

# North Carolina Solid Waste Enforcement Officers Association

## CONSTITUTION and BYLAWS

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### Article I: Name

- 1.1 The name of the organization shall be the **North Carolina Solid Waste Enforcement Officers Association**, which is hereafter referred to as the **NCSWEOA**.

### Article II: Organization and Purpose

- 2.1 The NCSWEOA is a nonprofit association comprised of solid waste technicians, specialists, and administrators; environmental health technicians and specialists, code enforcement officers, law enforcement personnel and other employees of state and local regulatory agencies with interests in solid waste management.
- 2.2 The NCSWEOA is organized and operated in North Carolina to promote public health and safety and protection of the environment through the implementation of environmentally compatible solid waste management practices and enforcement of regulations governing solid waste; to keep abreast of the latest developments in waste management technologies; to promote recycling; to disseminate information concerning

solid waste management, legislative updates and regulatory initiatives to its membership and the general public.

### Article III: Objectives

3.1 The objectives of the NCSWEOA are:

- ~~(a)~~ (1) to promote and foster the professional status and skills of its members;
- (2) to conduct meetings for the discussion ~~and study~~ of problemschallenges, solutions, best management practices and regulatory responsibilities regarding in the field of the management of solid waste ~~management~~;
- (3) to act as a clearing house among its members for ~~the receipt~~access, exchange and dissemination of information on solid waste policies and procedures;
- (4) to foster and promote uniform standards for regulatory enforcement practices;
- (5) to ~~cooperate~~collaborate with ~~public health agencies and all other~~ organizations, groups and agencies that are interested in improvingprotecting public health and safety through the proper management of solid waste;
- (6) to provide an opportunity for and to promote congenial and harmonious social and professional relationships within the membership of the NCSWEOA; and,
- (7) to advocate for equitable ~~salary levels, adequate health and retirement~~compensation, benefits, and ~~improved~~ working conditions for its members.

### Article IV: Membership

4.1 The term of membership shall be ~~January 1 through December 31~~twelve months beginning on the date of receipt of membership dues. All persons who wish to become members or renew their memberships shall submit their applications ~~in writing on paper or online~~ to the Association each year, and pay the established dues, ~~or pay through the registration process at each annual meeting~~.

4.2 Membership shall be in one of the following categories:

**(a) Active members:** Individuals ~~solid waste administrators, specialists and technicians; environmental health specialists and technicians; code enforcement officers; law enforcement personnel; other persons involved in the enforcement of regulations governing management of solid waste who are not student, sustaining, or life members.~~

**(b) Student Members:** ~~Individuals who are full-time high school or college students at the time of membership.~~

**(c) Sustaining Members:** ~~Memberships of commercial entities such as companies, firms, and corporations. This membership shall be represented by one individual and have one vote.~~

~~(d)(b)~~ **Life Members:** Life membership may be conferred upon any person whose membership is presently in good standing with the NCSWEOA or whose membership was in good standing at the time of his/her retirement. A life membership is exempt from meeting registration and dues payment and carries the same rights and privileges as an active membership.

~~4.3 Any active, student, or sustaining member may submit to the Membership Committee the name of any active or sustaining member who they wish to have considered for life membership. A written statement of justification must accompany each nomination. After receipt, the Membership Committee shall consider each nomination at its next regular meeting and convey its recommendation to the Executive Committee via the Secretary. If a nomination is rejected by the Executive Committee, the Secretary shall promptly inform the member who submitted the nomination. All life memberships that are conveyed will be announced by the President at the next regular meeting of the NCSWEOA.~~

## **Article V: Provision of Funds**

### **Section A: Dues**

~~5.1(A)~~ The annual membership dues shall be set by the Executive Committee.

~~5.2(A)~~ The membership shall be notified of any proposed changes to the dues at least 30 days prior to the annual meeting and a simple majority of the members present must approve any changes in membership dues. In order to be eligible to vote at the annual meeting, dues must be paid no later than the first day of the annual meeting; membership must be in good standing.

### **Section B: Donations**

~~5.31(B)~~ Donations of funds may be solicited and accepted by the Executive Committee as deemed necessary for the operation of the NCSWEOA.

## **Article VI: Officers and Executive Committee**

6.1 The ~~e~~Officers shall consist of a President, a Vice President, a Secretary and a Treasurer to be elected at each annual meeting. The Immediate Past-President also serves as an officer.

6.2 The Executive Committee shall consist of the Officers, chairpersons of the standing committees and any special committees and other members in good standing who are appointed by the President.

