

**MARION COUNTY
SOLID WASTE MANAGEMENT ADVISORY COUNCIL
BYLAWS**

1. NAME

This Marion County body will be known as the Solid Waste Management Advisory Council (“SWMAC”).

2. MISSION

To provide input to the Marion County Board of Commissioners (“Commissioners”) regarding an integrated waste management system that is financially feasible and protects the public health and environment of Marion County and to provide: recommendations, reports, position papers, and other information as requested by the Commissioners.

3. PURPOSE OF ADVISORY COUNCIL

3a. The Commissioners formed SWMAC by Board Order on February 1, 1989.

3b. SWMAC members represent the public interest and are expected to preserve the public trust by acting in an ethical and responsible manner.

4. GOALS

4a. To provide a forum for input to the Commissioners and a clearinghouse for information regarding solid waste management.

4b. To further develop the solid waste program in accordance with the current Marion County Solid Waste Management Plan.

5. MEMBERSHIP

Representation: The SWMAC shall be limited to sixteen members.

5a. Members at Large:

(1) Eight laypersons.

5b. Business/Industry:

(1) One Chamber of Commerce.

(2) One housing industry.

(3) One medical community/public health.

5c. Solid Waste System Representatives:

(1) One recycling.

(2) One collection industry.

(3) One disposal industry.

(4) One transfer station/compost facility operator.

5d. One community organization.

6. APPOINTMENT

- 6a. Members of the SWMAC shall be appointed by the Commissioners to serve a four year term from date of appointment. All members shall serve at the pleasure of the Commissioners.
- 6b. Terms shall commence on the date of appointment by the Commissioners.
- 6c. Members wishing to be reappointed shall submit a written request within 120 days prior to their term's expiration to the SWMAC chairperson who shall notify the Director of Public Works ("Director") or his/her designee of the requested reappointment.
- 6d. Members may be reappointed by the Commissioners
- 6e. The Director or his/her designee shall be an ex-officio member of SWMAC and vested with responsibility for assisting the chairperson in coordinating SWMAC activities.

7. MEMBER'S DUTIES & EXPECTATIONS

The Director or his/her designee shall provide new SWMAC members with an orientation within 60 days of the appointment. The orientation shall include, but not be limited to:

- (a) Bylaws
- (b) Public Works-Environmental Services
- (c) Master Recycler Program, if available, is encouraged
- (d) Waste-to-Energy Facility
- (e) North Marion County Disposal Facility
- (f) Marion Resource Recovery Facility
- (g) Salem-Keizer Recycling and Transfer Station
- (h) Solid Waste Master Plan
- (i) Latest Waste Matters
- (j) Environmental Services Annual Report
- (k) Volunteer Handbook/Packet
- (l) Oregon Public Meetings Law and Public Records Law
- (m) Media interaction policy

Members are expected to attend meetings regularly, participate in discussion on topics brought before the SWMAC, work collaboratively with other SWMAC members and the public, inform themselves and the SWMAC on related topics through reading of handout materials and other sources of information, and participate in the decision making process.

Additionally, SWMAC members are expected to abide by Oregon public meetings, public records, and conflict of interest laws.

8. TERMINATION

The SWMAC shall recommend to the Commissioners removal of any member who it believes warrants termination from the SWMAC.

- 8a. Attendance: More than three absences by any member from scheduled meetings during a consecutive twelve-month period may cause the SWMAC to recommend to the Commissioners that this member be removed. Following the second absence during a consecutive 12-month period from a SWMAC meeting, the member shall be reminded by

the chairperson of the absence removal policy.

8b. Member absences:

- (1) If a member will not be able to attend a scheduled SWMAC meeting, the member is to contact the Marion County Department of Public Works prior to the meeting and inform the Director or his/her designee or the chair and/or vice-chair of the absence.
- (2) The SWMAC vice-chairperson will notify the meeting recorder of the absences at the end of the meeting for inclusion in the minutes.
- (3) The absences will be recorded by the SWMAC vice-chairperson for review and action if needed.
- (4) The record of absences will be kept on a twelve-month basis that will coincide with each member's date of appointment.

8c. Resignations: Resignations by members shall be submitted in writing to the SWMAC Chairperson and announced at the next meeting. A copy of the resignation shall be forwarded to the Department of Public Works and the Commissioners for the appropriate action.

8d. Reasons for Dismissal: The SWMAC may recommend removal of a member for misrepresentation of the SWMAC, excessive absences from meetings, violation of SWMAC by-laws, or other inappropriate conduct as determined by SWMAC. In the event a recommendation for removal is made, it shall be submitted by the SWMAC for the Commissioners' due consideration.

8e. Removal: The members of SWMAC serve at the pleasure of the Commissioners and may be removed at any time by the Commissioners.

9. MEETINGS

9a. All meetings of the SWMAC shall be in accordance with the requirements of the Oregon Public Meetings Law (ORS 192.610 to 192.710).

9b. Regular & Special Meetings: Tentative agenda, time, and location for the next SWMAC meeting[s] shall be set at the end of each meeting, as mutually agreed by the chairperson and the members. The department may submit items for the agenda.

- (1) Notice of the meeting time, place, and agenda shall be provided to all SWMAC members, interested persons who have requested notice, and the local news media at least three (3) days in advance of a scheduled meeting.
- (2) Additional meetings may be scheduled as needed by the SWMAC, the chairperson, or the Director, with appropriate notice.
- (3) Meetings for subcommittees shall be scheduled by the subcommittee chairpersons, after consultation with the subcommittee members, with appropriate public notice.

