

Resolution revising the Operating Procedures of Water Quality Council – STAFF REPORT

TOLEDO METROPOLITAN AREA COUNCIL OF GOVERNMENTS
EXECUTIVE COMMITTEE MEETING AGENDA

DATE, 2019

At the request of TMACOG's Water Quality Council chair and vice-chair, TMACOG staff have engaged agriculture stakeholders in the TMACOG region to develop and establish a Water Quality Council programmatic committee focused on the important role of agriculture in northwest Ohio. In early 2019, staff worked with an ad hoc steering committee comprised of representatives from Soil and Water Conservation Districts, the Ohio Farm Bureau, Monroe Community College, and the Water Quality Council chair and vice-chair. The steering committee developed draft goals, objectives, and operating procedures for a new Agriculture Committee and will invite voting memberships under the following categories –

- County Soil and Water Conservation Districts in TMACOG planning area
- Farmers in TMACOG planning area
- Ohio and Michigan Farm Bureaus
- Ohio Farmer's Union
- College/University
- Commodity Groups

With the approval of the Water Quality Council, the Agriculture Committee will begin meeting quarterly in August 2019.

To formalize the Agriculture Committee, the Water Quality Council operating procedures must be amended and approved by the Water Quality Council and recommended for approval by the TMACOG Executive Committee and Board of Trustees. Final approval will be requested at the October 16, 2019 TMACOG Board of Trustees meeting.

An approving resolution and the Water Quality Council Operating Procedures with the proposed revisions are attached.

**A RESOLUTION OF THE
TOLEDO METROPOLITAN AREA COUNCIL OF GOVERNMENTS
ADOPTING THE WATER QUALITY COUNCIL
OPERATING PROCEDURES**

WHEREAS, the Toledo Metropolitan Area Council of Governments (TMACOG) is a voluntary association of local governments and non-governmental partners in northwest Ohio and southeast Michigan; and

WHEREAS, Article III. **COUNCILS AND COMMITTEES**; of the TMACOG Bylaws currently provides that there shall be two (2) programmatic councils and four (4) administrative committees which includes the Water Quality Council; and

WHEREAS, the TMACOG Board of Trustees adopted the Water Quality Council as a programmatic council on March 16, 2016; and

WHEREAS, the TMACOG Bylaws provide that all programmatic councils and administrative committees are to be governed by Operating Procedures which are to be approved by the Board of Trustees; and

WHEREAS, the TMACOG Water Quality Council and the Board of Trustees have approved in the TMACOG FY2020 Annual Work Program the development of an Agriculture Committee

WHEREAS, the TMACOG Water Quality Council amended and approved its operating procedures on **July 8, 2019**.

NOW, THEREFORE, BE IT RESOLVED BY THE TOLEDO METROPOLITAN AREA COUNCIL OF GOVERNMENTS:

THAT the Operating Procedures for the Water Quality Council (attached to this resolution), are approved.

Adopted by the Board of Trustees on October 16, 2019.

Yea _____, Nay _____, Abstain _____

Doris I. Herringshaw, Ed.D, Chair
Toledo Metropolitan Area
Council of Governments (TMACOG)

Tim Brown, President
Toledo Metropolitan Area
Council of Governments (TMACOG)

**OPERATING PROCEDURES
TOLEDO METROPOLITAN AREA COUNCIL OF GOVERNMENTS
WATER QUALITY COUNCIL**

ARTICLE I. COUNCIL AUTHORIZATION

The Water Quality Council is established in Section X of the Toledo Metropolitan Area Council of Governments (TMACOG) Bylaws.

ARTICLE II. PURPOSE

The Water Quality Council oversees, manages, and recommends positions on water quality issues and policies to the TMACOG Board of Trustees in an effort to improve and protect water quality in our region and Lake Erie. The Council's goal is to plan best management practices with land and water resources to design and implement programs and projects that will reduce, control, or remove pollutants; improve drainage; and restore wetlands and floodplains within the region.

