



**Disposal Site Advisory Committee  
AGENDA  
July 11, 2022 – Special Meeting  
2:35 pm**

To join virtually: <https://global.gotomeeting.com/join/972646029>

You can also dial in using your phone.  
United States: [+1 \(786\) 535-3211](tel:+17865353211)

**Access Code:** 972-646-029

- I. 2:35 p.m. – Call to Order..... Chair
- II. 2:35 p.m., 15 Minutes – DSAC Bylaws: Discuss / Decide on Options for Wording Changes  
.....Chair  
*The Committee will compile various proposed changes to the bylaws and make decisions leading to a final draft to be sent on to the Commissioners.*
- III. 2:50 p.m., 5 Minutes – Member Requests..... Chair  
*Members Make Requests of each other, of staff*
- IV. 2:55 p.m., 5 Minutes – Agenda items for next meeting ..... Chair
- V. 3:00 p.m., 5 Minutes – Wrap Up and Adjourn ..... Chair

## Eklund Comment #1

**From:** [REDACTED]  
**To:** [REDICK Daniel](#)  
**Subject:** SWAC working meeting Mon 11 July 2-3 pm  
**Date:** Friday, July 1, 2022 2:30:09 PM  
**Attachments:** [writerguy-cube2.png](#)

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**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Daniel,

I'm calling a working session for SWAC and DSAC on Monday 11 July, starting at 2 pm.

Please attach a PDF of the current SWAC and DSAC bylaws to each member notification.

Message from me to SWAC and DSAC members:

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Hello all,

Phelix, the ancient god of cat herding, has rendered their judgment: we'll hold a working session on bylaws on **Monday 11 June, starting at 2 pm**. Phelix apologizes if this is not a good / the best time for you.

PDFs of the bylaws are attached; here are links to online versions of the bylaws:

SWAC:

[https://docs.google.com/document/d/1DDe3E66HHO\\_PkFrhLZZd7OfMrIDFMmyPXyqsYUDirCk/edit?usp=sharing](https://docs.google.com/document/d/1DDe3E66HHO_PkFrhLZZd7OfMrIDFMmyPXyqsYUDirCk/edit?usp=sharing)

DSAC:

<https://docs.google.com/document/d/1pQOCMjMeVf81ZOFobYprkzaA3xF3cgNsmw7TEuhoH90/edit?usp=sharing>

If you have a Google account, you should be able to see the documents. Right now you only have VIEW privileges, but for the session you'll have edit privileges.

Over the weekend I will finish annotating these documents with the comments and suggested changes I've received from y'all so far.

Thanks, and see you all on GoTo Meeting on Monday 11 June...

Ken

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Can you get me Ian's email, so that I can give him access to the shared documents as well?

Thanks – Ken



Ken Eklund, writerguy

Creator of  
*World Without Oil*  
*Ed Zed Omega*  
*FutureCoast*  
and other storymaking games

## Eklund Comment #2

# AGENDA

## Solid Waste Advisory Council Disposal Site Advisory Committee

### July 11, 2022 2:00 pm

5 min	Call to Order.....Chair	2:00 pm
10 min	Community Members Comment .....Chair Anyone can bring up news, information, questions to discuss with the Council.	
20 min	SWAC Bylaws: Discuss / Decide on Options for Wording Changes .....Chair The Council will compile various proposed changes to the bylaws and make decisions leading to a final draft to be sent on to the Commissioners.	2:15 pm
15 min	DSAC Bylaws: Discuss / Decide on Options for Wording Changes .....Chair The Committee will compile various proposed changes to the bylaws and make decisions leading to a final draft to be sent on to the Commissioners.	2:35 pm
5 min	Members Make Requests of each other, of staff .....Chair	2:50pm
5 min	Members Recommend Agenda for next meeting.....Chair	
5 min	Wrap Up and Adjourn .....Chair	3:05 pm

On our event horizon:

### **DSAC / SWAC (next regular meeting on Wed July 27, 6 pm)**

- DSAC Annual Report to DEQ 2021: Landfill Public Issues and Complaints  
DSAC owes DEQ a summary report. Action on drafting this report about last year's input.
- DSAC Annual Report to DEQ 2022: Landfill Public Issues and Complaints  
Discussion about gathering this report material for the summary report for 2022. Dedicated session?
- Independent Testing and Verification  
Investigate and recommend practices for gathering third-party data about impacts of waste management / the landfill: airspace volume, landfill gas impacts, leachate generation, more.
  - Methane Detection: County Greenhouse Gas Footprint  
Each ton of waste emplaced in the landfill generates methane, a potent greenhouse gas.  
Discussion and action about activating new detection tech to better assess the county footprint.
  - Leachate Generation  
Discussion and action about activating new detection tech to better assess the county footprint.
- Sustainable Materials Management Plan, cont'd  
Continuation of SWAC input into this comprehensive plan for the future of county municipal waste.
- Equitable Solid Waste and Recycling Services  
The county varies widely in its access to services. Discussion and action about how to make access more universal in the county.
- Progress Towards a Regional SWAC Coalition  
Fine-tune goals and track progress of this initiative.

