



Review of RBC Bylaws

John Boyer, CDM Smith

Agenda Item 6

Purpose of the Bylaws

- Define and govern the decision making process
- Define membership and appointment procedures
- Define the method of election and powers of the Chair and Vice Chair
- Describe how the RBC will operate
- Describe how the RBC will communicate internally and externally

The Bylaws describe an open, interest-based process for developing and implementing the River Basin Plan

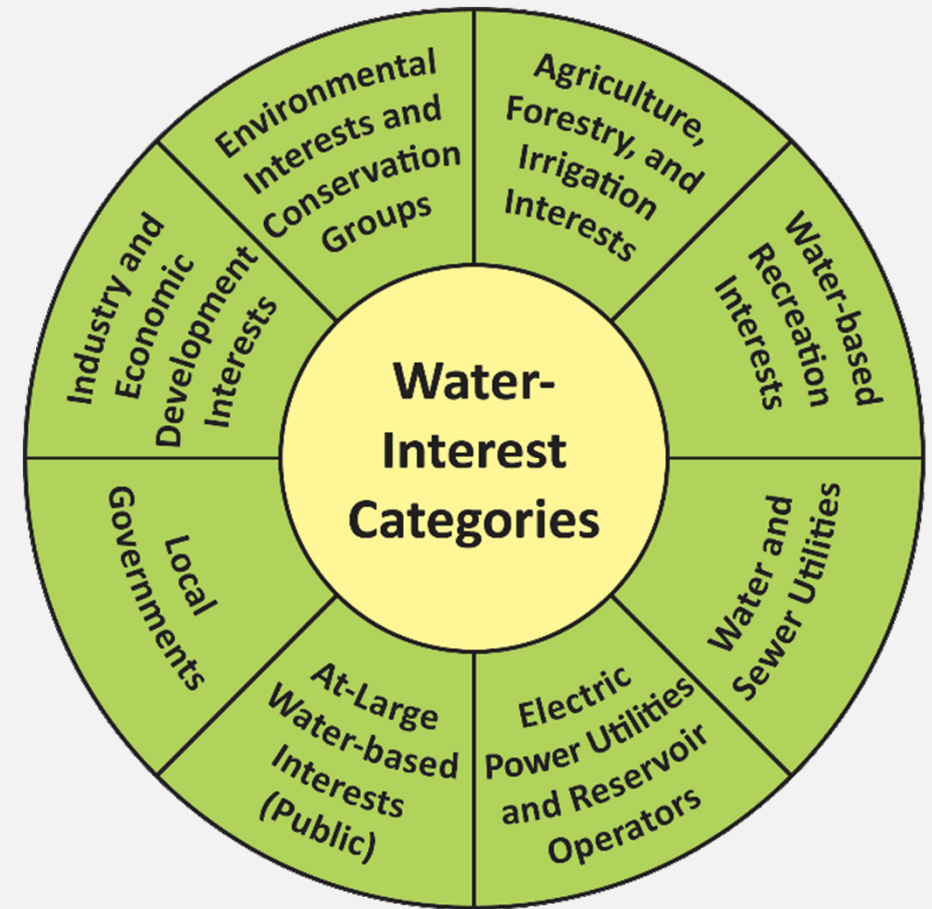
Modifications to Bylaws

- The RBC **can modify the bylaws** to accommodate special and unique situations present in the basin.
- Proposed modifications must be:
 - Submitted to the PPAC for review and comment
 - Submitted to SCDNR for review, approval, and record keeping



Membership and Attendance

- **Members** must be knowledgeable and experienced in the interest category they represent
- **Alternates** must represent the same interest category as the Member they represent and be approved by SCDNR
 - Alternates are encouraged to attend meetings to stay current on proceedings
- **Attendance is important** and Members are expected to fully participate in each meeting/teleconference
 - Two unexcused absences over a rolling 12 month period will subject the Member to possible removal by the RBC, subject to SCDNR approval



Removal, Resignation and Reinstatement

- To ensure the RBC's process values the time investment of all Members, a Member may be **removed** due to:
 - Failure to meet attendance requirements
 - Conduct inconsistent with the Bylaws
 - Change in Members status, such that they no longer represent the interest group
 - Felony conviction or falsifying documents
 - Completion of three consecutive terms
- **Resigning Members** should provide 30-day notice to the RBC Chair
- Expelled or resigned Members can be **reinstated** by a super majority vote and are subject to SCDNR approval

RBC Term Lengths

- RBC Members will initially serve for 2, 3 or 4 years
- Subsequent terms will be for 3 years
- After their initial term, RBC members may request to serve another 3 years, subject to SCDNR approval
- Members may not serve more than 3 consecutive terms

Code of Conduct



- Members and alternates are expected to:
 - **Be prepared** for all meetings and **ready to contribute**
 - **Operate in good faith** and disclose interests, actions and needs
 - **Respect** the interests and opinions of others
 - **Avoid conflicts of interest**
 - Avoid seeking to gain advantage through political means or the media
 - Agree to not negotiate through the media
 - Refrain from opining on the positions or motives of other Members
 - Avoid finger pointing and assigning blame

RBC Chair and Vice Chair

- The Chair and Vice Chair must represent **different interest categories**
- Responsibilities of the **Chair**:
 - Serve as executive officer and spokesperson
 - Coordinate with the Planning Team to set schedules, agendas, special meetings, and monitor progress
 - Make final appointments to subcommittees
- The **Vice Chair** will assist the Chair with his/her duties and assume the Chair's responsibilities when the Chair is unable to do so

