

AN ORDINANCE TO ESTABLISH A CLEAN COUNTY COMMITTEE FOR MCDOWELL COUNTY

WHEREAS it has been determined that there is a requirement for a county-wide system of reducing and controlling litter accumulation on a continuing basis; and

WHEREAS the success of any endeavor aimed at litter abatement will involve the concentrated efforts of all segments of the population of McDowell County including government, business and industry, civic and educational organizations, and the citizens of McDowell County in general; and

WHEREAS the direction and coordination of such an endeavor is best accomplished by the establishment of a committee which is charged with the responsibility of formulating plans for litter reduction and control, and for the implementation of such planning; and

WHEREAS a resolution was adopted on the 6th day of August, 1984 which endorsed the concept of the Clean Community System within McDowell County;

THEREFORE BE IT RESOVED, that the Board of County Commissioners hereby establishes the McDowell Clean County System, hereinafter referred to as "CCS"; and ordains that it be governed by the following provisions:

Section 1. Duties and Responsibilities

The duties and responsibilities of CCS shall be to promote public interest in the general improvement of the environment of McDowell County; to initiate, plan, direct, and coordinate programs for litter and control in conjunction with and in cooperation with citizens, government, business and industries within the limits of McDowell County on a continuing basis; to implement and maintain a Clean Community System; to aid in the prevention of fire, diseases, and other casualties by the removal and elimination of trash and other debris from the streets, highways, alleys, lots, yards and other similar places; to encourage placing, planting and/or preservation of trees, flowers, plants, shrubs, and other objects or ornamentation in said county; to advise and recommend plans to departments of the County for the beautification of McDowell County; and otherwise to promote public interest in the general improvement of the environment of McDowell County; provide, however, that nothing herein shall be construed to abridge or change the powers and duties of other commissions, departments, boards, and like agencies of McDowell County.

Section 2. Powers

In order to perform the foregoing duties enumerated in Section 1 above, CCS shall have the following authority:

- A. To adopt by-laws to facilitate the attainment of its purpose and functions.
- B. To plan, initiate, direct, and coordinate community-wide efforts to achieve its goals.
- C. To solicit and accept donations and appropriations of money, services, products, property, and facilities for obligation and use by CCS for the accomplishment of its objectives.
- D. With the prior approval of the Board of County Commissioners, to employ, to pay, and to terminate the employment of such staff as may be required for the fulfillment of the CCS purposes.
- E. To make recommendations to the Board of County Commissioners as well as to the private sector regarding measures which it deems necessary to accomplish its objectives.

Section 3. Membership

CCS shall consist of not more than thirty (30) members who will be residents of McDowell County, or designated resident or non-resident employees representing business or industry located within McDowell County and who will serve without remuneration; such members will be obtained by active solicitation by the CCS Chairman and CCS Coordinator from those eligible as defined above, and need not have the approval of the Board of County Commissioners in order to serve on CCS. In addition, the Chairman of the Board of County Commissioners may appoint such members of the County Board of Commissioners, as he desires to act as ex-officio members of CCS. The term of membership shall be without specific limitation; terminating upon request of the member concerned, or upon his removal from membership for good and sufficient reason, such determination to be made by the membership of the Committee in whatever manner established within its by-laws.

Section 4. Organization, By-Laws, Meetings, and Records

The Chairman of CCS shall be appointed by the Board of County Commissioners to serve at their pleasure. CCS shall elect from its membership such other officers as may be desired. Officers shall be elected on a calendar year basis for a one-year term, but may be re-elected for succeeding terms. CCS shall adopt by-laws for transaction of its business and shall maintain records of all meetings, correspondence, reports, and related documents, such records to be available for

public inspection. CCS shall hold regular meetings as called by the Chairman, and all such meetings shall be open to the public. One quarter of the total number of Committee members shall constitute a quorum for the transaction of business. The chairman of CCS may create such sub-committees, panels, study groups, or similar entities as he deems necessary for the conduct of Committee business, and may appoint, or otherwise determine the manner of designation, of Committee members to chair such sub-elements of the Committee.

Section 5. Coordinator

In addition to the organization provide for in Section 4, CCS will also have the services of a paid Coordinator employed by the Board of County Commissioners. The Coordinator, a person schooled in the organization and operation of Clean Community Systems, will provide the professionalism and continuity necessary to ensure the success of CCS's efforts. The Coordinator's office will be the location of the official files/records of CCS and will be the official address of CCS for mail purposes. Clerical assistance to all members of CCS in the discharge of their CCS duties will be available through the office of the Coordinator.

Section 6. Management of Funds

CCS will have the power to receive and obligate funds within the limitations of appropriations, gifts, and grants which have been previously approved by the Board of County Commissioners, and in connect in with the projects or undertakings consistent with the terms of this Ordinance. Within the same limitations, CCS will be empowered t contract with any private or public agency to the extent required for its proper operation. CCS will report to the Board of County Commissioners semi-annually, at the first regular Board meeting in the month(s) of October and March. The report will include CCS's actions and accomplishments in connection with each project or undertaking and will include as part of its report a statement of its receipts and obligations from whatever source and to whatever object for the proceeding months. Additionally, at the designated reporting time, CCS will present its proposed budget to become effective the following fiscal year, indicating its anticipated revenues and expenditures, and the source of its anticipated revenues. CCS shall maintain such records as will enable it to make required reports and accountings, and the same will be subject to verification and examination by the County Auditor.

Section 7. Repeal and Date of Effect

Any Ordinance or parts of Ordinances in conflict with this Resolution and Ordinance are hereby repealed, and this Resolution and Ordinance shall be in full force and effect as an Ordinance of McDowell County from and after the date of its adoption by the Board of County Commissioners.

Section 8. Validity

Should any section, paragraphs, sentence, clause, or phrase of this Resolution and Ordinance be declared unconstitutional or invalid for any reason, the remainder of the resolution and ordinance shall not be affected thereby.

Adopted this 6th day of August, 1984.

s/John English
Chairman of the Board of
Commissioners of
McDowell County, NC

s/Judy A. Wright
Clerk to the Board of
Commissioners
McDowell County, NC