

# Yamhill County Solid Waste Advisory Council (SWAC)

## By Laws \*\*draft 4/2021\*\*

### 1. NAME:

- a. This Yamhill County body will be known as the Solid Waste Advisory Council ("SWAC").

### 2. MISSION:

- a. To provide input to the Yamhill County Board of Commissioners ("Board") regarding an integrated waste management system that is financially feasible and protects the public health and environment of Yamhill County and to provide recommendations, reports and other information as requested by the Board.

### 3. PURPOSE:

- a. The Board formed the SWAC by Board Order in 1970 and combined the SWAC with the Local Citizens Advisory Committee (LCAC) as of 11-1-99 (B.O. 99-828).
- b. SWAC members represent the public interest and are expected to preserve the public trust by acting in an ethical and responsible manner.

### 4. GOALS:

- a. To provide a forum for input to the Board and a clearinghouse for information regarding solid waste management.
- b. To provide guidance and oversight in development of the solid waste program in accordance with the current Yamhill County Solid Waste Management Plan.

### 5. DUTIES OF THE COMMITTEE:

In addition to those duties already listed in the Yamhill County Solid Waste Ordinance 3.5, part a, b, c, d, e, f, the committee shall:

- a. Advise the board and staff on issues and plans relating to solid waste management within the County,
- b. Submit recommendations regarding proposed changes or additions to the rules and regulations promulgated by the Board for the purpose of carrying out the intent of the Solid Waste Ordinance.
- c. Make recommendations to the Board regarding requests for grant of franchise, license, permit or certificates to collect, store, transport or dispose of waste or solid waste, and regarding requests for exemption from or amendment to such grants on the basis of findings after investigation and public hearing held by the SWAC.
- d. Consult with Staff regarding the modification, suspension or revocation of a franchise, license, permit or certificate as a result of an investigation of *significant and/or potential* violations of the Solid Waste Ordinance.
- e. Cooperate with Staff in reviews of propose rate increases, changes to services offered, hold public hearings regarding such changes and make recommendations to the Board as a result of such public hearings.

- f. Respond to public/citizen complaints by reviewing such complaints and responding through staff investigations and recommendations.
- g. Performs such other and further acts as may be necessary, proper or desirable to carry out effectively the function of the SWAC as identified in these bylaws and in the Solid Waste Ordinance.

**6. STAFF:**

- a. The County Solid Waste Coordinator shall serve as the staff person for the SWAC, and shall assist the chairperson in coordinating SWAC activities, sending out agendas and minutes, providing official notice of upcoming meetings and related administrative tasks.
- b. The County Solid Waste Coordinator shall make use of an audio recording device during all SWAC meetings, for the purpose of generating minutes of each meeting. Additional staff person(s) may be utilized to perform this function as needed. Recording shall be archived in accordance with County policy and state public meeting laws.

**7. MEMBERSHIP:**

- a. The SWAC shall be limited to seven (7) members, identified as follows:
  - Position 1: One disposal site (landfill or transfer station)
  - Position 2: One collection/hauler
  - Position 3-7: At large with due regard to geographical considerations based on ORS 459.320 and Yamhill County SWO section 3.1
- b. The Committee will be composed of members that represent, but are not limited to, the characteristics below:
  - 1. **Community:** Racial and ethnic communities, Disability community, Seniors/aging population communities
  - 2. **Sector:**
    - Housing interests: Single-family, Multi-family, Homeowner Association
    - Businesses: Chamber of Commerce, Food Waste, Retail
    - Student
    - Retirees
  - 3. **Interests:** Environmental health, Non-profit/government, Master Recyclers

**8. APPOINTMENT OF MEMBERS:**

- a. All members shall be appointed by the Board and shall serve at the pleasure of the Board.
- b. Members shall serve a three (3) year term, based on their appointment date by the Board. Terms for positions 3-7 shall be staggered to ensure that only two of these positions expire each year. For mid-term appointees, the initial term may be adjusted longer or shorter to retain the schedule of terms.

- c. To the extent possible, the Board shall make its best efforts to select members to achieve a geographical mix of representatives from different areas of the County.
- d. For Positions 1 and 2, the Board shall make its best efforts to select representatives from different companies.
- e. Members shall notify the Solid Waste Coordinator in writing, no later than sixty (60) days prior to the end of their term of their desire to either resign from SWAC or be considered for re-appointment.

**9. EXPECTATION OF MEMBERS:**

- a. The County Solid Waste Coordinator shall provide new SWAC members with an orientation within 60 days of the appointment. The orientation shall include, but not be limited to:
  - 1. Bylaws
  - 2. County departments and services
  - 3. Description and Location of local collection operations, recycling centers, and disposal sites.
  - 4. Franchise Agreements for Solid Waste and Recycling Collection Services
  - 5. License Agreements for Disposal Sites (landfills and/or transfer stations)
  - 6. Solid Waste Management Plan
  - 7. Oregon Public Meetings Law and Public Records Law
- b. Members are encouraged to complete the Master Recyclers program (if available).
- c. Members are expecting to attend meetings regularly, participate in discussion on topics brought before the SWAC, work collaboratively with other SWAC members, County staff and the public, inform themselves on relevant topics through reading of meeting materials, and participate in decision-making processes.
- d. SWAC members are expected to abide by Oregon public meetings, public records and conflict of interest laws.

**10. TERMINATION:**

- a. The SWAC shall recommend to the Board removal of any member who it believes warrants termination from the SWAC.
- b. Attendance policy: as per 3.3(b) of the Solid Waste Ordinance, a committee member may be removed from the committee by the Board due to excessive absenteeism, which is defined as missing more than fifty percent (50%) of regularly scheduled committee meetings in a twelve-month period. Following a second absence, the member shall be reminded by the Chair of the attendance policy.
  - 1. If a member is unable to attend a scheduled SWAC meeting, the member is to contact the County Solid Waste Coordinator or the SWAC Chair prior to the meeting and provide notice.
  - 2. Absences will be recorded by the Solid Waste Coordinator for review and action if needed.

- c. Resignations by members shall be submitted in writing to the SWAC Chair and announced at the next meeting. A copy of the resignation shall be forwarded to the Solid Waste Coordinator and the Board for appropriate action.
- d. Reasons for recommending removal of a SWAC member may include misrepresentation of the SWAC, excessive absences from meetings, violation of SWAC bylaws, or other inappropriate conduct as determined by the SWAC. In the event a recommendation for removal is made it shall be submitted by the SWAC for consideration by the Board.
- e. Removal: The members of the SWAC serve at the pleasure of the Commissioners and may be removed at any time by the Commissioners.

**11. Meetings**

**12. Officers**

**13. Special Committees**

**14. Change in ByLaws**

**15. Guideline for Community Relations**

**16. Public Statements**