



SOLID WASTE ADVISORY COMMITTEE BYLAWS

Principles and Policies

1. The Representatives of local governments (or stakeholder groups) in the Central Texas Area join together in a voluntary organization to be known as the Central Texas Council of Governments (or its Advisory Groups), for the purpose of meeting at regular intervals to discuss problems and needs which require action on an area-wide or regional basis, to develop plans, policies (if authorized), and recommendations for action and implementation by local member governments and other appropriate levels of government within the region.
2. Counties, Cities and School Districts are the principal units of local government in the region. As such, they have the responsibility of planning for and meeting the local governmental needs which future development will produce, including the need for joint and coordinated area-wide service.
3. Sound and workable policies and programs for meeting and solving the area-wide problems of local governments will be most effective and ultimately carried out through regular meetings of the local governmental units (or stakeholder groups) in an area-wide voluntary council dedicated to the solution of these problems.
4. The Council (or its Advisory Groups) is a voluntary organization whereby individual governmental units (or stakeholder groups) can work together in coordination of their efforts in planning and guiding the needs of a progressive society.

Definitions:

The following terms are defined for use within this document.

Biennium – The two-year time period for which SWAC is funded by TCEQ, begins on the first day of September in odd-numbered years and ends on the last day of August two years later.

Bylaws – The governing rules and articles adopted and amended by the membership.

Citizen Representative – Any interested or concerned individual who expresses a desire to serve on SWAC.

Council – This term refers to the Council of Governments, specifically the Central Texas Council of Governments in this case.

CTCOG – This is the official abbreviation for The Central Texas Council of Governments.

Executive Committee – The Governing Body of the Council.

Private Sector / Business Representative – A full-time employee of any business in the Central Texas area, providing services or producing products, but not necessarily directly connected to solid waste.

Solid Waste Industry Representative – A full-time employee of a business providing solid waste disposal or recycling services in the Central Texas area.

SWAC – This is the official abbreviation for the Solid Waste Advisory Committee.

TCEQ – Texas Commission on Environmental Quality

Article I: Organization

The name of this Advisory Committee shall be the Solid Waste Advisory Committee (SWAC), which shall be a voluntary Advisory Group of the Council for the Counties of Bell, Coryell, Hamilton, Lampasas, Milam, Mills, and San Saba, and the political subdivisions located geographically in whole prescribed in these Bylaws.

The Advisory group membership is made up of solid waste stakeholders who comprise the SWAC as defined in Article IV. The Executive Committee is the Governing Body of the Central Texas Council of Governments (CTCOG) and is responsible for the general policies and programs of the Council and the control of its funds.

The creation of the Advisory Committee is authorized by the Central Texas Council of Governments, under Subchapter 330.639, Texas Administrative Code and Article II of the Articles of Association.

Article II: Purpose and Objectives

The Advisory Committee shall be to advise the Central Texas Council of Governments' Executive Committee during the planning and implementation of the Central Texas Regional Solid Waste Management Plan as outlined in Subchapter O, Section 7, of the Solid Waste Disposal Act, Article 4477-7, and Texas Administrative Code, as amended. The purpose of the plan is to guide the orderly development and implementation of solid waste facilities and disposal methods according to local, state, and federal regulations.

Article III: Powers and Duties of the Advisory Committee

1. In order to accomplish its objectives and purposes, the Advisory Committee shall perform the following functions:
 - a. Exercise the powers and perform the duties authorized in Subchapter O, Section 7, of the Solid Waste Disposal Act, Texas Administrative Code.
 - b. Adopt the Bylaws of the Advisory Committee and amendments to the Bylaws.
 - c. Elect Committee Officers.
 - d. Review and select projects submitted to implement the goals and objectives of the Regional Solid Waste Management Plan.

Article IV: Membership

1. Advisory Committee membership shall consist of one member from each county of the Central Texas Council of Governments, and one member from each municipality with a population in excess of 10,000 residents as of the latest census data. These counties - Bell, Coryell, Hamilton, Lampasas, Milam, Mills, and San Saba; and these municipalities - Belton, Copperas Cove, Gatesville, Harker Heights, Killeen, and Temple are eligible to appoint a voting member to the Advisory Committee. Ex-officio membership is encouraged to be requested by private operators, citizen groups, and interested individuals.
2. Eligible Voting Members:
 - a. Appointees of Counties and Qualifying Municipalities (see **ARTICLE IV, SECTION 1**)
 - b. Solid Waste Industry Representative (2)
 - c. Private Sector/Business Representative (2)
 - d. Citizen Representative (2)

- e. Fort Cavazos Representative (1)
 - f. A representative from another group determined at the SWAC's discretion (1)
3. Eligible Non-Voting Members:
- a. Central Texas Council of Governments' Staff
 - b. The Texas Commission on Environmental Quality (TCEQ)
 - c. Ex-Officio Members
4. Members may designate in writing to the CTCOG Solid Waste Coordinator, a proxy to attend meetings in their place. Members unable to attend meetings are encouraged to designate a proxy or send someone in their stead to assist in information exchange and coordination activities.
5. County representatives will be appointed by their elected County Judge, and Municipal representatives will be appointed by the City Mayor. Both appointments shall be in writing. There are no term limits for county and municipal representatives; however, confirmation of their continuing status as representatives shall be provided in writing at the beginning of each biennium.
6. The Solid Waste Industry, Private Sector/Business, and Citizen Representatives will be selected by the Advisory Committee.
- a. Solid Waste Industry, Private Sector, and Citizen Representatives will be approved by a majority vote of the Advisory Committee. Terms will be two years for that biennium.
7. Ex-officio membership shall be requested in writing to the Advisory Committee via the CTCOG staff coordinator.
- a. Ex-officio members will be approved by a majority vote of the Advisory Committee. Terms will be two years beginning on the date of the vote.
 - b. Ex-officio membership may be requested in writing and approved by the Advisory Committee at any time during the biennium.

