

# **SOLID WASTE ADVISORY COMMISSION BYLAWS AND RULES OF PROCEDURE**

## **Article I – Purpose**

The purpose of the Solid Waste Advisory Commission is to allow area residents the opportunity to participate in the development of solid waste activities, such as recycling and volume-based fee.

## **Article II – Composition and Design of the Solid Waste Advisory Commission**

### **A. Members**

The Solid Waste Advisory Commission shall be composed of not less than seven (7) members who are residents of Athens-Clarke County. The Athens-Clarke County Mayor and Commission shall appoint members.

The following persons shall serve as ex-officio, non-voting members of the Solid Waste Advisory Commission:

- A designee of the Athens-Clarke County Solid Waste Department
- A designee of the University of Georgia
- A designee of Keep Athens-Clarke County Beautiful
- One member selected from the original Solid Waste Advisory Committee for continuity, history, and recognition for their extensive commitment to the original committee.

### **B. Terms**

The term of office of the members of the Solid Waste Advisory Commission shall be two (2) year terms or until their successors are appointed, whichever is later. No one may serve on the Solid Waste Advisory Commission more than two (2) full two (2) year consecutive terms.

### **C. Vacancies**

Resignations from the Solid Waste Advisory Commission must be submitted in writing to the Clerk of Commission. The resignation will become effective immediately upon receipt by the Clerk of Commission. The Athens-Clarke County Mayor and Commission, upon receiving written notice, may remove members of the Solid Waste Advisory Commission by majority vote for just cause, including, but not limited to:

1. Failure to attend three (3) consecutive, regular voting meetings of the Solid Waste Advisory Commission.
2. Failure to maintain permanent residence within the jurisdiction of Athens-Clarke County; or
3. Violation of local or state laws, regulations, or ordinances and/or the Bylaws and Rules of Procedure of the Solid Waste Advisory Commission.

Vacancies caused by resignation or for other reasons shall be filled for the unexpired term in the same manner as for a full term.

D. Eligibility

Members of the Solid Waste Advisory Commission must be residents of Athens-Clarke County, Georgia.

E. Compensation

All members will serve without compensation, but may be reimbursed for approved expenses incurred in the performance of their duties.

**Article III – Officers, Quorum, and Affirmation of Motions**

A. Officers

Elections for Officers will occur at the Solid Waste Advisory Commission's first regular voting meeting of the fiscal year.

1. Chair: The Solid Waste Advisory Commission Chair shall be the Commissioner(s) appointed to the Solid Waste Advisory Board by the Mayor and Commission. The Chair shall decide all points of order and procedure, subject to these bylaws, and the latest edition of *Roberts Rules of Order*; unless directed otherwise by a majority of the Solid Waste Advisory Commission's full membership. The Chair shall appoint any Sub-Committee found necessary to facilitate any business before the Solid Waste Advisory Commission. The Chair shall have the authority to determine the need to call for a roll call vote when a voice vote is inconclusive. The Chair shall direct the Secretary to prepare the agenda for each meeting.
2. If the Chair is not present for a meeting, then the Solid Waste Advisory Commission shall elect on the record at such meeting a member who is present to serve as temporary Acting Chair only for that meeting.
3. Secretary: The Athens-Clarke County Solid Waste Director or their lawful designee shall serve as the Solid Waste Advisory Commission's Secretary. The Secretary, at the direction of the Chair, shall prepare the agenda for each meeting, record the meetings, and maintain the minutes of the meetings of the Solid Waste Advisory Commission. The Secretary shall be responsible for all Solid Waste Advisory Commission information on the official Athens-Clarke County website.
4. Quorum: To constitute a quorum for the transaction of business, there shall be required to be at least four (4) members present at any meeting of the Solid Waste Advisory Commission.

B. Decisions of the Solid Waste Advisory Commission

Decisions of the Solid Waste Advisory Commission shall be by majority vote of the members present and voting so long as a quorum is present. In the event of a member's abstention based on a conflict of interest or other disqualification, the abstention shall

count as if that member were absent and the number of persons necessary for a majority shall be reduced accordingly without affecting the quorum. The Chair shall be a voting member.

#### Article IV – Meetings

A. Regularly Scheduled Meetings

Meetings of the Solid Waste Advisory Commission shall be held at the call of the Chair or by at least two (2) Solid Waste Advisory Commission members in agreement to have a meeting. All meetings of the Solid Waste Advisory Commission shall be open to the public. However, members of the public shall not address the Solid Waste Advisory Commission unless and until invited to do so by the Chair. Regular meetings of the Solid Waste Advisory Commission shall be held monthly. Special called meetings may be held, as needed, following provisions in the Bylaws Sections: IV. (B).

