

## **Solid Waste Policy Council**

### **BYLAWS, adopted November 7, 2019**

The Solid Waste Policy Council (the "Council") has been established by Intergovernmental Agreement (IGA) dated October 22, 2019, between Larimer County, the City of Fort Collins, the City of Loveland, the Town of Estes Park, and the Town of Wellington (collectively the Parties). The establishment of this Council is based on the recognition that Larimer County residents have appropriate management of solid waste materials as proper management is critical to health and safety, the environmental and economic wellbeing of the region.

## **I. Purpose**

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The Council's purpose is to foster regional coordination and cooperation in matters relating to the appropriate management of solid waste materials especially regional efforts to reduce the volume and toxicity of the waste stream:

- A. provide an organizational framework to ensure effective communication and coordination of Wasteshed management among Larimer County local governments and between haulers involved in the delivery of such services in Larimer County.
- B. serve as a vehicle for the collection and exchange of management methods especially those focused on the reduction of the volume and toxicity of the waste stream including source reduction, recycling, composting, and similar waste management strategies; and represent the interests of all parties;
- C. serve as an ongoing forum to advise and assist the Larimer County Board of Commissioners, providing it with technical and non-technical advice on solid waste matters consideration by the Board of County Commissioners;
- D. develop and endorse policy regarding waste shed issues for ratification by the Larimer County Board of County Commissioners;
- E. promote Wasteshed awareness, planning, cooperation, innovation and coordination for the benefit of all Larimer County residents;
- F. assist in the development of proposed revisions to the Intergovernmental Agreement between Larimer County and municipalities regarding waste management reviewing

services, needs and resources, reaching consensus and presenting issues concerning the program to the Board of County Commissioners;

- G. review and approve an annual report to be presented to the Board of County Commissioners.
- H. provide suggestions for local policies and programs to support Wasteshed infrastructure and improve coordination between the communities.

The Council's charge is to serve in an advisory capacity to Larimer County on solid waste matters, and to be available to Fort Collins, Loveland, Estes Park, Wellington, and any future parties to the IGA, to discuss solid waste management and planning matters. It is the purpose of these Bylaws to delineate the authority, responsibilities and inter-relationships of the Parties with respect to the management of solid waste materials in Larimer County.

## II. Responsibilities

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In accordance with its purposes as stated in the IGA, the Council shall:

- A. Meet with and provide direction to technical staff for research/technical and programmatic guidance on matters including but not limited to infrastructure, programs, education and master plan updates.
- B. Meet with and provide direction to the Technical Staff in furtherance of such staff carrying out their responsibilities under the IGA.
- C. Provide comments to the Parties on all policy aspects of Solid Waste management and planning.
- D. Review and comment on disposal rate proposals and County financial policies.
- E. Review and comment on status reports generated by the Technical Staff and/or Parties.
- F. Promote consistent information exchange and interaction between waste generators, haulers, recyclers, and the Parties with respect to the Integrated Solid Waste Management System.
- G. Annually evaluate the applicability/feasibility of developing Tier 2 and Tier 3 Infrastructure facilities based on the current waste management practices, the waste market within the region, and quantity and quality of waste materials managed within the Tier 1 Infrastructure Facilities for consideration by the Larimer County Board of Commissioners.

### **III. Membership and Quorum**

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- A. Membership of the Council shall consist of ten (10) members as follows:
  - 1. The County, Fort Collins, Loveland, Wellington and Estes Park shall each have one (1) elected official appointee and one (1) appointee.
  - 2. If other jurisdictions join as parties to the IGA pursuant to its terms, membership of the Council shall be expanded to include one (1) elected official appointee and one (1) appointee from such jurisdiction.
- B. Members of the Council shall serve at the pleasure of their appointing bodies.
- C. Vacancies occurring on the Council shall be filled in the same manner as is provided for in the original designations.
- D. Members of the Council shall receive no compensation.
- E. A quorum shall consist of one representative from every participating agency.
- F. The Larimer County Board of Commissioners may increase representation on the Council as appropriate. The Council will have the opportunity to provide input into the decision to increase Council representation to the Board.

### **IV. Terms**

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- A. Member terms shall be three (3) years, except the first appointees shall serve staggered terms such that all terms do not expire within the same year.
- B. Each member shall be limited to two (2) terms, except for elected official appointees who may serve per the direction of their Elected Bodies.
- C. Regular terms shall begin December 1 and end November 30 of the expiring term year.
- D. All replacement members shall serve the unexpired term of his or her predecessor, and the unexpired term shall not count against the two (2) term limit.

### **V. Officers**

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- A. The officers of the Council shall consist of a Chair and a Vice Chair elected by the Council.
- B. The term for Officers shall be one year or until their successors are elected. The current Chair will run the meeting at which the election for new officers is held, with a change in Chair occurring at the next meeting. Officers shall be limited to serving no more than two (2) consecutive terms.
- C. Vacancies in Chair or Vice Chair offices shall be filled by the Council as soon as practical.



D. Duties of Council Officers:

1. Chair: The Chair shall preside over Council meetings, sign documents approved by the Council, and serve as the official representative of the Council in all interactions with the Parties.
2. Vice Chair: The Vice-Chair is authorized to perform all duties of the Chair in the absence of the Chair and perform other duties as may be assigned by the Council.