Committees are basic to the process by which TMACOG undertakes its work. TMACOG operates through collaborative volunteer committees supported by a professional staff. The Council is responsible for the implementation of the Water Quality program through its subcommittees and the TMACOG Water Quality Department. Finally, it maintains creative communication on water quality issues among and between TMACOG's other standing committees and subcommittees, other stakeholders, and the broader community.

ARTICLE III. DUTIES AND RESPONSIBILITIES.

The Water Quality Council has the following functions and responsibilities.

1. Proposes the Annual Work Program and budget for the TMACOG Water Quality Department;
2. Reviews and makes recommendations to the Board of Trustees on Water Quality Council related policies, plans and programs and any amendments thereto, except minor or routine amendments. Minor or routine policies or amendments, as determined by the President, may be approved by the Council without further action of the Board of Trustees;
3. Provides for the development of and opportunities for leadership within the organization;
4. Develops, updates, and recommends to the TMACOG Board of Trustees a water quality policy document and any amendments thereto; and
5. Is responsible for the coordination and maintenance of the *Areawide Water Quality Management Plan*, and resolves conflicts in its implementation.

ARTICLE IV. MEMBERSHIP

The geographic extent of the Water Quality Council shall include all of the political jurisdictions that are members of TMACOG, hereinafter referred to as “the region.” Any member of TMACOG that subscribes to the mission and goals of the Council is eligible to serve as a member and fill a position. Council members will be sought as representatives of dues-paying TMACOG member jurisdictions, agencies, and businesses to fill and maintain positions as listed below. TMACOG will invite non-member participation by diverse representatives from across the region. Non-members are welcome to attend as non-voting participants. All Council meetings are open to the public.

Representatives of members listed in this article shall be appointed by member jurisdictions and organizations. The Council must approve nominations by a majority vote at a regular meeting, confirmed by the Chair of the TMACOG. Any representative who resigns from the Council will be replaced. The replacement member will be eligible to fill the position for the remainder of the current term. A council member who fails to attend at least two (2) regular meetings over a one-year period shall be subject to replacement. In such a situation the council chair shall recommend this action.

The Council shall consist of the following.

- A. The Chair and Vice Chair shall represent dues-paying TMACOG members in good standing. They will be appointed by the Chair of TMACOG and serve as a member and alternate respectively on the Executive Committee; and

- B. Members from each of the following.
 - 1. Counties: The Board of Commissioners of each county of the region that is a member of TMACOG may appoint one (1) member and one (1) alternate.
 - 2. Standing and active committees of Water Quality Council: Each standing committee of Water Quality Council may appoint one (1) member and one (1) alternate, with preference given to the committee’s Chair and Vice Chair.
 - 3. Toledo: The City of Toledo may appoint one (1) member and one (1) alternate representing the Administration, and one (1) member and one (1) alternate representing Council.

- C. TMACOG Local Jurisdictions: committee membership slots shall represent the following categories of TMACOG members.
 - 1. Cities Other than Toledo (not more than three (3) members and three (3) alternates with a goal of representing different counties)
 - 2. Villages (not more than three (3) members and three (3) alternates with a goal of representing different counties)
 - 3. Townships (not more than three (3) members and three (3) alternates with a goal of representing different counties)
 - 4. Special Districts & Authorities (not more than two (2) members and two (2) alternates)
 - 5. K-12 Schools (not more than one (1) member and one (1) alternate)
 - 6. Colleges & Universities (not more than one (1) member and one (1) alternate)

7. Non-governmental Members (not more than three (3) members and three (3) alternates)

The Chair of TMACOG may appoint up to two (2) at-large members to ensure balanced representation of interests.

- D. Ohio Environmental Protection Agency (OEPA), Michigan Department of Environmental Quality (MDEQ), Ohio Department of Natural Resources (ODNR) and Ohio Department of Agriculture (ODA) may each appoint one (1) non-voting participant.

TMACOG will designate a staff member to coordinate the committee and facilitate meetings. TMACOG staff shall provide secretarial support for the committee.

ARTICLE V. MEMBERS TERM OF OFFICE

The term of office for each member of the Water Quality Council will be for a period of one (1) year, subject to annual reappointment at the TMACOG General Assembly. Any representative who resigns from the Council will be replaced through methods listed in Article IV. The replacement member will be eligible to fill the position for the remainder of the current term.

