

## ***Clark County Clean Water Commission***

---

### **Bylaws**

**Section 1. Name.** The official name shall be "The Clark County Clean Water Commission."

**Section 2. Mission.** The nine (9) member Clark County Clean Water Commission serves as an advisory body to the Clark County Board of Commissioners (Board) to provide advice and recommendations to the Board on Clean Water related issues. The Commission shall:

- represent a balanced interest in storm and surface water treatment and regulation;
- make recommendations to the Board on such matters as the focus of the *Stormwater Management Program*, program service levels, financing (provide oversight of the program budget and activities), and policies on surface and stormwater issues;
- report to the Board (reporting will be done by the Chair and Vice Chair of the Commission) its recommendation for creating an incentive program through which service charges may be adjusted in circumstances where property owners significantly reduce the impacts of stormwater runoff;
- report as needed (reporting will be done by the Chair and Vice Chair of the Commission) and provide an annual report, signed by all Commission members, to the Board of County Commissioners on the effectiveness of the Clean Water Management Program. This report will include:
  - establishing the criteria for evaluating the effectiveness of the program and set forth the criteria in order to make an annual report to the Board;
  - a plan for the upcoming year in addition to evaluating the effectiveness of the program in the preceding year in the annual report;
  - a summary of revenues and expenditures by watershed, zip code, or other easily identifiable geographic means; and
  - a summary of public comments;
- promote clean water/stormwater program coordination among other agencies, groups, and citizens at large.

**Section 3. Expectations of the Clean Water Commission.** Members of the Clean Water Commission are expected to make considerable commitment in the following areas: regularly attend meetings and workshops; prepare for meetings; participate in the discussion of issues; advise the Board on issues that are

43 difficult for both their implications and complexity. The Board requires and  
44 expects careful analysis by the Clean Water Commission on the issues reviewed  
45 by them. The Clean Water Commission should expect controversy in making  
46 decisions and make timely decisions. Clean Water Commission members should  
47 also understand the distinction between applying policy and recommending  
48 policy. The opportunity to recommend changes in policy is present at times, but  
49 should not be the object of discussion when policies are being applied. Members  
50 must be fair and consider all viewpoints. Members must recognize that not all  
51 recommendations will be upheld, and expect that some issues may be remanded  
52 so that they can be dealt with in a more comprehensive or clear manner.

53

54 **Section 4. Expectations of the County.** The Clean Water Commission  
55 should expect the County to commit to providing information in a timely,  
56 understandable, and accurate way. The County should promptly reappoint  
57 vacancies on the Clean Water Commission and make appointments that enhance  
58 the effectiveness of the Clean Water Commission. The Clean Water Commission  
59 should meet with Board at a minimum every three months to discuss issues.  
60 Quarterly is preferred and should be scheduled one year in advance. The County  
61 should also provide orientation and training materials as necessary.

62

63 **Section 5. Advisory Role.** The advisory role of the Clean Water Commission  
64 would involve the entire community, or large segments of it. This may include  
65 updates or changes to the Stormwater Management Program, as defined in the  
66 County's 2007 NPDES Phase 1 Municipal Stormwater Permit. Clean Water  
67 Commission members are required to be impartial, objective, free of entangling  
68 influences, and must appear to be fair to the average person. The Clean Water  
69 Commission members are typically selected because they represent a diversity of  
70 opinion within the community. This diversity also is reflected in the judgments  
71 made both individually and collectively by the Clean Water Commission.

72

73 **Section 6. Abstentions and Conflict of Interest.** Members are expected to  
74 participate in the discussion of issues before the Clean Water Commission. No  
75 member of the Clean Water Commission shall vote on a matter in which they  
76 have a direct financial interest, or where a close family member has a direct  
77 financial interest. If a member has had ex parte contact with anyone regarding a  
78 particular case, that member should reveal that contact and allow any person to  
79 object to their participation in the case. Members may step down from  
80 proceedings in which they have been challenged. Members may also step down  
81 from the proceeding if they believe they can not fairly review any case or that  
82 their participation would raise questions of fairness. The appearance of fairness

83 doctrine can not be used to defeat a quorum if members disclose the basis for  
84 their disqualification.

85

86 **Section 7. Election of Officers.** The officers of the Clean Water Commission  
87 shall consist of a Chair and Vice Chair elected by the appointed members of the  
88 Clean Water Commission. Nominations for new officers shall be opened at the  
89 November meeting. The election of officers shall take place once each year  
90 during the last meeting in December of each calendar year. The term of office  
91 as an officer shall run until the subsequent election. The vacancy of an office  
92 caused by the resignation or removal of any officer of the Clean Water  
93 Commission during his/her term of office shall be filled for the remaining term of  
94 office by the vote of a majority of the Board.

95

96 **Section 8. Selection and Term of Clean Water Commission Members.**

97 The Clean Water Commission shall consist of diverse interests and of individuals  
98 who have knowledge about the Clean Water Program, National Pollutant  
99 Discharge Elimination System (NPDES) permit, and/or water resources protection  
100 in general.

