

## FREDERICK COUNTY SOLID WASTE ADVISORY COMMITTEE CHARTER

### Mission Statement

The purposes of the Frederick County Solid Waste Advisory Committee (SWAC) include making recommendations to the County Executive concerning the soundest methods of waste disposal, recycling, and waste reduction, and advising the County Executive on specifically requested policy alternatives. SWAC also makes findings of consistency with the County's Solid Waste Management Plan (SWMP) for all proposed amendments to the SWMP.

### Duties of the Committee

The primary duties of the SWAC are to make findings of consistency (or inconsistency) with the Solid Waste Management Plan for proposed SWMP amendments, and to make other recommendations regarding waste disposal, recycling, and waste reduction as deemed necessary. A finding of consistency with the Solid Waste Management Plan is required before the Maryland Department of the Environment can process Solid Waste Permit applications and/or issue Solid Waste permits.

The SWAC follows the application process as specified in the Frederick County Solid Waste Management Plan (see Appendix D). The Committee shall base its findings and recommendations on the information presented at the meeting or hearing, i.e., on the record, and shall not engage in outside research or site visits unless procedures are followed to protect the integrity of the record on which the Committee's decision is based. The Committee will contact the County Attorneys' Office to determine the required procedures.

### Solid Waste Department Liaison

The Division of Utilities and Solid Waste Management's (DUSWM's) Liaison to the Committee is the Department Head of Solid Waste Management, or the Department Head's designee. The Liaison is assigned to advise and assist the Committee in its decisions.

### Membership

If qualified candidates exist and are willing to serve, the Committee shall have 13 voting members. The Committee shall seek, but not be limited to, candidates with specific expertise in business, environmental advocacy, civic organization involvement, local government, public policy, public health, solid waste collection, or recycling.

Each member shall serve a term of three (3) years and no more than two full consecutive terms, unless a replacement cannot be found, in which event the member's term shall be extended until a replacement can be found.

Candidates for membership will be reviewed by existing members, a majority of whom may make a recommendation for or against an applicant to the County Executive. The Committee may discuss applicants in a closed session in accordance with the Maryland Open Meetings Act.

A member of the County Council may be appointed as a non-voting, ex-officio member of the Committee, and serve in such capacity until that County Council member is replaced or terminates his or her membership.

### Officers and Committees

The Committee shall conduct its annual meeting in the month of September and elect a Chair and Vice-Chair. The Chair or, in the Chair's absence, the Vice-Chair, shall preside at all meetings of the Committee. The presiding officer shall rule on all points of order or procedure, and the Committee shall follow Robert's Rules. Subcommittees may be organized throughout the year, as needed, and subcommittee chairs and meeting times selected. Minutes of subcommittee meetings will be kept and approved in the same manner as Committee meeting minutes.

### Meetings

Meetings of the Committee will be held once monthly unless cancelled or postponed by the Chair or the Chair's designee. The date, time and place of the monthly meeting shall be established by the Committee at its annual organizational meeting, DUSWM staff shall email agendas and other related items within 48 hours prior to the planned meeting date. Committee members shall "reply [to] all" to these announcements and shall advise if they plan on attending the next meeting or not. DUSWM staff shall inform members of any change in meeting date/time as soon as possible.

All Committee meetings shall comply with the Maryland Open Meetings Act. Expert witnesses and members of the public may be called before the Committee, or its subcommittees, at the invitation of the Chair or the Chair's designee.

The Committee shall keep minutes of its meetings and decisions, to be taken by a Committee member appointed by the Chair, and to be available through the offices of the DUSWM.

Agendas shall be provided for the members for items to be discussed at the next scheduled meeting. Committee members shall be informed as soon as possible prior to the scheduled meeting of any item being added to the agenda that was not included on the original agenda.

### Special Meetings

Special meetings may be called by the Chair or, in the Chair's absence, the ViceChair, Notice of such a meeting must be given to each member at least 48 hours before said meeting unless exigent circumstances makes such notice impossible.

### Vacancies

Vacancies on the Committee shall be filled by the following process:

- a. The Chief Administrative Officer (CAO) is notified of the vacancy;
- b. The CAO seeks applicants and receives applications;
- c. The Committee reviews applicants and recommends candidates to the County Executive;

- d. The County Executive selects members to serve on the Committee;
- e. The County Council confirms the appointment; and
- f. A person appointed to fill a vacancy shall serve the balance of the unexpired term.

### Attendance

It shall be the duty of each member to make every effort to attend all meetings. Should any member be absent from one-half or more of all meetings held during the previous twelve (12) months, the Committee may recommend to the County Executive that the member's resignation be requested.

### Voting

A quorum shall consist of a majority of the existing membership of the Committee. Questions put to a vote are decided by a majority of the members present and voting, if a quorum is present. No decision may be made in the absence of a quorum. A tie vote by the Committee shall be interpreted as a defeat of the motion upon which the vote was taken. The Committee may, in its discretion, elect to vote again on a matter for which a tie vote occurred. In order to be eligible to vote, a member must have attended all meetings, or reviewed a record of any meetings, in which the matter was discussed.

### Ethics

Committee members are subject to the provisions of the Frederick County Ethics Ordinance. In the event any Committee member has a conflict of interest (financial or otherwise) that might limit the member's fair and impartial participation in Committee deliberations or decisions, the member shall inform the Committee as to the circumstances of such conflict, and refrain from participating in the discussion or decision in the matter giving rise to the conflict.

Conflicts of interest shall include, but shall not be limited to, any transaction by or with the County or Committee in which a Committee member individually, or an entity with which the member is affiliated, has a direct or indirect interest, or any transaction in which a Committee member is unable to exercise impartial judgment or otherwise act in the best interests of the Committee. Members may consult the County Attorney's Office as to the propriety of voting on any matter which may involve a conflict of interest.

### Conduct of the Committee

The SWAC is comprised of thirteen (13) citizen volunteers and the designated member of the County Council. The Committee shall seek to make decisions by consensus, to the extent possible, taking into consideration the broad spectrum of opinions and information existing in the community at large. A member shall not speak for the Committee, except as authorized by the Committee.