

**Bylaws**  
**Solid Waste Advisory Committee**  
**of the**  
**Capital Area Council of Governments**

**Article I – Name, Purpose,**  
**Responsibilities**

By the State of Texas, in State Planning Region 12, CAPCOG, has been designated as the agency charged with developing a Regional Solid Waste Management Plan, coordinating the implementation of regional policies and regional actions in the approved regional plan, and coordinating local solid waste management efforts. In compliance with the planning and plan implementation guidelines outlining the need, responsibilities and composition of a solid waste committee by the Texas Water Commission, (since merged as a part of the Texas Natural Resource Conservation Commission or TCEQ ), CAPCOG created the Solid Waste Management Advisory Committee (interchangeably referred to as the SWAC in this and other documents) as a voluntary, unincorporated association by resolution of the Capital Area Council of Governments Executive Committee on March 17, 1993.

In addition to specific duties outlined below, the SWAC will primarily assist CAPCOG in coordinating and guiding implementation of the CAPCOG Regional Solid Waste Management Plan, as submitted to the Texas Water Commission for adoption on May 26, 1992, and updated by CAPCOG Staff and submitted to the TCEQ on November 26, 1996.

The primary responsibility of the CAPCOG Solid Waste Management Advisory Committee (SWAC) is to promote, foster, coordinate, and guide implementation of the CAPCOG Regional Solid Waste Management Plan, and planning efforts as they relate to solid waste management in State Planning Region 12.

Subject to other tasks being directed by CAPCOG’s Executive Committee, as the need arises, the specific duties of the SWAC include:

1. To serve as a regional clearinghouse to provide input, review, comment, and explanatory functions to the CAPCOG Executive Committee during the development and implementation of regional and local plans.
2. To assist CAPCOG staff in evaluating goals, objectives and plan recommendations, defining problems and potentials in the development and annual review of the regional solid waste management plan.
3. To hold necessary meetings for conducting solid waste management business; monitor implementation of the Regional Solid Waste Management Plan to determine progress in accomplishing specific goals and objectives.
4. As part of the current and future Solid Waste Grants Program, score and prioritize project proposals requesting grant funding from CAPCOG, in order to pass these recommendations on to the CAPCOG Executive Committee for final approval, and the TCEQ for authorization of funds.
5. To perform other tasks as directed by the CAPCOG Executive Committee.

## Article II - Membership

### Number

The Solid Waste Management Advisory Committee will be made up of twenty-four (24) categorical members, representing, but not limited to the following:

1. City/County Representation:

Bastrop County:	1
Blanco County:	1
Burnet County:	1
Caldwell County:	1
Fayette County:	1
Hays County:	2
Lee County:	1
Llano County:	1
Travis County:	2
City of Austin:	2
Williamson County:	2

2. At-Large Regional Representation:

Individual w/Household Hazardous Waste expertise:	1
Private Operators:	4
Citizen/Environmental Groups:	1
Educational:	1

3. Ex-Officio/Non-voting (advisory role):

TCEQ (Regional Office):	1
TCEQ (Assigned Planner):	1

4. Representatives of interests not otherwise serving on the Committee may be invited to serve in ex-officio, non-voting capacity to provide advisory assistance to the SWAC.
5. The SWAC has the power to recommend all at-large regional representation nominations to the Executive Committee. All members shall be subject to the approval of the CAPCOG Executive Committee.
6. A CAPCOG staff member, designated by the CAPCOG Executive Director, shall serve as Committee liaison and shall attend each Committee meeting.
7. A representative of the CAPCOG Executive Committee may serve on the Committee.

### Qualifications

To be eligible for membership on the Committee a member must reside or be employed in the city/county the member is to represent unless otherwise designated by the CAPCOG Executive Committee. Members must meet the following criteria:

1. Be representative of the demographics of State Planning Region 12.

### Term

The term of appointment for a member of the Committee shall begin on the date of appointment by the CAPCOG Executive Committee, and be through December 31st of odd numbered years.

1. A member may be reappointed by the CAPCOG Executive Committee.
2. In the case of a vacancy, the CAPCOG Executive Committee shall appoint a replacement to serve for the remainder of the unexpired term.
3. A member may be removed for good cause by the CAPCOG Executive Committee.

#### Vacancy

A vacancy occurs when:

1. a member dies; or
2. a member's term expires and the member is not reappointed; or
3. a member resigns in writing to the CAPCOG Committee liaison and the Committee Chair with notification to the Executive Committee at its next regular meeting.; or
4. a member is removed; or
5. a member no longer satisfies the qualification requirements.

#### Attendance

1. Members are expected to attend all meetings.
2. Attendance records documenting Committee member absences will be maintained by the CAPCOG Committee liaison. If a committee member is unable to attend a scheduled meeting, notification must be made to the CAPCOG Committee liaison at least two business days prior to the meeting for an absence to be excused. All absences called in after the 48-hour notification time has passed will be considered unexcused. Non-attendance at a SWAC meeting without notification to the CAPCOG Committee liaison will be considered an unexcused absence. If a member is unable to attend a meeting, the member may send a representative who assumes all but the voting rights and responsibilities of the member.
3. A member is removed when, within one calendar year, he/she misses 50% of the minimum number of meetings to be held or two (2) consecutive meetings, whichever is greater. The member will be notified in writing of such removal.
4. Members so removed may appeal in writing to the CAPCOG Executive Committee within two (2) weeks of the date of notification. Appeals will be dealt with in a timely manner and the member will be notified in writing of the decision.

