

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

Under the authorities and responsibilities in Oregon Revised Statutes (ORS), the Benton County Board of Commissioners (Board) hereby establishes and charges a Board-appointed Disposal Site Advisory Committee to advise the Board and support the County in fulfilling its mandates under ORS 459.320-330.

The Committee is a public body that reports to the Benton County Board of Commissioners through the Benton County Community Development Department. The Board may direct the Community Development Director to prescribe the duties of the Committee. At a minimum, pursuant to ORS 459.325, the Committee's functions shall include:

- (1) Reviewing with the permittee of the regional disposal site, issues including but not limited to, siting, operation, closure, and long-term monitoring of the regional disposal site; and
- (2) Providing a forum for community comments, questions and concerns about the regional disposal site and promoting a dialogue between the community in which the regional disposal site is located and the owner or operator of the regional disposal site (permittee, franchisee); and
- (3) Preparing an annual written report summarizing the local community members' concerns and the manner in which the owner or operator is addressing those concerns. The Community Development Department shall submit the report to the Oregon Department of Environmental Quality and to the Benton County Board of Commissioners. Pursuant to direction in ORS 459.325(2), the report shall be considered by the Oregon Department of Environmental Quality in issuing and renewing a solid waste permit under [ORS 459.245 \(Issuance of permits\)](#).

ARTICLE 3

Membership

Section 1. Number and Selection: The Committee shall consist of no less than seven (7) and no more than eleven (11) members. Members shall be appointed by the Board of Commissioners from the following groups to the extent feasible:

Residents residing near or adjacent to the regional disposal site;

- (1) Owners of real property adjacent to or near the regional disposal site;
- (2) Persons who reside in or own real property within Benton County;
- (3) At least one, but not more than two employees of the permittee; and
- (4) Local organizations and citizen interest groups whose majority of members either:
 - a. Are electors of Benton County; or
 - b. Own real property in Benton County.

Any employee of the permittee who is appointed to the Committee shall assist the Committee in reviewing the regional disposal site, in responding to community comments, questions and concerns, and shall assist in promoting a constructive forum for dialogue between the community, the Committee and the owner or operator of the regional disposal site. The employee of the regional disposal site shall promptly notify the Department and the Committee when the permittee proposes to apply for a change to any state or local permit, pursuant to ORS 459.330.

The Board of Commissioners may appoint ex officio members who are entitled to participate in proceedings of the Committee but who shall not vote, including but not limited to the Community Development Director or their designee; a collection and a disposal franchise holder; a person holding a solid waste 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 Committee shall be two (2) years. 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 two (2) years. Terms shall 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 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) Failure to comply with Benton County's Code of Conduct;
 - (c) Violation of open meetings law;
 - (d) Failure to declare conflicts of interest;
 - (e) Act or threat of physical harm
- (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 Committee shall select from the appointed members to fill the following offices prior to the first meeting of each calendar year:

Chair: The Chair shall conduct all meetings in an efficient, respectful, and 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 Committee's meetings in the absence of the Chair.

ARTICLE 5
Subcommittees

Section 1. Creation of Subcommittees: The Committee may, subject to the approval of the Community Development Department, create subcommittees with such responsibilities as the Committee directs.

Section 2. Naming of Subcommittees: The Chair, subject to the approval of the Community Development Director, shall name, 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. Subject to the approval of the Community Development Director, 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 ad hoc, non-voting advisors 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: Benton County desires that the Committee will hold quarterly meetings. However, the number and frequency of meetings may vary from year to year. Meetings may be called by the Benton County Board of Commissioners, the Community Development Department or by the Chair, subject to the approval of the Community Development Director.

Section 2. Special Meetings: Special meetings may be called by the Chair, with the approval of the Community Development Director, by the Community Development Department, or by the Board of Commissioners by giving Committee members and the press written or verbal notice at

least 24 hours before the meeting. The Department and the Committee shall jointly schedule meetings with the goals of supporting member attendance and facilitating timely action.

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: County Staff shall record the proceedings of the Committee.

Section 6. Agenda: The Committee's agendas shall be developed jointly by the Chair and the Community Development Director or their designee, consistent with the Board-directed functions of the Committee. The Chair and the Community Development Director or their designee shall add items of business as may be requested by Committee members, the Community Development Department, and the Board of Commissioners.

Final agenda decisions shall be made by the Community Development Director or their designee, in consultation with the Chair and with the goal of supporting Committee member interests to the extent feasible for the Department. Committee members may add items of business with the concurrence of the Chair and the Community Development Director or their designee. The Board of Commissioners may add items of business at any time.

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 that member 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: County staff shall take minutes recording all motions and subsequent Committee action(s) including the number of yes or no votes on each issue. 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.

ARTICLE 12
Code of Conduct and Ethics

Section 1. Conduct Guidelines: Committee members and County staff shall adhere to ethical guidelines that promote respectful and professional behavior during all Committee activities.

Section 2. Conflict Resolution: Ethical guidelines dictate the establishment of a mechanism to address conflicts among Committee members, county staff or the public. The Chair, aided by the Community Development Director or their designee, is responsible for guiding conflict resolution processes with fairness and impartiality.

Section 3. Training and Orientation: Newly appointed Committee members shall undergo an orientation program that includes training on the Committee's mission, functions, and the importance of ethical conduct. The orientation program shall be developed by the Department, with input from Committee members. Periodic refresher training may be provided to reinforce ethical standards.

ARTICLE 13
Continuous Improvement and Evaluation

Section 1. Periodic Self-Evaluation: The Committee shall conduct periodic self-evaluations to assess its effectiveness, identify areas for improvement, and, subject to the approval of the Community Development Director, may implement strategies to enhance its performance. The results of any evaluation or assessment shall be provided to the Community Development Director and to the Board of Commissioners.

Section 2. Feedback Mechanism: Subject to the approval of the Board of Commissioners and

the Community Development Director, the Committee shall establish a mechanism for obtaining feedback from the community and constituents to inform its continuous improvement efforts.

ARTICLE 14
Whistleblower Protection

Section 1. Reporting System: An anonymous reporting system will be implemented to enable Committee members or staff to disclose any observed breaches of ethical standards or unlawful activities without facing retaliation.

Section 2. Inquiry Procedure: Upon receipt of a reported violation, Benton County shall activate a just and unbiased procedure to examine the issue and implement necessary measures to address any concerns.

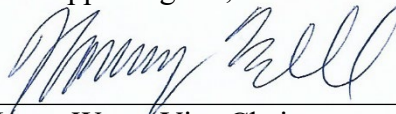
Adopted this 19th day of March, 2024.

Signed this 19th day of March, 2024.

BENTON COUNTY BOARD OF COMMISSIONERS



Xanthippe Augerot, Chair

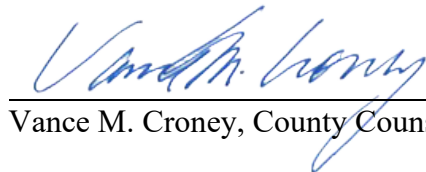


Nancy Wyse, Vice Chair



Pat Malone, Commissioner

Approved as to form:



Vance M. Croney, County Counsel