

TOMPKINS COUNTY WATER RESOURCES COUNCIL

BYLAWS

Adopted: March 20, 2001
County Resolution No. 51

Amended: March 5, 2002
County Resolution No. 40
Amended: October 21, 2013
County Resolution No. 200

Article I. Name and Purpose

Section 1. Name. The official designation shall be the Tompkins County Water Resources Council, abbreviated WRC.

Section 2. Purpose. The purpose of the WRC shall be to advise County and local governments on matters pertaining to water resources in Tompkins County to serve as Tompkins County's Water Quality Coordinating Committee. The WRC shall identify problems; recommend strategies to address problems; establish priorities; promote coordination of activities in the protection, development, and management of the water resources in Tompkins County; and provide a public forum for the discussion and resolution of issues and problems and for completion of proposed projects and programs, as outlined in Resolution no. 57 of 2000 (Restructuring of County Water Resources Council) and any future amendments there to. The WRC exists at, and WRC members serve at, the pleasure of the Tompkins County Legislature.

Article II. Powers and Duties

[Note: The following powers and duties of the WRC have been incorporated into these Bylaws Verbatim from Resolution no. 57 of 2000. Bracketed information contained within these powers and duties is intended to provide further clarification of WRC powers and duties.]

Section 1. Powers and duties. The powers and duties of the WRC shall be to:

- (a) advise the County Legislature, through the appropriate committee of the County Legislature, on matters affecting the preservation, enhancement, and use of water resources in the County;
- (b) develop and recommend programs to improve the coordination and effectiveness of water resources programs;
- (c) establish priorities among water resources projects as needed for funding sources;
- (d) develop and conduct a program of public information in the County that shall be designed to foster an increased understanding of the nature of water resources, related problems and issues, and their solutions;
- (e) provide coordination by working in cooperation with public and private agencies focusing particularly on those matters relating to water resources that require intergovernmental action;
- (f) maintain liaison with regional and neighboring planning agencies, and regional and neighboring water resources planning boards, with a view towards improvement of coordination;
- (g) conduct studies, surveys, and inventories in accord with the general purposes of this resolution;
- (h) recommend to the appropriate committee of the County Legislature plans and programs for water resources;
- (i) draft an annual budget and work program for submittal to the appropriate program committee of the County Legislature ensuring that the goals of the Water Quality Strategy Plan are addressed; and
- (j) act as the Tompkins County Water Quality Coordinating Committee under New York State guidelines, including preparation and update of [the Tompkins County] Water Quality Strategy Plan.

Section 2. Issues to be addressed. Issues for discussion and eventual action or inaction may originate with (a) the Tompkins County Legislature; (b) WRC; (c) County agencies; (d) County municipalities; (e) the public, groups, and individuals; and (f) private organizations. Any issues referred to the WRC may, in turn, be referred to one of its committees for technical evaluation and development of alternative courses of action, and sent back to the WRC for final disposition. The WRC may also refer items to another agency of federal, state, county, or local government and request feedback on final disposition; dispose of the matter itself; or the WRC may take no action at all.

Article III. Membership

Section 1. Membership. There shall be three classes of members: voting members, non-voting ex officio members, and associate members.

Section 2. Voting members. The voting membership shall consist of those as provided by Resolution no. 57 of 2000 [21 members], and any future amendments thereto.

Section 3. Non-voting ex officio members. The non-voting ex officio members Shall consist of those persons duly appointed by the Tompkins County Legislature as provided by Resolution no. 57 of 2000 and any future amendments thereto.

Section 4. Associate members. In order to encourage public participation, any individual interested in and/or knowledgeable about water resources may apply to the WRC to be an associate member. Once accepted/appointed, each such member may participate in WRC discussion and serve on committees. On the WRC an associate member shall be non-voting and may not speak on behalf of the WRC, but on a WRC committee she/he may vote and serve as committee chair. An associate member can serve as a committee chair and speak on behalf of the committee after he/she has served as an associate or voting member for one year.

