



MECKLENBURG COUNTY

Board of County Commissioners

AIR QUALITY COMMISSION OF Mecklenburg County, North Carolina

The Mecklenburg County Board of County Commissioners hereby creates the Mecklenburg County Air Quality Commission (AQC) with the mission and duty to promote the protection, preservation, and enhancement of the ambient air resources of Mecklenburg County, North Carolina. The purpose of the AQC shall be to provide citizen and stakeholder input to the Board of County Commissioners, local municipalities and staff through the review and recommendation of air pollution management policies, long-range plans, operations and their budgetary impacts in order to achieve the above mission.

ARTICLE I. FUNCTION:

The Air Quality Commission (AQC) shall:

(a) Continually study and review the total ambient air quality program designed to promote and to protect ambient air quality and the public health of the citizens and transient guests of Mecklenburg County from hazards, threats or influences which might undermine, place in jeopardy, in any way impair, damage or adversely affect the environment or the public health of the community in all matters relating to ambient air and to recommend County policies and changes whenever and wherever appropriate.

(b) Continually study and evaluate methods of air pollution management and control as may be required or appropriate to keep the local air pollution control ordinance abreast of modern technology and scientific developments and make recommendations to local elected officials and local government agencies relating to new advances in the technology of prevention and control of such pollution.

(c) Participate in the appeals review process over “air pollution control” regulations and ordinances promulgated by the Board of County Commissioners of Mecklenburg County.

PEOPLE • PRIDE • PROGRESS • PARTNERSHIPS

600 East Fourth Street ☐☐ Charlotte, North Carolina 28202-2835 ☐☐ (704) 336-2472 Fax (704) 336-0306

www.co.mecklenburg.nc.us

(d) Conduct public hearings and review and advise on air program actions, pursuant to the local air pollution control ordinance

(e) Review the Air Quality program proposed annual budget with the Air Quality Director and make recommendations thereon to the Board of County Commissioners to the end that the Board of County Commissioners may be informed of the financial support necessary to adequately provide for the continued development and maintenance of an adequate air pollution program for Mecklenburg County.

(f) Provide maximum cooperation and coordination with matters of air quality protection and public health with agencies of the state and federal governments, with municipalities in Mecklenburg County, with air quality related advisory groups (*e.g.* metropolitan planning organizations) and with the Board of County Commissioners of Mecklenburg County.

(g) Encourage cooperation among neighboring counties and states and review and advise on proposed agreements and compacts for the prevention and control of air pollution;

(h) Advise, consult, and cooperate with all levels of official governmental representatives and agencies, with industrial and commercial enterprises, with educational institutions, with associations, and with other interested persons or groups and the community to encourage active understanding and support of the program and the attainment of its continued objectives.

(i) Submit an annual written report as to its activities, programs, and progress to the Board of County Commissioners. The AQC shall supplement the written reports required by this paragraph with additional written and oral reports as may be requested by the Board of County Commissioners.

(j) Advise the Board of Commissioners of actions necessary to maintain a “certified” local air pollution program, pursuant to North Carolina General Statute, 143-215.112 (“Local Air Pollution Control Programs”) which requires Mecklenburg County to:

(1) operate and maintain an air monitoring program;

(2) maintain a current emissions inventory and source register for its area of jurisdiction;

(3) adopt rules, regulations, and standards, as duly promulgated by the North Carolina Environmental Management Commission and administer such rules and

regulations throughout its area of jurisdiction in accordance with provisions of North Carolina General Statute, Chapter 143-215.112;

(4) initiate legal proceedings against all violators of regulations and standards;

(5) to maintain patrols and to investigate all complaints throughout its area of jurisdiction;

(6) have jurisdiction over all sources located in its area of jurisdiction except municipal solid waste incinerators, air pollution facilities owned and operated by Mecklenburg County and facilities whose property is divided by the Mecklenburg County line; and

(7) develop, revise as needed, and adopt a local implementation plan, which plan is a part of the North Carolina Implementation Plan for Air Quality, and submit such plans and revisions thereto the United States Environmental Protection Agency.

(k) Review and advise regarding permits controlling sources of air pollution.

(l) Consult with any person proposing to construct, install, or acquire an air pollution source pursuant to the local air pollution control ordinance.

(m) Advise and direct that investigations be conducted pursuant to the local air pollution control ordinance.

(n) Review and advise the local air pollution control programs pursuant to the local air pollution control ordinance.

(o) To have other duties and responsibilities as the Board of County Commissioners may assign it.

ARTICLE II. COMPOSITION:

Said AQC shall consist of:

(a) Regular Members The AQC shall consist of no more than twelve (12) members, including a Chairperson. All AQC appointments shall be made by the Board of County Commissioners and are subject to the general membership restrictions applicable to County committees and restrictions applicable to AQC members. In consultation with the seven municipalities, the Board shall ensure that at least four (4) members shall reside in the City of Charlotte; at least one (1) member shall reside in the town of Cornelius, Davidson, or

Huntersville and at least one (1) member shall reside in the town of Matthews, Mint Hill or Pineville.

