

# **Bonita Peak CAG Mission Statement and Operational Procedures**

Approved March 28, 2019

## **Mission Statement:**

The Bonita Peak CAG serves as an informational conduit between diverse community interests and U.S. EPA and its governmental partners with regard to activities at the Bonita Peak Mining District Superfund Site and their effects on the Animas River watershed within Colorado. In its advisory capacity, the CAG desires outcomes that are: protective of human health and the environment, feasible and practicable, conducted expeditiously and efficiently, and mindful of community cultural, social and economic interests.

## **Operational Procedures:**

### **Meetings and Announcements**

Announcements for meetings will be posted on the Bonita Peak CAG website, email lists, newspapers (Silverton Standard, Durango Herald & Telegraph), radio and print, community calendars, social media posts and the EPA's BPMD website and monthly updates. Meetings will alternate between Silverton and Durango with at least one meeting each year in New Mexico.

### **Executive (or Steering) Committee**

At the beginning of each year the CAG will choose an executive committee of three members; a chair, vice-chair, and secretary. CAG members can nominate other members or themselves for positions on the committee. If more than one person is nominated for a position, members will vote for appointment to that position by secret ballot. Executive Committee members will serve one-year terms and can be re-appointed using the aforementioned nomination and voting process.

### **Conducting Meetings**

The executive (or steering) committee will develop a draft agenda and notify the public of upcoming meetings. The chair or vice-chair will conduct the meeting starting with any discussion about the agenda. Meetings will operate using Robert's Rules of Order. A quorum is not needed to conduct a meeting but is necessary for the CAG to vote when making decisions.

### Decision Making

Eleven of the seventeen CAG members must be present at the meeting or participating via a conference call or video connection to constitute a quorum for making any decisions for the CAG. Decisions will be made through Robert's Rules of Order, *i.e.* a motion must be made and seconded; any discussion of the motion will follow and then the motion must be approved by at least 2/3rds of the members participating in meeting by person, by phone, or by video connection. The chair of the meeting cannot make or second a motion.

### Executive Session

CAG meetings shall be open to the public, but the CAG reserves the right to hold executive sessions, closed to the public, by approval of a motion through the aforementioned Decision Making process.

### Conflict of Interest

If a CAG member has a direct personal or private interest (particularly financial) in a position the CAG may take, that member shall recuse themselves from the discussion or any voting on any motion taken with regard to that position. If a member is not sure if he or she has conflict of interest, the member shall disclose why they might have a conflict and let other members discuss if a recusal is warranted.

### Meeting Summaries

The Executive Committee will assure that notes are taken at each meeting either by an executive committee member or by another CAG member. Summary notes of each meeting will be disseminated via email prior to the next CAG meeting for members to review. After meeting notes are approved by motion and vote, they will be posted on the Bonita Peak CAG website. Notes shall include decisions made along with a summary of the discussion and rationale or justification related to those decisions. Meeting notes shall also list all members in attendance, and summary of all agenda items, including presentations, requests for information, and public comments.

### Video and Audio Taping

The CAG will allow reporters to record audio to help them accurately report on meetings, but will only allow the press to video record if the CAG votes to support video recording at the beginning of the meeting. Requests to record meetings (audio or video) for purposes other than for improving accuracy of reporting must be requested and approved by a vote of the CAG at the beginning of the meeting. Executive sessions will not be recorded.

### Members' Terms and Reappointment

CAG members will serve three-year terms. However, in order to maintain continuity and not have complete turnover of CAG membership, the initial set of seventeen CAG members will be split into thirds:

- The initial term of one-third of the original members will be two years;
- The initial term of another third of the original members will be three years; and
- The initial term of the last third of the original members will be four years.

San Juan County and La Plata County appointees shall initially serve a two-year term, and three-year terms thereafter. The Town of Silverton and City of Durango appointees shall initially serve a three-year term, and three-year terms thereafter. These appointments shall serve at the pleasure of their respective governing bodies.

For the rest of the original CAG members, four will have a first term of two years, four will have a first term of three years, and five will have a first term of four years. At the end of members' terms, the CAG will seek applications for the vacancies from members of the public, including CAG members who would like to be reappointed. Then CAG members whose terms are not up will determine who fills the vacancies keeping in mind the importance of representation from diverse community interests including locales within the watershed.

### Member Attendance and Possible Removal

If a CAG member misses three consecutive meetings, the CAG can vote to remove the member from the CAG or request a new appointment if that member is a governmental appointee. If removal of a non-governmental member occurs, the CAG will solicit applications for a new member and decide who they will appoint.