Regular Meetings shall be held as follows, unless otherwise announced:

Date:	3 <sup>rd</sup> Wednesday Month
Time:	5:30 PM – 6:30 PM
Location:	Solid Waste Conference Room; 725 Hancock Industrial Way

B. Special Called Meetings

Special called meetings may be held as needed by the Chair or at least two (2) Solid Waste Advisory Commission members by giving notice to all members not less than twenty-four (24) hours prior to the time set for the meeting. The Solid Waste Advisory Commission Secretary will ensure the newspaper that serves as the legal organ and the Clerk of Commission shall be notified of any Special Called Meetings at the same time as the members are notified. A notice shall be placed in a public location at the meeting site indicating the time, date, location, and Agenda for the Special Called Meeting. The public notice requirements shall adhere to those established in O.C.G.A. Section 50-14-1 et. Seq., the Georgia Open Meetings Act. Only those items listed on the Agenda shall be considered at a Special Called Meeting.

C. Emergency Meetings

Emergency meetings may be called by the Chair or at least two (2) Solid Waste Advisory Commission members when emergency circumstances occur. The first item of business at an Emergency Meeting shall be to establish the special circumstances necessitating the emergency meeting. The Solid Waste Advisory Commission may hold an emergency meeting with less than twenty-four (24) hours' notice upon giving such notice of the meetings and subjects expected to be considered at the meeting as is reasonable under the circumstances, including notice to the newspaper serving as the legal organ or other newspaper. The Solid Waste Advisory Commission shall immediately make this information available upon inquiry to any member of the public. Any oral notice required or permitted by this subsection may be given by telephone.

D. Cancellation of Meetings

1. Whenever there is no business before the Solid Waste Advisory Commission, the Chair may dispense with a regular meeting by giving notice to all members not less than twenty-four (24) hours prior to the time set for the meeting. The

Clerk of Commission and the newspaper that serves as the legal organ shall be notified of any cancellation of meetings at the same time as the members are notified. A notice shall be placed in a public location at the meeting site indicating that the meeting has been cancelled.

2. Whenever the Unified Government of Athens-Clarke County has closed its offices due to inclement weather, emergency situations, or other like conditions, any meetings of the Solid Waste Advisory Commission for that day shall be cancelled and may thereafter be rescheduled to another time.

**E. Adjourned Meetings**

Should the Solid Waste Advisory Commission not complete the business before it, the Chair may adjourn the meeting and schedule a continuation of the same meeting until the Agenda has been completed. However, the adjourned meeting must meet the same requirements for the notification of the Clerk of Commission and for the posting of a notice as with a Special Called Meeting.

**F. Minutes and Agendas**

1. **Minutes:** The Secretary of the Solid Waste Advisory Commission shall keep minutes of the Solid Waste Advisory Commission's proceedings, which shall include at a minimum the date of the meeting, the time that the meeting began and ended, the names of the members and ex-officio members present at the meeting, a description of each motion or other proposal made, and a record of all votes. In the case of a roll-call vote, the name of each person voting for or against a proposal shall be recorded and in all other cases it shall be presumed that the action taken was approved by each person in attendance unless the minutes reflect the names of the person voting against the proposal or abstaining. Minutes shall be made available to the public after adoption by the Solid Waste Advisory Commission at its next regularly scheduled meetings. Minutes shall be part of the public record.
2. **Meeting Summary:** As required by the Open Meetings Act, the Secretary shall prepare a summary of the actions taken at any meeting of the Solid Waste Advisory Commission within 48 hours of completion of the meeting. This summary shall be made available to the public upon request.
3. **Agenda:** The Secretary, at the direction of the Chair, shall prepare the agenda for each meeting. The agenda shall be posted on the Athens-Clarke County website and posted at the meeting site as far in advance of the meeting as reasonably possible, but shall not be required to be available more than two weeks prior to the meeting. The normal order of business at each meeting shall be:
  - a. Determination of Quorum;
  - b. Election of Acting Chair, if necessary;
  - c. Welcome and Call of Meeting to Order;
  - e. Approval of Minutes of the Previous Meeting(s);
  - f. ACC Solid Waste Division Reports and UGA Report;
  - g. Old Business;
  - h. New Business;

- i. Other Business;
- j. Adjournment

- 4. Public comment for a posted agenda will be accepted by the Secretary with a deadline of the Friday prior to a scheduled meeting. The Secretary will compile the comments and send to the Solid Waste Advisory Commission prior to the scheduled meeting. The comments shall be sent out by the end of day on the Monday before a scheduled meeting and shall be attached to the minutes of the applicable meeting.