Section 5. Term. The term of membership is three years, coinciding with the calendar year, except that (a) the County Legislature seat shall be for one year, (b) initial appointments will be staggered so that one-third of the voting membership expires every year, and (c) an associate member's term will end at the end of the second December after appointment.

Members may apply for reappointment without limit, but are not guaranteed reappointment. Member's attendance record is taken into consideration for reappointment.

Section 6. Voting rights. Only those persons so listed in Resolution no. 57 of 2000 and any amendments thereto shall vote at WRC meetings. No proxy voting or telephone polling shall be allowed, but participation in meetings via telephone or conference call is permissible. The person participating by phone cannot be counted toward a quorum or vote.

Section 7. Duties.

a) Attendance. Voting members and appointed ex officio members are expected to attend all meetings of the WRC and to participate in committee work. Associate members are encouraged to attend council meetings and participate by serving on committees.

b) Constituency liaison. Members appointed to a seat representing a particular area or constituency are expected to keep persons in that constituency informed about the WRC and seek relevant input into the work of the WRC.

Section 8.

a) Absences. After the third absence from WRC meetings within a calendar year the member will be contacted by the Chair to see if there are problems that can be remedied.

b) After the fifth absence within a calendar year the WRC shall vote on whether or not to recommend to the Chair of the County Legislature to declare that member's seat vacant and request replacement of that member due to non-attendance at WRC meetings. The member may appeal to the full WRC for

reconsideration of any non-attendance recommendation due to special circumstances.

c) Members may also request a leave of absence from the WRC prior to any necessary prolonged absence. Such leave is not automatically granted, but will be decided by vote of the WRC based on the best interests of Tompkins County.

Section 9. Quorum. A majority of the authorized voting membership (as spelled out in Resolution no. 57 of 2000 [21 members] or as amended) shall constitute a quorum. A simple majority of the authorized voting membership must vote in the affirmative to take any action.

Article IV. Officers and Staff

Section 1. Chair.

a) Selection and term. The WRC shall elect a Chair annually at the January organizational meeting for a one-year term from among its members who have been in voting seats for two or more years.

b) Duties. The duties of the Chair shall be to:

- i. preside at the general meetings of the WRC and the WRC Executive Committee;
- ii. establish meeting agendas, together with staff;
- iii. serve as the official representative and chief administrator of the WRC and primary liaison to the Tompkins County Legislature;
- iv. call the WRC to a special meeting or cancel a scheduled meeting, if deemed necessary;
- v. appoint members of committees, subject to approval of the members of the WRC; and
- vi. appoint members to represent the WRC to other public bodies, subject to approval of the members of the WRC.

Section 2. Vice Chairs.

a) Selection and term. The WRC shall elect two Vice Chairs annually at the January organizational meeting for a one-year term from among its members who have been in voting seats for two or more years. One shall be designated "First Vice Chair" and one "Second Vice Chair".

b) Duties. The duties of the Vice Chairs are divided among themselves and the Chair, to:

- i. serve as Chair pro tem in the absence of the Chair, or, in the event of a vacancy, until the WRC elects a new Chair;
- ii. coordinate the preparation of the annual work plan and the annual report, together with the appropriate WRC committees and staff;
- iii. serve as WRC Parliamentarian;
- iv. monitor the WRC's finances and report semi-annually to the WRC;
- v. assist in the preparation and submission of the annual budget, together with staff; and
- vi. attend County Legislature meetings when necessary,
- vii. present resolutions to the County Legislature as appropriate, and follow up on implementation of WRC resolutions requiring County Legislature action.

Section 3. Staff. The County Legislature shall provide for staff support as may be necessary for the conduct of the WRC's official business [Resolution no. 57 of 2000 section 7]. Designated staff should fulfill the duties of secretary, treasurer, and administrative coordinator. Initially, the Tompkins County Planning Department shall provide staff support as directed by the Commissioner of Planning.