ARTICLE VI. QUORUM

A quorum shall exist when a simple majority of the Council's members are present at any duly called and scheduled meeting of the Council. In addition, a council member, or their alternate, must be physically present at a meeting to be counted towards a quorum or to cast a vote on any action items. Vacant membership slots are not counted in determining a quorum. All Council activities will comply with TMACOG's policy on the Ohio Open Meeting Act.

ARTICLE VII. COUNCIL OFFICERS

The TMACOG Bylaws provide that the Water Quality Council Chair and Vice chair will be appointed by the Chair of TMACOG and will serve on the TMACOG Executive Committee. The Council shall nominate individuals from amongst its members to serve as Chair and Vice-chair for the term of one (1) year, or until a successor is duly selected. In the event the chair of the Council is not present at a duly scheduled meeting of the Council, the vice chair shall preside. In the event both chair and vice chair are not present those members present may appoint a chair pro tempore to conduct the affairs of the meeting.

ARTICLE VIII. DURATION OF COUNCIL

The Water Quality Council is a programmatic council of TMACOG pursuant to Section X of the TMACOG Bylaws.

ARTICLE IX. ACCOUNTABILITY

The Water Quality Council reports to and is responsible to the Executive Committee and makes periodic reports as requested.

ARTICLE X: FUNCTIONAL RESPONSIBILITIES

Members of the Water Quality Council are responsible for working to fulfill the mission and goals of the Council as stated in Article II. Members of the Council will be expected to attend regular meetings as scheduled. Members may appoint alternates who may represent them fully at meetings. Alternate appointments must be made in writing.

The Water Quality Council shall meet six (6) times during the year to undertake its regular business, review the progress of each of its subcommittees, while there are one or more active projects before the committee, or at the call of the council chair. The Council will schedule its meetings as needed to accomplish its tasks. Special meetings of the Council may be called if circumstances require such an event. When possible, two weeks' notice will be given before a special meeting is held.

The standing programmatic committees reporting to the Water Quality Council include:

1. Wastewater
2. Stormwater Coalition
3. Watersheds
4. Public Water Supply
- 4.5. Agriculture
- 5.6. Regional Water Planning – INACTIVE (may reconvene at call of the Water Quality Council Chair)

Membership of the standing committees shall be constructed so as to provide a definitive opportunity for Water Quality Council stakeholders and the general public to participate and provide input to the planning process.

The Water Quality Council may appoint standing, advisory, or ad hoc committees as deemed necessary to accomplish its goals. The Council Chair is authorized to appoint additional subcommittees on an ad hoc basis as may be desirable to carry out the mission and purposes of the Council. Such committees shall have a discrete, defined objective and shall cease to exist upon completion of that objective or at the pleasure of the council chair and must operate within the overall policies of TMACOG.

Members of the Council will annually review their purpose statement and achievements, and report to the Board of Trustees regarding its progress and accomplishments. All committee activities will comply with TMACOG's policy on the Ohio Open Meeting Act.

ARTICLE XI. PARLIAMENTARY AUTHORITY

Except where otherwise specified within these procedures or agreed upon by a unanimous vote of voting members present at a meeting, the rules contained in the most recent edition of Robert's Rules of Order shall govern Council proceedings in all cases where they are applicable and not inconsistent with the TMACOG Bylaws.

ARTICLE XII. AMENDMENTS

Any council member may make proposals for amendments to these operating procedures at any time. Proposals shall be formally presented to TMACOG in writing for consideration by the full Council. These procedures may be amended by a majority vote of the Water Quality Council at a regular meeting or a meeting specifically called for this purpose. Any such amendments shall become effective only after ratification by the Board of Trustees.

Adopted by the Board of Trustees of the Toledo Metropolitan Area Council of Governments October 16, 2019.

Doris I. Herringshaw, Ed.D., Chair
Toledo Metropolitan Area
Council of Governments (TMACOG)

Tim W. Brown, President
Toledo Metropolitan Area
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