Article V: Representation Issues

1. The population figures to be used in determining representatives for the foregoing classifications shall be in accordance with the most recent U.S. Census or estimates from the State Data Center.

2. The approving authority for any appointment from a municipality or county shall be a written notice (i.e. letter, email, meeting minutes) from the County Judge or City Mayor sent to the CTCOG Solid Waste Coordinator. Once the written notice has been received, the appointment becomes officially recognized by CTCOG.
3. There shall be no discrimination in any respect in selection of members or any activity of the Advisory Committee due to gender, age, race, religion, disability, or political creed.

Article VI: Meetings of the Advisory Committee

1. This Advisory Committee shall comply with the Texas Open Meetings Act.
2. The Advisory Committee shall meet semi-annually or at other times as requested by the chairperson, or upon request of not less than one-third of the members of the Advisory Committee. The Advisory Committee members will be notified of all meetings at least three days prior to the meeting, other than emergency meetings which will be called in accordance with the Texas Open Meetings Act.
 - a. Failure to physically or via video conference attend **three (3)** consecutive meetings of the Committee without notice or the attendance of a proxy shall constitute a resignation from the Committee.
3. All meetings of the Advisory Committee shall be open to the public. A public comment period will be on the agenda for each meeting.
4. A quorum at any Advisory Committee meeting shall be fifty percent plus one (51%) of the voting membership. An act of the majority of the members, in a meeting at which a quorum is present, shall be the act of the Advisory Committee.
5. Members may video conference into meetings and are considered “present” and are counted toward the making of a quorum if their camera is on. They may also vote on any item so brought before the committee.
6. In order to expedite response for action items, members may electronically vote on crucial and pending action items identified by the SWAC Chairperson or Solid Waste Coordinator. The Solid Waste Coordinator or Chairperson will send an electronic survey to all members with a deadline

for responses. This survey shall only contain two answer options, such as in formal face-to-face meetings. After the deadline has passed, the Coordinator or Chairperson will inform the SWAC of the voting decision.

7. Conflict of Interest

- a. A Committee member, who is a member of the governing body, an officer, or an employee of an applicant for funding must disclose his or her status before the application is considered by the Committee and may not vote on the application. The member is counted in determining the existence of a quorum.
- b. This section also applies to any proxies who is attending meetings in place of the Committee member.

Article VII: Officers & Staff

1. The officers of the Solid Waste Advisory Committee shall be a chair and two vice chairs who shall be elected by the full Advisory Committee.
 - a. Officer Elections shall be held during the first meeting after the beginning of each biennium.
 - b. Officers will serve a two-year term beginning on the day of the vote.
 - c. Subsequent officer elections will be held as required to fill any unexpired terms.
 - d. An officer shall not hold the same office for more than two consecutive terms.
2. The chair shall preside at all meetings of the Advisory Committee. The chair and/or staff representative may represent the Advisory Committee in presentations to the Executive Committee and to outside entities.
3. The first vice chair shall perform the duties of the chair in the absence of the chair.
4. If the chair and the vice chair are each absent or unable to perform their duties, the second vice chair shall perform all duties of the chair.

5. A member of the Central Texas Council of Governments staff, as assigned by the Executive Director, will serve as staff and administrative support for the Advisory Committee. The Council staff shall archive minutes of all Advisory Committee meetings and shall perform such duties as may be required by the Executive Director or requested by the Advisory Committee.

Article VIII: Parliamentary Authority

1. Robert's Rules of Order shall prevail as a guide for all meetings of parliamentary procedures with the exception that ex-officio members do not have voting rights.

Article IX: Finance

1. The fiscal year of the organization shall be on the federal fiscal year basis (July 1, through June 30).
2. The annual budget is prepared by staff and approved by the CTCOG Executive Director in the planning grant application.
3. The books of the Council shall be audited annually by independent certified public accountants in accordance with the single audit required by current regulations. The audit report shall be made to the Budget Committee as appointed by the CTCOG President, and then the full Executive Committee for adoption.
4. The annual audit report shall be made available to all requesting entities in accordance with the Open Meetings and Records Act.

Article X: Adoption and Amendment

1. The bylaws of the Advisory Committee may be altered, amended, or repealed at any meeting of the Committee by an affirmative vote of a quorum as specified in **ARTICLE VI, SECTION 4**, provided that official notice of the proposed amendment shall have been provided by the Advisory Group members at least 24 hours in advance of the SWAC meeting.

2. Required Review: These bylaws shall be reviewed every 5 years, within 6 months of the release of relevant census data specified in **ARTICLE V, SECTION 1**, and membership be reevaluated to ensure it is representative of the CTCOG region.

Article XI: Sub Committees

1. It is the intent of this Advisory Group that the SWAC, shall when advisable, seek the advice and cooperation of interested citizen groups in the formulation of recommendations and to establish the priority of projects for consideration.
2. The SWAC may establish sub committees as necessary to effectively carry out the business of the SWAC planning grant.

Article XII: Adoption and Revision Date

These bylaws were approved by a majority vote of a quorum present at the SWAC meeting on _____ and by a majority vote of a quorum present at the CTCO Executive Committee meeting on _____.

Justin Brantley,
SWAC Chairperson

Uryan Nelson,
CTCOG Director of Planning and Regional Services

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