

**Bylaws for
Marion County
Weed Control District Advisory Committee**

1. Name.

This advisory board will be known as the Marion County Weed Control District Advisory Committee (hereinafter referred to as the "Weed Advisory Committee").

2. Mission.

To serve the interests of the citizens and landowners of Marion County by reducing or eradicating noxious weeds. To provide direction to Marion County staff with regard to education about and treatment of noxious weeds in the county.

3. Purpose of the Weed Advisory Committee

The Weed Advisory Committee is established in accordance with Ordinance No. 1225, adopted on 1 March 2006. The Weed Advisory Committee will serve the public interest in an ethical and responsible manner by:

- a. Assisting the county in effective education, outreach, and treatment of noxious weeds.
- b. Advocating for effective weed control programs.
- c. Receiving information from staff in order to make informed decisions.
- d. Cooperating with local interest groups and state and federal agencies thereby promoting partnerships.
- e. Assisting in accessing funding.
- f. Reporting and making recommendations to the Marion County Board of Commissioners.
- g. Assisting the county with the identification of appropriate additions to and deletions from the Marion County Noxious Weed List.

The Weed Advisory Committee is subject to the laws applicable to public bodies.

3.1 Definitions

a. Noxious weed: Conforming to the statutory definition of a noxious weed as used in ORS 569.175 to 569.195, a noxious weed means any terrestrial, aquatic or marine plant designated by the State Weed Board under ORS 569.615 as among those representing the

greatest public menace and as a top priority for action by weed control programs or such weeds designated as noxious by the county under its authority from ORS 569.355.

a1. Definition of Noxious Weed from 1974 Federal Noxious Weed Act:
A noxious weed means any living stage, such as seeds and reproductive parts, of any parasitic or other plant of a kind, which is of foreign origin, is new to or not widely prevalent in the United States, and can directly or indirectly injure crops, other useful plants, livestock, or poultry or other interests of agriculture, including irrigation, or navigation, or the fish or wildlife resources of the United States or the public health.

b. Advocate: The Weed Advisory Committee and its individual members are to fulfill duty and obligation to the citizens of Marion County through supporting and defending public recommendations for effective weed control programs by speaking, writing, and urging support for those programs through education, funding, and labor.

4. Membership.

a. Appointment. The Weed Advisory Committee shall be comprised of not fewer than 9 members, who shall be appointed by the Marion County Board of Commissioners and serve at the Board of Commissioners' pleasure. Members shall be appointed for terms of 4 years and may serve 2 terms.

b. Representation. The Weed Advisory Committee shall be comprised of the following, at a minimum:

Four representatives from farm, forest, and/or related industry,
Two representatives from natural resources (for example: MSWCD, watershed council representatives, ODFW, etc.)
Two representatives at large,
One urban representative.

c. Duties/expectations. Members will complete tasks assigned by the chair and will carry out assignments from committees to which they have been appointed. Members are expected to be knowledgeable about the essential matters confronting the committee, including policy guidelines. Members are expected to assist each other in orientation and education related to committee responsibilities.

5. Termination.

a. Removal by board of commissioners. All Weed Advisory Committee members serve at the pleasure of the board of commissioners. The board of commissioners may remove a committee member on its own motion or upon the recommendation of the Weed Advisory Committee.

- b. Removal by committee. If the Weed Advisory Committee determines by a majority vote that a member should be removed, the chair of the Weed Advisory Committee shall report that recommendation to the board of commissioners for its consideration.
- c. Resignation. Resignations by members shall be submitted in writing to the Weed Advisory Committee chair and announced at the next regularly scheduled meeting. The chair shall forward a copy of the resignation to the director of Public Works and the board of commissioners.
- d. Reasons for dismissal. The board of commissioners may remove a member when it determines that it is in the interest of the Weed Advisory Committee or the county to do so.

6. Attendance.

All Weed Advisory Committee members are expected to attend regularly scheduled meetings. More than three unexcused absences by any member during any 12 month period may result in removal of the member by the board of commissioners. A member's absence is unexcused if the member fails to notify county staff in advance of a meeting that the member will not attend the meeting. In the event of continued unexcused or excused absences without proof of unavoidable or emergency circumstances, the Weed Advisory Committee will discuss the retirement of the committee member and the opening of the vacancy. The retirement, if voted for by the majority of appointed voting membership, will then be recommended to the board of commissioners for action.