101

102 The vacancy of an office caused by the resignation or removal of any member of  
103 the Clean Water Commission during his/her term of office shall be filled for the  
104 remaining term of office by the vote of a majority of the Board. Following  
105 expiration of the initial term of each member, each member's term shall be for a  
106 three-year duration (the terms of the appointees shall be staggered). All  
107 vacancies shall be filled within sixty (60) days to fill any unexpired term. The  
108 Board may reappoint members to additional terms. Attachment "A" illustrates the  
109 terms of Clean Water Commission members. Attachment "A" will be updated  
110 each year.

111

112 Members of the Commission serve at the will of the Board and can be removed  
113 from the Commission at the Board's discretion.

114

115 **Section 9. Chair.** The Chair shall preside over the meetings of the Clean Water  
116 Commission and may exercise all the powers usually incident to the office  
117 retaining, as a member of the Clean Water Commission, the full right to have  
118 his/her own vote recorded in all deliberations of the Clean Water Commission.  
119 The Chair shall have power to create temporary committees of one or more  
120 members. Standing committees of the Clean Water Commission shall be created  
121 at the direction of the Clean Water Commission. Standing or temporary  
122 committees may be charged with such duties, examinations, investigations, and  
123 inquiries relative to one or more subjects of interest to the Clean Water

124 Commission. No standing or temporary committee shall have the power to  
125 commit the Clean Water Commission to the endorsement of any plan or program  
126 without the approval of the Clean Water Commission. The Vice Chair shall in the  
127 absence of the Chair, perform all the duties incumbent upon the Chair. The  
128 Chair and Vice Chair, both being absent, the members present may elect for the  
129 meeting a temporary Chair who shall have the full powers of the Chair during the  
130 absence of the Chair and Vice Chair.

131

132 **Section 10. Secretary.** The Secretary shall be an employee of Clark County  
133 Public Works Department, Clean Water Program. The Water Resources Program  
134 shall keep a record of all meetings of the Clean Water Commission and its  
135 committees when requested to do so, and these records shall remain the  
136 property of the Clean Water Commission and be retained at the Clark County  
137 Public Works Department, Water Resources Program's office.

138

139 **Section 11. Quorum.** A majority of the appointed members shall constitute a  
140 quorum for the transaction of business.

141

142 **Section 12. Absence of Members.** The Chair shall, at the discretion of the  
143 Clean Water Commission, request that the Chair of the Board of County  
144 Commissioners ask for the resignation of any member who is absent for three  
145 consecutive regular meetings, or is absent for 25 percent of the meetings,  
146 without being excused by the Clean Water Commission.

147

148 **Section 13. Agenda.** An agenda shall be prepared for each meeting and  
149 cover the following topics: call to order (roll call and introduction of guests;  
150 review agenda and materials; approve meeting notes; Clean Water Commission's  
151 communications with the public); public comments; action items; new business;  
152 Clean Water Program updates, public comments; and adjournment.

153

154 **Section 14. Meetings.** Meetings will be held at the Clark County Public  
155 Service Center, 6<sup>th</sup> Floor Training Room, 1300 Franklin Street, Vancouver,  
156 Washington, unless otherwise directed by the Chair of the Clean Water  
157 Commission. Regular meetings shall be monthly and shall be open to the public.  
158 Special meetings shall be at the call of the Chair. When a regular meeting day  
159 falls on a legal holiday, the Clean Water Commission will convene at the call of  
160 the Chair. If no matters over which the Clean Water Commission has jurisdiction  
161 are pending upon its calendar, a meeting may be canceled at the notice of the  
162 Chair. Except as modified by these rules of procedure, Robert's Rules of Order  
163 shall govern the conduct of each meeting.

164

**Section 15. Amendment.** The Bylaws may be amended at any regular or called meeting of the Clean Water Commission by a majority vote of the entire membership if the proposed amendment is presented in writing at a preceding regular or called meeting of the Clean Water Commission. Final action will not take place until a subsequent meeting of the Clean Water Commission.

**Attachment "A"**  
Updated 6/18/2009

**Term of Each Clark County Clean Water Commission Member**

<b>Member</b>	<b>Term Start Date</b>	<b>End Date</b>
<b>Robert Nichols David Morgan Art Stubbs</b>	<b>7/14/2009 2/28/2008 2/28/2000</b>	<b>2/28/2011 2/28/2011 2/28/2011</b>
<b>David Darby Don Moe Nancy Olmsted</b>	<b>3/04/2009 4/14/2006 3/04/2009</b>	<b>2/28/2012 2/28/2012 2/28/2012</b>
<b>Virginia van Breemen Susan Rasmussen Patty Page</b>	<b>9/04/2002 2/28/2000 7/16/2004</b>	<b>2/28/2010 2/28/2010 2/28/2010</b>