9c. Minutes:

- (1) Minutes shall be a summary of the actual discussions and proceedings that transpired at the SWMAC meeting or subcommittee meeting.

- (2) Minutes shall be distributed to all members, interested persons who have requested to be on the mailing list, and the local news media prior to the next scheduled meeting, as well as be placed on the county website.
- (3) SWMAC members may submit clarification of their own comments, positions, votes or other member activity at the next regularly scheduled meeting for inclusion in the minutes of the meeting being clarified.

9d. Decision Making Method:

- (1) A motion must be pending before a decision may be made. Every effort will be made to reach consensus when the SWMAC is deliberating toward a decision. If consensus cannot be reached, the chairperson or any member may call for a voice vote. If during the voice vote, there are greater than two (2) no votes, the motion will fail. In all cases, the minimum number of affirmative votes for any motion to pass must be a majority of the appointed positions.
- (2) A quorum shall be present in order to conduct business of the SWMAC.

9e. Quorum. A quorum shall be a majority of the appointed positions.

9f. A member must declare any conflicts of interest at a public meeting (ORS 244). A conflict exists if a recommendation by SWMAC may potentially or actually affect the finances of the SWMAC member or a direct family member, defined as spouse, child or stepchild, parents, or siblings. If an actual conflict exists, the member must declare this fact at the beginning of the meeting where the issue is discussed and the member must refrain from discussing or voting on the matter. For a potential conflict of interest, the member must declare this fact at the beginning of the meeting where the issue is discussed, however the member may still discuss and vote on the issue.

For represented positions on the SWMAC, there is no conflict of interest if the decision or action would affect the business or industry for which the individual is seated on the SWMAC to represent.

10. OFFICERS

10a. Appointment of Officers:

- (1) SWMAC shall nominate and recommend to the Commissioners, members at large (5a), and/or members that represent Business/Industry (5b) or a Community Organization (5d) for the positions of chairperson and vice-chairperson. The Council shall appoint the chairperson and vice-chairperson of the SWMAC, who shall serve at the pleasure of the Commissioners.
- (2)
 - a) The chairperson shall serve a one-year term that follows the County's fiscal year. At the end of the one-year term, the vice-chairperson may become the chairperson. Should the chair be unable to complete his/her term, the vice-chairperson may serve the remainder of the term as chair and then serve one full year as chair.
 - b) Nominations for the chairperson and vice-chairperson will be held at the April SWMAC meeting.
- (3) In the event that neither the chairperson nor vice-chairperson is present, the

SWMAC shall designate a member-at-large to act as the chair for that meeting.

10b. Duties of Officers:

- (1) The chairperson shall:
 - (a) Preside at all meetings of the SWMAC.
 - (b) Be the official representative of the SWMAC.
 - (c) Be the spokesperson to the media for the SWMAC.
 - (d) Shall assign a mentor for each newly appointed SWMAC member.
- (2) The vice-chairperson shall:
 - (a) Have the authority to preside as chairperson in the absence of the chairperson.
 - (b) Be the Parliamentarian for each meeting.
 - (c) Record member absences.

10c. Orientation for the Chairperson and Vice-Chairperson.

- (1) The Marion County Department of Public Works shall provide an orientation for the chairperson and vice-chairperson within 60 days from the assumption of duties by a new chairperson or vice-chairperson.
- (2) The orientation content shall provide the chairperson and vice-chairperson with information concerning the conduct of meetings and the responsibilities and duties of the chairperson and vice-chairperson. The information to be provided to the chairperson and vice-chairperson by staff includes, but is not limited to:
 - (a) Bylaws
 - (b) Public Meetings Law
 - (c) Robert Rules of Order

10d. Removal of Officers

The Board of Commissioners may remove a chairperson or vice-chairperson on its own motion or upon the recommendation of the SWMAC when it determines that it is in the interest of the SWMAC or the county to do so. If the chair is removed, the vice-chair will assume the chair's position. If the vice-chair is removed, the SWMAC will recommend a member-at-large for appointment to the position.

11. SPECIAL COMMITTEES

- 11a. The SWMAC may authorize the chairperson to appoint special subcommittees as necessary to deal with specific problems or issues the SWMAC believes appropriate.
- 11b. All appointed subcommittees are required to report their information and/or recommendations to the SWMAC.

12. CHANGE IN BYLAWS

- 12a. Changes to the bylaws may be proposed by the SWMAC. Any recommendations agreed

upon by the SWMAC shall be forwarded to the Commissioners for their approval.

- 12b. The Commissioners may initiate changes to the bylaws. These changes will be submitted to the SWMAC for review and consultation prior to the Commissioners' adoption.
- 12c. Upon the Commissioners approving bylaw amendments, the Marion County Department of Public Works will update the bylaws and distribute them to all members of the SWMAC.

13. GUIDELINES FOR COMMUNITY RELATIONS

- 13a. Any member of the public is welcome to attend, participate, and provide input at SWMAC meetings, at the approved agenda time.
- 13b. Public comments are encouraged and may be accepted verbally or in writing.
- 13c. Anyone who wishes to voice an opinion or present information or concerns to the SWMAC may:
 - (1) Come to the meetings.
 - (2) Contact the Marion County Environmental Services Division Manager.
- 13d. The chairperson shall make arrangements as appropriate to assure public participation.

First Revision 07/18/89

Second Revision 09/25/90

Third Revision 05/11/93

Fourth Revision 07/09/96

Fifth Revision July 99

Sixth Revision May 2003

Seventh Revision June 2004

Eighth Revision Aug 2005

Ninth Revision Aug 2015

Tenth Revision Nov 2016