## VI. Staff and Subcommittees

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A. Support Staff. Pursuant to the IGA, the County shall provide support staff for the Council. The County Solid Waste Director and/or his/her designee(s) shall serve in such role and shall:

1. Provide notice of meetings, keep minutes, and distribute meeting agendas and other materials to Members as described in Section VI below.
2. Post such notices of meetings as may be required by the Colorado Open Meetings law.
3. Maintain custody of the records of the Council in accordance with the Colorado Open Records Act.
4. Inform the Council of correspondence related to business of the Council.
5. Consider and respond on a timely basis to questions and issues posed by the Council and seek to resolve such questions and issues in collaboration with the Parties.
6. Provide information and supporting documentation and analyses as reasonably requested by the Council to perform its duties and functions established in the IGA.
7. Meet as needed with the Chair and Vice-Chair to set the agenda and meeting [dates] [LMK1].

B. Technical Staff. Pursuant to the IGA, the Parties are obligated to provide one (1) or more technical staff to serve in an advisory and staff-support role to the Council (the "Technical Staff"). The Technical Staff shall:

1. Provide updates on master plan implementation
2. Respond to specific queries from Policy Council
3. Manage coordination of educational and programmatic efforts between communities

C. Subcommittees: The Council may, at its discretion, form subcommittees comprised of Council members to work on specific items in more detail than time allows at regular Council meetings.

1. The Chair will facilitate the appointment of the members of a Subcommittee and identify the specific charge of the subcommittee.

2. A statement of purpose will be developed based on the discussion and direction of the Council that specifies the specific duties of the subcommittee. The Council will approve the statement of purpose prior to subcommittee work beginning.
3. If, during the course of the subcommittee work, it is determined that the statement of purpose needs to be modified, a revised statement of purpose will be presented to the Council as a whole for approval.
4. The Council will appoint a subcommittee Chair who will be responsible for conducting meetings, coordinating with staff as appropriate, and reporting back to the Council with recommendations.
5. Subcommittees are intended to make recommendations to the Council for consideration. Any recommended action from a subcommittee must be approved by the Council as a whole. If the Council does not agree with the subcommittee recommendation, the Council will determine the most appropriate next step.
6. The Solid Waste Director will attend as a non-voting subcommittee member and will serve as or assign a staff member to serve as support staff for the subcommittee.

D. Other Committees: The Council may, at its discretion, appoint other working committees comprised of at least one Council member and other members who are not on the Council to work on specific items in more detail than time allows at a regular council meeting.

1. The Chair will facilitate the appointment of the members of a working committee and identify the specific charge of the subcommittee.
2. A statement of purpose will be developed based on the discussion and direction of the Council that specifies the specific duties of the working committee. The Council will approve the statement of purpose prior to working committee formation.
3. If, during the course of the working committee's activities, it is determined that the statement of purpose needs to be modified, a revised statement of purpose will be presented to the Council as a whole for review and approval.
4. The Council will appoint a Chair of the working committee who will be responsible for conducting meetings, coordinating with staff as appropriate, and reporting back to the Council with recommendations. Where possible, the working committee Chair shall be a member of the Council.
5. Working committees are intended to make recommendations to the Council for consideration. Any recommended action from a subcommittee must be approved by the

Council as a whole. If the Council does not agree with the subcommittee recommendation, the Council will determine the most appropriate next step.

6. The Solid Waste Director or designee will attend as a non-voting working committee member and will serve as or assign a staff member to serve as support staff for the committee.

## VII. Meetings

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- A. The Council shall meet quarterly or as needed, at a time and place to be announced and at such other times as the Council deems necessary.
- B. All meetings of the Council and of any subcommittee at which a quorum is present are subject to the Colorado Open Meetings Law.
- C. All Council meetings will be advertised and open to the public. The public will be able to speak about any agenda item at a designated time during the meetings.
- D. Regular meetings will be announced at least seven (7) days in advance by electronic mail to the full Council.
- E. Council meetings will be electronically recorded, and minutes will be prepared by Support Staff. Minutes will be approved at the next Council meeting and posted on the appropriate page of the Larimer County website.
- F. Prior to meetings, Support Staff will provide a packet of any background materials to the Council at least seven (7) days in advance via e-mail and post any such materials on the appropriate page of the Larimer County website.
- G. Business, including presentations, discussions, motions and voting shall be conducted in an orderly manner following such processes and procedures as the Council may determine effective. Robert's Rules of Order shall not apply.
- H. Voting:
  1. Each member of the Council may vote on an issue.
  2. A roll call vote shall be taken on all votes if not unanimous.
  3. No proxy votes shall be allowed.
  4. All votes must be made in person (or by teleconference if approved by a majority of the Council present at the meeting where the vote is being taken).
  5. If a quorum is formed, a simple majority vote of those present shall be considered a favorable vote upon all actions by the Council.



## VIII. General Provisions

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A. Code of Ethics:

1. A Member shall recuse him or herself from discussion and voting if an actual or potential conflict of interest exists.
2. A conflict may result where a member has a personal or private interest in a matter proposed or pending before the Council; where a member stands to gain or lose financially as a result of a position taken by the Council; or where a member believes he or she cannot fairly and impartially discharge his or her duties.

- B. Amendments: These Bylaws may be approved or amended in whole or in part by a majority vote of the full Council. This shall occur during a regularly scheduled meeting, and only after any proposed amendments are distributed in written form in a manner consistent with Council protocol to all Council members at least seven days prior to the meeting at which action is anticipated on the amendments.

## IX. Adoption and Effective Date

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These Bylaws will be in effect upon approval by the Council with such approval acknowledged by the dated signature of the Chair.

Adopted by the Solid Waste Policy Council on the 7th day of November 2019.

**SOLID WASTE POLICY COUNCIL**

By:   
Leah Johnson, Chair