7. Meetings.

- a. Public meeting laws. The Weed Advisory Committee is a public body subject to the public meetings and record laws as stated in ORS Chapter 192. All meetings will be open to the public.
- b. Regular meetings. The Weed Advisory Committee meets on the second Saturday of each month at 7:30 a.m. Weed Advisory Committee meetings are generally held at the Marion County Public Works offices at 5155 Silverton Rd. NE, Salem. Members may attend either in person or electronically by conference call so long as persons in attendance and on the telephone can both hear and communicate with each other. Regular meetings may be canceled or changed to another specific place, date and time provided that actual notice is given.
- c. Notice. The Weed Advisory Committee will provide for and give public notice, reasonably calculated to give actual notice, to board members, interested persons, news media that have requested notice, and the general public. Notice shall include the time and place for holding regular meetings. The notice will also include a list of the primary subjects anticipated to be considered at the meeting. Distribution of meeting notices will be in a manner that maximizes the potential of the public to be aware of the proceedings and to participate. Whenever possible, matters resulting in a recommendation to the board

of commissioners will be deliberated during a minimum of two meetings to assure maximum participation.

- d. Special meetings. Special committee meetings may be called by the Weed Advisory Committee chair by notifying all members and the general public through a news media notice not less than 24 hours prior to the time of the special meeting. A special meeting should be called only if necessary to conduct business that cannot wait until the next regularly scheduled meeting. When possible, notice should be provided as soon as possible to encourage public participation.
- e. Quorum. The majority of the appointed voting membership of the Weed Advisory Committee will constitute a quorum for the transaction of all business requiring a vote of the membership at meetings.
- f. Decision making procedure. Each Weed Advisory Committee member will be entitled to one vote on all issues presented at meetings at which the member is present. A majority vote is the primary decision-making method and is necessary to execute fiduciary and statutory obligations. Majority is defined as a majority of the appointed membership.
- g. Minutes. The staff member assigned to the Weed Advisory Committee will cause meeting minutes to be prepared. Minutes will include a description of the members present, motions, proposals, resolutions, and orders proposed and their disposition, the results of all votes and a vote by each member by name, the substance of any discussions on any matter, and reference to any document discussed at that meeting. Minutes shall be distributed to the membership a minimum of one week prior to each meeting. Minutes will also be distributed to the board of commissioners and posted on the department's website.
- h. Agendas. Items may be placed on a meeting agenda by any Weed Advisory Committee member or by county staff. The agenda will be distributed to members at least five (5) days prior to a regular meeting.

8. Officers.

- a. Chair and vice-chair appointment. Weed Advisory Committee members may elect a chair and vice chair. The chair and vice-chair may serve a maximum term of 2 years.
- b. Chair responsibilities. The chair will act as leader of the convened meeting and as the parliamentarian. The chair will enforce Weed Advisory Committee directives, guidelines and membership rules and will guide the conduct of public meetings. The chairperson is the official representative of the Weed Advisory Committee and shall be the spokesperson to the media.
- c. Vice-chair responsibilities. In the absence of the chair, the vice-chair will assume the chair's responsibilities. If neither the chair nor vice-chair is available for a publicly-

convened meeting, then the assembled quorum of the meeting will select a temporary chairperson to conduct the meeting.

- d. Vacancies or removal of officers. The Weed Advisory Committee may choose to remove a chair or vice chair when it determines that it is in the interest of the Weed Advisory Committee or the county to do so. If the chair is removed, the vice-chair will assume the chair's position. If the vice-chair is removed, the Weed Advisory Committee will elect a person to the position.

9. Committees.

The Weed Advisory Committee may authorize the chair to appoint members to standing or special committees as necessary to deal with specific problems or issues. All appointed standing or special committees are required to report their information and/or recommendations to the Weed Advisory Committee.

