mandate of the committee, and reporting to the Council concerning the work of the committee.

ARTICLE 4 ADVISORS

The Council and the subcommittees may call on lay community members and professionals as advisors without voting rights to provide technical assistance, participate in deliberations, and attend meetings to the extent deemed appropriate by the Chair.

ARTICLE 5 MEETINGS

- A. Regular Meetings: The SWAC shall establish regular meetings, and shall meet at least quarterly.
- B. Work sessions: Work sessions may be called by the Chair or by the Board of Commissioners.
- C. Notice: All members shall be given written notice of time, date, location, and purpose of the meeting at least seven (7) days before a regular SWAC meeting. In the event a member is provided with less than seven (7) days written notice of a regular meeting and objects to the proceedings based on a lack of adequate notice, all business conducted at that meeting shall be reconsidered at the next regular meeting called with adequate notice. Written or verbal notice shall be given at least 24 hours before a work session. Notice shall be provided to the press at least three (3) days before a regular meeting and shall state that the meeting is a public meeting where deliberations of the Council will take place and that any person may discuss relevant issues with the Council at that time. Notice shall be provided to the press at least 24 hours in advance of a work session.
- D. Quorum: A quorum shall consist of a majority of the sitting members of the council. All business conducted with a majority vote of the quorum shall stand as the official action of the Council.
- E. Voting: There shall be no voting by proxy. All members, including officers, are entitled to vote. In the event the chair's vote creates a tie vote, the chair shall refrain from voting.
- F. Staffing: Staff for recording the proceedings of the Council shall be provided by the County.
- G. Agenda: The Chair, with the assistance of the Community Development Director, or his/her designee, shall prepare the agenda of items requiring Council action, and shall add items of business as may be requested by individual Council members and/or the Board of Commissioners.
- H. Minutes: The Recording Secretary shall maintain written minutes of all meetings. Minutes shall record all motions and subsequent action including the number of yes or no votes on each issue. In addition, all conflicts of interest shall be noted. Minutes will be distributed to members at least seven (7) days prior to the next scheduled regular meeting. Minutes must be approved or amended and approved by the SWAC prior to becoming a matter of record. Approved minutes of all meetings shall be maintained by the Health Department and a copy forwarded to the Commissioners.
- I. Public Records and Meeting Law: The SWAC is a public body for purposes of ORS 192 and thereby subject to the statutory procedures relating to public records and meetings.
- J. Parliamentary Procedure: The current edition of Robert's Rules of Order shall generally govern the SWAC in all cases to which they are applicable and in which they are not inconsistent with these by-laws and any special rules of order that the Board may adopt.

- K. Conflict of Interest: A conflict of interest shall be declared by any member who has a conflict of interest as defined by Oregon law prior to taking any action on the matter causing the conflict.

**ARTICLE 6
OFFICERS**

- A. The SWAC shall select a Chair and a Vice-Chair at its first meeting of each calendar year.
- B. The Chair shall preside at all meetings of the SWAC; shall call special meetings; shall sit ex-officio on all committees; shall assist in preparing the meeting agenda; shall prepare such correspondence as directed by the SWAC; shall present with staff recommendations to the Board and to the Community; and shall represent the SWAC and conduct such business as the SWAC directs.
- C. The Chair may not initiate a motion, but may second, and shall vote on each issue after the question is called.
- D. The Chair shall serve for a term of one year, and not more than two consecutive years. A Chair who has served more than one-half of a term is considered to have served a full term in that office.
- E. The Vice-Chair shall act as Chair in the Chair's absence.

**ARTICLE 7
AMENDMENTS**

These bylaws may be amended by the Board of Commissioners upon its own motion. Prior to an amendment, the Board of Commissioners may request a recommendation from the SWAC, which may recommend changes at any regular meeting of the SWAC by a two-thirds vote of the sitting membership, provided that the recommended amendment has been submitted in writing to the SWAC members no later than seven days before the regular meeting.

Amended this 22nd day of September, 2020.

Signed this 22nd day of September, 2020.

BENTON COUNTY BOARD OF COMMISSIONERS

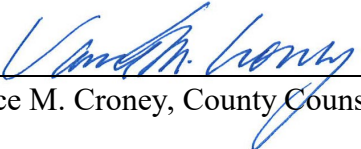


Pat Malone, Chair

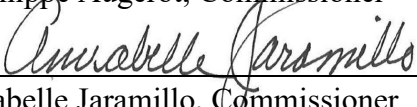
Approved as to form:



Xanthippe Augerot, Commissioner



Vance M. Croney, County Counsel



Annabelle Jaramillo, Commissioner