

BYLAWS
North Dakota Onsite Wastewater Technical Review Board

Article 1 – Name

The name of this organization shall be the North Dakota Onsite Wastewater Technical Review Board, hereinafter referred to as the "Board."

Article 2 – Offices

The principal office of the Board shall be maintained at the office of the President.

Article 3 – Members

Membership of the Board, and voting rights, shall be as follows:

A. Prior to November 1, 2019, voting membership on the Board shall be as follows:

1. A representative of each public health unit providing environmental health services;
2. A representative of the ND State Dept. of Environmental Quality;
3. Three (3) onsite sewage treatment system installers nominated by a local public health unit and confirmed by a majority of the Board members;
4. A representative appointed by the Director of the North Dakota State University Extension system.

B. Beginning November 1, 2019, and continuing thereafter, voting membership on the Board shall be as follows:

1. A representative of each public health unit providing environmental health services and having adopted the Design Standards Code, Appendices A, B and C in their entirety by October 31, 2019;
2. A representative of the ND State Dept. of Environmental Quality;

3. Three (3) onsite sewage treatment system installers nominated by a local public health unit and confirmed by a majority of the Board members;
4. A representative appointed by the Director of the North Dakota State University Extension system.
5. A representative of each public health unit providing environmental health services but having not adopted the Design Standards Code Appendices A, B and C in their entirety, shall be considered members but shall not have voting rights.
 - (i) Representatives of each Public Health Unit providing environmental services but having not adopted the Design Standards Code Appendices A, B and C in their entirety shall not have voting rights until such time as they have adopted the Design Standards Code Appendices A, B and C in their entirety.

C. Alternate representatives of the Public Health Units, ND State Department of Environmental Quality and the North Dakota State University Extension System representative may serve in the absence of the designated member. Alternate members shall have such voting rights and privileges of the designated voting member when serving in their absence.

Article 4 – Terms

- A. Except as otherwise provided herein, each member is appointed to a term of two years, commencing on January 1st of each year. For the initial membership on the Board, terms may be staggered with approximately one-half of the Board being appointed for a one-year term and the balance elected to a two-year term. Thereafter, each member shall be elected to a term of two years.
- B. Membership on the Board may be renewed.
- C. Each member of the Board shall hold office until his or her successor is appointed.

Article 5 – Governance

- A. The Board shall elect a President, Vice President, and Recorder every two years.
- B. The President shall convene and preside over the meetings.
- C. The Vice President shall preside in the President's absence.
- D. The Recorder shall take meeting notes and distribute them to the members in a timely fashion, and keep copies of account reports and meeting proceedings.
- E. An agenda for each meeting shall be established by the President after conferring with the Vice President, and Recorder.
- F. The Board may establish such standing committees as may be necessary and convenient to carry out the activities of the organization.
- G. The Board may establish special or ad hoc committees as necessary or convenient.
- H. Membership on committees shall be appointed by the President except where specifically named and appointed by a majority of the Board.
- I. All meetings shall be conducted in accordance with their meetings according to Robert's Rules of Order.
- J. All meetings shall be governed by the provisions of the N.D.C.C. Chapter 44-04.
- K. All issues to be voted on by the Board shall be decided by a simple majority of those present at the meeting in which a vote takes place, except as otherwise provided herein.

Article 6 – Meetings

- A. An annual meeting of the Board shall take place in the month of January, the specific date, time, and location of the annual meeting shall be designated by the President.
- B. Regular meetings of the Board shall be held quarterly at a time and place designated by the President.
- C. Special meetings may be called by the President, the executive committee, or a simple majority of the Board members.

- D. Written notice of each meeting shall be given to each member of the Board not less than two weeks prior to the meeting except for special meetings which may be called upon one (1) day written notice.
- E. A quorum for the meeting of the members shall consist of at least 50 percent of the Board members.
- F. Except where otherwise required by a vote of the majority of the Board membership, members shall be allowed to participate in meetings by telephone, video or other electronic means when available.

Article 7 – Removal of Board Members

Board members may be removed from the Board by a vote of 2/3 of the Board members following 30 days' written notice to the individual to be removed and all other members of the Board. Removal may be undertaken for conduct which is adverse to the best interests of the organization which shall include, but not be limited to:

- A. Absence from three (3) consecutive meetings.

Article 8 – Scope of Authority

The Board shall have the following authority:

- A. Develop and promote educational and training programs and activities that will advance the practice of Onsite Sewage Treatment Systems;
- B. Make recommendations for uniform industry standards for the design, installation and maintenance of onsite wastewater facilities;
- C. Provide education to practitioners in wastewater management, members of the Board and the public;
- D. Make recommendations for standards and best practices in wastewater management;
- E. Advance the standards of manufacturing, installing, repairing, and maintaining onsite treatment facilities including the recommendation

- of the uniformly enforced code regarding the design, installation or servicing of onsite treatment facilities;
- F. Receive, consider, and make recommendations on requests for changes to the Design Standards Code and all appendices;
 - G. Set reasonable fees for services provided by the Board;
 - H. Collect, deposit, and account for all fees and revenues received by the Board;
 - I. Disburse such fees, receipts or other revenues as necessary or convenient for the operation and activities of the Board;
 - J. Entering into contracts to carry out duties within the scope of the Board;
 - K. Accept gifts or contributions for the purposes of the Board;
 - L. Provide an annual report of activities and financial accounts in February of each year for the preceding year to its member health units, installers, NDSU Extension, and the State Dept. of Environmental Quality;
 - M. Develop product review and registration processes;
 - N. Maintain a list of registered and approved products for onsite sewage treatment systems;
 - O. Develop recommended standards for sewage treatment technologies and sewage distribution technologies;
 - P. Establish continuing education criteria and programs for installers;
 - Q. Establish training programs for septic installers;
 - R. Establish testing criteria and requirements for certification of septic installers;
 - S. Undertake such other actions as may be reasonably necessary or convenient for the operation of the Board in the performance of OSTs functions;
 - T. Adopt such rules, procedures and policies as may be necessary or convenient for the conduct of the Board's meetings and activities.

Article 9 – Fiscal Agent

The fiscal agent for the Board shall be the North Dakota Environmental Health Association (NDEHA). Fiscal transactions shall meet the same standards and follow the same procedures as the Treasurer for NDEHA.

Article 10 – Records and Reports

- A. The Board must keep correct and complete records of accounts and proceedings of meetings.
- B. The Board shall provide an annual report of activities and financial accounts in February of each year for the preceding year to its member health units, installers, NDSU Extension, and the State Dept. of Environmental Quality.
- C. All records shall be maintained in accordance with N.D.C.C. Chapter 44-04 regarding open records.

Article 11 – Amendments

The Board may amend these Bylaws by a vote of 2/3 of the members of the Board at any regular or special meeting. Written notice setting forth proposed amendments or a summary of the changes to be affected thereby shall be given to each Board member at least 10 days prior to the date of such meeting to consider such amendments.

These bylaws are agreed to this _____ day of _____, 2018.

Name and Agency:

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_____	_____
_____	_____
_____	_____

