

**RULES OF PROCEDURE**  
of the  
**MONTGOMERY COUNTY SOLID WASTE  
MANAGEMENT DISTRICT  
BOARD of DIRECTORS**

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**Article I. Authority and Duties**

The Solid Waste Management District Board of Directors ("the Board") is the governing board of the District and manages and supervises the District's operations which are to do all things necessary for the reduction, management and disposal of solid waste and recovery of waste products from the solid waste stream. The Board will perform the duties as required by state law and other responsibilities as may be required by county ordinance.

**Article II. Members and Officers**

Section 1. Members

The Board consists of seven (7) members and is comprised of three (3) County Commissioners, a member of the County Council appointed by the Council, the Mayor of the City of Crawfordsville, a member of the Crawfordsville City Council appointed by the City Council, and a member of a Town Council of a Town in Montgomery County appointed by the County Commissioners.

Section 2. Officers

At its first regularly scheduled meeting each year, the Board will select from its membership a Chairperson, Vice Chairperson, and Controller. The Chairperson and Vice Chairperson must be members of the Board. The Controller may not be a member of the Board.

## **Article III. Meetings**

### Section 1. Regular Meetings

The Board will hold regular meetings at a date, place and time determined by the Board.

### Section 2. Special Meetings

Special meetings may be called by any two (2) members of the Board or by the Board Chair. An officer calling a special meeting will give at least six (6) days' notice of the meeting unless the meeting is called to deal with an emergency under Indiana Code § 5-14-1.5-5. The notice must include a specific statement of the purpose of the meeting and the Board may not conduct any unrelated business at the meeting.

### Section 3. Agenda

The Board will utilize an agenda for its meetings, unless unusual circumstances preclude the preparation of an agenda. The Chair will prepare the agenda and provide it to the County Administrator or Commissioners' Executive Assistant for dissemination and posting. The agenda will identify all items for the Board's consideration at the meeting. The agenda will be provided to the Board members and shall be available for public inspection at least two (2) business days before a regular meeting. The Board may by a majority of its members present, modify the order of the agenda items. A majority of the Board members may vote to suspend this rule and add the item for discussion purposes only. The Board may take action on an item at the same meeting at which the item is added to the agenda only if all Board members unanimously vote to allow action to be taken. The Board may use a consent agenda for items which usually do not require substantial deliberation, and the items for consideration on the consent agenda will be listed separately on the agenda. All items in the consent agenda may be approved with a single vote of the Board. The consent agenda will be placed on the agenda immediately after the calling of roll of the members. Any member of the Board has the right to request that an item be removed from the consent agenda. Items removed from the consent agenda will be placed on the agenda as the final item(s) of new business.

### Section 4. Cancellation

Any Board meeting may be cancelled by the Chairperson if there is no business scheduled which requires action or if a quorum cannot be assembled for the meeting.

### Section 5. Minutes

The Commissioners' Executive Assistant will attend all meetings and prepare the draft minutes of meetings for consideration by the Board. The Commissioners' Executive Assistant will provide the draft minutes to the Commissioners at least two (2) business days prior to the next meeting of the Board. After approval of the minutes, with or without amendment, the Commissioner's Executive Assistant will maintain the minutes as part of the record of the Board. The minutes will include a record of the Directors present at the meeting, a short summary of the Board's action on each matter considered, each member's vote on each question presented, and if a member did not vote because of absence or disqualification. When approved, the minutes will be signed by the Chairperson and attested by the Vice Chairperson. The minutes and all Board records are public records, unless state law provides otherwise concerning any specific records.

## **Article IV. Official Action, Voting**

### Section 1. Quorum

A majority of the appointed Directors (four members) constitutes a quorum. The Board may take action only by the vote of a majority of its members.

### Section 2. Voting

The Board may vote by roll call vote, by show of hands or simultaneous voice vote. Each member present will vote on every matter unless he/she declares a conflict of interest and abstains.

## **Article V. Order of Business**

### Section 1. Regular Meetings

The order of business at a regular meeting will be:

1. Call to Order;
2. Pledge of Allegiance
3. Consent Agenda
4. Approval of Minutes;
5. Public Comment
6. Staff and Advisory Committee Reports;
7. Old Business;
8. New Business;
9. Other Business;
10. Adjournment.

### Section 2. Special Meetings

The order of business for special meetings will be:

1. Call to Order;
2. The Business for Which the Special Meeting Was Called; and
3. Adjournment.

## **Article VI. Public Hearings**

The Board will hold public hearings on any matter as required by state statute or county ordinance. The Board may hold additional public hearings at such times and places upon such notices as it deems necessary. Notice of public hearings will be provided as required by state statute and county ordinance.

## **Article VII. Tabling**

A matter or motion may be tabled upon a motion made by any member, a second to the motion to table, and by a majority vote of the Board. A motion to table has priority over the pending matter and any related motions and should be acted upon before further action is taken on the matter. If a motion to table fails, the Board may continue with the matter at hand. If a motion to table passes, the matter will be tabled until the Board's next regular meeting, unless another date is stated.

## **Article VIII. Suspension and Amendments of Rules**

The Board may suspend any of these Rules, so long as doing so would not result in any action contrary to statute or county ordinance, by a majority vote. The Board may amend these Rules by a majority vote.


## **Article IX. Conflict with Statute or Ordinance**


If any term, provision, requirement, or procedure contained in these Rules is determined to conflict with any state statute or county ordinance, then the statute or ordinance will control.

## **Article X. Effective Date**

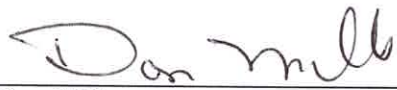
The Montgomery County Solid Waste Management District Board of Directors hereby adopts these Rules this 25<sup>th</sup> day of January, 2021. These Rules will take effect immediately. The Board may amend these rules at any time.

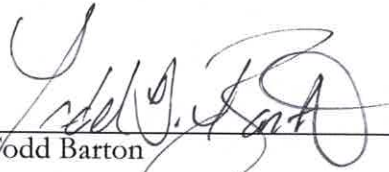
MONTGOMERY COUNTY SOLID  
WASTE MANAGEMENT DISTRICT  
BOARD OF DIRECTORS


  
James D. Fulwider

  
John Frey

  
Dan Guard

  
Don Mills

  
Todd Barton

  
Stan Hamilton

  
Bob Cox