- Food Waste Strategies and
- DEQ's Bad Apple Campaign (Residential Food Waste Prevention)  
Reports on this initiative area and opportunities to decrease food waste going to the landfill.
- DEQ Waste Generation Summary  
Information has arrived from Oregon DEQ about statewide trends in waste production.

# DSAC Bylaws

## BYLAWS DISPOSAL SITE ADVISORY COMMITTEE

### ARTICLE 1

#### Name

The name of this organization shall be the Disposal Site Advisory Committee (the "Committee").

### ARTICLE 2

#### Function

The Committee shall assist the Benton County Board of Commissioners in the planning and implementation of disposal site management, including (but not limited to) the following:

- (1) Review with the permittee of the regional disposal site including, but not limited to, siting, operation, closure, and long-term monitoring of the regional disposal site; and
- (2) Provide a forum for community member comments, questions and concerns about the regional disposal site and promote a dialogue between the community and the owner or operator of the regional disposal site; and
- (3) Prepare an annual written report summarizing the local community member's concerns and the manner in which the owner or operator is addressing those concerns. The report shall be considered by the Department of Environmental Quality in issuing and renewing a solid waste permit.

### ARTICLE 3

#### Membership

Section 1. Number and Selection: The Committee shall consist of eleven (11) members, appointed by the Board of Commissioners, as follows:

The ten (10) members of the Solid Waste Advisory Council;  
One (1) designated employee of the permittee.

The Board of Commissioners may appoint ex officio members entitled to participate in proceedings of the Committee but not to vote, including but not limited to: the Community Development Director or his/her designee; a collection and a disposal franchise holder; a person holding a permit; and a person lawfully engaged in providing recycling or reuse service or the promotion or education for such service.

Section 2. Terms of Office: Terms for members of the Solid Waste Advisory Council shall be as governed by that Council's by-laws. Members may not serve more than two (2) successive terms; partial terms shall not be counted toward the successive term limit. The term of the designated employee of the permittee shall be 2 years. Terms begin on January 1 and end on December 31.

Section 3. Responsibilities: Committee members shall regularly attend meetings of the Committee and any meetings of the subcommittees to which they are appointed, and shall fulfill other duties as appointed by the Chair.

Section 4. Termination of Membership: The Board of Commissioners may remove Committee members as follows:

- (1) Failure to attend three or more consecutive regular committee 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.

Section 5. Vacancies: The Board of Commissioners shall make appointments to fill vacancies as they occur. Such appointments shall be for the duration of the unexpired term of that position.

#### **ARTICLE 4 Officers**

The following officers shall be elected from the Committee membership during the first meeting of each calendar year:

Chair: The Chair shall have the responsibility of conducting all meetings and hearings in an orderly manner. The Chair may not initiate a motion, but may second, and shall vote on each issue after the question is called. However, in the event the Chair's vote shall create a tie vote, the Chair shall refrain from voting.

Vice Chair: The Vice Chair shall be responsible for conducting the meetings and hearings in the absence of the Chair.

#### **ARTICLE 5 Subcommittees**

Section 1. Creation of Subcommittees: The Committee shall have the power, with the concurrence of the Community Development Department, to create subcommittees with such responsibilities as the Committee directs.

Section 2. Naming of Subcommittees: The Chair, with the concurrence of the Community Development Department, shall appoint and charge each subcommittee with its responsibilities, shall appoint the members of the subcommittee, and shall appoint the chair of the subcommittee in the event the subcommittee consists of more than one person. The subcommittee chair shall

be responsible for scheduling meetings, assigning specific tasks within the mandate of the subcommittee, and reporting to the Committee concerning the work of the subcommittee.

## **ARTICLE 6**

### **Advisors**

The Committee 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 7**

### **Meetings**

Section 1.     Regular Meetings: Meetings shall be held quarterly, or more frequently when called by the Chair of the Committee or the Board of Commissioners.

Section 2.     Special Meetings: Special meetings may be called by the Chair or by the Board of Commissioners by giving the members and the press written or verbal notice at least 24 hours before the meeting.

Section 3.     Quorum: A quorum shall consist of a majority of the sitting members of the committee. All business conducted with a majority vote of the quorum shall stand as the official action of the Committee.

Section 4.     Voting: Each Committee member shall have one vote. In the event the Chair's vote shall create a tie vote, the Chair shall refrain from voting.

