

**BYLAWS OF
The Washtenaw County Environmental Council**

**Adopted by the Environmental Council On May 28, 2019
Approved by the Board of Commissioners On_____**

**Article 1
NAME**

The name of this council is the Washtenaw County Environmental Council (“Council” or “WCEC”).

**Article 2
ENABLING AUTHORITY**

The Council was established by Resolution 18-191 on November 28th, 2018.

**Article 3
VISION AND MISSION**

Vision

A vibrant, sustainable, equitable and net-zero emissions Washtenaw County.

Mission:

To develop environmental policy and organizational recommendations for Washtenaw County government in order to:

- Achieve net-zero emissions for County operations by 2035.
- Reduce overall county contributions to climate change.
- Protect and improve the County’s air, land, water, food network, and both mental and public health as related to the environment.
- Prioritize environmental justice, and intergenerational justice related to the environment.

**Article 4
BACKGROUND**

The Board of Commissioners voted to strengthen and ramp up County sustainability efforts in its July 2017 Resolution upholding the Paris Climate Accord and committing the County to form an “Environmental Stewardship Committee” – a commitment now fulfilled in the establishment of the Washtenaw County Environmental Council. In 2017 and 2018, other environmental measures approved by the Board of Commissioners included: a ban on County purchases of Nestle brand bottled water, a ban on County purchases of certain single use plastics including plastic straws; resolutions opposing the Nexus and Rover

fracked gas pipelines, which cross the County; and the first financial commitment to support the Washtenaw County Food Policy Council.

The 2018 Board of Commissioners passed a 2019-2022 Quadrennial Budget [2019-2022 Budget] which establishes the County's internal environmental task force – the Environmental Infrastructure Workgroup (EIW). According to the 2019-2022 Budget, the EIW will 1) provide support, information and advice to the Environmental Council, and 2) provide input to the Office of Infrastructure Management as the OIM develops its 2019 Energy and Environmental Infrastructure Policy, which is an updated comprehensive strategy addressing the County's energy use and environmental impact as they relate to infrastructure.

On November 28, 2018, the County Board of Commissioners unanimously passed the "Resolution Upholding the Washtenaw County Board of Commissioners' Commitment to Environmental Justice and Establishing the Board of Commissioners' Environmental Council," which established this Council.

Article 5

DUTIES

The Council is responsible to the Board of Commissioners. The Council does not have regulatory authority. The Council is charged with the following duties:

- 1) Develop comprehensive, integrated environmental policies to recommend to the County Board of Commissioners.
- 2) Develop a proposal and timetable for the County's development of a plan to reach net-zero (neutral) emissions by 2035.
- 3) If the proposal and timetable are approved by the BOC, the Council may, if tasked by the BOC, work with County Administration, consultants, and/or other appropriate County departments to develop the detailed plan for the County to achieve net-zero emissions.
- 4) Act in an advisory capacity, without regulatory or legislative authority, to County departments, committees, and the Board of Commissioners on environmental issues.
- 5) Act in an advisory capacity, with the County's Office of Infrastructure Managements' Environmental Working Group, in the development and review of the "DRAFT Energy and Environmental Infrastructure Policy 2020-2023," which is being drafted by OIM as part of its comprehensive restructuring.
- 6) Work collaboratively with other commissions, boards, councils and committees on environmental issues.
- 7) Create committees, including standing committees, to help conduct the work of the Environmental Council.
- 8) Work to develop and maintain input and dialogue with the wider Washtenaw County community and to uphold the mission of the Council and of environmental policies approved by the Board of Commissioners.