## Article VII: Election of Officers and Terms

- 7.1 A slate of officers shall be submitted by the Nominating Committee to the President during the annual business meeting of the NCSWEOA. Additional nominations may also be made from the floor by members. A motion to close the nominations shall require a second and an affirmative vote of at least three-fourths of the members present for the motion to be carried. A slate of officers, which shall include a President, Vice-President, Secretary and Treasurer, shall be elected by an affirmative vote of a simple majority of the members present at the annual meeting.
- 7.2 Elected officers shall assume their duties after the ~~final~~annual business meeting of the ~~annual meeting~~membership, and they shall continue to hold their respective offices until their successors are duly elected and installed at the next annual meeting. If any office is vacated for any reason, the Executive Committee may appoint another member to the office for the remainder of the term.
- 7.3 The term of office of the President, Vice President, Secretary and Treasurer is for a period of one year, with the officers serving from the annual meeting during which they were elected to the following annual meeting. Any exceptions to the terms of office must be approved by the Executive Committee.

## Article VIII Duties of Officers

### Section A: *President*

- 8.1~~(A)~~ The President shall preside over the meetings of the NCSWEOA, act as Chairperson of the Executive Committee, appoint a Chairperson of each standing committee, and serve as an ex-officio member of other committees upon request whenever he/she is able.
- 8.2~~(A)~~ The President shall perform the general administrative duties of the NCSWEOA and shall have authority and power after consultation with the Executive Committee to call special meetings of the NCSWEOA membership.

### Section B: *Vice-President*

- 8.~~31~~~~(B)~~ The Vice-President shall preside over the annual meeting of the NCSWEOA and the Executive Committee in the absence of the President.
- ~~8.2(B) The Vice-President shall be the Chairperson of the Membership Committee and a member of the Executive Committee.~~

### Section C: *Secretary*

- 8.~~41~~~~(C)~~ The Secretary shall be responsible for taking recording minutes at all business meetings and for keeping the members of the NCSWEOA apprised of pertinent business matters as deemed necessary by the Executive Committee.

8.52(C) The Secretary shall correspond with various vendors, organizations and individuals on behalf of the NCSWEOA, as needed.

8.63(C) The Secretary shall be a member of the Executive Committee and shall record the minutes of all meetings of the Executive Committee.

#### **Section D: Treasurer**

8.74(D) The Treasurer shall keep the financial records of the NCSWEOA and shall receive and issue receipts for funds received by the NCSWEOA.

8.82(D) The Treasurer shall safely keep and /or disburse such funds and other property as directed by the Executive Committee acting ~~under its limitations~~ in accordance with this Constitution and By-Laws.

8.93(D) The Treasurer shall submit the records of the NCSWEOA when requested by the Auditing Committee for examination, and turn over to his/her successor in office all funds and property of the NCSWEOA which shall have been under his/her management.

8.104(D) The Treasurer shall also serve as Chairperson of the Finance Committee.

#### **Section E: Immediate Past President**

8.11(E) The Immediate Past President shall ~~serve~~ as a member of the Executive Committee, a member of the Membership Committee, and ~~serves~~ as an advisor to the new incoming officers of NCSWEOA~~the Association~~.

### **Article IX: Committees**

#### **Section A: Standing Committees**

9.1(A) The standing committees of the NCSWEOA shall be the Executive Committee, Membership Committee, Nominating Committee, Constitution and Bylaws Committee, Finance Committee, Program Committee, and Website and Social Media Committee.

9.2(A) Other committees may be created by the President, as needed, with approval of the Executive Committee.

#### **Section B: Special Committees**

9.31(B) Special committees may be appointed by the President to perform special duties for the NCSWEOA. All such special committees shall be dissolved when their duties have been completed.

#### **Section C: Special Requirements**

9.41(C) Before any person shall serve as an officer or on any committee, he/she must be a member of the NCSWEOA and in good standing.

## Article X: Constitution and Duties of Committees

### Section A: Executive Committee

10.1(A) The Executive Committee shall ~~consist of~~include the officers and the Chairperson of each standing committee. ~~The President may call planning meetings with of the Executive Committee at a convenient time and place.~~ The President, at his/her discretion, ~~will~~may call Executive Committee meetings ~~during~~throughout the calendar year.

10.2(A) The Executive Committee shall have the administrative authority and powers of the NCSWEOA to consider and act upon business matters that cannot await action until the next meeting of the NCSWEOA membership. At each meeting of the NCSWEOA, the Executive Committee shall make a report of all matters considered and actions taken since the last meeting.

10.3(A) The Executive Committee shall have authority and power to accept or reject applications for membership to the NCSWEOA and to solicit donations of funds to support the operations s and activities of the NCSWEOA.

### Section B: Membership Committee

10.41(B) The Membership Committee shall be composed of the ~~Vice President serving as~~ Chairperson who is a member of the Executive Committee, ~~the Immediate Past President~~ and at least onetwo ~~other~~ members in good standing.