Article V. Committees

Section 1. Executive Committee.

a) Selection and term. Each year the WRC shall form an Executive Committee comprised of the Chair and Vice Chairs and up to two other WRC voting members. All members of the Executive Committee must have been WRC voting members for at least two years. Executive Committee members serve for one year or until their successors are chosen.

b) Duties. The Executive Committee shall meet as necessary to act on administrative and

financial matters between regular WRC meetings or when it is impractical to convene the full WRC. All actions of the Executive Committee shall be in accordance with prior acts of the WRC. The Executive Committee shall report any actions taken at the next WRC meeting. All actions of the Executive Committee are subject to ratification, revision, or revocation by the WRC. If the WRC revokes an Executive Committee action, the action will be reversed to the extent possible.

Section 2. Standing Committees.

- a) Nominating/Membership Committee
 - i. Membership. This committee shall consist of at least three WRC voting members.
 - ii. Duties include:
 - a. Nomination of officers. Each November the Nominating Committee shall begin work on preparing a slate of officers (Chair and Vice Chairs) from among voting members with at least 2 years of WRC tenure to be presented to the full membership at the Organizational meeting in January of the following year.
 - b. WRC Membership. Throughout the year and as necessary, the Nominating Committee shall be alert to and seek out community members interested in or with expertise relevant to the work of the WRC and encourage submission of applications for membership. The Committee shall work with staff to suggest and recommend to the Tompkins County WRC persons to fill vacancies.
 - c. Associate members. The committee shall be responsible for providing an application for associate membership, reviewing any applications for such membership, and recommending to the WRC persons for appointment as Associate Members.

- b) Grants/Finance Committee.
 - i. Membership. This committee shall consist of at least five members, three of whom are voting WRC members, one of whom shall be a member of the Executive Committee.
 - ii. Duties Include:
 - a. Grant availability. This committee shall stay informed about the availability of water-resource-related grants from all sources, and maintain a file of such information and a calendar of relevant deadlines.
 - b. Grant application. This committee shall work with staff to identify and/or draft grant applications, and coordinate with other entities in the identification and drafting of grant applications, for purposes approved by the WRC for projects that enhance water resources and/or support the goals of the Water Quality Strategy Plan.
 - c. Financial reports. This committee shall track grant expenditures and requirements, and work with staff as needed to update the WRC on financial matters.

- c) Education/Outreach/Public Participation Committee
 - i. Membership. This committee shall consist of at least five members.
 - ii. Duties include:
 - a. Keep the public informed about the activities of the WRC.
 - b. Set up public participation meetings for the general public.
 - c. Review and inventory existing relevant educational materials.
 - d. Identify issues that the public should be aware of and bring them to public attention.
 - e. Solicit public input as requested by the WRC.

Section 3. Special Committees. The WRC may establish committees on an as-needed basis. Each such committee shall consist of at least two members and be given a specific charge at the time of its formation. Such committees serve at the pleasure of the WRC.

Section 4. Duties. Each standing and special committee shall elect a chair from among its members. Each committee should become knowledgeable about matters affecting the subject-matter area of the committee. From time to time, as required by the WRC, the committee shall report to the WRC on its activities and future plans, and

shall bring matters of particular concern to the attention of the WRC. The tenure of a committee shall be as specified by the WRC. Each committee shall prepare a brief report to be included in the WRC Annual Report.

Article VI. Meetings

Section 1. Regular meetings. The WRC shall meet monthly in regular session, the place and time to be determined at the organizational meeting or by the Chair with notification made to the membership at least one week prior to said meeting.

Section 2. Organizational meeting. An organizational meeting shall be held at the first regularly scheduled meeting in the new year following appointments by the County Legislature.

Section 3. Special meetings.

a) The Chair may, when deemed necessary, call a special meeting of the WRC with notification at least five days in advance. Confirmation of receipt of notification is required.

b) The Chair shall call a special meeting at the written request of five voting members. The request shall be submitted to the Chair, and copied to staff, by e-mail, fax or paper communication.

Section 4. Conduct of meetings. The rules contained in the most recent edition of Robert's Rules of Order shall govern the meetings of the WRC and its Committees in all cases to which they apply and when they are not superceded by the Bylaws, any applicable State or County laws, or any agreed-upon rules otherwise adopted by the WRC.

