

## **Title 8. Environmental Law**

### **Chapter VII. Central Arkansas Regional Solid Waste Management District**

#### **Subchapter A. Generally**

#### **Part 150. Bylaws of Central Arkansas Regional Solid Waste Management Board**

**Codification Notes.** This part as promulgated prior to codification into the Code of Arkansas Rules provided as follows:

"Adopted this 28th day of August 2003.

CENTRAL ARKANSAS REGIONAL SOLID WASTE MANAGEMENT BOARD"

"AUTHORIZATION

ACT 752, 1991, an ACT to provide the creation and establishment of Regional Solid Waste management Boards which correspond to the boundaries of the Planning and Development Districts, enacted by the General Assembly of the State of Arkansas."

"Section IX: Amendment

Amendment to the By-Laws shall require majority vote of the Board."

#### **Subpart 1. Generally**

##### **8 CAR § 150-101. Purpose.**

The purpose of the Central Arkansas Regional Solid Waste Management District Board is to protect the public health and the state's environmental quality by requiring solid waste management planning.

**Authority.** Arkansas Code § 8-6-704.

##### **8 CAR § 150-102. Functions.**

The Central Arkansas Regional Solid Waste Management District Board shall have the following responsibilities and functions:

(1) The board shall collect data, study, and initially evaluate the solid waste needs of all localities within the Central Arkansas Regional Solid Waste Management District;

(2) The board shall evaluate on a continuous basis the solid waste needs of the district, and thereby update the regional needs assessment as required by the Division of Environmental Quality;

(3) The board shall formulate:

(A) All recommendations to all local governments within the district on solid waste management issues; and

(B) Plans for providing adequate solid waste management;

(4) The board shall issue or deny any certificates of need for any applicant as required by law;

(5) The board shall adopt such rules as necessary to ensure public notice and participation in any findings or rulings of the board; and

(6) The board shall carry out all other powers and duties conferred by Acts 1989, No. 870.

**Authority.** Arkansas Code § 8-6-704.

**8 CAR § 150-103. Membership.**

(a)(1) In accordance with Section 2 of Acts 1991, No. 752, the Central Arkansas Regional Solid Waste Management District Board shall consist of:

(A) The county judge of each county within the Central Arkansas Regional Solid Waste Management District; and

(B) Representatives of:

(i) All the first-class cities;

(ii) All cities with a population over two thousand (2,000) according to the latest federal decennial census; and

(iii) The largest city of each county within the district.

(2)(A) The county judge or mayor may elect to appoint someone to serve on the board in their place.

(B) In order to do so:

(i) The judge must have confirmation by the quorum court; and

(ii) The mayor must have confirmation by the governing body of the city.

(b)(1) The term of the elected officials shall be the length of the term of office as county judge or mayor.

(2) The appointed board members shall serve for staggered terms of two (2) years, provided, however, that all members appointed pursuant to subsection (a) of this section shall serve at the pleasure of the appointing body.

(3) Each appointed board member shall be eligible for a maximum of two (2) terms or four (4) years total.

(4) The initial appointed members of the board shall draw lots to determine terms of appointment so that, as nearly as possible, the terms of an equal number of members will expire each year.

**Authority.** Arkansas Code § 8-6-704.

**8 CAR § 150-104. Officers.**

(a) The officers shall be elected annually by the membership of the Central Arkansas Regional Solid Waste Management District Board and shall have the indicated duties.

(b) **Chair.**

(1) The chair shall:

(A) Preside at all meetings of the board; and

(B) Advise with the other officers of the board on matters of policy.

(2) He or she shall have other powers and perform other such duties as:

(A) May be incidental to his or her office;

- (B) Are given to him or her by these bylaws; or
- (C) May be assigned to him or her by the board.

(c) **Vice chair.**

- (1) In the event of the absence of the chair, the vice chair shall act as chair.
- (2) In addition, the vice chair shall serve as parliamentarian for the board.

(d) **Secretary.** The secretary shall:

- (1) Keep minutes of the proceedings of the board in appropriate books provided for that purpose;
- (2) See that all notices are duly given as required by the board; and
- (3) Perform such other duties as may be assigned or delegated by the chair or the board.

(e) **Treasurer.**

- (1) The treasurer shall have general charge and custody and be responsible for:
  - (A) All funds of the board;
  - (B) Depositing all moneys received in the name of the board in such banks; or
  - (C) Other depositing as may be designated by the board.
- (2) The treasurer shall keep correct and complete books and records of account and perform such other duties as may be assigned to him or her by the board.
- (3) All disbursements of the board shall require two (2) signatures.

**Authority.** Arkansas Code § 8-6-704.

**8 CAR § 150-105. Committees.**

(a) **Executive Committee.**

- (1) The Executive Committee shall consist of the officers of the Central Arkansas Regional Solid Waste Management District Board.
- (2) The chair of the board shall be the chair of the Executive Committee.

(3)(A) The Executive Committee may act on behalf of the board between the regularly scheduled meetings of the board.

(B) Such action by the Executive Committee shall:

(i) Be reported to the board; and

(ii) Have the effect of the board until rescinded by the board.

(b)(1) Ad hoc committees shall be appointed for specific purposes as necessary.

(2) The chair of the ad hoc committee shall be appointed by the board chair.

**Authority.** Arkansas Code § 8-6-704.

**8 CAR § 150-106. Meetings.**

(a)(1) Meetings of the Central Arkansas Regional Solid Waste Management District Board may be held as follows:

(A) Once a month; or

(B) On the call of a majority of the members of the Executive Committee with at least three (3) days' notification of the board membership.

(2) Meeting dates can be delayed or changed by the board.

(b) Meetings of the committees shall take place on call of the chair of the committee.

**Authority.** Arkansas Code § 8-6-704.

**8 CAR § 150-107. Number of votes per member.**

(a) Each representative shall have one (1) vote.

(b)(1) A member may appoint a proxy to vote or otherwise act for him or her by signing an appointment form.

(2) A properly signed and dated proxy shall be acceptable for voting of an absent member for a specific meeting date.

(3) The appointment:

(A) Becomes effective when received by the secretary or other officer or agent authorized to tabulate votes; and

(B) May be limited or restricted by the grantor.

**Authority.** Arkansas Code § 8-6-704.

**8 CAR § 150-108. Quorum.**

A quorum shall consist of a majority of Central Arkansas Regional Solid Waste Management District Board members in person or represented by proxy at any scheduled meeting.

**Authority.** Arkansas Code § 8-6-704.