10.52(B) ~~Each member will serve a one-year term.~~ The Membership Committee shall, maintain current memberships, handle any membership issues, strive to recruit new members, and to secure attendance at the annual meeting.

### Section C: Nominating Committee

10.64(C) The Nominating Committee shall be responsible for nominating from the membership candidates and/or volunteers for the offices of President, Vice-President, Secretary and Treasurer. This Committee shall be made up of a Chairperson who is a member of the Executive Committee and at least onetwo members in good standing.

### Section D: Constitution and Bylaws Committee

10.74(D) The Constitution and Bylaws Committee shall be composed of a Chairperson who is a member of the Executive Committee, and at least onetwo members in good standing. The Secretary shall be an ex-officio member of this Committee.

10.82(D) The purpose of this Committee is to periodically review and present, in writing, recommended ~~changes in updates and amendments to~~ the Constitution and Bylaws.

#### **Section E: Finance Committee**

10.91(E) The Finance Committee shall be composed of the Treasurer serving as Chairperson who is a member of the Executive Committee and ~~up to four~~ at least one members in good standing to assist with financial matters of the ~~is~~ NCSWEOA Association.

#### **Section F: Program Committee**

10.10(F) The Program Committee shall be composed of ~~the Immediate Past President serving as~~ Chairperson who is a member of the Executive Committee, and ~~up to four~~ members at least one member in good standing.

10.112(F) This Committee shall have the responsibility and authority to plan educational/business meeting(s) and training opportunities for the benefit of the Association.

#### **Section G: Website and Social Media Committee**

10.12(L) The Website and Social Media Committee shall be composed of a Chairperson who is a member of the Executive Committee and ~~up to at least one~~ two members in good standing.

10.132(L) The purpose of this Committee is to manage the information presented on the website and through social media and keep the site information pertinent to the members of NCSWEOA updated and current ~~with information pertinent to the members of the Association~~.

### **Article XI: Disciplinary Action**

#### **Section A: Meetings**

11.1(A) Only members in good standing of the NCSWEOA shall have the right to ~~participate in any of the activities of the NCSWEOA~~ vote at the annual meeting or participate in meetings of any standing committee. ~~Guests of members~~ Non-members at the meetings shall have the same privileges as the members with the exception of voting and participating in the business ~~sessions or~~ meetings of any standing committee.

11.2(A) A Sergeant At Arms may be appointed, as needed, by the President to maintain order at all annual meetings or meetings of the Executive Committee.

#### **Section B: Process**

11.31(B) All disciplinary action concerning members shall be left to the discretion of the Executive Committee and is hereby made a part of the duty of said committee.

11.42(B) A member shall have the right to appeal a decision made by the Executive Committee in any disciplinary action at the next regular business meeting of the NCSWEOA.

## Article XII: Quorums

### Section A: Membership Quorum

12.1(A) ~~For the transaction of business of the NCSWEOA, a quorum of the membership shall be at least one-fourth of the total membership in good standing and voting, either in person or by written signed proxy, at the regular meeting or any special meeting duly called by the President with adequate written notice to all active members of the time, place and purpose of the special meeting. For business that requires voting by the membership a quorum shall be a simple majority of the membership present for in-person meetings. Voting electronic requires a simple majority of the total membership. Members must be in good standing to vote.~~

### Section B: Committee Quorum

12.21(B) A quorum of ~~the membership of~~ any standing committee, including the Executive Committee, shall be a simple majority, provided written notice has been given to all members of the committee giving them reasonable time to plan to attend the meeting.

## Article XIII: Parliamentary Practice

13.1 A Parliamentarian shall be appointed by the President. This person shall have sufficient knowledge of "Robert's Rules of Order Revised for Deliberative Assemblies."

13.2 In the absence of the rules prescribed in the NCSWEOA Constitution and Bylaws, "Robert's Rules of Order Revised for Deliberative Assemblies" shall be utilized to conduct regular and special meetings.

## Article XIV: Amendments

14.1 Amendments to this Constitution and By-Laws ~~of the NCSWEOA~~ may be enacted, after being submitted in writing to the Executive Committee, by an affirmative vote of ~~two-thirds~~ a simple majority of those members present ~~and voting on the question of adoption of the amendment(s)~~ at a meeting of the membership.

## Article XV: Indemnification

15.1 The NCSWEOA shall indemnify and hold harmless any person who shall be an officer of the Association from and against any and all actions, claims, lawsuits and demands



including reasonable attorney's fees and expenses defending the same, that might arise or be asserted against such persons in connection with the Association's business.

15.2 However, such an officer shall not be relieved from any liability to the Association imposed by law, including liability of fraud, bad faith or willful neglect.