(b) When initially constituted, one-third of said members shall be appointed for a term expiring on August 31, 2003, one-third for terms expiring August 31, 2004, and one-third for terms expiring August 31, 2005. Thereafter, all appointments shall be made for three-year terms; provided however, that each member shall hold office until his or her successor has been appointed and installed in office. No member may serve more than two full consecutive terms.

(c) The AQC shall require adequate disclosure of potential conflicts of interest by members.

(d) The membership of the AQC shall be divided according to the following vocations or interests:

<u>Qty.</u>	<u>Category</u>	<u>Description</u>
1	Health Professional	Person who shall, at the time of appointment, be actively connected with the local medical society_or have experience in health sciences, preferably a licensed physician with specialized training and experience in the health effects of environmental pollution
1	Engineer	Person who shall, at the time of appointment, be a registered engineer preferably with specialized training and experience in air pollution control
1	Industrial	Person who shall, at the time of appointment, be actively employed by, or recently retired from, an industrial facility and preferably knowledgeable in the field of industrial air pollution control
1	Scientist	Person who shall, at the time of appointment, have special training and scientific expertise, preferably in air pollution control and the effects of air pollution and preferably be a member of the faculty at or recently retired from a local college or university
1	Environmental	Person who shall, at the time of appointment, be an active member of a local environmental organization
1	Attorney	Person who shall, at the time of appointment, be a practicing attorney, preferably with special training and legal expertise in air pollution laws and regulations
1	Transportation	Person who shall, at the time of appointment, be actively employed by, or recently retired from, a transportation related business, preferably knowledgeable in the field of transportation and mobile source air pollution control
5	Public	Persons interested in air quality and air pollution control, appointed from the public at large, any of who may also meet any of the criteria listed above.

(e) Ex Officio Members. The following may serve as ex officio members of the AQC: Mayor of each of the incorporated areas of the County, a member of the Board of Commissioners (to be designated by the Chairman), the County Manager or appointed staff members, and the Air Quality Director. Ex Officio members shall have an active voice in all meetings, but shall not have the right to vote on AQC matters or serve as Vice Chairman.

ARTICLE III. VACANCIES:

Each member will continue to serve until 1) his or her term has expired and a successor has been appointed; 2) his or her resignation; or 3) his or her removal. If a vacancy on the AQC occurs resulting from resignation or removal, a person will be appointed to complete the unexpired term associated with such vacant position in the same manner as such position was originally filled. The successor must represent the same category.

ARTICLE IV. OFFICERS:

The officers of the AQC shall consist of a Chairman, a Vice Chairman and a Secretary. The Board of County Commissioners shall designate the Chairman. The Vice Chairman shall be elected by the members of the AQC at the annual meeting of the Commission held in the month of September of each year. The AQC may designate the Air Quality Director or other qualified person to serve as Secretary to the Commission.

ARTICLE V. MEETINGS:

(a) Annual Meeting and Regular Meetings. The annual meeting of the AQC shall be held in September of each year. In addition to the annual meeting scheduled for September of each year the AQC shall hold monthly meetings pursuant to a schedule adopted by the AQC, unless otherwise scheduled and “noticed.” Notice of the time and place of annual meeting and the regular meetings shall be mailed to each member at least ten (10) days prior to the date of scheduled meetings.

(b) Special Meetings. Special meetings of the AQC may be called by or at request of the Chairman or any three members of the Commission. Notice of the time and place of each special meeting shall be given to each member of the Commission at least three days prior to the meeting; such notice shall be in writing and conform to applicable public meeting requirements.

(c) Quorum. A simple majority of the regular members of the AQC shall constitute a quorum.

(d) Attendance. Members must meet the attendance requirements set by the Board of Commissioners or be removed from the AQC.

(e) Open Meetings. Deliberations of the AQC shall be conducted in its public meeting unless the Commission goes into closed session as allowed by North Carolina law. The Commission may adopt its own rules of procedure, which may not be inconsistent with the terms of this Charter or standard County policy.

ARTICLE VI. DUTIES OF OFFICERS:

(a) Chairman. The Chairman shall preside at all meetings of the AQC and shall appoint such committee(s) as he/she or the Commission shall consider expedient or necessary.

(b) Vice Chairman. The Vice Chairman shall perform the duties of the Chairman in the absence of the Chairman. In the absence of the Chairman and the Vice Chairman, the members in attendance shall elect an acting chairman (“chairman pro tem”) from those members in attendance at said meeting.

(c) Secretary. The Secretary shall keep the minutes of all meetings of the AQC, shall mail notices of meetings of the Commission and shall perform such other duties as may be required by the Chairman or Vice Chairman or by the Commission. Copies of minutes and record of attendance of Commission members shall be provided to the Board of County Commissioners as well as to other official document depositories.

ADOPTED the 15th day of October, 2002.

APPROVED

DATE