RBC Chair and Vice Chair

- Nominations for Chair and Vice Chair will be made by RBC Members
 - The Planning Framework indicates that nominations and voting on the Chair and Vice Chair will occur at the **first or second meeting**
 - The **Edisto RBC** waited for a year (13th Meeting), because of having to meet virtually, and to allow time to get to know fellow RBC members
 - **Question – When would the Broad RBC like to select the Chair & Vice Chair?**
- Chair and Vice Chair serve for the rest of the first calendar year (2022) and the following two calendar years (2023-2024)
- Subsequent Chairs and Vice Chairs serve for 2 calendar years

Meetings

- **Regular Meetings** are those designated for preparing River Basin Plans or fulfilling implementation objectives.
- **Closed Meetings** can be requested by a Member to discuss a sensitive topic and approved by a Majority Vote.
 - The Facilitator, Coordinator and SCDNR/SCDHEC may participate in closed meetings upon Member request by a Majority Vote.
- **Special Meetings** are intended to address unforeseen and time-sensitive circumstances.
 - Called by the Chair, Vice Chair or by 25 percent of the Members

Decision Making

- RBC's will make most decisions by **consensus**
- **Consensus** is achieved when all Members can “*live with*” a decision and does not necessarily represent unanimity
- We will attempt to achieve consensus through **interest-based negotiations**
 - *Expand the options and alternatives*
 - *Find mutually beneficial outcomes*

Building Consensus May Require:

Proposing
Alternative
Solutions

Assessing the
Impacts of
Alternatives

Compromising

Decision Making

- If consensus is not possible after good-faith negotiation, a decision will be made by **Majority Vote**.
- A **Super Majority Vote** consisting of two-thirds or more of the Members present and voting is required for:
 - Recommending SCDNR expel a Member
 - Reinstating a Member



Decision Making – River Basin Plan Approval Process

Step 1

- Testing for consensus of **Draft Plan**

Five Point Rating Scale

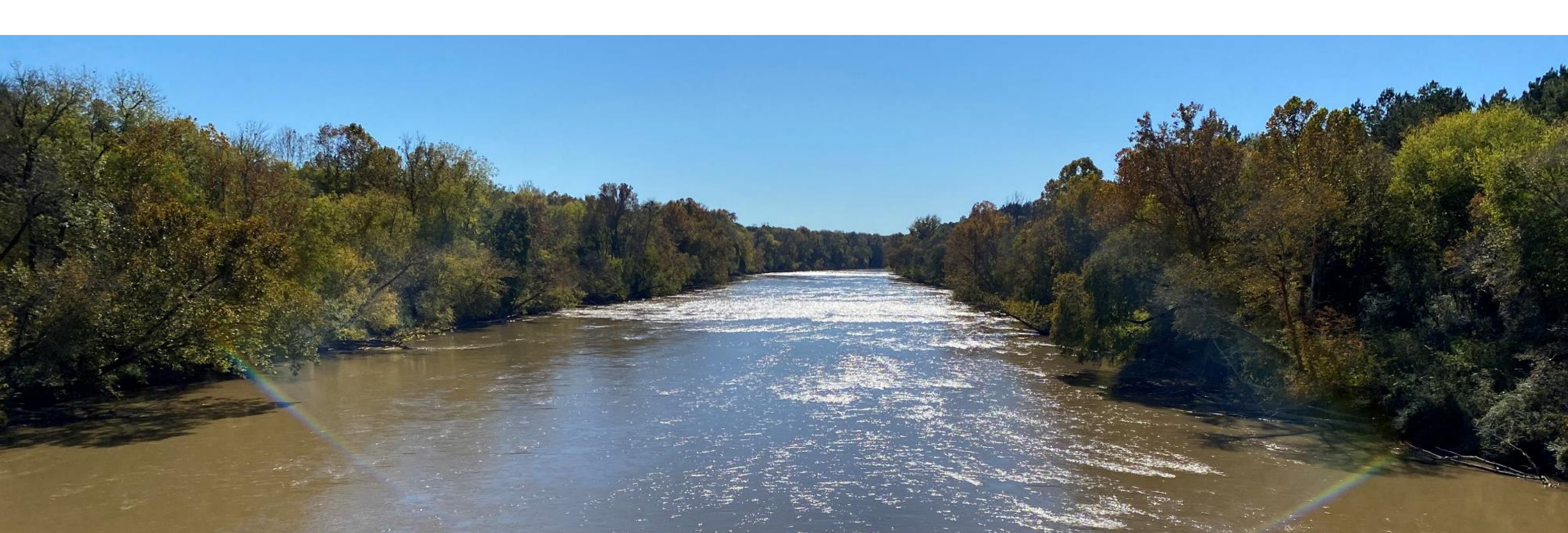
1	Full Endorsement
2	Endorsement, but with minor points of contention
3	Endorsement, but with major points of contention
4	Stand aside with major reservations (requires changes)
5	Withdrawal (Member leaves)

Step 2

- For the **Final Plan**, each RBC Member will indicate their **support** or **disagreement**
- By supporting the **Final Plan**, each member acknowledges their:
 - Concurrence with the Plan
 - Commitment to support implementation of the Plan

Subcommittees and Interbasin River Councils

- **Short or long-term subcommittees** may be formed to address specific issues, geographic areas or water sources.
 - RBC members will join voluntarily, with final appointments made by Chair
 - Subcommittees will elect their own Chair and Vice Chair
 - Subcommittee meetings are not subject to **Regular Meeting** requirements
- **Interbasin River Councils (IRCs)** may be established to facilitate collaboration among neighbouring river basins and help resolve conflicts.
 - Up to five members from each RBC will join voluntarily, with final appointments made by the Chairs of each RBC



QUESTIONS?

Next: Assign RBC Member Term Lengths