Article 6

MEMBERSHIP

- 1) The Council will be comprised of up to 15 members, appointed by the Board of Commissioners. No more than one (1) member may reside outside the County. Members are to represent the following perspectives and/or groups:
 - i) County Commissioners (1-3 members)
 - (1) 1 of these Commissioners may be appointed to act as WCEC Liaison to the Board of Commissioners

- ii) Community Groups (2 members)
- iii) Sustainable Energy Producers, private or non-profit sector (1 member)
- iv) Land Use and Preservation (1 member)
- v) Sustainable Agriculture (1 member)
- vi) Racial Equity and Environmental Issues (1 member)
- vii) Water Protection (1 member)
- viii) Vehicle Emission Reduction Issues (1 member)
- ix) Public Health Issues (1 member)
- x) Infrastructure Energy Reduction Issues (1 member)
- xi) If approved by the BOC, up to two more members, not to include elected officials, may be appointed by the Board of Commissioners; the Environmental Council suggests that these members might represent youth and labor.

- 2) The Council is responsible for recommending member appointments to the County Board of Commissioners, which will appoint WCEC members.
- 3) Initial appointments to the WCEC end on March 31st, 2020, when the WCEC will sunset unless extended by the Board of Commissioners. If the Council is approved to extend beyond March 31, 2020, new terms will be staggered as follows. Thereafter, council members will be appointed for two-year terms.
- 4) One-year initial terms:
 - Sustainable Agriculture
 - Water Protection
 - Vehicle Emission Reduction Issues
 - Infrastructure Energy Reduction issues
 - Commissioners (1-3 members)
- 5) Two-year initial terms:
 - Community Groups (2 members)
 - Sustainable Energy Producers (private or non-profit sector)
 - Land Use and Preservation
 - Racial Equity and Environmental Issues
 - Public Health Issues
- 6) Any vacancy on the Council occurring in the middle of a term shall be filled for the remainder of that term in the same manner as for full-term appointments.
- 7) Council members are expected to attend meetings to ensure full community representation on the Council. Excused absences (illness, death in the family, vacation, business trip or emergency) will not affect a member's status. However, missing three consecutive meetings and/or more than three absences without reasonable excuse in a 12-month period shall constitute cause to recommend resignation to the Washtenaw County Board of Commissioners and replacement of the appointee.

Article 7
OFFICERS

1) Duties of Officers

- a) Chairperson: The Chairperson (“Chair”) shall preside at meetings, plan and organize the Council’s work and perform other duties as described by these Bylaws.

The Chair may authorize expenditures up to \$100, which will be reported to the Council at the next meeting by the Treasurer. Expenditures exceeding \$100 are approved by a vote of the Council.

- b) Vice Chairperson: The Vice-Chairperson presides over meetings in the absence of the Chairperson.

2) Officer Elections

Officers will be elected by the Council and will serve until at least March 31, 2020, or until their successor(s) have been elected. Thereafter, they will serve one-year terms or until their successors are elected if no successor(s) have been elected at the one-year point.

Article 8
MEETINGS

- 1) The Council will hold regularly scheduled meetings, publicly announced in advance, in accordance with the Open Meetings Act. All regularly scheduled meetings will include at least 10 days notice. The Chair, or any five Council members may call special meetings, in accordance with the Open Meetings Act. At least 18 hours public notice shall be given for special meetings.
- 2) Support for meeting organization; minute taking and distribution; website and social media; press and other communications; and publicizing meetings per the Open Meetings Act is provided by County Administration.
- 3) Meetings are open to all community members. The public has the right to speak during one public comment period at each meeting, limited to four (4) minutes per speaker.
- 4) The Chair may cancel a meeting if there is no business on the agenda, if it is clear that a quorum will not be present, or if weather, emergency, or other circumstances warrant. The Chair shall give notice of cancellation to members of the Council and any staff at least 18 hours prior to the scheduled meeting time, when practicable. The Chair shall cause public notice of the cancellation to be posted as soon as practicable. Cancelled regular meetings may be rescheduled in the same manner as special meetings.
- 5) A quorum of Council members, which shall consist of no less than 51% of the current members, must be present for decisions to occur.
- 6) The Council will make decisions by voting. Passage of a motion requires a simple majority of those present who serve as voting members of the Council.

- 7) Members are expected to participate in person however, participating or voting by phone is permitted if an exceptional circumstance arises preventing in-person attendance.
- 8) Staff will report expenditures to the board as part of the agenda for the regular meetings.