#### **Article V – Conflict of Interest**

A member shall not cast a vote on any issue before the Solid Waste Advisory Commission that involves the interests of that member or an organization in which that member has an ownership interest, a position of control, or direct representation of said organization. Neither shall a member cause a vote on any matter that could provide direct financial benefit to that member or the member's family.

Whenever a conflict of interest situation arises in the conduct of business the following actions shall be taken:

- The individual member shall immediately divulge the existence of and reasons for the potential conflict;
- If it is decided either by the affected member's acknowledgment that a conflict exists or through a vote of the Solid Waste Advisory Commission determining that a conflict exists, the affected member shall refrain from presenting, voting on, or discussing the matter, other than answering a direct question, and shall not be present during any presentations or discussions regarding the matter or any resulting deliberations involving the topic, with the exception that if the Solid Waste Advisory Commission determines by majority vote that the affected member's presence is necessary for any discussion, presentation, and/or deliberation (perhaps, as an example, due to the affected member's expertise), the Solid Waste Advisory Commission may, in its discretion, invite the affected member to participate in whatever way that the Solid Waste Advisory Commission deems fit, with the understanding that (1) all other Solid Waste Advisory Commission members shall be fully aware of the conflict and will be able to take said conflict into consideration when evaluating the affected member's contributions and (2) in no circumstances shall the affected member be allowed to vote on any matter in which they have a conflict;
- Said conflict shall be documented in the minutes; and
- Should the Solid Waste Advisory Commission determine that a conflict of interest does not exist, the nature of the alleged conflict and the reason(s) for determining a conflict did not exist shall be entered into the minutes.

#### **Article VI – Code of Conduct**

- A. Uphold the Constitution, laws, and regulations of the United States, the State of Georgia, and all governments therein and never be a party to their evasion;
- B. Never discriminate by the dispensing of special favors or privileges to anyone, whether or not for remuneration;
- C. Never engage in any business with the government, either directly or indirectly, which is inconsistent with the conscientious performance of their governmental duties;

- D. Never use any information coming to them confidentially in the performance of governmental duties as a means for making private profit;
- E. Expose corruption wherever discovered;
- F. Never solicit, accept, or agree to accept gifts, loans, gratuities, discounts, favors, hospitality, or services from any person, association, or corporation under circumstances from which it could reasonably be inferred that a major purpose of the donor is to influence the performance of the member's official duties;
- G. Never accept any economic opportunity under circumstances where they know or should know that there is a substantial possibility that the opportunity is being afforded them with intent to influence their conduct in the performance of their official duties;
- H. Never engage in other conduct which is unbecoming to a member or which constitutes a breach of public trust; and
- I. Never take any official action with regard to any matter under circumstances in which they know or show know that they have a direct or indirect monetary interest in the matter or in the outcome of such official action.

If any member of the Solid Waste Advisory Commission shall violate any provision of this article, that individual shall no longer be eligible to serve in any capacity with the Solid Waste Advisory Commission. If a member needs to be removed, the Secretary will send a request for removal on behalf of the Solid Waste Advisory Commission Chair to the Mayor and Commission. The Mayor and Commission will need to approve the request for removal of any member of the Solid Waste Advisory Commission.

#### **Article VII– Parliamentary Authority**

Any rules of parliamentary procedure not covered by these bylaws shall be governed by the latest edition of Robert's Rules of Order.

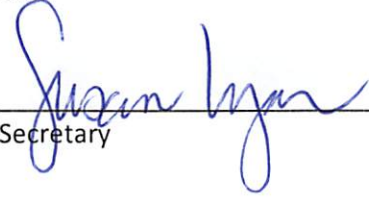
#### **Article VIII – Amendment to Bylaws**

- A. The Solid Waste Advisory Commission may from time-to-time amend these bylaws. Any amendments shall be approved by a majority vote of the Solid Waste Advisory Commission members present. Any proposed amendments must be provided to Solid Waste Advisory Commission members at least ten (10) days prior to the meeting in which Solid Waste Advisory Commission members are to vote on such proposed amendments.
- B. If a court or other tribunal of proper jurisdiction determines any provision of these bylaws to be invalid or unenforceable, then to the extent possible, said provision shall be severed from the remaining provisions of these bylaws and the remaining provisions shall remain in effect.
- C. To the extent that any existing policies or procedures of the Solid Waste Advisory Commission (or any of its predecessor entities) conflict with these bylaws, these bylaws shall take precedence over any conflicting portions of such policies or procedures.

SO ADOPTED by the Athens-Clarke County Solid Waste Advisory Commission on this 15 day of February, 2023.



Chair



Secretary