10. Conflicts of Interest.

- a. Declaration. The Weed Advisory Committee is subject to ORS 244.020, 244.040(1), and 244.120 to 244.030, defining conflict of interest and establishing protocols for members of public bodies in Oregon. Weed Advisory Committee members are expected to declare a conflict of interest prior to consideration of any matter causing a potential or actual conflict.
- b. Potential conflict defined. A potential conflict of interest exists when a Weed Advisory Committee member takes an action that reasonably could be expected to have a financial impact on that member, a relative, or a business with which the member or member's relative is associated. The Weed Advisory Committee member may participate in an action after declaring the potential conflict and announcing its nature.
- c. Actual conflict defined. An actual conflict of interest exists when an action is reasonably certain to result in a special benefit or detriment to the Weed Advisory Committee member, a relative, or a business with which the member or member's relative is associated. The member will declare the actual conflict and announce its nature. The member must then refrain from taking any official action, except when the member's vote is necessary to achieve a quorum. When a vote is necessary to achieve a quorum, the member may vote, but may not participate in any discussion or debate on the issue out of which the actual conflict arises.

11. Revision of or Amendment to Bylaws.

- a. Initiated by committee. The Weed Advisory Committee may propose amendments to the bylaws. Any recommendations agreed upon by the majority of the Weed Advisory Committee shall be forwarded to the board of commissioners for its approval. In accordance with Administrative Policy B-17, bylaws will be submitted to the board of commissioners by the committee chair every three years for review and approval.

- b. Initiated by board of commissioners. Under certain circumstances, the board of commissioners may initiate changes to the bylaws. These changes will be submitted to the Weed Advisory Committee for review and consultation prior to the board of commissioners' adoption.
- c. Distribution. Upon the board of commissioners' approval of bylaw amendments, the Marion County Department of Public Works will make any required revisions to the bylaws and distribute them to all members of the Weed Advisory Committee.

12. Community Relations/Public Input.

Any member of the public will be welcome to attend and provide input at Weed Advisory Committee meetings. Public comments will be encouraged and will be accepted verbally or in writing. Anyone who wishes to voice an opinion or present information or concerns to the Weed Advisory Committee attend meetings or contact either the chair, the vice-chair, or staff of Marion County Public Works. Arrangements will be made and time will be allotted at meetings as appropriate to assure broad public participation.

ADOPTED BY Marion County Weed Control District Advisory Committee,
this 17th day of August 20011.

APPROVED BY THE MARION COUNTY BOARD OF COMMISSIONERS

David A. Brenham

Chair

Patricia Mulca

Commissioner

Janet Carlson

Commissioner

Date: August 17, 2011



BOARD OF COMMISSIONERS

Agenda Review

DATE: August 5, 2011
TO: Board Session Coordinator
Board of Commissioners' Office
FROM: Willis G. Worcester, Director
Department of Public Works
RE: Update of Weed Control District Advisory Committee bylaws

Department Contact Person: Tanya Beard Phone: x3149

Thursday Agenda Planning Date: August 11, 2011

Presenter(s) at board session: Tanya Beard

Visual Aids for presentation: NA

Copies of completed paperwork to (name & department): Tanya Beard, Public Works

Estimated time for presentation: 5 min.

ISSUE: Approve updates to Weed Advisory Committee bylaws.

BACKGROUND: By Ordinance 1225, the Marion County Board of Commissioners authorized the creation of the Marion County Weed Control District (MCWCD) and the associated advisory committee. The Advisory Committee has reviewed the associated bylaws and made changes to simplify and clarify them.

FISCAL IMPACT (Current Year *and* Yearly Projected for Following Fiscal Year): The adoption of the updated bylaws has no known fiscal impact.

Fund: D: I: P: S:

Acct: Project:

IMPACTS TO COUNTY DEPARTMENTS AND/OR EXTERNAL ENTITIES: The changes to the bylaws simplify and clarify the document.

OPTIONS FOR CONSIDERATION:

1. Adoption of the 2011 updates to the Weed Advisory Committee bylaws.
2. No action.

RECOMMENDATION: The Department of Public Works recommends that the Board of Commissioners adopt the 2011 Weed Advisory Committee bylaws.

DEPARTMENT HEAD SIGNATURE

List Attachments: Bylaws reflecting changes recommended

TAB:jrb