Article 9

ETHICS AND CONFLICTS OF INTEREST

- 1) Members of the Council must abstain from discussion or voting on any matter in which that member has a real or apparent conflict of interest. Decisions regarding conflicts of interest shall be evaluated on a case-by-case basis with reasonable application to the principles in this Article. A conflict of interest shall at a minimum include, but is not necessarily limited to, discussing, voting on, or otherwise acting on a matter in which a member, or any person in the member's immediate family, the member's partner, or an entity with which the member has family or business ties has a direct financial or beneficial interest.
- 2) A member of the Council shall neither solicit nor accept gratuities, favors, or anything of monetary value from persons or entities in a position to receive financial benefit from a decision of the Council.
- 3) A member of the Council shall not obtain, for the member or for any person with whom the member has family or business ties, any financial or beneficial interest in a matter which may be affected by a decision of the Council. This restriction shall apply during the member's tenure and for one year thereafter.
- 4) With regard to Council decisions or potential decisions, Council members shall disclose the general nature of any potential conflict, real or apparent, unless such disclosure violates a confidence. These disclosures shall be made prior to discussion and voting when possible and shall be recorded in the minutes of the proceedings. If a member believes that a potential conflict warrants abstention, the member may choose to abstain from discussion and voting on a matter. A member who has a conflict and cannot vote shall leave the meeting or the area of the meeting until action on the matter is concluded, whether that conflict has been disclosed or not.
- 5) When a question has arisen as to whether a member is ineligible to participate in discussion or vote on a matter because of a potential conflict of interest, and the member has not chosen to abstain of his or her own volition, the Council may determine that the member is ineligible due to a conflict of interest by a vote of a majority of other members present. After such determination, the ineligible member shall not participate in discussion of, or vote on, the matter.
- 6) Members shall not act, hold themselves out, or permit themselves to be perceived as official representatives or spokespersons for the Council without authorization from the Council or the Chair. When communicating for personal purposes on matters that may be related to the Council's business, members shall clearly indicate that their statements are made in a personal capacity and do not necessarily reflect the views of the Council. Whenever a member is asked to speak on behalf of the Council, the member will ask approval of the Council or Chair in advance.
- 7) To maintain public confidence in the objectivity of the Council and to avoid the appearance of bias or prejudice, a member shall not speak or appear before the Council on behalf of or as a representative of a potential or actual petitioner. A member should avoid speaking or appearing before another entity on behalf of or as a representative of a potential or actual petitioner.

Article 10
AGENDA AND ORDER OF BUSINESS

- 1) An agenda for each meeting of the Council shall be developed by the Chair in consultation with the members of the Council. To the extent practicable, agenda, resolutions, and materials for regular meetings shall be made available to the public and members of the Council at least 48 hours before the meeting's scheduled start time. Members wishing to add an agenda item or a speaker to the agenda should contact the Chair with the request.
- 2) The order of business at regular meetings shall generally be as follows.
 - a) Call to Order
 - i) Roll Call
 - ii) Approval of the Agenda
 - iii) Approval of Minutes of Past Meetings
 - iv) Public Comment
 - v) Special Presentations
 - vi) Regular Business
 - vii) New Business
 - viii) Communications and Reports
 - (1) Council
 - (2) Staff
 - (a) Finance Report
 - (3) Committees
 - ix) Adjournment

Article 11
AMENDMENT OF BYLAWS

- 1) Amendments to these Bylaws may be approved at any regular meeting by vote of two-thirds of the voting members currently serving on the Council. Proposed amendments must have been submitted in writing at the previous regular meeting to be considered.
- 2) Prior to submission of amendments to the Bylaws at the regular meeting, proposed amendments must be submitted to the Chair who will submit them to the Office of the County Corporation Counsel. Reasonable time must be allowed for Corporation Counsel's response.
- 3) After adoption by the Council, the amended bylaws are not effective until approved by the Board of Commissioners.