Section 5.     Staffing: Staff for recording the proceedings of the Committee shall be provided by the County.

Section 6.     Agenda: The Chair, with the assistance of the Community Development Director, or his/her designee, shall prepare the agenda of items requiring Committee action, and shall add items of business as may be requested by individual Committee members and/or the Board of Commissioners.

Section 7.     Notice: All members shall be given written notice of time, date, location, and purpose of the meetings at least three (3) days before a regular Committee meeting, and written or verbal notice one (1) day before a special meeting. In the event a member is provided with less than three (3) days written notice of a regular meeting, or less than one (1) day actual notice of a special 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 or at a special meeting called with adequate notice.

Section 8.     Minutes: Minutes recording all motions and subsequent action including the number of yes or no votes on each issue shall be taken. In addition, all conflicts of interest shall



be noted. Minutes of all meetings shall be maintained by the Community Development Department.

**ARTICLE 8**  
**Public Records and Meeting Law**

The Committee is a public body for the purposes of ORS Chapter 192, and is subject to the statutory procedures related to public records and meetings.

**ARTICLE 9**  
**Parliamentary Procedure**

The current edition of Robert's Rules of Order shall govern the Committee where not inconsistent with these bylaws or any special rules of order the Committee shall adopt.

**ARTICLE 10**  
**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 11**  
**Bylaw 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 Committee which may recommend changes at any regular meeting of the Committee by a two-thirds vote of the sitting membership, provided that the recommended amendment has been submitted in writing to the Committee members no later than three days before the regular meeting.

Adopted this 22<sup>nd</sup> day of September, 220.

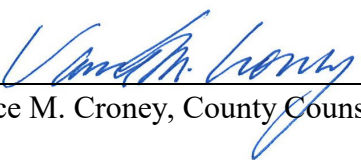
Signed this 22<sup>nd</sup> day of September, 2020.

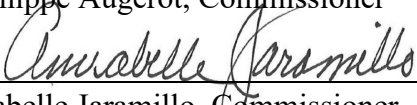
BENTON COUNTY BOARD OF COMMISSIONERS

  
\_\_\_\_\_  
Pat Malone, Chair

Approved as to form:

  
\_\_\_\_\_  
Xanthippe Augerot, Commissioner

  
\_\_\_\_\_  
Vance M. Croney, County Counsel

  
\_\_\_\_\_  
Annabelle Jaramillo, Commissioner

## Yeager Comment (4/25/22)

Questions and Comments Regarding SWAC and DSAC Bylaws

Mark Yeager, April 25, 2022

### **SWAC BYLAWS**

Article 3, Committees – 3(B) - who represents the Community Development Department in concurring with the creation of committees? Does this section need to state clearly that Committees cannot have membership that constitutes a quorum of the Council?

Article 4, Meetings – 4(C) – the notice requirement for work sessions (24 hours written or verbal) seems way too short. What could possibly constitute an emergency whereby the Council would have to meet in work session with on 24 hours' notice?

4(E) – What is the rationale for preventing the chair from voting if the chair's vote would result in a tie vote on a matter? If the Council is divided on a matter (and particularly when the full membership of the Council has not been appointed or is not present), it seems prudent to allow the Council to have a path for further discussion and debate, rather than one side prevailing. I do not see this language in Robert's rules, so I would appreciate some better understanding of the history and rationale of this provision.

4(H) – This section needs to be modified to reflect storage, access and availability of recordings of virtual meetings. Also, the last sentence refers to minutes being maintained by the Health Department – should that be Community Development Department?

### **DSAC BYLAWS**

Article 2, Function – the use of the term “permittee” in Section (1), and also throughout the document seems odd give this Committee's role in service to Benton County. I understand the ORS 459.320 uses the term “permittee,” but that is in the context of the ORS and is defined earlier in that ORS chapter.

Article 3, Membership – Section 1, second paragraph, is confusing because it refers to ex officio members including “a collection and a disposal franchise holder; a person holding a permit;” as if these are different people or entities. I understand that is prefaced by saying “Commissioners may appoint...” but it is not clear because it creates confusion – franchise holder vs a person holding a permit?

Article 4, Officers – the language again appears preventing the Chair from voting if his/her vote results in a tie. See my previous comment re: SWAC bylaws.

Article 5, Subcommittees – same comments as above in SWAC bylaws.

Article 7, Meetings – Section 2, Special Meetings – same comment that 24 hours' notice is too short.

Section 4, Voting – same language preventing Chair from voting in the event of his/her vote creating a tie. See comment above in SWAC bylaws. Section 7, Notice – why does DSAC only give 3 days' notice of meetings? Section 8, Minutes – storage, access, and availability of virtual meeting recordings needs to be specified here.