Section 5. Committee Meetings. Each committee shall keep the WRC informed of its meeting schedule.

Article VII. Records and Reports

Section 1. Minutes. The WRC shall maintain minutes of its regular meetings. Summary of committee reports shall be included in the minutes of the WRC. One week prior to a WRC meeting, agenda, draft minutes of the previous WRC meeting and all pertinent supporting materials shall be distributed to each member of the WRC, the appropriate committee of the County Legislature, and the County Legislature. The status of the minutes (draft or approved) and relevant date shall be indicated at the top of the minutes.

Section 2. Annual report. Committee chairs shall provide a summary of the previous year's committee activities by February 1st for inclusion in the Annual Report. The WRC shall compile and submit an annual report, to the appropriate committee of the County Legislature no later than the 1st day of April each year, concerning the activities and work of the WRC.

Section 3. Reports and recommendations. From time to time, the WRC shall submit to the County Legislature such other reports and recommendations are necessary to fulfill the purpose of Resolution no. 57 of 2000 and any future amendments thereto.

Section 4. Water Quality Strategy Plan. The New York State Department of Environmental Conservation, together with the New York State Soil and Water Conservation Committee, specified that County Water Quality Coordinating Committees develop County Water Quality Strategies (Strategies). The purpose of these Strategies is to: "identify and set local priorities for nonpoint source pollution prevention". The minimum content of the Strategies includes:

(a) a summary of individual agency and organization roles;

(b) a list of prioritized water quality concerns;

(c) a list of goals and objectives for informing the public, for ongoing problem assessment and verification, for addressing watershed specific and county-wide issues, and for overall program evaluation;

(d) a list of tasks for achieving each objective including who is responsible for completing the task, estimated timeframe for completion of the tasks, potential sources of funding, and estimated costs; and

(e) a description of the Water Quality Coordinating Committee's role in implementing the Strategies. *[Memo to County Water Quality Coordinating Committees from Dave Pendergast, NYSSWCC and Phil DeGaetano, NYSDEC dated February 28, 1992.]*

The WRC will review biennially and update the Tompkins County Water Quality Strategy Plan and gather public input for its implementation at a public informational meeting, following which the WRC will act on implementation.

Section 5. Annual workplan. The WRC shall draft a tentative workplan for the next year by December of each year, and no later than February of each year the reconstituted WRC shall finalize and submit to the appropriate committee of the county legislature and annual workplan that summarizes the WRC goals and objectives for that coming calendar year.

Section 6. Annual budget. The WRC Executive Committee shall draft a proposed budget for the next year, to be approved by the WRC at its June meeting each year, to submit to the appropriate County Department to incorporate in its budget proposal to the County Legislature

Article VIII. Policies and Procedures

Section 1. Open meetings. In conformance with the New York State Open Meeting Law, all meetings of the WRC and its committees shall be open to the public.

Section 2. County code of ethics. The County Code of Ethics, including the conflict-of-interest clause, shall apply to all WRC members.

Section 3. Public notice. The WRC shall provide public notice of the date, time, and location of all its regular and special meetings.

Section 4. Policy sheet. Policies and procedures for the operation of the WRC, not otherwise covered by the Bylaws and within the discretion of the WRC, may be created by the WRC and updated or modified from time to time and kept in easily accessible form on a Policy Sheet.

Article IX. Bylaws Adoption and Amendments. *[Note: Resolutions no. 57 and 211 of 2000 include the full list of 21 "authorized" seats; "seated" refers to those actually appointed, and recognizes that at any given time there may be fewer than 21 appointed members.]*

Section 1. Adoption. These Bylaws shall be adopted at a meeting of the WRC by a 2/3 vote of the authorized membership provided that the draft Bylaws be made available in writing to each WRC member at least two weeks in advance. Upon approval by the WRC, these Bylaws shall be filed with the County Legislature.

Section 2. Amendment. These Bylaws may be amended at any WRC meeting by a 2/3 vote of the *seated* members, provided that the amendment has been made available in writing to each WRC member at least two weeks prior to the meeting. Upon approval by the WRC, these amendments shall be filed with the County Legislature.