### **Article III - Officers**

#### Election

The election of the Chair and Vice Chair will occur at the first meeting of the calendar year.

#### Term

1. Officers serve one-year terms beginning on the date of election.
2. Officers may serve a maximum of two (2) consecutive terms.

#### Vacancy

In the event of either officer is unable to complete his/her term, the Committee will elect a replacement at the next meeting to serve the remainder of the term.

#### Duties

1. The Chair shall preside at all meetings of the Committee. The Chair shall represent the

Committee in presentations to the CAPCOG Executive Committee unless such responsibility is delegated by the Chair.

2. In the case of a tie during a vote at which a quorum is present, the Chair will be deemed to have the authority to break the tie.
3. The Vice Chair shall perform all the duties of the Chair in the case of absence or disability and such other duties as may arise, from time to time, when required or requested by the Committee.
4. In case the Chair and Vice Chair are absent or unable to perform their duties, the committee may appoint a Chair pro tem.

#### Other Officers

The Committee may elect other Officers from time to time to carry out its responsibilities. This may be done by a simple majority vote of the Committee members at any regularly scheduled meeting where a quorum is present

### **Article IV - Meetings**

#### Regular

1. The SWAC is required by the TCEQ to meet at least two times per year on a day, time and place specified by the CAPCOG Executive Director, the CAPCOG Committee liaison or the Committee as a whole. A reasonable attempt will be made to deal with all needed business at the meetings.
2. Written notice, including an agenda, of each regular meeting shall be prepared by the CAPCOG Committee liaison and mailed, or electronically transmitted, or hand-delivered to each Committee member at least five (5) business days before the meeting date.

#### Special

1. The Committee shall meet specially if called by the CAPCOG Executive Director, the CAPCOG Committee liaison, the Committee Chair or requested in writing by at least one-third of the membership, excluding vacancies, of the Committee.
2. A request by the membership for a special meeting must be in writing, addressed to the Chair, and describe the purpose or purposes of the meeting. Only that business reasonably related to the purpose or purposes described in the request may be conducted at a special meeting.
3. Notice of any special meeting shall be given at least 72 hours prior to the special meeting.

#### Quorum and Action

1. A majority of the total voting membership, excluding vacancies, constitutes a quorum for conducting Committee business.
2. A majority vote of the members present at a meeting at which a quorum is present is necessary for action by the Committee. During a meeting at which a quorum has been established, and then subsequently lost due to members leaving, all remaining business items requiring a Committee vote or action must be postponed until the next scheduled meeting at which a quorum is established.
3. A Committee member may not transfer voting rights by proxy.

#### Open Meetings and Records

1. All meetings of the Committee shall be open to the public. The meetings are not subject to the Texas Open Meetings Act.
2. Minutes of the Committee meetings, documents distributed and other records are the property of CAPCOG and shall be maintained in accordance with CAPCOG's Records

Retention Schedule. These materials are available for public view, at the CAPCOG offices or upon receipt of a written request by the interested party. The Committee liaison representing the Capital Area Council of Governments or his/her designee shall be the recording clerk.

3. Except where these bylaws require otherwise, *Robert's Rules of Order* shall govern the conduct of Committee meetings.

#### Conflict of Interest

A Committee member other than an elected public official, 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 participate in discussion of or vote on the application. The member is counted in determining the existence of a quorum. A vote cast in violation of this section is not counted.

#### Professional Conduct

Committee members should maintain objectivity and professionalism when carrying out business of the Committee. Committee members will not discriminate based on race, color, religion, sex, sexual orientation, gender identity, national origin, disability, or age. In the event that a Committee member acts in a manner which brings the work of the Committee into question or controversy, it shall be the responsibility of the CAPCOG Executive Director to address the incident with the appointing member of the Executive Committee and if appropriate, to recommend removal from the committee to the Executive Committee.

### **Article V – Ad Hoc Committees**

#### Appointment

Ad hoc committees may be appointed by the Chair with the approval of the Committee and shall serve for special purposes to comply with special needs.

#### Term

Membership on ad hoc committees shall be established to achieve the purpose for which the committee was created.

#### Meetings

The method for calling ad hoc committee meetings shall be the same as that for calling Committee meetings or at the discretion of the ad hoc committee membership to discharge their responsibility.

#### Officers

The Chairs of the ad hoc committees shall be appointed by the Chair of the SWAC.

### **Article VI – Amendments**

#### By CAPCOG Executive Committee

The CAPCOG Executive Committee may amend these bylaws at a regular or special called meeting. The written text of a proposed amendment must be included with the notice of the meeting at which the amendment will be considered.

### By the Solid Waste Management Advisory Committee

The SWAC Committee may recommend an amendment to these bylaws at a regular or special meeting. The written text of a proposed amendment must be recorded at the meeting at which the amendment recommendation is discussed and voted upon. An amendment adopted by the SWAC Committee is not effective unless approved by the CAPCOG Executive Committee. The written text of a proposed amendment must be included with the notice of the meeting at which the amendment will be considered by the CAPCOG Executive Committee.

### Effective Date

An Amendment to the bylaws takes effect when approved by the CAPCOG Executive Committee unless the amendment specifies a later effective date. Copies of amended bylaws will be distributed to Committee members by the Committee liaison.

### Bylaws History

Adopted 3/93  
Revised 6/97  
Revised 4/98  
Revised 12/99  
Revised 2/01  
Revised 12/04  
Revised 03/13  
Revised 12/18  
Revised 03/19